



**Oldbury Wells School  
Member of the Bridgnorth Area Schools' Trust**

**Complaints Procedure**

**FREQUENCY OF REVIEW:** Annually

**RATIFICATION:** July 2018

**DATE OF NEXT REVIEW:** July 2019  
unless there is a material change

**REVIEWED BY:** the Complaints Committee

**APPROVED BY:** the Board of Trustees

**AUTHOR:** Headteacher

## **AIMS**

We will deal with complaints fairly, honestly, confidentially and as quickly as we can within timescales. We will try to deal with you, your complaint or concern, or anyone linked to your complaint, as sensitively as we can. We believe that most matters can be dealt with by discussion but we also recognise that some complaints need to be handled more formally. We consider that your complaints and suggestions can contribute to improving how we run the school. We have a Complaints Coordinator who is the Executive Headteacher. She is responsible for the operation and management of our Complaints Procedure. Complainants have the right to request an independent panel hear their complaint if they believe there is likely to be bias in the proceedings.

## **DEFINITIONS**

### **Who can complain?**

- Students at the school, or students' parents, carers or guardians can complain on behalf of the student.
- Parents/ carers or guardians can also complain about an action which they believe has caused them an injustice.
- Members of the public who consider that the school has caused them distress or alarm.

### **What is a Complaint?**

We appreciate that there is a difference between expressing a concern and making a complaint. A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. Concerns can often be dealt with quickly and easily. A 'complaint' may be defined as 'an expression of dissatisfaction, however made, about actions taken or a lack of action'. We will make every effort to resolve both concerns and complaints at the earliest possible stage. However, we can only deal with matters for which the school may be responsible.

### **What cannot be dealt with as a Complaint?**

- Matters that are the responsibility of another agency, or relating to a party external to the school and therefore outside of the schools' responsibility.
- Matters likely to require a Child Protection investigation.
- Any issue which occurred more than 3 months ago unless the school considers that:
  - a) the issue could still be effectively and fairly investigated and
  - b) it would not have been reasonable to expect you to make the complaint within those 3 months.
- Complaints about other organisations using the school premises.
- Complaints which have already been dealt with by our Complaints Procedure, or where there is undue repetition of a very similar complaint that has already been dealt with.
- Anonymous complaints, unless there are exceptional circumstances.
- Vexatious complaints.
- Additional, supplementary additions and alterations to complaints mid-process.

### **Unreasonable and Serial Complaints**

Oldbury Wells School is committed to dealing with all complaints fairly and impartially. We will not normally limit the contact complainants have with the school, however, we do not expect our staff, or members of our community, to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. Oldbury Wells defines unreasonable complainants as 'those who, because of the frequency of nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

If the behaviour continues, the Executive Headteacher or Principal Deputy will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. In response to any serious incident (such as malicious behaviour, aggression or violence), the concerns and actions taken will be put in writing immediately and the police / appropriate agencies will be informed. The school may, in unusual circumstances, implement a tailored communication strategy outside of this Policy. This may be used in circumstances such as repeat complaints, or communications, about the same point, where reasonable steps have been exhausted or where complainants are abusive, malicious, aggressive, threatening or insulting.

## **IMPLEMENTATION**

### **THE STAGES OF OUR PROCEDURE**

#### **Stage 1 (informal complaint or expression of concern)**

An initial informal complaint can be dealt with by a range of appropriate members of staff. For example, a Pastoral or Transition Leader or Director of Learning can often deal with an issue and bring about a satisfactory outcome. An informal complaint may be dealt with by a senior member of staff.

#### **Stage 2 (formal process)**

If your concern does not reach a satisfactory conclusion in this informal way then you can make a formal complaint. Alternatively you may want it to be regarded as a formal complaint from the start.

A formal complaint can be made *in writing* to the Principal Deputy. In the event that the complaint is about the Principal Deputy, the complaint should be addressed to the Executive Headteacher. In the event that the complaint is about the Executive Headteacher, the complaint should be addressed to the Chair of Governors, see Stage 4.

The Principal Deputy, at this stage, may ask for the complaint to be heard by a staff member, in some cases she may decide to move directly to Stage 3 and deal with the complaint herself. If the complaint is directed to a staff member the Principal Deputy will:

- ensure that we acknowledge receipt of your complaint within 5 school days of receipt.
- arrange for a staff member to respond to your complaint within 15 school days. This may involve an offer of a meeting with you if appropriate.
- arrange for a staff member to let you know if your complaint will take longer than 15 school days and why.
- arrange for you to be contacted, should your complaint need more detail for us to investigate fully.

#### **Stage 3 (formal process)**

If you are not satisfied by the result of Stage 2 then you can ask *in writing* for your complaint to be heard by the Principal Deputy. The Principal Deputy will consult the Executive Headteacher who may, on some occasions, deal with the complaint herself. The Principal Deputy, or Executive Headteacher, will:

- ensure that we acknowledge receipt of your complaint within 5 school days of receipt.
- respond to your complaint in writing to you within 15 school days. This may involve an offer of a meeting with you if appropriate.
- let you know if your complaint will take longer than 15 school days and why.

You will have 28 days from receipt of the written response to inform the school if you wish to proceed to the next stage.

#### **Stage 4 (complaint heard by Chair of Governors)**

After being responded to by the Principal Deputy (or, where relevant, the Executive Headteacher), a complaint can be directed to the Chair of Governors. In your letter to the Chair of Governors you will need to include details of your complaint and why you were dissatisfied by the earlier response(s) to your complaint. A complaint at this stage will be copied to the Principal Deputy who will:-

- ensure that we acknowledge receipt of your complaint within 5 school days of receipt.
- arrange for the Chair of Governors to respond to your complaint in writing to you within 15 school days. This may involve an offer of a meeting with you if appropriate.
- let you know if your complaint will take longer than 15 school days and why.
- let you know if your complaint will be taken directly to the Complaints Panel (Stage 5).

You will have 28 days from receipt of the written response to inform the school if you wish to proceed to the next stage.

#### **Stage 5 (complaint heard by the Local Governing Body's Complaints Panel)**

After Stage 4, you can request in writing that your complaint is heard by the Local Governing Body's Complaints Panel. The Panel would usually convene at a meeting with you, unless you wished the Panel to reach its decisions without you being present. However there may be circumstances which may cause the Panel to consider a more appropriate way of considering the complaint. The Panel will be arranged within 28 school days of your request unless agreement is reached with you about an alternative date.

## Stage 5 (Complaint heard by the Local Governing Body’s Complaints Panel) continued

The Panel would comprise 2 members of the Local Governing Body, or Trust Board, one of whom would act as Chair, together with a suitable independent person. The Panel would meet with you and may ask other people to attend the meeting as well (such as a clerk and witnesses). This is so that all information considered important can be made available to them. The Principal Deputy (or, where relevant, the Executive Headteacher) would be asked to attend. You and the Principal Deputy (or, where relevant, the Executive Headteacher) would need to have agreement with the Chair of the Panel, prior to the papers going out for the meeting, should you wish to request the attendance of anyone else. The Panel is required to ensure the meeting is attended only by those who are essential. It is acceptable for you to be accompanied by a friend/supporter to help you present your case to the Panel.

Before the Panel convenes, members will be given notice of the guidance about the arrangements, to ensure an appropriate tone is struck. These include the responsibility of all attending to act in a courteous and non-confrontational manner. Please note that, should complainants break the guidance to the extent that the Panel believes continuing to be untenable, the meeting shall be terminated and the complaint will be left unheard

The Panel can:-

- uphold the complaint in whole or in part.
- dismiss the complaint in whole or in part.
- decide on actions that can be taken to resolve the complaint.
- recommend changes to the school’s systems, practices and procedures to ensure that problems of a similar nature do not happen again.

The Panel will respond to you in writing, within 10 days, with the outcome of the Panel meeting.

The Local Governing Body’s Complaints Panel is the last school-based stage of the complaints process, and is *not* convened merely to rubber-stamp previous decisions. However, the Panel will not deal with any new issues or concerns introduced at this stage, either verbally or in writing, by the complainant. The Chair of the Panel will ensure that the complainant is notified in writing of the Panel’s decision within 10 days of the meeting. The letter will explain that the complainant can contact the Education Funding Agency online at [www.gov.uk/government/organisations/education-funding-agency](http://www.gov.uk/government/organisations/education-funding-agency) if they wish to pursue the matter.

### Complaints which concern the Principal Deputy, Executive Headteacher or a Governor

Complaints about the actions of the Principal Deputy will be referred to the Executive Headteacher. In the event that the complaint is about the Executive Headteacher, the complaint should be addressed to the Chair of Governors to be dealt with at Stage 4 of the Procedure. A complaint about any Governor will be dealt with at Stage 5 by the Local Governing Body’s Complaints Panel which will not include any Governor who is involved in the complaint. The Vice Chair of Governors would make arrangements for the Panel where a complaint concerns the Chair of Governors. A complaint about the Chair of Governors, or any individual Governor, should be made in writing to the Clerk to the Governing Body. The complaint will be dealt with at Stage 5.

The Complaints Procedure has been adopted by the Board of Bridgnorth Area Schools’ Trust

Signed \_\_\_\_\_

Dated \_\_\_\_\_

Chair of the Oldbury Wells Local Governing Body

Signed \_\_\_\_\_

Dated \_\_\_\_\_

Headteacher