

# Benjamin Britten School



## Complaints Policy and Procedures

## **Introduction**

Benjamin Britten School has adopted a set procedure which has been drawn up by the Governing Body for dealing with general complaints made by parents or others about the conduct of the school or the actions of a member of its staff.

All complaints are covered by this procedure, with the exception of matters relating to the following items, as they are covered by other policies:

- Admission decisions
- Statutory assessments of special educational needs
- Matters likely to require a child protection investigation
- Exclusion of children from school
- Whistle-blowing
- Staff grievances
- Staff conduct complaints
- Complaints about services provided by other providers who may use school premises or facilities
- Complaints about the curriculum
- Collective worship
- Withdrawal from the curriculum
- School re-organisation proposals

This procedure is informed by the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school. This policy complies with our funding agreement and articles of association.

## **What to do if you have a complaint**

A complaint must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Most complaints regarding a child's welfare or education in school can normally be resolved speedily and informally by discussing the matter with your child's Class Teacher, Form Tutor or Head of Year - whomever is most appropriate. Parents should contact the school and request a meeting with the most

appropriate person to resolve the complaint. That person will call you back to arrange a mutually convenient appointment within 3 school days of receiving your request, where this is reasonably practicable. Please note that this deadline applies to working days only and does not include weekends, bank holidays or school holidays. Parents of children with special educational needs (SEN) may also make a complaint about the support provided by the school, in which case there should also be an attempt to resolve this at this stage.

If you are unhappy with the response of the identified appropriate person as above, or if you have a complaint that concerns a member of staff, school procedures or the school premises, please contact the Headmaster via the school office. You will receive an acknowledgement receipt of this complaint (or escalation of complaint) within 3 school days.

The Headmaster will investigate your complaint and either discuss the matter with you or provide you with a response in writing within 15 school days.

Sometimes matters can arise of a more general concern. These should first be discussed with the Headmaster and then, if necessary, with the Chair of Governors. He or she can, if it is thought to be appropriate, have the matter placed on the agenda of a Governing Body meeting. The Chair can be contacted through the school office.

Every effort will be made by the Headmaster to resolve the matter at this stage.

### **If your complaint remains unresolved or concerns the Headmaster**

If you are not satisfied with the Headmaster's response and you wish to pursue it further, or if your complaint is about the Headmaster him/herself, please submit the details of your complaint in writing to the Chair of Governors c/o the school. The name of the Chair of Governors is available from the school office and on the school website. You will receive an acknowledgement receipt of the complaint (or escalation of complaint) within 3 school days.

The Chair of Governors will investigate the complaint and will provide you with a detailed response, in writing, within 15 school days. Further, where appropriate, the Chair of Governors will offer you the opportunity to meet and discuss the situation, if this will help to bring the matter to a satisfactory conclusion.

Every effort will be made by the Chair of Governors to resolve the matter at this stage.

### **If you are still dissatisfied**

If you remain dissatisfied at this point, you can ask for your complaint to be formally considered by the Hearings Committee of the Governing Body. This meeting will be convened within 15 school days of receiving notification of your wish to escalate the matter.

This Committee consists of three Governors who have not been directly involved in the handling of the complaint so far. They will listen to your complaint and consider all the evidence available to them as impartially as possible. One panel member will be independent of the management and running of the school. This may be a Governor at one of the other schools within the academy trust. The parent / carer can attend, and be accompanied at the Hearing, if they wish. The parent/ carer will be given reasonable notice of the panel hearing date. A copy of the Committee's finding and recommendations will be sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about, within 5 school days. A record will be kept of the findings and recommendations of the Hearings Committee.

### **If you are still dissatisfied**

If you remain dissatisfied, you are able to complain to the Department for Education (DfE) through its agency for this purpose. This is known as the Education & Skills Funding Agency. The appropriate contact details are provided in the following link: [www.education.gov.uk/help/contactus/efa](http://www.education.gov.uk/help/contactus/efa)

### **Responding to Parental Concerns**

This procedure has been adopted in order to ensure that all complaints and concerns which are drawn to the attention of the school can be dealt with promptly and efficiently. Most complaints can be resolved satisfactorily by informal discussion with the appropriate member of staff but there are occasions when more formal arrangements are necessary. Complainants will be kept informed of progress at each stage of the procedure and the main aim throughout the process will be to resolve the matter as speedily as possible. Full written records will be kept for the guidance of those who may need to consider the complaint at a subsequent stage. Records of formal complaints will include information as to whether the complaint was resolved at stage two or progressed to a stage three committee hearing and what action was taken by the school as a result of the complaint, whether or not it was upheld. Correspondence, statements and records relating to individual complaints will be kept confidential

except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act requests access to them.

**The Governing Body hopes that if parents do have any concerns or complaints they will discuss them in the first instance with the appropriate teacher, senior member of staff or with the Headmaster so that efforts can be made to resolve the matter as quickly and as informally as possible. The school reserves the right to identify malicious complaints as such and to respond in reasonable fashion to such treating these as complaints designed to provoke, aggravate or upset without reasonable cause.**

## **Benjamin Britten School**

### **GENERAL COMPLAINTS PROCEDURE FOR PARENTS AND OTHERS**

#### Guidance Notes

#### **1. Definition of a complaint to be considered under the General Complaints Procedure.**

The General Complaints Procedure is intended to cover complaints from parents and others concerning the conduct of the school or the actions of any member of staff in relation to any matter of reasonable concern.

#### **2. Aims of the procedure**

The general aims of the General Complaints Procedure are to ensure: that most complaints are resolved as swiftly and readily and as close to the source of the problem as possible; that there is a defined procedure for dealing with complaints remaining unresolved; that lessons learned from the investigation of complaints can be used for institutional improvement.

#### **3. Main Features of the Procedure**

3.1 The formal procedure should not normally be activated unless and until the Headmaster and appropriate members of staff have been given the opportunity to resolve the complaint informally, as part of their day-to-day management of the school.

3.2 The complainant must put the complaint in writing before the formal investigation proceeds.

3.3 Once the formal process has been initiated, every effort should be made to ensure that the complaint is dealt with promptly, effectively, objectively and professionally.

3.4 Complainants should be kept informed at each stage of the procedure

3.5 The aim at every stage should be to ensure that the complaint is settled or that a decision is taken promptly to proceed to the next stage.

3.6 Full written records should be kept at every stage for the guidance of those who might need to consider the complaint at a subsequent stage.

3.7 Staff must be advised before any interviews are carried out as part of the formal investigation that they have the right, if they so wish, to be accompanied by a friend or trade union representative

#### **4. The Process in Operation**

4.1 All formal complaints must be referred in the first instance to the Headmaster for investigation unless they concern the Headmaster directly, in which case they must be referred to the Chair of Governors.

4.2 When a school Governor receives a complaint, he or she must inform the Chair of the Governing Body who in turn will inform the Headmaster.

4.3 If the complaint cannot be investigated objectively by the Headmaster, or the complainant is dissatisfied with the Headmaster's response, the Chair of the Governing Body will seek resolution.

4.4 When the investigation has been completed, the Chair of Governors will provide the complainant with a written response. An offer will also be made to meet with the complainant where it is felt that this might assist in bringing the matter to a satisfactory conclusion.

4.5 Governors who are members of the Hearings Committee of the Governing Body need to be cautious about their involvement in complaints in order to demonstrate their impartiality should there be a subsequent Hearing. Other Governors too need to distance themselves from complaints in case they result ultimately in disciplinary or grievance proceedings.

4.6 Complainants who remain dissatisfied following a formal investigation of their complaint by the Chair of Governors can, if they wish, put their complaint to the Hearings Committee of the Governing Body.

4.7 The Committee's decision will normally be regarded as final and at that stage the complainant will be advised of any further recourse available (such as the Secretary of State for Education and Employment) should he or she be dissatisfied with the outcome.

4.8 Information is available for parents and others that explain both the procedure and the arrangements for a Hearing before a Committee of the Governing Body.

#### **5. General Complaints or Concerns**

5.1 There may be more general matters causing a degree of unease in the community which might best be handled through discussion at a Governing Body Meeting. Such matters should be put on an agenda,

with the consent of the Chair of the Governing Body, and not raised under Any Other Business. Governors will need to exercise some caution in dealing with such matters (for the reasons described in 4.5 above).



## General Complaints Procedure – Flowchart

