



THOMSON HOUSE SCHOOL

Thomson House School Complaints Policy

Agreed by: Governor's Finance Committee
Date: October 2021

Review Cycle: Three years
Next Review Date: October 2024

All the Thomson House School policies should be read in conjunction with the Equality Policy, Child Protection Policy and Whistle-Blowing Policy

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Thomson House School

Complaints Policy

Introduction

Thomson House School prides itself on being a learning organisation with an open-door policy. Feedback of all sorts is welcome, for we aspire to high standards for ourselves as well as for our pupils. Therefore, if anyone wishes to raise a concern or to make a complaint, they can expect it to be dealt with swiftly and in accordance with the policy and procedures set out in this document.

Definition

In any school, parents, pupils, members of the local community and others will have queries and concerns from time to time. These are not the subject of “complaint” in any meaningful sense but are part of the everyday dialogue of school life. It is our expectation that queries and concerns of this kind will be resolved quickly by raising matters in question with a pupil’s classroom teacher or a member of the Senior Leadership Team.

A ‘concern’ may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.

A complaint may be generally defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’. (DfE guidance on School Complaints Procedures 2016)

A working day - all references in the policy to a ‘working day’ means Monday to Friday during school term time.

Informal and Formal Stages

The school (the Senior Leadership team) will always try first to resolve complaints informally and in an amicable fashion. The School’s Complaints Policy is divided into Informal and Formal Stages and it is expected that most complaints will be resolved quickly at the Informal Stage.

Confidentiality

Complaints will be dealt with on as confidential a basis as possible, but it may be necessary for the person who first receives a complaint to discuss it with those who can resolve it, so anonymity and total confidentiality cannot be guaranteed.

No one will receive adverse treatment as a result of having raised a complaint, or because someone else has raised a complaint on their behalf.

Summary of Procedure for Parents and Pupils

Informal Stage of Complaints Procedure

It is hoped that most complaints and concerns will be resolved quickly and informally. Many concerns arise from misunderstandings and should be resolved by simple clarification.

Therefore, if parents wish to express a concern or make a complaint, they will in the first instance contact the pupil's teacher. In many cases, the matter will be resolved by this means to everyone's satisfaction. If the relevant teacher cannot resolve the matter alone, he or she will consult the relevant member of the Senior Leadership team (Head of Phase, Deputy Head, Head Teacher).

If the Head Teacher receives a complaint about a member of staff, he/she will always inform the member of staff concerned of the nature of the complaint. He/she will also inform the relevant member of the Senior Leadership Team (SLT) of the complaint and of how he/she will be dealing with the matter.

If the complainant does not wish to share their concerns with the Head Teacher, then a substitute member of the Senior Leadership team will be offered.

The relevant member of the Senior Leadership Team will keep a written record of all complaints and expressions of concern and the date on which they are received. If the matter is not resolved within seven working days or in the event that the relevant member of Senior Leadership Team and the person making the complaint fail to reach a satisfactory resolution, then complainants will be advised to proceed with their complaint in accordance with the formal stage of this procedure.

Formal Stage of Complaints Procedure

If it has not been possible to resolve a complaint informally, the complainant may put their concern in writing to the Head Teacher. The Head Teacher must acknowledge receipt of the complaint within 24 hours of a working day or before if possible. The Head Teacher then has seven working days to complete investigations and arrive at a decision as to whether the complaint is upheld or not.

The Head Teacher, or the member of the Senior Leadership Team delegated by the Head Teacher to investigate the complaint, will meet, email or speak to the complainant within two working days of the complaint having been received, to discuss the matter. The person making the complaint, or the person hearing the complaint may be accompanied if they wish. This will normally be a relative, colleague or friend. If possible, a resolution will be reached at this stage.

If necessary, the Head Teacher will need to arrange for further investigation of the complaint. Once the Head Teacher (or delegated member of the Senior Leadership team) is satisfied that, so far as practicable, the relevant facts have been established,

a decision will be made by the Head Teacher (or delegated member of the Senior Leadership team) and complainants will be informed of the decision. However, details of any action which may result in the use of disciplinary or other formal procedures will normally remain confidential. The investigation should be complete within the seven working days. The Head Teacher will inform the complainant (and the member/s of staff concerned) of their judgement following the investigation on or before the seventh working day following receipt of the complaint.

The Head Teacher (or delegated member of the Senior Leadership team) will keep written records of all meetings and interviews held in relation to the complaint.

If the complaint is about the Head Teacher, then it will be dealt with by the Chair of Governors, or a person nominated by her/him. The complaint should be addressed in writing to the Chair of Governors (or nominated person) who will acknowledge receipt of the complaint within 24 hours of a working day or before if possible. Investigations will follow as quickly as possible so that matters can be resolved as soon as possible. This process would exclude the Chair of Governors (or nominated person) from taking part in any further formal procedure (eg panel hearings) which may result from the complaint. The Chair of Governors, or person nominated by her/him, will follow the same procedure as the Head Teacher/member of the SLT in investigating the complaint and arriving at a decision or resolution within seven working days. The Chair of Governors, or person nominated by her/him, will inform the complainant and the member of staff concerned of their judgement on, or before, the seventh working day.

The School discourages anonymous complaints. However, some complaints which are made anonymously (for example, those raising possible Child Protection issues) do have to be taken seriously. Where an anonymous complaint is received, the Head Teacher (or delegated member of the Senior Leadership team) will make a judgement on whether it is appropriate to investigate or not.

The Head Teacher (or delegated member of the Senior Leadership team) will, if necessary, seek advice and assistance from the Chair of Governors (or an appointed Governor) when dealing with a complaint. It has to be noted that this would exclude the Chair of Governors or the appointed Governor from taking part in any formal procedure which may result from the complaint.

If complainants are not satisfied with the decision, they have a further seven working days to proceed to a panel hearing. If the complainant wishes to proceed to a panel hearing, this should be put in writing to the Chair of Governors within seven working days of the outcome of the formal investigation.

Panel Hearings

The panel will consist of a total of three persons appointed by the Chair of Governors, and possibly including her/him, who have not previously been involved in the complaint, and, where possible, at least one of whom will be a person totally independent of the school or its management.

The Chair of Governors or the person nominated by him, on behalf of the complaints panel, will acknowledge the complaint within 24 hours of a working day of receiving the request, in writing, for a panel hearing. A hearing will take place within fourteen working days of this date.

Evidence collected at any previous stages of the complaint will be made available to the panel on a confidential basis.

If the panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than seven working days prior to the hearing.

The Head Teacher will be provided with copies of all relevant documents given to the panel and will be invited to give written and/or oral evidence to the panel.

The person making the complaint may be accompanied to the hearing by one other person. This will normally be a relative, colleague or friend.

If possible, the panel will resolve the complaint immediately without the need for further investigation. Where further investigation is required, the panel will decide how it should be carried out. After due consideration of all the facts it considers relevant, the panel will reach a decision and make recommendations. This will be completed within seven working days of the hearing or earlier if possible.

The panel will write to the complainant informing him/her of their decision and the reasons for it within seven working days of the panel hearing. The decision of the panel will be final. The Head Teacher will also be informed in writing of the outcome of the appeal as soon as it is known. The panel's findings and recommendations will also be sent to the person complained of.

The school will keep written records of all meetings and interviews held in relation to complaints panel hearings. However, complainants can be assured that all complaints and expressions of concern will be treated seriously and confidentially.

Additional Information about the Complaints Procedure for Staff at Thomson House School

Where a complaint is made against an individual but not directly to that individual by the complainant, the school recognises the principle that the individual has the right to know the details of the complaint which has been made against them, as soon as possible after the complaint has been received, and, usually, to see any letters of complaint received about them.

In some circumstances members of the Senior Leadership team (or nominated Governor) may request that a neutral observer attends meetings between them and the complainant.

It may not always be appropriate for an individual to know the identity of a complainant, or to see the whole of a letter which has been sent and in such circumstances the person complained against will be given verbatim extracts from the letter of complaint received.

The member of the Senior Leadership team or person who has been asked to investigate a formal complaint will report their findings to the Head Teacher (or nominated Governor), who will decide on the best steps to be taken to resolve the matter.

Staff against whom formal complaints are made always have the right to time to consider their response and to take advice if necessary. In addition to any initial discussion, they will be allowed a maximum of five working days to respond in writing to the complaint made against them.

If the response which has been received does not resolve the complaint, the person against whom the formal complaint has been made maybe asked to attend a meeting with the Head Teacher. This meeting will normally take place within the seven working days of the Head Teacher's investigation.

If a person against whom a formal complaint has been made is asked to attend a meeting with the Head Teacher to discuss the complaint, a member of the Senior Leadership team may be present and the person against whom the complaint has been made may be accompanied by a friend or by a representative of their association if they so wish.

A confidential file will be kept on each individual formal complaint whilst it is investigated. Records of complaints made against members of staff will be removed from their personal file if the complaint is shown to be unfounded after investigation. Members of staff against whom a complaint has been received will be fully informed of the investigation being made and will be given full written feedback on the conclusion of the investigation once it has been reached.

We are committed to dealing with all complaints equitably, comprehensively, and in a timely manner. We will not normally limit the contact which complainants have with the school during the process of an investigation but investigators may impose restrictions if they consider it necessary.

We do not expect staff to tolerate unacceptable behaviour by complainants. Unacceptable behaviour includes behaviour which is abusive, offensive or threatening. We will take action to protect staff or investigators from such behaviour. If a complainant behaves in a way that is unreasonably persistent or vexatious in that it hinders investigation of the complaint or of the operations of the school then the Head Teacher or Chair of Governors may decide to refuse all contact with the complainant and stop any investigation into his or her complaint.

Unreasonably persistent or vexatious complaints may include, but is not limited to; there are insufficient grounds for complaint, the complaint is about issues not within

the power of the school to resolve, the complainant insists on the complaint being dealt with in a manner which is incompatible with school policies or procedures or where the complainant refuses to accept the outcome of the investigation, repeatedly arguing the point. Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, the school or Governors will consider other options, for example reporting the matter to the police or taking legal action. In such cases, the school may not give the complainant prior warning of that action

Other Complaints and Allegations

Any complaint which makes allegations of abuse will be investigated under THS Safeguarding and Child Protection Policy.

Serious complaints about the professional competence of staff will be investigated by the Head Teacher and/or the Chair of Governors (or his representative).

Where a member of staff wishes to make a complaint against another member of staff, the matter will be investigated by the Head Teacher and/or the Chair of Governors (or his representative) in line with THS Whistle-Blowing Policy and the Grievance procedure in the Staff Handbook.

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