

## THE HEATHLAND SCHOOL

### WHOLE SCHOOL POLICY FOR COMPLAINTS

#### INTRODUCTION

In accordance with Section 29 of the Education Act 2002, all local authority (LA) maintained schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

This complaints procedure is not limited to parents or carers of children that are registered at the school.

We recognise the need to be clear about the difference between a concern and 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*'. For example issues related to: the setting of homework, marking and setting arrangements. This list is not exhaustive. A complaint may be generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

The complaints policy should not be used for the following reasons, for which there are separate (statutory) procedures:

- Admissions
- Statutory assessments of Special Educational Needs
- Matters likely to require a Child Protection Investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievances and disciplinary procedures
- Complaints about services provided by other providers who may use school premises

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The Heathland School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

#### 1. DEALING WITH COMPLAINTS – INITIAL CONCERNS

Taking informal concerns seriously at the earliest stage reduces the numbers that develop into formal complaints. Our formal complaints procedure is only necessary if efforts to resolve the concern informally are unsuccessful.

It should be noted that many teachers have full teaching commitments during a school day often followed by extra-curricular clubs or meetings. Hence we will always aim to make an initial response to a concern within 3 working days and where necessary provide a fuller response within 10 working days, where possible.

#### 2. DEALING WITH COMPLAINTS – FORMAL PROCEDURES

Our formal procedures are invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The Headmaster has overall responsibility for the operation and management of the school complaints procedure. The Headmaster may nominate a senior member of staff to deal with the complaint in the first instance.

### **Framework of Principles**

To be effective our Complaints Procedure will:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- respect people's desire for **confidentiality**;

### **3. TIME-LIMITS**

Complaints are considered, and resolved, as quickly and efficiently as possible. We set realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits may be set and the complainant informed of the new deadline and an explanation for the delay.

You must raise the complaint 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.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### **4. BARRING FROM THE SCHOOL PREMISES**

*Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.*

*If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the headmaster or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.*

*The decision to bar will then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.*

*Anyone wishing to complain about being barred can do so, by letter or email, to the Headmaster or Chair of Governors' – Best Practice Advice for School Complaints Procedures 2016 (Department for Education)*

## **5. VEXATIOUS COMPLAINTS**

If, despite following appropriate procedures the complainant remains dissatisfied, or tries to reopen the same issue, the Chair of the Governing Body will inform them in writing that the procedure has been exhausted and that the matter is now closed.

## **THE FORMAL COMPLAINTS PROCEDURE**

### **The Stages of Complaints**

Our formal complaints procedure has well-defined stages. At each stage we clarify exactly who will be involved and what will happen. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Headmaster after a meeting with the complainant.

### **Our school-based stages are followed:**

- Stage one: complaint dealt initially by the Head of Year for pastoral issues and the Head of Department for curriculum issues.
- Stage two: complaint heard by Headmaster and / or a member of the Senior Management Team (SMT). Where a complaint is heard by another member of the SMT and not resolved it will then be passed to the Headmaster.
- Stage three: complaint received (in writing) by the Chair of the Governing Body or a Governors Appeal panel.

## **MANAGING AND RECORDING COMPLAINTS**

### **RECORDING COMPLAINTS**

The progress of any complaint and the final outcome will be recorded by a member of staff dealing with the complaint.

### **How to raise a concern or make a complaint**

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the Head of Year for pastoral issues or the Head of Department for curriculum issues or the Headmaster. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

Complaints against school staff (except the Headmaster) should be made in the first instance, to the Headmaster via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headmaster should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure (see Appendix A).

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure.

### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the Headmaster or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

### **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

### **Resolving complaints**

At each stage in the procedure, The Heathland School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part.

## **Next Steps**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the Heathland School. They will consider whether the Heathland School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.

## **REVIEW AND EVALUATION**

The policy will be reviewed and evaluated annually by the Headmaster and will be discussed at a meeting of the Governors' Pupils' Committee.

Revised February 2019

## Appendix A

### COMPLAINT FORM

Please complete and return to:

**The Headmaster, The Heathland School, Wellington Road South, Hounslow, Middlesex, TW4 5JD**

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.(Continue on separate sheet if required)

What action, if any, have you already taken to try and resolve your complaint.  
(Who did you speak to and what was the response)?

What further actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

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Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: