



The Southfield Trust

Complaints Policy and Procedure

The Southfield Trust fully endorses and follows the East Sussex guidelines on Dealing with Complaints as summarised below:

Legislation

SCHOOL COMPLAINTS LEGISLATION

SECTION 29 OF THE EDUCATION ACT 2002 REQUIRES THAT:-

- (1) The governing body of a maintained school shall:-
 - (a) Establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and
 - (b) Publicise the procedures so established
- (2) In establishing or publicising procedures under subsection (1), the governing body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State or (in relation to Wales) by the National Assembly for Wales.

Principles

The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including offering an apology where necessary.

Our complaints coordinator is: **Martin Harrington**

Procedures

INFORMAL STAGE - COMPLAINT HEARD BY STAFF MEMBER

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they will know what to do when they receive a complaint. It would assist the procedure if the school respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator can refer the complainant to another staff member.

Where the complaint concerns the Executive Head Teacher, the complaints co-ordinator can refer the complainant to the Chair of Governors. Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior, but does not have to be. The ability to consider the complaint objectively and impartially is crucial. Where the first approach is made to a governor/trustee, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if governors/trustees did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

STAGE ONE - COMPLAINT HEARD BY EXECUTIVE HEADTEACHER

The Executive Head Teacher's influence will already have shaped the way complaints are handled in the schools. At this point, the complainant may be dissatisfied with the way the complaint was handled at the informal stage. The Executive Head may delegate the task of collating the information to another staff member, but not the decision on the action to be taken.

STAGE TWO - COMPLAINT HEARD BY CHAIR OF TRUSTEES

The complainant asks for a review of their complaint by writing to the Chair of trustees, care of the school, making it clear why they are complaining, who they have already spoken to and what they want to happen as a result of their complaint. Complaints made to the Chair should be acknowledged within 5 school days with a substantive response within 15 school days. The Chair may need to hold interviews with the Executive Head Teacher and possibly other members of staff, and notes should be kept of those meetings. The letter conveying the Chair's findings should include details of the next stage of the procedure. The Chair may need to explain the power of the Trustees in the matter in question and the extent it may be possible to achieve the outcome desired by the complainant.

STAGE THREE - COMPLAINT HEARD BY GOVERNING BODY'S COMPLAINTS PANEL

The complainant needs to write to the Chair of Trustees giving details of the complaint. The Chair, or a nominated Trustee, will convene a complaints panel. The complaints panel is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions. Individual complaints would not be heard by the whole governing body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint. The Trustees may nominate a number of panel members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures
- hearing individual appeals
- making recommendations on policy as a result of complaints

The procedure adopted by the panel for dealing with complaints would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

The Remit of the Complaints Panel

The panel can:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part
- decide on the appropriate action to be taken to resolve the complaint
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur

The Role of the Clerk

The Department for Education strongly recommends that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- collate any written material and send it to the parties in advance of the hearing
- meet and welcome the parties as they arrive at the hearing
- record the proceedings
- notify all parties of the panel's decision

Notification of the Panel's Decision

The Chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

The Southfield Trust

COMPLAINT FORM

Please complete and return to our complaints coordinator [Martin Harrington](#) who will acknowledge receipt and explain what action will be taken.

Your Name:

Pupil's Name:

Your Relationship To The Pupil:

Address:

Day Time Telephone Number:

Evening Telephone Number:

Please Give Details Of Your Complaint:

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 Actions Do You Feel Might Resolve The Problem At This Stage?

Are You Attaching Any Paperwork? If So, Please Give Details.

Signature:

Date:

Official Use

Date Acknowledgement Sent:

By Who:

Complaint Referred To:

Date: