



COMPLAINTS PROCEDURE

Reviewed: September 2022

Review date: September 2023

Person responsible for policy: NJW

COMPLAINTS PROCEDURE

Introduction

The School prides itself on the quality of the teaching and pastoral care provided to its students. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with this Procedure.

If the complaint is not from a parent with a child attending the School then the matter will still be dealt with in accordance with this Procedure. The complainant should contact the Headteacher at Stage 1 for an informal discussion.

Complainants can be assured that all concerns and complaints will be treated seriously and with an appropriate degree of courtesy and confidentiality. The school, in its turn, expects that concerns and complaints will be presented with courtesy and in a calm manner. If complainants are aggressive or verbally rude they will be asked to make their points in writing.

We aim to resolve any complaints in a timely manner. Timescales for each stage of the Complaints Procedure are set out below in the relevant paragraphs. For the purposes of this policy, 'a working day' is defined as a weekday during term time, when the academy is open. Every attempt will be made to adhere to time limits but these may, in exceptional circumstances, be exceeded. A complaint will usually be considered as 'out-of-time' if it is raised more than three months after the matter is known to the complainant.

An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances. These would include serious concerns such as child protection issues or bullying allegations, where the school would either involve appropriate external agencies or carry out its own review to test whether there is any evidence to commence a formal investigation.

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

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

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Tracy Hogan (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

Occasionally, a complainant may remain dissatisfied, even though this procedure has been followed through all its stages. However, it will not normally be possible to re-open the same issue. In such circumstances, the Chair of Governors will inform the complainant that the procedures have been exhausted and that the matter is closed.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Stage 1 – Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should normally contact their child's tutor. In many cases, the matter will be resolved in this way and without delay. If the tutor cannot resolve the matter, it may be necessary to involve a senior member of staff.
- If the complaint cannot be satisfactorily resolved informally then parents may proceed with their complaint in accordance with Stage 2 of this Procedure.

Stage 2 – Formal Resolution

- If the complaint cannot be resolved informally, the parents or complainant should submit it in writing to the Headteacher. The Headteacher will then decide the appropriate course of action. In some circumstances the Headteacher may deem it appropriate for the Chair of Governors to investigate and respond.
- In most cases, the Headteacher will meet the parents/complainant concerned, normally within 10 working days of receiving the complaint. If possible, a resolution will be reached at this stage.
- It may be necessary for the Headteacher to carry out further investigation.
- The Headteacher will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a considered response will be given to the parents/complainant in writing.
- The aim is to inform any complainant of the outcome of an investigation and the resolution to the complaint within 15 working days from the receipt of the complaint. Please note that any complaint received during a School holiday or within 15 working days of the end of term or half term may take longer to resolve.
- If parents are not satisfied with the outcome, they should proceed to Stage 3 of this Procedure.

Stage 3 – Panel Hearing

- If the complainant wishes to invoke Stage 3 they should address their complaint in writing to the Clerk to the Governors, who has been empowered by the Governors to call hearings of the Complaints Panel.
 - The matter will then be considered by the Complaints Panel. The Panel will consist of at least three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school. In



complex cases it may be deemed reasonable by the Panel to appoint an independent Chairperson who is not a Panel member. If this is the case the complainant will be notified in advance of the hearing. The Clerk will acknowledge the complaint and schedule a hearing as soon as practicable and normally within 15 working days.

- The Panel may ask for further information about the complaint or any related matter. Copies of this shall be supplied to all parties prior to the hearing. Any papers to be presented at the hearing, either by the complainant or the Panel, must be provided to the Clerk at least 5 working days before the hearing.
- The complainant may be accompanied at the hearing by one other person. This may be a relative, teacher or friend and the Clerk should be notified in advance. Legal representation will not normally be appropriate.
- If possible, the Panel will resolve the complaint without the need for further investigation. The Panel will endeavour to reach a unanimous decision but if this is not possible then a majority decision will be permitted.
- Where further investigation is required, the Panel will decide how it should be carried out. When all the relevant facts are available the Panel will reach its conclusions and may make recommendations. This shall be done as soon as is reasonably practicable after the Hearing.
- The Panel will consider the complaint and all the evidence presented. The Panel can:
 - uphold the complaint in whole or in part
 - dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the Panel will:

- decide on the appropriate action to be taken to resolve the complaint
 - where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.
- The Chair of the Committee will provide the complainant and Droitwich Spa High School with a full explanation of their decision and reason(s) for it, in writing within 15 school days.
 - The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by the school.
 - The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Droitwich Spa High School will take to resolve the complaint.
 - The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person

complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the head teacher.

- A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.
- All 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 109 of the 2008 Act requests access to them.

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 ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made Droitwich Spa High School. They will consider whether Droitwich Spa High School has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:
Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

Droitwich Spa High School and Sixth Form Centre takes its responsibilities as a data controller and data processor seriously and are committed to using any personal data collected and held in accordance with the law. The schools policies, privacy notices and forms in relation to personal data are available for you to view on our web site at www.droitwichspahigh.worcs.sch.uk or by using the <https://website.droitwichspahigh.worcs.sch.uk/index.php/communications/information-management-and-data-protection/>

The School's Data Protection Officer is the *Governance Manager* who can be contacted at Droitwich Spa High School and Sixth Form Centre, Briar Mill, Droitwich, WR9 0AA or by email at privacy@droitwichspahigh.worcs.sch.uk

