

COMPLAINTS PROCEDURE

Introduction

At Landscape we hope to be open and accessible to all members of the school community. Part of that openness is a willingness to hear, and take seriously, comments and concerns from anyone. To encourage that type of feedback and so that all members of the community can raise issues easily, we have an informal process (see Stage 1 on page 2) for dealing with routine comments and concerns.

However, there may be some occasions when someone remains dissatisfied, and does wish to make a formal complaint. This procedure sets out the steps to take and how we will deal with the issue.

General principles

We recognise that, when someone feels a need to complain, the issue has already reached a stage where it is causing stress. We aim to be non-adversarial, impartial, fair and reasonable throughout our dealings with any complaint.

Wherever possible we will continue to look for and encourage informal means of resolving problems. We will treat as formal complaints any issues which are notified in writing to either the Head Teacher or governors and which use the form attached as Annex A, or else clearly state that this is a formal complaint. We will respect as far as possible anyone's wish for confidentiality, although we will not respond to anonymous complaints. Confidentiality extends to all people within the school community, which means that our response to any complaint might not include some details which it would be unreasonable to disclose.

This policy sets out time limits. We will always advise people of how long things will take, and keep them informed throughout the process. If, for any reason, we need to work to different timescales than those set out in this procedure, we will let all relevant people know that in writing, and will explain why.

We will investigate all complaints fully and fairly; that means we will address all points at issue, and will ask independent people to carry out any investigation. In most cases those independent people will be school governors, although we may use other people if that is not possible (either for practical reasons or for reasons of independence).

We may ask a complainant what action they feel is appropriate in response to their complaint. However, it is for the school to decide what action to take - it may be something other than the complainant's suggestion. Very occasionally, a complainant might remain dissatisfied after we have concluded our investigation. If they try to reopen the same issue, the chair of the Governing Body may inform them in writing that the procedure has been exhausted and that the matter is now closed.

We will keep a record of the nature of all complaints, and governors will review this periodically to look for recurring issues. That review will look only at the nature of complaints heard, and will not include any personal details.

School Resolution (Informal Stage 1)

If you are concerned or unhappy with the way the school or a member of its staff has treated you, or you are concerned or unhappy with the way the school is operating its policies and procedures, then you can raise your concerns informally.

Usually this will mean speaking to an appropriate member of staff or the Headteacher so that they can understand what your concern is about. If the person you speak to cannot address your concern immediately they will refer the issue to someone else – usually the Headteacher. If your concern relates to the Headteacher or a governor, then you should contact either the Chair or Vice-Chair of Governors.

The person dealing with your concern will listen to you and may explain what has happened from the perspective of the school or staff member involved. Many issues can be dealt with quickly and effectively by the staff using this approach, which is known as a 'School Resolution'. Your concern will be dealt with directly with you, and will not involve any formal investigation or hearing.

You may:

- be asked what happened and how you felt about it,
- be asked what action you would like to see taken,
- agree a process for resolving your concern.

School Resolution works well for issues of misunderstanding or where there is a straightforward lesson to learn to prevent something from happening again. While School Resolution works best with a face-to-face conversation, it also works by telephone, e-mail or letter where necessary.

The School Resolution process does not apportion blame or lead to disciplinary procedures – it is simply about learning from what has happened and working with you to make sure it doesn't happen again.

Possible outcomes of the School Resolution process include:

- immediate resolution by providing information to clear up a misunderstanding,
- an explanation of why a particular course of action was taken,
- an apology on behalf of the school,
- an explanation of what has been done in response to your issue,
- an outline of how the issue will be avoided in future,
- follow up communication from a person involved in the issue your concern was about.

Which outcome is appropriate will be decided by the member of staff dealing with your concern. If one of these outcomes or some other response is appropriate we will communicate with you by an appropriate means (e.g. face-to-face, telephone, e-mail, letter).

The Formal Complaints Procedure (Stages 2 and 3)

In most cases, we would expect any concern to have been brought to the attention of the school through the informal means described in Stage 1. If you remain dissatisfied or, in exceptional cases, if the issue deserves more formal investigation you can make a formal complaint.

If you wish to make a formal complaint, you should do so in writing addressed to the Headteacher - preferably using the form attached as Annex A and making it very clear that you are making a formal

complaint. If the complaint is about the Headteacher or a governor, then the letter should be addressed to the Chair of Governors, care of the school. If the complaint is about the Chair of Governors, then the letter should be addressed to the Vice Chair of Governors.

Stage 2 will be carried out by the Headteacher and Stage 3 by a governor. However if the complaint refers to the Headteacher the investigation will go straight to Stage 3 for investigation by the Chair of Governors (or delegated to another impartial governor). Other than who leads the process, Stages 2 and 3 are very similar.

Once we have received your complaint, the Headteacher or governor will contact you within 5 (term time) working days. They will usually arrange to talk to you face-to-face or by telephone, or by e-mail or letter if you prefer.

You will need to:

- describe what happened and how you felt about it,
- say what action you would like to see taken as a result,
- agree the process for resolving your complaint,
- agree timescales and pathways for communication.

The Headteacher or governor will:

- listen to you,
- explain what can happen to resolve your complaint,
- confirm with you the process that will be followed and who will deal with it,
- carry out an investigation.
- produce and supply all parties with a written report of the findings,
- ensure that any relevant findings are taken forward to influence school practice and policy.

Your complaint will be the subject of a proportionate investigation. This means that the amount of time required will depend upon the seriousness or complexity of the matter. The person investigating your concern will keep in regular contact to keep you informed of progress on the matter. Nevertheless, the investigation process aims to quickly resolve the issue and identify any lessons from it.

Although this is a formal investigation into your complaint, it will still be in the spirit of quickly reaching an effective outcome and maintaining positive and productive relationships. All parties need to work together to maintain productive relationships, and establish a way forward in partnership. This investigation may require more information to be gathered before the person investigating can explain what has happened from the perspective of the school or the staff member involved.

Possible outcomes of an investigation into a formal complaint include:

- resolution by providing information,
- an apology on behalf of the school or an individual,
- action to prevent something happening again,
- change to school policies or procedures,
- discussion between a member of staff and a line-manager to address actions or behaviour,
- a letter from the school concluding the matter after a proportionate investigation and explaining what has been done,
- if your complaint was about an individual, personal communication between you and that person. This is organised through the Headteacher or governor dealing with your complaint.

- a meeting with the person working on your complaint and/or the person your complaint was about.

Which outcomes are appropriate will be decided by the Headteacher or governor leading the investigation. We will aim to complete the investigation and write to you with the appropriate outcomes within 10 (term time) working days. However in complex or more serious cases things may take longer. In that event, the person investigating will keep in regular contact with you to keep you informed of progress.

Appeal against the decision made following investigation (Stage 4)

The school investigation stage of this complaints procedure includes an appeal process should you not be satisfied with the outcome of the investigation. Following our initial investigation we will write to you to let you know of your right to appeal and you will have 20 (term time) working days to let us know if you would like to do so. You should bear in mind that during school holidays there may be no one in school to respond to your request.

If you decide you would like to appeal, we will invite you to attend an appeal meeting and if the date is inconvenient we will provide an alternative date. You will also receive any paperwork that relates to the initial school investigation 7 days in advance of the appeal meeting.

At the meeting, a panel of three governors, who have had no previous dealings with your complaint, will listen to your appeal. They will also listen to what the Headteacher has to say, and then will come to a decision whether to uphold the complaint fully or in part, or whether the school has acted appropriately and that no further actions are necessary. The panel will not be able to hear any other complaints or additional concerns at this meeting.

Whilst this is part of the formal complaints procedure, we aim to make the meeting as informal as possible so that all parties can put forward their views in a positive and respectful manner. When the appeal panel has considered all the information made available to them, they will make a decision and inform you in writing of the outcome within 5 (term time) working days.

Sometimes when a complaint is very complex, and has taken a lot of time, it may be that the governing body may have difficulty assembling an appeal panel that fits the criteria of having had no prior knowledge of your complaint. In this case you may request that the school source an independent appeal panel to hear the final stage of your complaint.

Following the appeal panel meeting the complaints procedure is complete. If you are still unhappy with the way the school has managed your complaint, you can submit a complaint to the Department for Education online at www.gov.uk/complain-about-school

Mediation

The school is committed to resolving your concerns wherever possible and where this is proving complex, mediation can be a powerful method of resolving matters.

Mediation helps people to agree a way forward and resolve their differences when communication between parties has become difficult.

While both parties need to agree to mediation, either the school or the complainant may suggest

mediation if communication has become a problem. Mediation can be sought at any point during the processes of resolution and investigation. The mediation process is informal, impartial and voluntary, and aims to resolve conflicts to the benefit of all. It does not apportion blame and concentrates on developing a better understanding of each other's point of view and works to secure future relationships.

If the parties agree to explore mediation, the school will use Local Authority resources to identify suitable mediators. Specialist mediation is available for issues relating to SEND (Special Educational Needs and Disability). For more information please contact The Devon Information Advice and Support service. devonias@devon.gov.uk.
Disability).