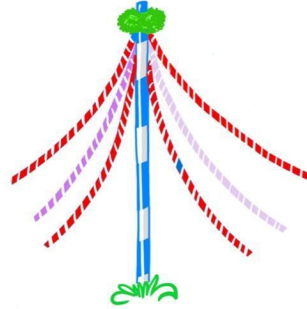


Maypole School



COMPLAINTS POLICY & PROCEDURE

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1. Aim and Introduction

The Aim of this Policy

The aim of this Policy is to explain the School's Complaints Policy, and to encourage people to raise any concerns or complaints without delay, so that potential or actual problems can be dealt with quickly, before the issue develops. This is in the interests of all parties.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Maypole School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), the school will use this complaints procedure.

The difference between a concern and a complaint

A concern may be defined as *'an expression of worry or doubt over an issue that a person feels is important, for which reassurances are sought'*.

A complaint may be defined as *'an expression of dissatisfaction, however made, about actions taken or a lack of action taken'*.

2. Scope of this Complaints policy

This procedure covers all complaints about any provision of facilities or services by Maypole School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our Safeguarding Policy, in accordance with relevant statutory guidance. If you have serious concern, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.
Staff grievances	Complaints from staff will be dealt with under the School's internal Grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

3. How to raise a concern or complaint

The importance of raising concerns quickly

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. If concerns are raised quickly, as soon as they come up, then many issues can be resolved informally before the issue or problem gets more serious, without the need to use the formal stages of the complaints procedure. Maypole School takes all concerns seriously and will make every effort to resolve the matter as quickly as possible.

Raising a Concern

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

Concerns can be raised informally with your line manager, or with the Executive Head Teacher or Principal. If the issue remains unresolved, the next step is to make a formal complaint.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, a member of the School Office staff or the Principal will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, they will refer you to another staff member. That member of staff may be more senior, but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the Principal will attempt to resolve the issue internally, through the stages outlined within this Complaints Procedure.

Making a Complaint

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

Complaints that involve or are about the Principal should be addressed to the Chair of the Governing Body, via the School Office. Please mark them as Private and Confidential.

Complaint format

For ease of use, a template Complaint Form is included at the end of this Policy. If you require help in completing the form, please contact the School Office. You can also ask third party organisations like Citizens Advice to help you.

Adjustments to our normal process / procedure

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

Anonymous complaints

We will not normally investigate anonymous complaints. However the Principal, or the Chair of the Governing Body if appropriate, will consider anonymous complaints on a case by case basis, and

determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident occurring 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.

Complaints received outside of term time

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

If other bodies are also investigating aspects of the complaint

If other bodies are investigating aspects of the complaint, for example the Police, Local Authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

Legal Action

If a complainant commences legal action against Maypole School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

4. Resolving complaints

At each stage in the procedure, Maypole School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a Complaint

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

5. Stage 1 of the Complaints Procedure

Informal complaint

In the first instance, if a complaint can be addressed and resolved informally, and the complainant is satisfied with the outcome, the complaint will be recorded and marked as resolved. If the complainant is not satisfied, they can escalate the complaint to Stage 2.

6. Stage 2 of the Complaints Procedure

Investigation, and the Principal's response

Formal complaints must be made to the Principal (unless they are about the Principal), via the School Office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

The Principal will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the Principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Principal can consider whether a face-to-face meeting is the most appropriate way of doing this.

The complaint will then be investigated.

Conduct of the Investigation

The Principal may delegate the investigation to another member of the school's senior leadership team, but the decision about what will be done as a result of the complaint will remain with the Principal.

During the investigation, the Principal (or investigator) will:

- if necessary, interview those involved in the matter and / or those complained of, allowing them to be accompanied if they wish;
- keep a written record of any meetings / interviews in relation to their investigation.

At the conclusion of the investigation, the Principal will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the Principal is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The Principal's response to the complaint

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 Maypole School will take to resolve the complaint.

The Principal will advise the complainant of how to escalate their complaint should they remain

dissatisfied with the outcome of Stage 1.

If the complaint is about the Principal, a suitably skilled independent person will be appointed to complete all the actions at Stage 1.

7. Stage 3: Escalation to Governing Body

How to escalate a complaint to Stage 3

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3, which is a meeting of members of the Governing Body. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the School Office, within 5 school days of receipt of the Stage 2 response.

The School Office will record the date the request is received, and acknowledge receipt of the request in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

Date of meeting of the Governing Body's Complaints Committee

The School Office will write to the complainant to inform them of the date of the meeting. They will aim to convene a Complaints Committee meeting within 10 school days of receipt of the Stage 3 request. If this is not possible, the School Office will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the School Office will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

Composition of the Complaints Committee

The complaints committee will consist of at least two Governing Body members with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than two Governing Body members from Maypole School available, the School Office will source an additional, independent person through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

If the complaint is about members of the Governing Body, Stage 3 will be heard by a committee of independent nominees.

Conduct of the meeting

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Representatives from the media are not permitted to attend.

At least 7 school days before the meeting, the School Office will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee. This must be done at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage, or consider evidence that is unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and the consent of all parties attending must be sought before the recording of meetings or conversations take place. Consent will be recorded in any minutes taken.

The Committee's Findings

The committee will consider the complaint and all the evidence presented. The committee 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 committee 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 Maypole School with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

If the Complainant remains dissatisfied

If the complainant believes the school did not handle their complaint in accordance with the published Complaints Procedure, or that 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 of the Complaints Procedure.

The Department for Education will not normally re-investigate the substance of complaints, or overturn any decisions made by Maypole School. They will consider whether Maypole 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, or by telephone on: 0370 000 2288 or by writing to: The Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD.

8. Individual Roles and Responsibilities

The Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

The Investigator

The investigator's role is to establish the facts relevant to the complaint by providing a comprehensive, open, transparent and fair consideration of the complaint through:

- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate, to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Principal or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Principal or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

Anyone can be nominated to take on this role – but it is usually done by one of the School Office staff.

The Complaints Co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Principal, Chair of Governing Body, to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support that may be needed by complainants when making a complaint, including interpretation support or where the complainant is a child or young person.
- keep records.

School Office staff

The School Office staff are the contact point for the complainant and the committee, and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's Chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the School Office) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself.
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure

- the meeting is minuted
- they liaise with the School Office.

Committee Members

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so.
- no Governing Body member may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint, and achieve reconciliation between the school and the complainant.
- we recognise that the complainant might not be satisfied with the outcome, if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting.
- parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person, and present during all or part of the meeting
- careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- the committee should respect the views of the child/young person and give them equal consideration to those of adults.
- if the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible, if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.

9. Complaint Form

Please complete and return to the School Office, who will acknowledge receipt and explain what action will be taken.

Maypole School Complaints Form	
Your name:	
Pupil's name (if relevant):	
Your relationship to the pupil (if relevant):	
Address:	
Postcode:	
Day time telephone number:	
Evening telephone number:	
Please give details of your complaint, including whether you have spoken to anybody at the school about it.	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	
Date:	
For School Office use	
Date Complaint was received:	
Date acknowledgement sent:	
By who:	
Complaint referred to:	
Date:	