

# **New Islington Free School**

## **Complaints Procedure**

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Agreed October 2019  
Next review October 2020

## **Policy statement**

1. This policy aims to ensure that:
  - Parents/guardians know that the New Islington Free School takes complaints seriously and will respond in a courteous and efficient manner;
  - An effective procedure for making and adjudicating complaints (including appeals) from parents/guardians is established;
  - Parents/guardians wishing to make a complaint know how to do so;
  - There is a separate procedure for dealing with parental concerns which fall short of a formal complaint;
  - All those involved in handling a complaint make every effort to resolve matters quickly and amicably;
  - Responses to complaints will be made within a reasonable period of time; and
  - Where necessary, appropriate action will be taken.

### **Stage One: Raising concerns informally**

2. Parents/guardians can raise a concern informally by contacting the relevant member of staff. Parents/guardians must raise any concerns informally within five working days of the issue/incident.
3. This can be done by telephone, email or letter. Parents/guardians are reminded that, by raising something informally and in a timely manner following an issue/incident, it is normally possible to resolve matters quickly and to their satisfaction. The school will aim to resolve all informal concerns within five working days following the informal concern being raised.
4. In the vast majority of cases, it is anticipated that the relevant member of staff will be the pupil's Class Teacher. However, where a parent/guardian wishes to refer the matter to a more senior member of staff, the relevant person is the Head Teacher, Tabitha Smith. The above mentioned time-frames still apply if referring to the Head Teacher.

### **Stage Two: Making a complaint**

5. In more serious cases, a formal complaint should be made in writing and referred directly to the Head Teacher, Tabitha Smith. This provision will typically apply where: (a) the parent/guardian does not believe that the matter is suitable for informal resolution; or (b) where informal resolution has failed to satisfy the person making the complaint. A formal complaint from a parent/guardian should be made within five days of the issue/incident, (as per 5a) or within five days of there being no resolution reached at the informal stage (as per 5b). Complaints made anonymously will not be pursued.

6. Parents/guardians should note that, where the Head Teacher is the subject of the complaint, a separate procedure applies. Details of this can be found at paragraphs 27-30 below.
7. New Islington Free School will take every reasonable step to ensure that a complaint made under paragraph five is normally resolved within fifteen working days of the complaint being lodged (see paragraph 9), following a period of investigation (see paragraph 8).

## **Investigating complaints**

8. Once a formal complaint has been received by the Head Teacher, she will require that a senior member of staff contacts the parent/guardian concerned. The purpose of this contact is to explain how School intends to investigate the complaint. The senior member of staff will also inform the parent/guardian how long the investigation is likely to take and when to expect a response. Under normal circumstances, the School will aim to complete the investigation within fifteen working days of the date the complaint was made. The parent/guardian will be informed if it becomes clear that this timescale is likely to be exceeded.
9. At the end of the investigation, the parent/guardian will be informed in writing of the outcome. This will include the conclusion reached, the reasons for it and any action taken or proposed. We will record all action taken as a result of complaints (regardless of whether they are upheld). Again, under normal circumstances the School will aim to send the response to the parent/guardian within fifteen working days of the date the complaint was made.
10. It is School policy that complaints made by parents/guardians will not adversely affect their children's interests.

## **Confidentiality**

11. Subject to paragraphs 12-13 below, any complaint or concern raised by parents/guardians will be treated as confidential.
12. Knowledge of the complaint will be restricted to those who, for various reasons, need to know about it. This will include the Head Teacher, the member(s) of staff investigating the complaint and any other member of staff otherwise involved. In addition, there are circumstances where the Chairman of Governors may need to be informed.
13. On occasion, however, it may be necessary to inform third parties of the complaint and, possibly, the identities of those involved. An example of this is where an investigation suggests that a criminal offence has taken place. In such circumstances, School would cease its investigation and refer the matter to the relevant external agencies.

## **Written records**

14. A written record will be kept of all complaints, including whether or not they were resolved at the preliminary stage or proceeded to a panel hearing (see paragraph 18). The written record will also include all correspondence and statements gathered in the course of an investigation.
15. Written records will be treated as confidential. 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.

## **Disciplinary action taken against staff**

16. It may be the case that, as a result of a complaint made by a parent/guardian, disciplinary action may be taken against a member of staff employed at the New Islington Free School.
17. Where this occurs, any such action will be taken in accordance with the official staff Discipline and Dismissal Policy and handled confidentially within School.

## **Stage Three: The Panel Hearing**

18. It is the aim of the New Islington Free School that parents/guardians making a complaint will be satisfied both with the investigation and the formal response. Certainly, it will make every reasonable effort to ensure that each complaint is fully and properly investigated and that the issues raised are considered in a fair and professional manner.
19. However, where the parent/guardian is not satisfied with the formal response, they should inform the Head Teacher who will refer the matter to the Chair of Governors. In cases where the Head Teacher has been already involved in the formal process, the Chair of Governors should be contacted directly via Mrs. Paula Millward, Clerk to the Governors.
20. It is particularly important that the parent/guardian states as clearly and fully as possible the reasons why they wish for a panel to hear the complaint.
21. Once he received notification that a parent/guardian is dissatisfied, the Chair of Governors will convene a panel to hear the complaint.

## **The Panel**

22. The panel formed under paragraph 21 will consist of three people, none of whom will have been directly involved either in the matters detailed in the complaint or its investigation and adjudication prior to this point. Further, at least one panel member will be independent of the management and running of the School. The panel will have access to all relevant documentation. It is the intention that the panel will convene within ten working days of receiving a

- request for a panel hearing, but this will be dependent on the availability of the panel members.
23. The parent/guardian will be invited to attend the panel hearing. They will also be invited to produce documentation to be circulated in advance to panel members. In addition, the parent/guardian can be accompanied to the hearing by a friend.
  24. The panel will make the final decision in respect of the complaint. It may, if it so chooses, also attach recommendations to its findings.
  25. The panel's findings and recommendations will be emailed or otherwise sent to the parent/guardian making the complaint within ten working days and if this needs to be extended the parent/guardian will be informed with an explanation for the deadline extension. Where relevant, a copy will be sent to the person or persons complained against.
  26. A copy of the panel's findings and recommendations will be kept on file in the Head Teacher's Office, where it can be inspected by the Head Teacher and the Chair of Governors.
  27. If a parent/guardian is still unhappy, after receiving a written response and attending a panel hearing, they should contact the ESFA via the following link: <https://www.education.gov.uk/form/school-complaints-form>

## **Complaints against the Head Teacher**

28. Where the Head Teacher is the subject of the complaint, including cases where the complaint also extends to other members of staff, the matter should be referred directly to the Chair of Governors, via the Clerk to the Governors. The Chair will then contact the parent/guardian in order to explain how the complaint will be investigated, how long an investigation is likely to take and when they might expect a final response.
29. New Islington Free School will take every reasonable step to ensure that a complaint is normally resolved within twenty eight working days of the complaint being lodged.
30. Where the Chair of Governors believes that the complaint merits it, he will appoint a person to investigate the complaint and report his/her findings to him. After considering this report, the Chair of Governors will then write to the parent/guardian. This letter will include the conclusion reached, the reasons for it and any action taken or recommendations proposed.
31. If the parent/guardian is dissatisfied with this response, they should write to the Chair of Governors to request that the matter be referred to a panel hearing. A request for a panel hearing should be made within fourteen days of receipt of the response.
32. The composition of the panel, its purpose and procedure are set out in paragraphs 22-6 above.
33. If a parent/guardian is still unhappy, after receiving a written response and attending a panel hearing, they should contact the ESFA via the following link: <https://www.education.gov.uk/form/school-complaints-form>

**Addresses**

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