

THE NEW RUSH HALL GROUP

STATUTORY COMPLAINTS POLICY

November 1994

Last Reviewed November 2012

Headteacher: John d'Abbro OBE

Chair of Governors: Mr G sage

Head of PRU Management Committee Ms R Martins-Taylor



STATEMENT The purpose of this policy is to outline the procedures that will be adopted by the school/PRU in the event that it receives a complaint.

There will be many occasions when concerns can be resolved through the class teacher or secretary as a matter of routine. Where a complainant is dissatisfied after the initial contact and wishes to take the matter further, the first approach should be to advise the Head of School/Head of PRU who will initiate an investigation as appropriate. For serious matters the Head of School/Head of PRU may refer the matter directly to the Headteacher.

If after the investigation the complainant is dissatisfied with the decision or outcome, then the next step which would ordinarily be inform the Clerk of Governors (leaving the Governing body to determine process) or Clerk to the PRU Management Committee. It will be necessary to avoid drawing in Governors/Members of the PRU Management Committee at this appeal stage who could later be further involved in, for example, disciplinary procedures. This could lead to allegations of earlier involvement influencing outcome. In cases where there is a possible disciplinary element, immediate advice should be sought from the LA.

RECORDING

A book is kept in the New Rush Hall School Office/PRU in which complaints received shall be logged. It is important to log receipt of a complaint whether it is made in writing or orally and also to record outcome of subsequent discussions/advice for future reference. Recording is also important for analysis purposes.

Complaints should be followed up in writing whether a meeting is held with complaint or not.

ACKNOWLEDGEMENT

Upon receipt of a complaint, an immediate judgement needs to be taken as to whether a full response can be given within ten working days. If so an acknowledgement may not be necessary. If however, time is needed to investigate the concern and it is unlikely that a full reply can be framed within ten days, then an acknowledgement should be sent to the complainant within 3 days explaining who is dealing with the complaint and when they can expect a full reply.

DEALING WITH THE COMPLAINTS

Consideration needs to be given to sources of information and advice to enable the investigations to be completed. It may just be the classroom teacher or it could be other agencies or support as appropriate eg the Educational Psychologist Area Health and

Safety Coordinator, Human Resources, need to be consulted

A judgement about whether a meeting with the complainant could prove useful will need to be made on receipt of complaint

Meeting the complaint could be beneficial:-

- where more than one issue is involved;
- where there appear to be problems over communication;
- to seek clarification/evidence.

TIME SCALES

It is intended that a 10 day turn-round is appropriate for full response to complaints will be followed.

INTERIM RESPONSES

In cases where it will not be possible to provide a full reply within 10 working days (see 'Acknowledgement' heading above) an indication should be given as to when a reply will be sent That deadline should be realistic and achievable and should normally be within a four week period. If for whatever reason, a response is not possible after the four week period, an interim response should be sent to the complainant explaining the reasons for the delay (perhaps the complexity of the case or the need to seek advice from other agencies), explaining progress to date and offering a revised deadline.

FINAL DECISION

Even if the final outcome is conveyed orally to the complainant, it may be better to confirm this in writing. A clear explanation should form part of the final decision. Lack of explanation is often a grievance in itself. The Headteacher will make a decision on this.

FOLLOW-UP

Arguably it is good customer care practice to follow-up the decision with the complainant as appropriate.

LEARNING FROM EXPERIENCE

If the whole procedure is to be seen as constructive it is important to see whether any lessons can be learnt and improvements made e.g better communication links, change to work patterns, etc. An established pattern of complaints can also be invaluable in identifying areas for attention. By being prepared to change and make improvements in this way, the school/PRU will become more effective, more trusted and feel a closer part of the community.

The Head of Group will monitor complaints received once a term.

STATUTORY COMPLAINTS

The following list identifies those matters which are outside the scope of the school's own complaints procedure. They are matters where processes have already been specified by the LA and which must be followed.

1. ADMISSIONS

2. AWARDS

3. CHILD PROTECTION

4. THE CURRICULUM AND RELIGIOUS EDUCATION

5. EXCLUSION OF PUPILS

6. FINANCE

7. HEALTH AND SAFETY

8. HOME TO SCHOOL TRANSPORT

9. SPECIAL EDUCATIONAL NEEDS

Generally, if complainants are not satisfied with the response given by the schools and/or the LA, they can complain to the Secretary of State for Education under section 68 of the Education Act 1944, if actions have been "unreasonable" or under section 99, if they allege that statutory duties have not been properly discharged.

Complaints can also be made to Members of the Council and to Members of Parliament especially regarding policy issues. There may be the opportunity for complaints to the Commission for the Local Government (the ombudsman) - but not for internal school matters.

THE NEW RUSH HALL GROUP GENERAL COMPLAINTS PROCEDURES

FIRST STAGE

Write to or speak with your class teacher about a complaint. If it is difficult discussing the matter with the class teacher, the Head of School/Head of PRU will suggest another member of staff.

If the complaint concerns the Head of School the matter will be referred to the Headteacher and if it concerns the Headteacher it will be referred to the Chair of the Governing Body.

After investigating, a response will be given, where possible, within 10 school days.

If you are not satisfied with the response, you may send a written complaint to the school within 10 school days of receiving the response.

FORMAL Stage 1

Your written complaint should be made on a form (see attached). The school will write to you within 3 school days, where possible, to say they have received your written complaint. Staff will then investigate.

The Head of School, Headteacher, Head of PRU as appropriate will then write to you with his decision where possible, within 10 school days of receiving your complaint.

FORMAL Stage 2

If you complain in writing to the Chairman of Governors s/he will discuss it with the Headteacher or Head of School before taking any action.

The Chairman will write to you within 3 school days, where possible, and investigate your complaint.

After this the Chairman will write to you within 10 school days, where possible, with his/her decision.

FORMAL Stage 3

If you are not happy with this decision, you should write to the Clerk to the Governors.

The Governing Body Complaints Committee/PRU Management Committee Complaints Committee will meet within 20 school days. You, the Headteacher, the Chairman of Governors and the Local Authority Complaints Officer will be invited to attend this meeting at least 10 school days before it happens. This meeting will discuss whether to agree or not with the Headteacher or Chair's decisions.

Everyone at this meeting will receive in writing the decision and recommendations of the Complaints Committee within 5 school days. The Committee's decision is final.

THE NEW RUSH HALL GROUP: Complaints Form

Please complete and return to the Head of School/Head of PRU who will acknowledge receipt and explain what action will be taken.

Your name.....

Pupil's name.....

Your relationship to the pupil.....

Your address.....

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Daytime telephone number...

Evening telephone number

Please give details of your complaint including dates, names of witnesses etc.

Please give brief details, if any, of what action you have already taken to try and resolve your complaint. (Whom did you speak to and what was the response?)

You may continue on a separate sheet, or attach additional paperwork, if you wish.