

Heronsgate



Complaints Policy

Document Control Sheet	
Title	Complaints Policy
Control Date	21 November 2018

Revision	Status	Date	Author	Comments
1.0	Draft	09.08.2014	DGH	
1.1	Draft	11.09.2014	MEC	Number of stages reduced
1.2	Draft	09.03.2015	DGH	Appeal panel stage added
2	Draft	25.08.2105	DGH	Policy review

2.1	Final Draft	01 09 2015	MEC	Chair of Governor's Review added
2.2	Revised	28 05 2018	MEC	"independent of the Governors" changed to "independent of the management and running of the school" and right for complainant to bring a friend to Appeal Hearing added.
2.3	Final	21 11 2018	MEC	Reference to Principal replaced with Headteacher "Dismiss the complaint in whole or in part" added as possible outcome at Stage 3. Timeframe for requesting complaint moves to next stage added Right of any person against whom a complaint is made to bring a friend to the panel hearing. Findings, recommendations, record, confidentiality and retention statement added.
2.4	Amendment	08.01.2022	J Edwards	Reference to complaints regarding the school's data management from the LA model policy. Paragraph added to policy. <i>Complaints about the school's data management practices or the provision of information given in response to a subject access request (SAR) or Freedom of Information (Fol) request, will receive a reply at stage one of this procedure only. If a complainant remains dissatisfied with the outcome to their complaint about data management or the school's response to a SAR or Fol, they can ask the Information Commissioner's Office (ICO) if they will consider whether the school has complied with the relevant legislation. This includes the Freedom of Information Act 2000, the Data Protection Act 2018 and the General Data Protection Regulations 2018. The ICO's contact details are available online at: www.ico.org.uk</i>
2.5	Approval	15.03.2022	JEdwards	Amendments approved at FGB

COMPLAINTS POLICY

What to do if you have a concern or complaint about Heronsgate School

INTRODUCTION

At Heronsgate, we value constructive feedback on how we are doing. If you have a concern or complaint we always try to deal with it helpfully and reasonably. If we need to, we try to put things right as quickly as possible. If you have a concern or complaint, please take it up with us first.

This policy applies to any complaint, other than those relating to admissions and exclusions which have their own processes.

To help us address concerns in a timely manner, and to support any investigation that may be needed, complaints should be made within **FIVE** school days of an incident.

It is a precondition to the operation of this policy that the complainant is acting in a reasonable and measured way. The Headteacher of Heronsgate shall have the discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this is not the case or where the complaint is judged to be vexatious. In the event that the complaint relates to the Headteacher, the Chair of Governors would, if appropriate, exercise this discretion.

The complaints procedure has four stages. You will be told what to do at each stage if you wish to take your complaint further.

Stage 1 (Informal)

If you have a concern about the work of Heronsgate, try to talk to the member of staff who is most closely involved. Your concern can usually be settled quickly by contacting and discussing your concerns with the right person.

If you consider your complaint to be serious, or you feel uncomfortable discussing your concerns with the member of staff involved, you may wish to discuss the matter with a senior member of staff. It is not the role of governors to get involved at this stage.

If your concern cannot be resolved in this way, or you are not happy with the way it has been dealt with, you should move to Stage 2 within **FIVE school days** of the end of the informal process.

Stage 2 (Formal)

You should put your complaint in writing to the Headteacher of Heronsgate who will arrange for it to be investigated. If your complaint is about the Headteacher, you can write directly to the Chair of Governors care of Heronsgate.

Heronsgate will aim to let you know that your complaint has been received within **SEVEN** school days. Heronsgate will aim to notify you of the results of the investigation undertaken by the Headteacher (or the Chair of Governors should the complaint relate to the Headteacher) in writing within **15 school days** of acknowledging receipt of the complaint.

The Headteacher may:

- uphold the complaint, in whole or in part;
- reject the complaint;
- judge the complaint to be vexatious

If you believe your complaint has not been investigated properly and/or the outcome is unfair, you may move to Stage 3 of the complaints process. You must write to the Chair of Governors within **10 school days** of the date you received the outcome of Stage 2 that you want to move to Stage 3.

Stage 3 (Review)

If you believe your complaint was not handled correctly at Stage 2, you may write to the Chair of Governors giving details of the ways in which the complaint was **mishandled** or why you think the outcome of the investigation was **inaccurate** or **unfair**. The Chair of Governors will arrange for the way your complaint was handled to be investigated.

The Chair of Governors will not reinvestigate the complaint, but will review whether correct procedures were followed to ensure the concern was thoroughly investigated and the outcome accurate and fair.

You must be clear on which parts of the original investigation and response you want the Chair of Governors to review and why.

The Chair of Governors at Heronsgate will acknowledge receipt of the written request for the outcome of your complaint to be reviewed within **10 school days**.

The Chair of Governors will aim to notify you of the outcome of their review in writing within **10 school days** of acknowledging receipt of the request for a Review.

The Chair of Governors may:

- dismiss the complaint in whole or in part;
- uphold, in whole or in part, concerns about the manner in which the complaint was handled or the outcome;
- require the complaint be re-investigated in whole or in part if the procedures in Stage 2 have not been handled correctly;
- recommend appropriate action to be taken to resolve the complaint;
- recommend changes to Heronsgate policies or procedures to ensure that problems of a similar nature do not recur.

If you are dissatisfied with the Chair of Governor's Review at Stage 3, you may move to Stage 4. You must notify the School Business Manager within **10 school days** of date you received the outcome of Stage 3 that you want to move to Stage 4.

Stage 4 (Appeal)

If you are dissatisfied with the outcome of the Chair of Governor's Review at Stage 3, you may write to the School Business Manager c/o Heronsgate, giving details of why you think the Chair of Governor's Review was mishandled.

You must be clear on which parts of the Chair of Governor's Review and response you want the Appeal Panel to consider and why.

The School Business Manager will write to you acknowledging receipt of the written request for the complaint to be heard by the Appeal Panel. This acknowledgement must be sent within **10 school days** and should inform you of the arrangements for hearing the complaint within **20 school days** of receiving it. The letter will explain that you have the right to submit documents relevant to your concerns about the Chair of Governor's Review. These must be received within **FIVE school days** of the date of the hearing to allow adequate time for the documents to be circulated.

The Appeal Panel will comprise of at least three members, one of whom will be independent of the management and running of the school. No person involved should have previous involvement in the complaint.

At the hearing, the complainant, and any person against whom a complaint has been made, may be accompanied by a friend.

The panel may choose its own Chair.

The panel can make recommendations and findings that:

- dismiss the complaint in whole or in part;
- require the Chair of Governor's to re-visits the Review in whole or in part if the procedures in Stage 3 have not been handled correctly;
- appropriate action is taken to resolve the complaint;
- policy or procedures are changed to ensure that problems of a similar nature do not recur.

The Appeal Panel will ensure that any findings or recommendations are:

- i. provided to the complainant and, where relevant, the person complained about; and
- ii. available for inspection on the school premises by the Trust and the Principal

A written record of all formal complaints will be kept together with any action taken by the school as a result of those complaints (regardless of whether they are upheld).

Complaints about the school's data management practices or the provision of information given in response to a subject access request (SAR) or Freedom of Information (Fol) request, will receive a reply at stage one of this procedure only. If a complainant remains dissatisfied with the outcome to their complaint about data management or the school's response to a SAR or Fol, they can ask the Information Commissioner's Office (ICO) if they will consider whether the school has complied with the relevant legislation. This includes the Freedom of Information Act 2000, the Data Protection Act 2018 and the General Data Protection Regulations 2018. The ICO's contact details are available online at: www.ico.org.uk

Correspondence, statements and records relating to individual complaints will be kept confidential except where they need to be shared to enable a person complained about to have the right of reply or where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them. Documentation relating to a complaint will be disposed of in line with the Trust's Retention Policy.