

**Alder Community**  
High School

# Complaints Policy

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This policy was agreed by governing body delegation to the <a href="#">XXX Committee</a> on:			
This policy supersedes all previous policies relating to this area.			
Implemented:		Review date:	
Statutory <input type="checkbox"/>			
Non-statutory <input type="checkbox"/>			
Required to be on school website <input type="checkbox"/>			

## Introduction

Alder Community High School endeavours to provide the best education possible for all of its pupils in an open and transparent environment. We welcome feedback received from parents/carers, pupils and third parties, and we accept that not all of this will always be positive. Where concerns are raised the school intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without Prejudice

To do so, the Governing Board of Alder Community High School has approved the following procedure if you have concerns about the school. All staff members will be familiar with the procedure and able to assist you.

- This policy is written in line with the Data Protection Act 1998 to UK GDPR and Data Protection Act 2018
- The school will make reasonable adjustments to the complaints process where required (e.g., disability, language needs)
- Complaints relating to discrimination, harassment or bullying linked to protected characteristics will be treated with particular seriousness
- The school reserves the right to manage unreasonable, persistent or vexatious complaints
- Complaints outcomes may be used to inform school improvement

Any complaint received from an external source (including but not limited to members of the public, partner agencies, contractors, or community representatives), and not directly from a parent or carer of a registered pupil, will be managed in accordance with the School's Complaints Procedure.

The School reserves the right to determine the appropriate stage of the procedure applicable to the complaint and to handle the matter in line with its published policy to ensure fairness, consistency, and due process.

## Which procedure do I need?

Sometimes, when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following list details specific topics of complaints, and the correct policy to refer to. You can access these policies on the school website or ask for a copy from the main school reception.

- Pupil admissions; please see the school's Admissions Policy or contact Tameside Admissions, PO Box 304, Ashton-under-Lyne, Tameside, OL6 0GA [0161 342 8355]
- Pupil exclusions; please see the school's Behaviour Policy <https://aldercommunityhighschool.org.uk/policies>
- Staff grievance, capability or disciplinary procedures
- Where the complaint concerns a third party used by the school; please complain directly to the third party themselves

- Anonymous complaints – please refer to the Whistleblowing Policy

## **Raising concerns**

If you have a concern about any aspect of the school or your child's education or wellbeing, raise this with your child's form tutor / relevant subject teacher via the phone, email [admin@alderchs.uk] or in person by appointment. An email would be preferable as it will give the respondent time and context to investigate the matter for you and will likely expedite the reply.

All concerns will be dealt with confidentially, although the staff members may need to take notes if they feel that the matter may need to be taken further, or it may arise again in the future. Any such notes will be kept in accordance with the Data Protection Act 1998 principles. However, such notes would be able to be used as evidence if further investigation was required, or if the concern became a formal complaint. Meetings/phone calls are not to be audio recorded without permission from the member of staff.

## **Safeguarding**

Wherever a complaint indicates that a child's well-being or safety is at risk, the school is under a duty to report this immediately to the Local Authority. Any action taken will be in accordance with the school's Safeguarding Policy <https://aldercommunityhighschool.org.uk/policies>

## **Social Media**

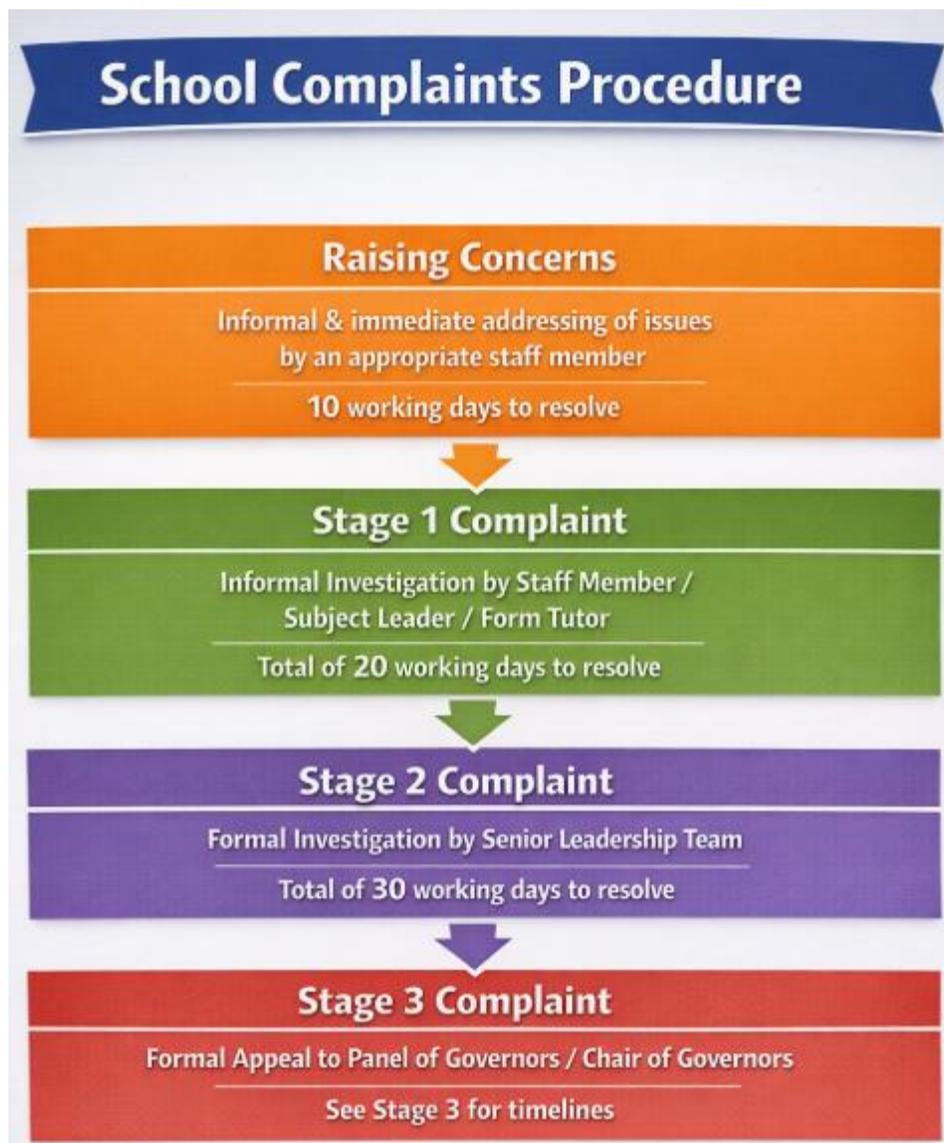
For complaints to be resolved as quickly and as fairly as possible, Alder Community High School requests that complaints are not discussed publicly via social media. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

## **Complaints that result in staff capability or disciplinary**

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary to resolve the issue, the details of this action will remain confidential to the Head Teacher and/or the individual's line manager. The complainant is not entitled to participate in the proceedings or receive any details about them.

## **Procedure**

If you need to raise an issue in the first instance, please do so with the relevant member of staff who will endeavour to work with you to establish a solution. If you are not satisfied with this response and believe the issue has not been resolved, please use the following procedure as detailed below.



## Timeframes

Alder Community High School will endeavour to abide by timeframes stated under each stage but acknowledges that in some circumstances, this is not always possible due to the complexity of information needed to review a complaint or difficulties regarding an individual's availability to deal with the complaint, for example. If it becomes apparent that it is not possible to complete any stage of the complaint's procedure within a given timeframe, the individual responsible for handling the complaint will contact the complainant as soon as possible and come to an agreed timeframe that works for all parties involved. If a timeframe cannot be met, the school will contact the complainant to agree a revised timeframe.

Alder Community High School reserves the right not to investigate complaints made a month after the complaint took place, except in exceptional circumstances. What is meant by exceptional circumstances is where new evidence has come to light, where the complaint is of an especially serious matter or where there is reasonable justification for why the complainant has been unable to raise the complaint before this time. The Head Teacher will review the situation and decide whether to enact the complaints procedure, informing the Chair of Governors of the decision.

A complaint will automatically be closed and confirmed by a communication to confirm, should the complainant repeatedly fail to respond to communications about the complaint.

## **Who should I contact?**

Educational matters: Subject Teacher, possible escalation to Assistant Curriculum Leader or Curriculum Leader

Pastoral care: Form Tutor / Head of Year

Disciplinary matters: Line Manager, for example, Curriculum Leaders, Assistant Head Teachers, Deputy Head Teacher, or Head Teacher

Financial/Administration matters: Business Manager

Complaint about a staff member's conduct: conversation/contact with the staff member themselves

Where this does not resolve the situation, a conversation/contact with their line manager

## **Complaints about the Head Teacher or the governors**

Where a complaint regards the Head Teacher, the complainant should first request a conversation with them to resolve the issue informally. If the complainant is not satisfied with this outcome, they should notify the clerk to the governors (see contact details at the end of the document). The Stage 2 process will then commence, but with the chair of governors as the individual responsible for the investigation rather than the member of the SLT.

Where a complaint regards a governor, the same process applies as for the Head Teacher. Where a complaint concerns the Chair of Governors, the individual should contact the clerk to the governors. Informal resolution will be sought, but where this fails, the complaints procedure at Stage 3 will take immediate effect. The vice chair or an independent investigator will mediate any proceedings.

- Timeframes for Stage 2 and Stage 3 will be adhered to, or revised in agreement with the complainant if necessary.
- The school will make reasonable adjustments for complainants with specific needs (e.g., disability or language support).
- All proceedings remain confidential, and complainants are not entitled to full details of any formal HR, disciplinary or governance action.

## **Stages of the Complaint**

### **Stage 1 – Informal investigation by a staff member/Curriculum Leader/Head of Year/Pastoral Manager**

Where the complainant still feels that the issue has not been addressed, or where the outcome has been that the complaint needs further investigation than can be resolved briefly, they may progress by making an informal complaint. In doing so, the following steps will be followed:

1. The complainant **must explain in writing (email to [admin@alderchs.uk](mailto:admin@alderchs.uk) or letter, using the form at the end of this policy)**

- An overview of the complaint so far
- Who has been involved
- Why the complaint remains unresolved
- Action they would like to be taken to put things right.

2. The staff member/Curriculum Leader/Pastoral Manager will acknowledge receipt of the complaint **within five working days** (excluding those which fall in the school holidays). They will explain what action they intend to take.

3. Where the complaint is about a member of staff or a school governor, an informal mediation meeting between the two parties, if appropriate, to see if a resolution can be found.

4. The investigating staff member will commit to providing an outcome of their investigation to the complainant within 20 working days of the complaint being made (excluding those which fall in the school holidays). Where the complainant is not satisfied with the outcome, they can progress to stage 2 of the complaints process and launch a formal written complaint.

5. The staff member will make a record of the concerns and the outcomes of the discussion which will be held centrally for twelve months, in line with the principles of UK GDPR and the Data Protection Act 2018. All complaints and outcomes are reviewed regularly by the Governing Body.

## **Stage 2 – formal investigation by member of Senior Leadership Team (SLT)**

1. The complainant **MUST** submit a formal complaint form (see appendix) to the member of the SLT. This should be emailed to [admin@alderchs.uk](mailto:admin@alderchs.uk) with the title of 'Formal Complaint', along with any supporting documents. A member of SLT will be assigned to respond.
2. The SLT member will respond in writing within five working days (excluding those that fall in the school holidays) of the date of receipt of the complaint to acknowledge receipt of the complaint and explain what action will be taken, giving clear timeframes.
3. A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles.
4. The SLT member will consider all relevant evidence; this may include but is not limited to:
  - A statement from the complainant,
  - Where relevant a statement from an individual who is the subject of the complaint
  - Any previous correspondence regarding the complaint
  - Any supporting documents (ideally supplied with the original complaint form)
  - Interview with anyone related to the complaint
5. The SLT member may decide to have a meeting/phone call with the complainant (and where relevant, the subject of the complaint) if they feel that it would be appropriate for the investigation.
6. After considering the available evidence, the SLT member can:
  - Uphold the complaint and direct that certain action be taken to resolve it
  - Reject the complaint and provide the complainant with details of the stage three appeals process
  - Uphold the complaint in part: in other words, the SLT member may find one aspect of the complaint to be valid, but not another aspect. They may ask for certain action to be taken to resolve the aspect that they find in favour of the complainant.
7. The SLT member must inform the complainant of their decision within 30 working days (excluding those that fall in the school holidays). They must explain clearly why they have come to the decision that they made. They must detail any agreed actions because of the complaint. Finally, they must provide the complainant with details of how to progress the complaint to stage three if they are not satisfied, providing them with the contact details of the clerk to the governors (see the end of the procedure for these).

### **Stage 3 – appeal – review by a panel of Alder’s governing board.**

If the complainant wishes to appeal a decision by the SLT member at stage 2 of the procedure, or they are not satisfied with the action that the SLT member took in relation to the complaint, the complainant is able to appeal this decision.

They must write to the clerk (see the contact details at the end of the procedure) as soon as possible after receiving notice of the respondent’s decision, briefly outlining the content of the complaint and requesting that a complaints appeal panel is convened.

The clerk will fulfil the role of organising the time and date of the appeal hearing, inviting all the attendees, collating all the relevant documentation and distributing these five days in advance of the meeting, recording the proceedings in the form of minutes, and circulating these and the outcome of the meeting.

The complainant must request an appeal panel within four weeks of receiving the respondent’s decision or it will not be considered, except for in exceptional circumstances. On receipt of this written notification, the following steps will be followed:

1. The clerk will write to the complainant within five working days (not including the school holidays) to confirm receipt of the appeal request and detail further action to be taken.
2. The clerk will convene a panel of three school governors. All three panel members will have no prior knowledge of the content of the complaint.
3. The appeal hearing will take place within 20 working days (excluding those which fall in the school holidays) of receipt of the date of the confirmation letter from the clerk to the complainant, confirming the appeal.
4. In addition to the panel, the following parties will be invited, where applicable:
  - the complainant
  - the person who dealt with the complaint at Stage 2
  - Where the complaint concerns a staff member, the subject of the complaint.

The complainant is also able to bring a companion with them to the hearing if they wish. Where the subject of the complaint is a member of staff, that staff member is also able to bring a companion with them.

The companion will be a friend or a colleague. Neither party can bring legal representation with them. If any party feels that legal action is necessary after the hearing, please see the contact details at the end of the procedure.

5. If any pupils' attendance is required at the hearing, parental permission will be sought as they are under 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.

6. Where the complaint is about a governor, the complainant may request that the appeal is heard by an entirely independent panel. It is at the governing board's discretion who will notify the clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school source appropriate individuals for the review.

7. The panel can make the following decisions:
- Dismiss the complaint in whole or in part
  - Uphold the complaint in whole or in part

- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

8. All parties who attended the meeting will be informed in writing of the outcome of the appeal within 5 working days (excluding those which fall in the school holidays).

This is the final stage at which the school will consider the complaint. If the complainant remains dissatisfied and wishes to take the complaint further, please see the contact details at the end of the document. The school will not consider the complaint beyond this.

### **Unreasonable complaints**

Where a complainant raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the school will not reinvestigate the complaint except in exceptional circumstances, for example where new evidence has come to light.

If a complainant persists in raising the same issue, the Head Teacher will write to them explaining that the matter has been dealt with fully in line with the school complaints procedure, and therefore the case is now closed. The complainant will be provided with the contact details of the Department for Education (see the end of this document) if they wish to take the matter further.

Unreasonable complaints include the following scenarios:

- The complainant refuses to co-operate with the school's relevant procedures.
- The complainant changes the basis of the complaint as the complaint progresses.
- The complainant seeks an unrealistic outcome
- Excessive demands are made on the time of staff and school governors, and it is clearly intended to aggravate.
- The complainant acts in a way that is abusive or offensive.
- The complaint has been shared on social media, breaching confidentiality, and prejudicing the issue.

The Head Teacher will use their discretion to choose not to investigate these complaints. When they decide to take this course of action, they must inform the chair of governors that they have done so, explaining the nature of the complaint and why they have chosen not to investigate. If the chair deems it appropriate to, they can redirect the Head Teacher to investigate the complaint. The full complaints procedure will commence from stage one in this direction.

If the chair upholds the Head Teacher's decision not to look into the complaint and the complainant deems this decision to be so unreasonable that no other rational body in the same position would have made that decision, then the complainant may write to the Department for Education (see the contact details at the end of the document).

### **Contact details for external organisations if not satisfied with the outcomes of the complaints procedure in full:**

- If you have any queries regarding any aspect of the complaints procedure, please direct these to the clerk to the governors Trust GS, 28-32 Greenwood Street, Altrincham, WA14 1RZ 0161 348 7188. Email [clerk@trustgs.co.uk](mailto:clerk@trustgs.co.uk)

- If the complainant remains dissatisfied with the outcome of the complaints procedure they may contact the local authority. The Council's main postal address is:-  
PO Box 304  
Ashton-under-Lyne  
Tameside  
OL6 0GA  
0161 342 8355
- If the complainant feels that the governing board acted 'unreasonably' in the handling of the complaint, they can complain to the Department for Education after the complaints procedure has been exhausted. Please note that unreasonable is used in a legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances. <https://www.gov.uk/complain-about-school>
- Ofsted will also consider complaints about schools.

### **Relevant legislation and guidance**

- The Equality Act 2010
  - <http://www.legislation.gov.uk/ukpga/2010/15/contents>
- The Data Protection Act 1998
  - <http://www.legislation.gov.uk/ukpga/1998/29/contents>
- The Education (Independent School Standards) Regulations 2014
  - <http://www.legislation.gov.uk/uksi/2014/3283/contents/made>
- Education Act 2002
  - <http://www.legislation.gov.uk/ukpga/2002/32/contents>
- The Department for Education Best Practice advice for school complaints procedures
  - <https://www.gov.uk/government/publications/school-complaints-procedures>

The school reserves the right to seek legal advice should it need to.

### **Consider links to the following policies:**

- Safeguarding and Child Protection Policy
- Behaviour Policy
- Staff Code of Conduct
- Whistleblowing Policy
- Equality / Equality & Diversity Policy
- SEND Policy

## Alder Community High School Formal Complaint Form

<b>Name</b>	
<b>Address</b>	
<b>Telephone</b>	
<b>Email Address</b>	
<b>Name of pupil, year group and your relationship to them (where applicable)</b>	
<b>Details of complaint</b>	
<b>Action taken so far including staff member who has dealt with it and actions or solutions offered</b>	
<b>The reason that this was not a satisfactory outcome for you</b>	
<b>What action would you like to be taken to resolve the situation</b>	
<b>Signed</b>	
<b>Date</b>	
Office use only:  Date received: Acknowledged: Referred to:	