



**SOUTH MOLTON**  
COMMUNITY COLLEGE  
— supporting success —

# Complaints Policy

**Adopted by the Governing Body: May 2015**

# School Complaints Procedure

## Principles

The aim of the outlined policy is to ensure a swift and effective resolution to be reached in issues arising causing concern for students, parents or members of the community. Our aim would be to deal with concerns at an early stage in an informal manner. However, this policy is recognition that from time to time complaints need to be dealt with via a formal procedure.

## Stage 1

The complaint should initially be made directly to the member of staff concerned unless they are the subject of the complaint. In this case the complaint should be referred to the appropriate line manager (either curriculum or pastoral).

The complaint should be acknowledged, investigated and the outcome of the complaint recorded with the complainant receiving a copy.

## Stage 2

If the complaint is not resolved, the matter should be referred to the Principal. The Principal will:

- Acknowledge receipt of complaint.
- Carry out an investigation.
- Feedback the result of this investigation to the complainant.
- Ensure a record of the investigation and feedback are kept.

## Stage 3

If the complaint is not resolved or the complaint is about the Principal or a governor it should be referred to the Chair of Governors.

The Chair of Governors will consider the complaint and decide whether the complaint should be referred to the Governors' Complaints Committee.

The Chair of Governors will:

- Acknowledge receipt of complaint.
- Decide on referral of complaint and inform complainant.

## Stage 4

The Governors Appeal Hearing is the last school-based stage of the complaints process. The panel will consist of five people of whom either three or five should attend the hearing (the panel should not include the Chair of Governors who will already have been involved in the complaint).

## The Remit of The Complaints Appeal Panel

The panel can:

- 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.

There are several points, which any governor sitting on a complaints panel needs to remember:

1. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

2. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations, which will satisfy the complainant that his or her complaint has been taken seriously.

3. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

## **Roles and Responsibilities**

### **The Role of the Clerk**

The clerk would be the contact point for the complainant and be required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible.
- Collate any written material and send it to the parties in advance of the hearing.
- Meet and welcome the parties as they arrive at the hearing.
- Record the proceedings.
- Notify all parties of the panel's decision.

### **The Role of the Chair of Governors**

- Check that the correct procedure has been followed.
- If a hearing is appropriate, notify the clerk to arrange the panel.

### **The Role of the Chair of the Panel**

The Chair of the Panel has a key role, ensuring that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption.
- The issues are addressed.
- Key findings of fact are made.
- Parents and others who may not be used to speaking at such a hearing are put at ease.
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy.

- The panel is open minded and acting independently.
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- Each side is given the opportunity to state their case and ask questions.
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

### **Notification of the Panel's Decision**

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline, which is publicised in the procedure. The letter needs to explain the rights of appeal, which only exist in cases relating to exclusions or admissions.

### **Mediation**

Mediation is a voluntary, non-confrontational resolution process whereby impartial, trained persons help to overcome a dispute between two or more persons. This service is available through Devon County Council if required.