



Penistone Grammar School

Advanced Learning Centre

Policy Statement:
**Complaints
Against the School**

Never Stop Flying

Penistone Grammar School ALC is committed to ensuring that complaints are resolved as quickly as possible within a clearly defined procedure. Section 29(1) of the Education Act 2002 requires that the governing body of a maintained school must have in place a procedure for dealing with complaints and this document sets out that procedure at Penistone Grammar School.

The nature of the complaint can relate to any aspect of the school, employees or any community facility or service that the school provides.

A copy of this policy will be made available electronically via the school's website with paper copies provided upon request.

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1. Introduction

Section 29(1) of the Education Act 2002 requires that the Governing Body must have in place a procedure for dealing with complaints. The nature of the complaint can relate to any aspect of the school, employees or any community facility or service that the school provides.

It is in everyone's interest that complaints are resolved as quickly as possible within a clearly defined procedure.

The procedure for parents contacting the school to raise a complaint will be published on the school's website and the school will make available a copy of the complaints procedure to give to parents who decide to make a formal complaint.

Where the complaint is not from a parent (for example a member of the public), the same procedure must be followed as that for a parent. Therefore, in this document any reference to a parent also includes any other person making a complaint.

All school staff will be made aware of the school complaints procedure and will be able to give information and assistance to parents on how to raise a concern or make a formal complaint.

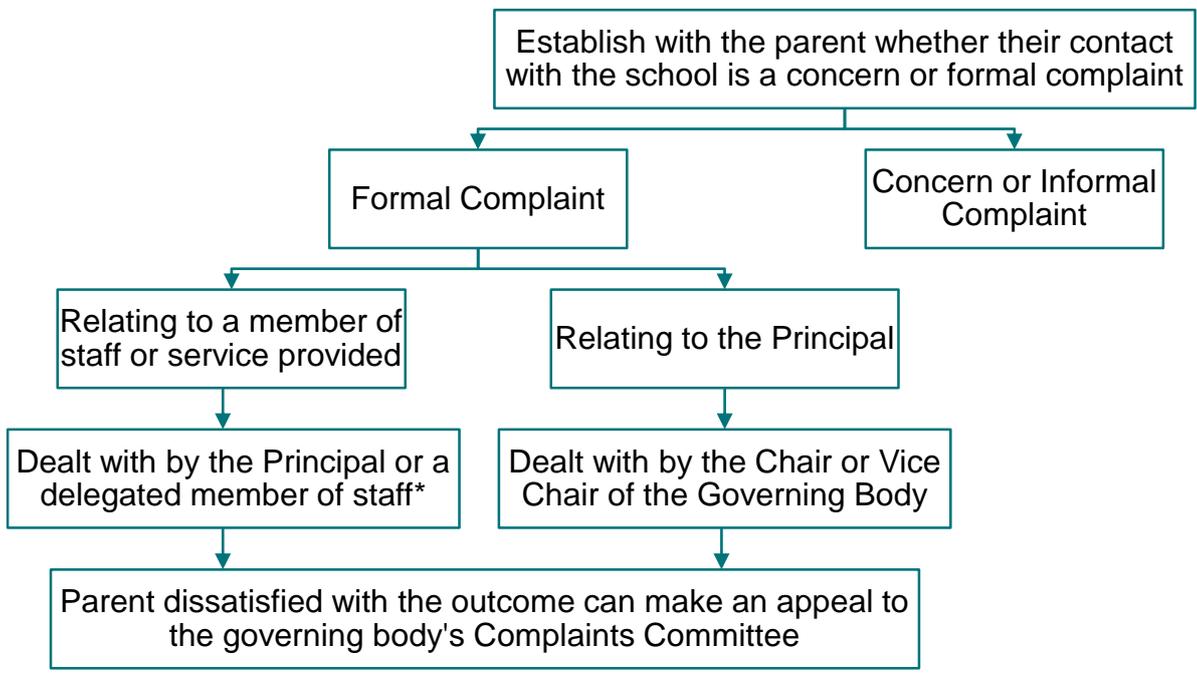
The school complaints procedure is not intended to apply to complaints of financial impropriety, criminal activity or disciplinary and grievance matters for which other procedures are in force.

There are different arrangements for complaints about:

- admissions procedures;
- exclusion of individual students;
- provision for individual students with special educational needs;
- Religious education or the religious character of a school.

The school are not obliged to deal with anonymous complaints.

2. Structure for the Complaints Procedure



3. The Role of the Governing Body

The role of the Governing Body is to establish a procedure for dealing with complaints, to ensure that the procedure is published and to establish a Complaints Committee to hear appeals at the final stage of the complaints procedure.

There is a legal requirement for the School's Complaints Procedure to be publicised and it is up to the Governing Body. At Penistone Grammar School ALC this will be done via the school website (www.penistone-gs.uk).

Individual complaints will not be heard by the whole governing body at any stage as this will compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

In establishing the Complaints Committee, the following three resolutions will be passed:

- (1) to establish the Complaint Committee;
- (2) to approve the Constitution and Terms of Reference;
- (3) to appoint Governors to the Committee

Governors, other than the Chair or Vice-Chair investigating a complaint, have no individual role in the complaints procedure.

Where a Governor receives a complaint they will refer the complainant to the Principal (or if the complaint concerns the Principal, to the Chair of Governors) and have no further involvement in the matter.

Should the Governing Body not wish to establish a separate committee to deal with complaints appeals, then the Terms of Reference of an existing committee will include:

- To hear appeals from parents together with representations from the Principal and/or chairperson
- To notify in writing, to the parent, the outcome of the appeal.

There are areas of school management which involve professional decisions which only the Principal is qualified to make. Such matters will not fall to the Governing Body to overturn. However, it is a reasonable expectation that the Principal will brief Governors on their decisions.

The Governing Body should monitor the level and nature of complaints and review their outcomes on a regular basis to ensure the effectiveness of the School Complaints Procedure and make changes where necessary. Underlying issues that need to be addressed may be identified. Complaints information shared with the whole Governing Body should not name individuals.

4. Informal Complaints or Concerns

It is in everyone's interest that complaints are resolved at the earliest possible stage. Where the complaint is made in person or by telephone it is preferable, if possible, to seek to resolve the complainant's concerns at that time on an informal basis. Even some written complaints, which can be resolved simply and speedily, by a quick response, can be classed as informal complaints.

Where a parent raises an issue with the school it is important to establish whether the parent has a concern regarding a particular issue which they are seeking to have resolved or whether the parent has a complaint which they want investigating and responded to formally.

Concerns will be handled, if at all possible, without the need for formal procedures. Concerns will be taken seriously at the earliest stage to reduce the numbers that develop into formal complaints.

All schools must have a procedure for managing parental concerns. Such a procedure will be informal in its style and reflect the relationship between the school and parents.



Sometimes parents may use the term complaint when in fact they have a concern so consequently it can be dealt with in a less formal manner.

The school recognises that resolving parental concerns swiftly can prevent concerns becoming formal complaints. However, it is recognised that, irrespective of the school's reasonableness in responding to the parent's concerns, sometimes they will be dissatisfied with the outcome and wish to make a formal complaint.

5. Formal Complaints

Formal complaints procedures will to be invoked when initial attempts to resolve issues informally are unsuccessful and the person concerned remains dissatisfied and wishes to take the matter further.

Parents will be advised that complaints are treated seriously and managed by a formal process involving evidence and investigation.

A complaint must be made in writing or via e-mail.

Where a parent makes a complaint by telephone or in person, they must be advised to submit the complaint in writing in order for it to be considered formally.

Parents may find it easier to complete a School Complaint Form, a copy of which is provided at Appendix 3.

Where a person comes onto the school premises and makes a complaint in a threatening manner, the Principal will deal with that person in accordance with the Local Authority's procedure set out in: Work Related Violence to Employees at School – A Guide for all School Staff.

6. Who Deals with Complaints

Parents will be encouraged to speak informally with the appropriate member of staff as soon as they have a concern in accordance with the school's procedure.

The parent will be advised to raise more serious concerns with the Principal.

Most concerns will be dealt with informally to everyone's satisfaction. But failing this, complainants will be made aware of the formal stages of the process.

All formal complaints relating to the school must be referred to the Principal who will decide:

- (i) to deal with it themselves; or
- (ii) delegate to a member of staff.

Where a complaint involves or relates to the Principal, it will be referred to the Chair of the Governing Body. In the absence of the Chair then the Vice-Chair will be expected to deal with the complaint.

Where the parent makes a formal complaint regarding a school policy the matter will be referred to the Chair for the Governing Body to deal with.

Where a complaint is delegated to a member of staff this will be made known to the complainant. The member of staff will be independent and possess the appropriate skills and authority to deal with other colleagues as part of the complaints process.

7. Investigating and Resolving Complaints

When investigating a complaint the school will:

1. Record all information.



2. Establish exactly the nature of the complaint; what happened, who was involved, when it happened and where.
3. Check out the complaint with a view to finding witnesses/evidence.
4. Interview where necessary those complained of, allowing them to be accompanied if they wish.
5. Produce a report containing findings on the complaint.

Any report produced will be done so in the name of the Principal (or Chair of Governors) and it is up to them to determine whether the complaint is upheld, wholly or in part, or whether there is no substance to the complaint.

The report must be sent to the complainant with the Principal's (or Chair of Governor's) finding with an offer to meet to discuss the outcome.

The purpose of such a meeting is to explain what has been found (not to amend the report) and hopefully to resolve the issue.

Where a complaint has been upheld, the intention should be to put the complainant in the position they would have been in if things had not gone wrong. This will be dependent on the individual circumstances of the case but will usually be achieved by the following:

- offering an apology and full explanation for what went wrong;
- an admission that the situation could have been handled differently or better;
- taking steps to remedy the situation if appropriate;
- taking action to ensure that the problem is not repeated, including amending a school policy if this is appropriate.

8. Appeal to Committee of the Governing Body

Where the complainant remains dissatisfied they will be advised that they can make an appeal to the Governing Body (Complaints) Committee.

The purpose of the appeal is not to reinvestigate the complaint, it is to ensure that the complaints procedure was implemented correctly and every issue within the complaint thoroughly investigated. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that the complaint has been taken seriously.

It is important to note that professional decisions that are made in school are the responsibility of the Principal. This means that even if the Complaints Committee does not agree with the Principal's decision, they cannot substitute their own decision.

Decisions of the Complaints Committee

The decision of the Complaints Committee will depend upon the nature of the complaint and generally be in two parts.

Part A

- (i) That the complaint was managed and investigated correctly; or
- (ii) That the complaint was not managed and investigated correctly.

The Committee would then proceed to make a decision upon the outcome of the complaint under point (i) above.

Part B

That the Committee:

- uphold the decision on the complaint; or



- uphold the decision on the complaint in part; or
- dismiss the complaint.

Following the Committee's two part decision they will consider the appropriate action to be taken to resolve the complaint and what response to make to the parent, for example (not an exhaustive list):

- an explanation as to why they consider the complaint has been dealt with properly and fairly;
- acknowledge the school is at fault and offer an apology;
- an admission that the situation could have been handled differently but this would not have affected the outcome;
- an assurance that the event complained of will not happen again and what actions are being undertaken by the school;
- a review of the policy/procedure in light of the complaint.

Following the meeting of the Complaints Committee the Clerk must write to the complainant setting out the decision of the Committee and giving reasons for their decision.

The Committee may also recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again

Vexatious complaints

When all the stages of the complaints procedure have been followed there may be occasions when the complainant remains dissatisfied and attempts to continue the complaint. In such a case the Chair will write to the complainant and inform them the matter has been to appeal and therefore is now closed.

9. The Role of the Local Authority

Where a parent contacts the Local Authority regarding a complaint against the school they will be advised to request a copy of the school's complaints procedure from the school and either raise their concerns informally or submit a written complaint to the Principal of the school. Where permission is given notification of this contact will be sent by e-mail to the Principal.

Where appropriate and permission is given, details of the concern may also be passed to other officers within the service so that they can provide support, for example Education Welfare, Behaviour Support. If there are possible safeguarding issues, information will be passed on to the relevant agencies.

The parent will be advised of the procedures for schools' complaints and informed that the Local Authority will not investigate their complaint. In the case where a parent has followed their complaint to the end of the school's procedure the matter is concluded.

Under section 45 of the Education Act 2011, the Local Authority's duty to consider complaints about the curriculum, sex education and religious worship in maintained schools has ceased.

Complaints about maintained schools not resolved by the school should be addressed to the Secretary of State for Education and not the Local Authority.

10. The Role of Ofsted

Ofsted have the power to consider some complaints made in writing about schools. Such complaints can be made by parents or carers of children registered at a school. Ofsted will not usually consider a complaint if the parent/carer has not first followed the School's and Local Authority's complaints procedure.

Ofsted can consider complaints where it affects the school as a whole, for example:

- the school not providing a good enough education



- the students are not achieving as much as they should, or their differing needs are not being met
- the school is not well led and managed, or is wasting money
- the students' personal development and/or wellbeing is being neglected.

Ofsted will not normally investigate cases to do with individual students.

Ofsted cannot consider complaints when there are other statutory ways of pursuing them. Examples include complaints relating to:

- admissions procedures
- exclusion of individual pupils
- provision for individual pupils with special educational needs
- religious education or the religious character of a school
- temporary changes to the curriculum

Ofsted are not in a position to:

- investigate incidents that are alleged to have taken place
- judge how well a school investigated or responded to a complaint
- mediate between a parent and a school to resolve a dispute.

Where a complaint is made to Ofsted, which falls within their power to investigate, it may decide to bring forward an inspection or conduct an immediate inspection.

Complaints about childcare and social care provision

Ofsted can take more extensive action on receiving a complaint about childcare and social care providers should the information they receive suggest that providers are not meeting minimum standards, are putting children at risk or are providing services without appropriate registration. This will apply to schools where they are registered with Ofsted for the provision of these services.



1. The Principal (or Chairperson*) and parent/carer will be invited into the meeting.
2. Those present will introduce themselves
3. The Clerk will explain the procedure for hearing the parent's complaint.
4. The parent will present their complaint.
5. The Governors may, if they wish, ask the parent questions.
6. The Principal/Chairperson may ask questions of the parent.
7. The Principal/Chairperson will be invited to explain how the complaint was managed and what decisions were taken on the complaint.
8. The Governors may, if they wish, ask the Principal/Chairperson questions.
9. The parent may ask the Principal/Chairperson questions.
10. Following summaries by the parent/carer and Principal/Chairperson they will leave the meeting.
11. The Committee will then come to a decision on the complaint.
12. Following the meeting the Clerk will write to the parent and the Principal/Chairperson informing them of the Committee's decision.

Please note that witnesses may be questioned on any statement made or evidence given.



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Achieving Excellence through a Values Driven Education



Ref: CMA/JHI

Date: [Insert date here]

Dear Parent/Carer

SCHOOL COMPLAINTS PROCEDURE

Penistone Grammar School Advance Learning Centre takes all complaints seriously and aims to deal with these, thoroughly, quickly and effectively. To support with this I have detailed the procedure for complaints below for you:

- You must submit your complaint in writing or by using the School Complaint Form. Please note that anonymous complaints will not be dealt with.
- Your letter/form should contain as much detail as possible.
- The complaint will be acknowledged in writing within 5 school days stating which member of staff will be managing the complaint.
- Within a further 20 school days an investigation of the complaint will be undertaken.
- Within 5 school days of completing the investigation you will receive a copy of the report and my decision, or notification that I will investigate further. If I decide to undertake a further investigation you will be notified of this and be given a date by which it will be completed (this will normally be a further 10 to 15 school days).
- You will be invited to attend a meeting to discuss the report, if you wish, at a time convenient to you. There is no time limit to this.
- Irrespective of whether you attend the meeting you will have the right of appeal to the Governing Body Complaints Committee if you are dissatisfied with the outcome of the complaint.
- Should you wish to appeal, a Complaints Committee meeting will be held within 15 school days of you informing me that you wish to appeal. A copy of the Complaints Committee Procedure is available as part of our Complaints Against the School Procedure at Appendix 1.
- The decision of the Complaints Committee will be sent to you in writing the school day following the meeting.
- The decision of the Complaints Committee is final.



- A parent can submit a complaint to the Local Authority only on the grounds that the school did not follow its published procedure. The Local Authority will not investigate a parent's original complaint against the School, however the Local Authority may check that the school followed its published procedures.

Should you need any additional support or guidance please refer to our **Complaints Against the School** policy (a copy of which I have attached for ease of reference) or contact school to discuss further.

Yours sincerely

P Crook
Principal

Enc.



Penistone Grammar School

Advanced Learning Centre

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