



**BEVERLEY SCHOOL  
FOR  
PUPILS WITH AUTISM**

**COMPLAINTS POLICY**

**Updated: January 2015**

**Reviewed: March 2021**

**Approved by Governors: March 2021**

**To be reviewed: March 2023**

## BEVERLEY SCHOOL'S COMPLAINTS POLICY

### **Dealing with Complaints – Initial concerns**

Beverley School takes informal concerns seriously at the earliest stage, as we believe that concerns ought to be handled, if at all possible, without the need for formal procedures. In most cases, the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. We would prefer that staff were able to resolve issues on the spot, including apologising where necessary.

### **Dealing with Complaints – Formal procedures**

However, formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The Headteacher has responsibility for the operation and management of the school complaints procedure and unless otherwise agreed acts as the 'complaints co-ordinator'. However, the Headteacher, with the agreement of the Governing Body may designate another member of staff to act as the school's 'complaints co-ordinator'.

### **Framework of Principles**

Beverley School has adopted the following framework of principles:

- encourage resolution of problems by informal means wherever possible
- be easily accessible
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality
- address all the points at issue and provide an effective response and appropriate redress, where necessary
- provide information to the school's senior leadership team so that services can be improved

### **Investigating Complaints**

The complaints co-ordinator will:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and / or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview

## **Resolving Complaints**

At each stage in the procedure, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. It is important to note that an admission that the school could have handled the situation differently is not the same as an admission of negligence.

## **Vexatious Complaints**

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to re-open the same issue, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

## **Time-Limits**

Complaints will be considered, and resolved, as quickly and efficiently as possible. Realistic time limits have been set for each action within each stage. However, where further investigations are necessary, new time limits may be set and the complainant sent details of the new deadline and an explanation for the delay.

## **Beverley School Complaints Procedure has three school-based stages:**

- Stage one: complaint heard by a staff member (though not the subject of the complaint)
- Stage two: complaint heard by Headteacher
- Stage three: complaint heard by Governing Body's complaints appeal panel

An unsatisfied complainant can always take a complaint to the next stage.

If a complaint concerns the conduct of the Headteacher, this will be heard by the Chair of Governors.

## **Stage by Stage Complaints Procedure**

### **Stage One: Complaint Heard by Staff Member**

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate.

The school will respect the views of a complainant who indicates that he / she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator can refer the complainant to another staff member. Where the complaint concerns the Headteacher, the complaints co-ordinator can refer the complainant to the Chair of Governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member.

Governors will not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages, in case they are needed to sit on a panel at a later stage of the procedure.

### **Stage Two: Complaint Heard by Headteacher**

At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one, and may wish to pursue their initial complaint. The Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

### **Stage Three: Complaint Heard by Governing Bodies Complaints Appeal Panel**

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a Governing Body Complaints Appeal Panel.

This governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

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

The governing body will nominate a number of members with delegated powers to hear complaints at this stage. Their responsibilities include:

- hearing individual appeals
- making recommendations on policy as a result of complaints

The procedure adopted by the panel for hearing appeals is shown below. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own Chair.

## **Conduct of Complaints Appeal Panel**

The Complaints Appeal Panel is the final stage in the procedure. By this stage, the Complainant must provide the complaints co-ordinator with a clear written summary of the issues he / she wishes the Committee to consider. This must be with the complaints co-ordinator at least four working days before the meeting. If the Complainant needs support in producing this written summary, he / she may seek help from a member of school staff not involved in the complaint. The complaints co-ordinator will put the Complainant in touch with a suitable person on request.

The Clerk to the Panel will arrange for the summary of issues and any other relevant documentation to be circulated to the members of the Panel, the Headteacher and any invited officials. If, within four days of the meeting date, the complaints co-ordinator has not received a clear written summary of the issues, then the Panel meeting will be cancelled. No further action will be taken by Governors unless a fresh complaint is made.

After introductions, the Complainant is invited to explain the issues that their complaint is about. Any witnesses brought by the Complainant are also heard at this stage. The Complainant's witnesses are only required to attend for the part of the hearing in which they give their evidence.

The Headteacher may question the Complainant and each of his / her witnesses (if any) after he / she has spoken.

The Headteacher is then invited to offer explanation or clarification with regard to the issues raised by the Complainant. Any witnesses brought by the Headteacher are also heard at this stage. These witnesses are only required to attend for the part of the hearing in which they give their evidence.

The Complainant may question the Headteacher and each of the Headteacher's witnesses (if any) after he / she has spoken.

The members of the Panel and the Clerk may ask questions, through the Chair, at any point.

The Complainant is then invited to tell the Committee if he / she feel the issues have been resolved and to sum up any outstanding points relating to their initial complaint.

The Headteacher is invited to sum up, with particular regard to any of these outstanding points.

The Chair explains that both parties will be asked to leave and will either be called back at a specified time to hear the outcome, or if more appropriate will receive written notification of the outcome within a specified timescale.

Both parties then leave while the Panel decides on the issues. The decision will include proposals for resolving outstanding issues, and if necessary, any further investigations that are required.

If previously agreed, both parties return to hear the outcome. If the Panel decide that this will be helpful, discussion may take place with the aim of reaching agreement on implementing the Panel's decisions and proposals.

## **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:

a. 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.

b. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. 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.

c. 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.

d. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.

e. The governors sitting on the panel need to be aware of the complaints procedure.

## **Roles and Responsibilities**

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

Any panel of governors considering complaints will be clerked. The clerk will 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

- convene the meeting, inviting witnesses suggested by the Complainant and the Headteacher
- collate any written material and send it to the parties in advance of the hearing, with details of invited witnesses
- ensure that the Complainant is aware that he/she is entitled to bring a friend to act as a supporter
- 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 the Governing Body**

The Chair of the Governing Body role will

:

- decide on the size of the Panel (3 or 5) and which of the nominated Governors shall serve on the Panel
- check that the correct procedure has been followed
- if a hearing is appropriate, identify a Clerk and ask 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
- the Complainant is given the opportunity to state his / her case and ask questions, with the Headteacher having an opportunity to respond and ask questions
- written material is seen by all parties

### **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 within a set deadline of ten working days of the meeting of the Panel.

## **Beverley School Complaint Form**

**Please complete and return to the School Business Manager who will acknowledge receipt and explain what action will be taken.**

**Your name:**

**Pupil's name (if applicable) and your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Email address:**

**Please give details of your complaint.**

**What action, if any, have you already taken to try and resolve your complaint.  
(Who did you speak to and what was the response)?**

**What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**