



Safeguarding

Threemilestone School is committed to safeguarding and promoting the welfare of all children.
We expect all our team members to share this commitment.

Policy for Dealing with Complaints

All complaints that are received will be recorded and, if they are in writing, acknowledged within two working days. The school then follows this procedure:

Step 1

A meeting will be arranged with the headteacher but will not automatically include any member of staff named in the complaint. The school governors will not be involved at this stage although, if the headteacher is the subject of the complaint, the complainant may have written directly to the chair of governors. There is no time scale for resolution at step 1, given the importance of dialogue through informal discussion.

However, if the discussion seems unlikely to resolve matters, or if the complainant needs to be taken forward against a member of staff, we proceed to step 2.

Step 2

Where it has not been possible to resolve a complaint by way of informal discussion, and/or where the complaint involves a member of staff, the complaint should be set out in writing outlining the precise nature of the complaint, specifying dates, times etc.

If the complaint involves an allegation of a potentially serious criminal nature, the headteacher will immediately inform the Director of Children's Services so that it can be recorded and the school advised about further action.

The member of staff, who is the subject of the complaint, would normally be advised of the situation immediately, although if the complaint involves a Child Protection issue, the Child Protection Investigation arrangements will come into force involving the Social Services and Police.

If the complaint is about a matter which is subject to a specific procedure, then this must be followed. If it is a general matter, the headteacher may be able to respond immediately, eg if it is about an explanation of school policy.

When the complaint is about a member of staff:

- If at any time during the investigation there is a prima facie case for disciplinary action, the school's disciplinary procedure must be followed and no further action taken under the complaints procedure. This also applies where Child Protection procedures are being followed.
- It may be advisable to meet the complainant before the investigation in order to clarify the precise nature of the complaint and to discuss ways in which the matter might be resolved.

If a formal investigation is required, the school will adhere to the following principles:

- If a member of staff is the subject of a complaint, s/he will be given a copy and advised to contact their trades union or professional association.
- The member of staff will be advised that a 'friend' or trades union representative at any subsequent interview or hearing may accompany him/her.
- The complaint will be treated as an allegation only during the investigation stage.
- The headteacher will invite all parties (including witnesses) to provide written statements as part of the investigation.

When the headteacher is the subject of a complaint, the complaint will be copied to the Chair of Governors and, if the Chair considers it appropriate, the Director of Childrens Services.

Should the matter not be resolved within step 2, the complainant may consider proceeding to step 3. The onus is on the complainant to make this decision, within the time scale of two weeks, although the headteacher may feel this is the best course of action.

Investigations at step 2 should normally be completed within two weeks of receipt of the complaint, unless there are exceptional circumstances, such as in the case of a Child Protection investigation or where the Staff Disciplinary Procedure is involved. A formal response will be sent within two weeks of the completion of the investigation, giving a target of four weeks for the completion of step 2.

Step 3

In all cases where the headteacher is unable to resolve a complaint to the satisfaction of the complainant, the matter must be considered by the governors.

The governors will then decide how to consider the complaint. Individual governors have no power to investigate a complaint outside the complaints process. Therefore, at least two governors shall be given the task of checking over the facts of the case, and, if necessary, meet with the complainant in order to reach an appropriate solution.

Any further investigation will be undertaken in accordance with the principles outlined in step 2, although since an investigation will have already taken place and information gathered, it may not need to be so thorough.

Following the investigation there will normally be two options available:

- The investigating governors may be able to take the appropriate action necessary to resolve the complaint, if they have been so delegated. If no action is proposed, they will report so to the governing body.
- The governors may decide to review judgements made so far and report to the complainant that all investigative measures have been exhausted.

The decision of the governors committee will be communicated in writing to the complainant within two working days of the meeting.

An investigation will take place when the complaint is about an action of the headteacher. This investigation should normally be completed within three weeks of the receipt of a step 3 complaint and will be conducted by the Chair of Governors.

Step 4

Complainants can request an investigation by the LA where they feel that the complaint has not been investigated fairly by the governing body. Complaints received will be recorded and the Director of Childrens Services will inform the Chair of Governors that a complaint has been received.

If the complaint is of a serious nature and it is not possible to reach a resolution with the governing body, an investigation will need to take place. The Director of Education, Health and Social Care will determine the terms of reference for this, and the governing body will be informed of these.

Following the investigation, any findings would normally be presented to the governing body to see if an agreement can be reached. In rare cases, it may be felt that the appropriate course of action should be to withdraw delegation. The governing body would be invited to present their comments to the LEA as part of the process.

Step 5

Finally, complainants have the right of appeal to the Secretary of State for Education. In such cases, the DfE will examine the complaint and adjudicate. The DfE has the power to require the LEA to take certain actions, including the issuing of instructions to the governing body of the school. Members of staff also have the same right of appeal.

If a complainant feels that there has been maladministration in the manner in which a complaint has been dealt with, this can be referred to the Local Government Ombudsman. The Ombudsman can look into complaints about how something has been done, but cannot question what has been done because the complainant does not agree.

_____ Dated _____
Author

_____ Dated _____
Headteacher

_____ Dated _____
Chair of Governing Body

_____ Dated _____
Chair of Pupils and Curriculum Committee

Ratified at Full Governors Meeting:

Date of next review: