

# John Masefield High School

## Concerns and Complaints Policy & Procedure

### **Policy:**

The aim of this policy is to ensure that a concern or complaint received by the school is managed sympathetically, efficiently and at the appropriate level and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and students' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in the light of circumstances.

### **Policy Procedure:**

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which could be damaging to relationships and also to our school culture. We intend that no-one should feel – or be made to feel – that a complaint will be taken amiss or will adversely affect a student or his/her opportunities at school.

1. What do I do if I have a concern or complaint about a school issue?

Stage 1

We expect that most concerns, where a parent seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the School's systems or equipment, or a disciplinary matter.

You should make contact with the appropriate member of staff and talk to them about your concerns and explain them carefully. He/she can investigate your concern and give you a response, making clear any action or monitoring of a situation that may be necessary. At this stage, misunderstandings can usually be cleared up simply and quickly on an informal basis.

- Education issues – if the matter relates to the classroom please contact the form tutor, if it relates to the curriculum, please contact the relevant Faculty Leader or if your complaint relates to special educational needs please contact the Special Educational Needs Co-ordinator.
- Pastoral care – for concerns relating to matters outside the classroom, please contact your son/daughters Tutor. If this does not bring resolution please contact the relevant Head of House or Deputy Headteacher who will address your concerns.
- Disciplinary matters – a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it. If this does not bring resolution please contact the relevant Faculty leader or House Leader as appropriate.
- Financial, Administrative, H&S, transport and other support matters – a query relating to any of these areas should be raised either with the School Business Manager or the Finance Office.

Should an informal concern or complaint be raised with a member of staff other than those designated above, the school will redirect the complaint to the appropriate individual under this policy.

If you are not a parent of a student at JMHS and wish to raise a concern or complaint, please email [admin@jmhs.hereford.sch.uk](mailto:admin@jmhs.hereford.sch.uk). The School Business Manager will direct your email to the most appropriate person and will ensure that you are provided with a prompt response. If you are dissatisfied with the response you receive we will move to Stage 2 of this policy.

A concern which has not been resolved by informal means within ten working days from the receipt of the complaint can be notified as a formal complaint in accordance with Stage 2 below.

## 2. Talking to the member of staff did not work – what do I do?

Stage 2

**Notification** An unresolved concern under Stage 1, or a complaint which needs investigation, or a more serious dissatisfaction with some aspect of the School's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and your full contact details for the attention of the Headteacher. Should a formal written complaint be received by another member of the School's staff, he or she will immediately pass it to the Headteacher.

**Acknowledgement** Your complaint will be acknowledged by telephone, by email or in writing normally within five working days of receipt during term time and as soon as practicable during the holidays. The acknowledgement will indicate the action that is being taken and the likely timescale for resolution.

**Investigation and resolution** The Headteacher may deal with the matter personally or may ask a senior member of staff to act as "investigator" and/or may involve one or more members of the Senior Leadership Team. The investigator may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. Following appropriate investigation, the Headteacher, will then notify you in writing of the decision and the reasons for it.

**Outcome** The aim of the Headteacher would be to inform any complainant of the outcome of an investigation and the resolution to the complaint within one calendar month from the receipt of the complaint. Please note that any complaint received during a School holiday or within one week of the end of term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel.

**Record of complaints** The Headteacher is responsible for keeping a log of all complaints received by or referred to them under this stage of the procedure. The log should provide a brief written summary of the name of the complainant, the date the complaint was received, the matter complained of, and the manner and date of its resolution. Written records will also be kept of any meetings and interviews held in relation to the complaint.

## 3. I'm still unhappy with the response, what next?

Stage 3

**Notification** If you are dissatisfied with the decision of the Headteacher under Stage 2, your complaint may be renewed in writing to the Chair of the Governing Body. Their contact address is:

Chair of Governors, c/o John Masefield High School, Mabel's Furlong, Ledbury. HR8 2HF

You should write to the Chair within five working days of receiving the decision. Your letter to the Chair should give full details of your complaint and enclose all relevant documents and your full contact details. Your letter will normally be acknowledged within five working days during term time, indicating the action that is being taken and the likely timescale.

### Action by the Chair

The Chair will firstly check you have followed stages 1 and 2 of the policy and if this is not the case, they will ask you to do so. If the Chair is satisfied that you exhausted stages 1 and 2 they will address your concern or complaint.

The Chair will consider your concern in confidence and without reference to any other member of the Governing Body. He/she will establish all the material facts and relevant policies, so far as is practicable, and may wish to meet with you and other parties involved.

He/she will notify you in writing of their decision and the reasons for it. He/she will aim to provide a response within fifteen working days of receiving your letter but will inform you if this timescale will need to be increased.

The Chair will keep a log of all complaints received by or referred to them under this stage of the procedure. The log should provide a brief written summary of the name of the complainant, the date the complaint was received, the matter complained of, and the manner and date of its resolution. Written records will also be kept of any meetings and interviews held in relation to the complaint. The Chair will share this log with the Full Governing Body at termly intervals and this will be a standard agenda item on each FGB agenda.

4. Is there any further course of appeal?

Stage 4

### **Review Panel**

**Notification** Only if you have been through the earlier stages of this procedure, and are dissatisfied with the decision that has been notified to you by the Chair of Governors, may you request a final hearing by a Review Panel. To request a hearing before the Review Panel, please write to the Clerk to the Governors within five working days of the decision you wish to appeal. Your request will only be considered if you have completed the relevant procedures at Stages 1-3. Please ensure that copies of all relevant documents accompany your letter to the Clerk and state all the grounds for your complaint and the outcome that you desire. The Clerk will acknowledge your request in writing within five working days. To contact the clerk, please write to:

Clerk to the Governing Body, c/o John Masefield High School, Mabel's Furlong, Ledbury, HR8 2HF

**Review Panel:** The Vice Chair of Governors will be responsible for establishing a Review Panel. The panel will consist of at least three members (usually one Governor, one member of the school's Senior Leadership Team and one member who is independent of the management and running of the school – ie not a Governor or a member of staff). Members of the panel must have no detailed previous knowledge of the case and must not include the Chair of Governors.

Fair consideration will be given to any bona fide objection to a particular member of the Panel but the Vice Chair make the final decision.

**Convening the Panel** The Clerk to the Governors will convene the Review Panel as soon as is reasonably practicable but the Panel will not normally sit during School holidays.

**Notice of hearing** Every effort will be made to enable the Panel hearing to take place within ten working days of the receipt of your request. As soon as reasonably practical and in any event at least five working days before the hearing, the Clerk to the Governors will send you written notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present.

**Attendance** You will be asked to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend, who should not be legally qualified. The Clerk to the Governors or nominated deputy will also attend the hearing in order to keep a record of the proceedings. Copies of additional documents you wish the Panel to consider should be sent to the Clerk to the Governors at least three clear days prior to the hearing.

The Chair of the Review Panel will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. All present must be respectful and courteous to enable the hearing to be conducted in a timely manner. The Chair of the Review Panel has the right to terminate the meeting and re-schedule, should they feel the complainant is unacceptable. Reasons for termination include behaviour such as swearing, abusive language, threatening behaviour.

**Adjournment** The Chair may at his/her discretion adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

**Decision** After due consideration of the matters discussed at the hearing, the Panel shall reach a decision. The Panel's decision, findings and any recommendations may be notified orally at the hearing or subsequently and shall be confirmed in writing to you within ten working days. The decisions, findings and any recommendations will be made available for inspection on the school premises by the Governing Body.

The Vice Chair will keep a log of all complaints received by or referred to them under this stage of the procedure. The log should provide a brief written summary of the name of the complainant, the date the complaint was received, the matter complained of, and the manner and date of its resolution. Written records will also be kept of any meetings and interviews held in relation to the complaint. The Vice Chair will share this log with the Full Governing Body at termly intervals and this will be a standard agenda item on each FGB agenda.

5. Still dissatisfied?

Stage 5

If you are still dissatisfied you should contact the Education Funding Agency.

The Education Funding Agency (EFA) handles complaints in relation to Academies on behalf of the Secretary of State, if

The EFA will look at complaints about academies that fall into the following areas:

- undue delay or non-compliance with an academy's own complaints procedure
- an academy's failure to comply with a duty imposed on it under its funding agreement with the Secretary of State
- an academy's failure to comply with any other legal obligation, unless there is another organisation better placed to consider the matter as set out in the next section

Complaints about academies should be sent:

- via the Department for Education's Schools Complaints Form

- by post to Ministerial and Public Communications Division Department for Education  
Piccadilly Gate Store Street Manchester M1 2WD

Wendy Bradbeer – February 2012  
Revised May 2017

**Approved .....**  
**Chair of Governors signature**

**Date .....**

**Approved .....**  
**Headteacher's signature**

**Date .....**

**John Masfield High School and Sixth Form Centre**  
**Registered Office: Mabel's Furlong, Ledbury, Herefordshire HR8 2HF**  
**Registered in England and Wales**  
**Company Number: 07631985**  
**An exempt charity**