

# Date Valley School

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## Complaints Policy

At Date Valley school, we undertake to provide a friendly and safe environment in which pupils will be helped to achieve their potential, both academically and socially. We recognise that sometimes things can go wrong and parents/guardians may need to make a complaint or raise concerns they have with the school.

We aim to take informal concerns seriously at the earliest stage possible and resolve before they develop into formal complaints.

### STAGE 1 – Procedure for dealing with complaints informally.

- The vast majority of concerns and complaints are resolved informally. At Date Valley School, we hope to provide an environment where if a parent / guardian have a concern, they should feel able to raise the concern with a member of staff without formality, either in person, by telephone or in writing. The member of staff will give the parent / guardian information about the matter in question. It may be useful to establish at this point what sort of outcome the parent / guardian is looking for.
- If the member of staff is not immediately available, an appointment should be made so that the matter can be discussed.
- If appropriate the parent / guardian may be referred to the member of staff who has responsibility for the issue raised by the parent / guardian.
- Any discussions, which take place at this stage and require further action, no matter how small, must be documented on an Issues Form (appendix 1) and referred to accordingly.
- If the matter is serious it should be referred to the Principal directly at this stage.
- If the concern relates to the Principal, the parent / guardian should contact the Chairperson of the Board of Trustees.
- The member of staff dealing with the concern will make sure that the parent / guardian is clear what action has been or will be taken. This will include arrangements for any future monitoring which may be planned. This will be put into writing on the Issues Form as a record for the school.
- Where no satisfactory outcome has been achieved within 7 days between both parties, parents / guardians will be asked if they wish to take the matter further. If so they will be given clear information about how to proceed and about any independent advice available to them. They will be given a copy of this document and will be asked to put their complaint in writing to the Principal (or the Chairperson of the Board of Trustees if the complaint relates to the Principal) using the Complaints Form (appendix 2). If this happens the process would move on to stage 2.

## **STAGE 2 – Referral to the Principal for investigation.**

- The Principal (or designate) will acknowledge receipt of the complaint (in writing via the Complaints Form) within five working days of receiving a written complaint. This response will give a brief outline of the school's response so far and a target date for providing a full response to the complaint. This will normally be within 10 working days. If this proves impossible a letter will be sent explaining the reason for the delay and giving a revised target date.
- The Principal (or designate) will provide an opportunity to meet with the Complainant so that any additional information can be provided. The Complainant may be accompanied, if he / she wishes, by a friend or a relative who may speak on his / her behalf. Interpreting facilities will be available if needed.
- If necessary, the Principal (or designate) will interview witnesses and take statements from those involved. If the complaint centres around a pupil then the pupil will be interviewed. This interview will normally take place in the presence of the pupil's parents / guardians. If this is not possible another member of staff will be present whilst the Principal interviews the pupil. If the complaint is against a member of staff then the needs of that person will be borne in mind.
- The Principal (or designate) will keep a record of meetings, telephone conversations and other documentation.
- Once all of the relevant facts have been established, the Principal (or designate) will provide a written response for the Complainant. The Principal (or designate) may also arrange to meet the Complainant to discuss / resolve the complaint directly.
- The Principal may request a meeting with all parties involved to clarify misunderstandings and identify areas of agreement between the parties in order to create a positive atmosphere in which to discuss outstanding issues.
- The written response (Outcome Letter) will include a full explanation of any decisions, which have been made. Where appropriate, this will include what action the school has taken or will be taking, to resolve the complaint so that there is a satisfactory outcome for all parties involved.
- If the complaint is against the action of the Principal, the Chairperson of the Board of Trustees should carry out all the stage 2 procedures.
- If the Complainant wishes to take the matter further, he / she should notify the Chairperson, in writing, within two weeks of receiving the Outcome Letter. If this happens the process would move on to Stage 3.

## **STAGE 3 – Review by the Board of Trustees.**

- Upon receipt of a written request (via the Complaints Form) by the Complainant to take matters further, the Chairperson of the Board will write to the Complainant to acknowledge receipt of the written request. The Chairperson will inform the Complainant that the complaint will be heard by the Complaints Hearing Panel within 20 days. The letter should also explain that the Complainant has the right to submit any further documents relevant to the complaint. These must be sent in time to be considered by the Complaints Hearing Panel who are due to hear the complaint.
- The notification to the Complainant will stress that the Complainant has the right to be accompanied to the meeting by a friend / advocate / interpreter. The letter will also explain how the meeting will be conducted.
- The Complaints Hearing Panel will, in the least, comprise of the Chairperson, Board Members and a person independent to the management of the school and the Board.
- The Chairperson will arrange a meeting. All relevant correspondence, regarding the complaint will be given to each individual on the Complaints Hearing Panel as soon as the meeting is confirmed.
- The Chairperson will write to the Complainant, Principal, relevant witnesses and individuals on the Complaints Hearing Panel at least 5 working days in advance of the meeting. The letter will give details of the date, time and place of the meeting. The Chairperson will invite the Principal to prepare a written report for the Complaints Hearing Panel in response to the complaint.
- The Principal may also invite members of staff directly involved in matters raised by the Complainant to respond in writing to the complaint.
- Any relevant documentation, including the Principal's report, should be sent to the Chairperson once the meeting has been arranged. The Chairperson should arrange for the documentation to be available to all concerned at least 2 days prior to the meeting. Documentation should be either in hard copy or electronic copy depending on personal preferences.
- The meeting will normally be chaired by the Chairperson and minutes of the meeting will be taken.
- The aim of the meeting will be to resolve the complaint and achieve reconciliation between the school and the Complainant. It should be recognised that sometimes it may only be possible to establish facts and make recommendations.
- The meeting will allow for:-
  - The Complainant to explain their complaint.
  - The Principal to explain the school's response.
  - The Complainant to question the Principal and / or other members of staff about the complaint.
  - The Principal to question the Complainant about the complaint.
  - The Complaints Hearing Panel to have the opportunity to question both the Complainant and the Principal.
  - Either party to call witnesses (subject to the approval of the Chair).
  - Both parties to question the witnesses.
  - Final statements by both the Complainant and the Principal.
- The Complainant, Principal, witnesses and other members of staff, will then leave the room so that the Complaints Hearing Panel can make a decision. They will decide upon a course of action (They may also recommend changes to the school system so that similar problems do not happen again).

- A written statement will than be sent to both the Complainant and the Principal, either in paper format or via an email depending on personal preferences. The letter will also explain whether an appeal can be made and if so, to whom.
- Copies of all correspondence, statements and records of complaints will be kept confidential. (Note that this does not apply to the requirement of the school to provide parents and other registered parties with information about the number of complaints registered under the formal procedure during the preceding year, nor to inspectors conducting inspection under section 162A of the Education Act 2002, or to the Secretary of State, should they ask for access to such records.)

For Stage 2 and 3 all the complaints will be recorded formally by the school in a central log, and will respect people's desires for confidentiality as appropriate.

At Stage 2 and 3 a complaint may be resolved in one or more of the following ways:

- an acknowledgement that the complaint is valid in whole or in part
- 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

The school does not need to consider complaints made more than one year of the incident/situation.

#### **STAGE 4 – Beyond the school.**

If a complainant is still unhappy, after following the procedures up to stage 3, they can contact the LEA who will look into the matter. The role of the LEA, in these circumstances, will be to ensure that the complaint has been dealt with according to the school's complaint procedure. The local LEA for Date Valley School, Mitcham is the London Borough of Merton Education Department.

#### **STAGE 5 – Beyond the LEA.**

The local LEA will give details of how and where, if the complaint can be taken to stage 5.

This policy has been read and approved for Date Valley School, by the School Principal and the Date Valley Trust Policy Committee.

Date: July 2015

**Appendix 1:****ISSUES FORM****For use in Stage 1:**

Date		Pupil Name:		Year:	
Name of member of staff:		Name of parent or guardian:		Relationship to child:	
Nature of the Issue:					
Parent/guardian comments:  (Parent or Guardian to complete)					
Action to be taken by school:					
Action to be taken by Parent/Guardian:					
Agreed date for review:		Staff Member Signature:		Parent Signature:	

**Appendix 1:****COMPLAINTS FORM****For use in Stages 2 / 3:**

Your name:	
Pupil's name:	
Your relationship to the pupil:	
Address (including postcode):	
Day time telephone number:	
Evening telephone number:	
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 whom:	
Complaint referred to:	
Date:	