

COMPLAINTS PROCEDURES

Reviewed: January 2016

Introduction

1. Section 58 (5) of the Education Reform Act and Article 14 (1) (F) of the School's Articles of Government require the governing body to have procedures for the consideration and disposal of complaints relating to matters concerning the curriculum followed within the school including, in particular, the discharge by the governing body of duties imposed on them under Chapter I of Part IV of 1988 Act.

Nature of the Arrangements

2. The governing body expects that any concerns expressed by parents and others about the College curriculum and related matters will be considered, and so far as possible dealt with in informal discussion with the Principal and staff at the College in the first instance. However for those cases which cannot be resolved informally, complainants will have recourse to the approved formal complaints procedure, as set out below. These procedures secure that full and fair consideration is given to the complainant and avoid undue delay.

Formal Complaints Arrangements

3. The Principal in the first instance must deal with any formal complaints. These must be submitted in writing, making clear that it is a formal complaint, and specifying its nature as exactly as possible.,
4. If the nature of the complaint falls outside the scope of these arrangements the Principal will advise the complainant of any other recourse she/he may have. The Principal will consider urgent complaints as quickly as possible. If the investigation of a complaint will take some time, the Principal will notify the complainant of any progress. Following consideration of the complaint, the Principal will inform the complainant of:-
 - a) the decision reached and the reason for it
 - b) any action taken or proposed, including details of any request made to those complained against to take particular actions to resolve the complaint.
5. The complainant may make representation at each stage of the procedures in person, accompanied by a friend, if so desired. Where appropriate, steps will be taken to ensure that information is available to complainant in languages other than English and arrangements made for an interpreter to be present during any oral representations.
6. If the complainant is dissatisfied with the Principal's response, the latter must refer the matter to the governing body (or sub-committee) via the Clerk to the governing body. The Clerk to the governing body will write to the complainant with details of how the governing body (or sub-committee) will consider the complaint. If the complaint appears to be urgent, the Clerk will convene a meeting of the governing body (or sub-committee) to consider the complaint within 12 working days, ie school days, of receipt of the complaint. If the complaint is not urgent, such a meeting will be convened within 20 working days. The Clerk will give the complainant a minimum of 7 days notice of the date, time,

and place of the meeting. Any reasonable request made by the complainant for an alternative date should result in a mutually convenient alternative date being set. If the complainant does not wish to attend the meeting, she/he may present the complaint in writing to the governing body (or sub-committee) no later than 2 working days before the meeting.

7. The Principal shall be present at any meeting of the governing body (or sub-committee) to consider a complaint accompanied by a friend or representative if she/he wishes, but shall not vote on the issue before the governing body.
8. Where the complainant attends in person the proceedings shall be as follows:-
 - a) Chairman of Governors (or sub-committee) will welcome the complainant and any representative, and introduce those present;
 - b) the complainant may restate the nature of the complaint;
 - c) the complainant may be asked questions by the Governors and the Principal;
 - d) the Principal may be asked to make a statement to the governing body (or sub-committee) and may be asked questions by the Governors and the complainant;
 - e) the complainant may summarise the complaint;
 - f) the Principal, complainant and friends or representatives will be asked to leave.
9. The Governors shall consider the complaint at the meeting, and any relevant information or factors. They shall only reach a decision after the Principal, complainant and any friends or representatives have withdrawn. The governing body (or sub-committee) shall decide
 - to reject the complaint
 - to uphold the complaint
 - to investigate the complaint further
10. The Clerk to the Governors shall inform the complainant and the Principal in writing within 5 working days:-
 - a) of the decision reached and the reasons for the decision
 - b) if the complaint is upheld, of any action taken or proposed to resolve the complaint. If the complainant is dissatisfied with any action, taken or proposed, she/he may wish to pursue the matter further with the Principal or Governors.
 - c) if the complainant is rejected, or the complainant remains dissatisfied, of the availability of the next stage of lodging a complaint with the Secretary of State under Section 68 or 99 of 1944 Education Act.
11. If the governing body (or sub-committee) decides to investigate the complaint further, the Clerk shall keep the complainant informed of the steps to be taken and of the progress made.

12. The Secretary of State may require the Governors to make annual returns to the Department for Schools, Children and Families giving the number of formal complaints dealt with and their outcomes. These returns will not identify individual complainants.
13. If a complainant has any questions about the procedures described above or in need of further information she/he should contact the Clerk to the Governors.

SCOPE OF COMPLAINTS PROCEDURE

1. The procedure does not cover complaints about the actions of individual teachers or the Principal. If, in the course of consideration of a complaint, it is decided that disciplinary action will be taken as appropriate.
2. Where a pupil has a statement of special educational needs the appropriate mechanism for the resolution of disagreements about curriculum requirements specified in Part III of a statement remains the appeal, under Section 8 (2) of the Education Act 1981, to a local committee of the LEA. If local agreement is not reached parents have a subsequent right of appeal, under Section 8 (6) of the 1981 Act, to the Secretary of State.
3. The duties covered by this procedure are:-
 - i) the provision of a curriculum including religious education and worship which meets the general requirements of Section 1 and 2 of the 1988 Act.
 - ii) the implementation of the National Curriculum and compliance with Orders and Regulations made about its requirements and exceptions to its provision.
 - iii) provision of courses leading to external qualification, only if that qualification and the associated syllabus have been approved
 - iv) provision of religious education and worship as required by 1988 Act and other enactments
 - v) the needs to act reasonably in deciding whether to apply either with or without the NCC for exemption from all or part of the National Curriculum in order to carry out development work.
 - vi) consideration of appeals by parents about the temporary withdrawal of pupils from part or all of the National Curriculum
 - vii) operation of charging policies in relation to the curriculum
 - viii) compliance with requirements relating to the provision of information
 - ix) compliance with any other enactments relating to the curriculum.