

# Complaints Procedure



**WILMSLOW**  
HIGH SCHOOL

Managed by: Headteacher  
Policy approval: Governing Board  
Governor link committee: Governing Board  
Date of review: September 2023  
Next review: Two years. Contact details reviewed annually.

## Who can make a complaint?

This complaints procedure is not limited to the parents or carers of students of the school. Any person may make a complaint to Wilmslow High School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

## The difference between a concern and a complaint

A concern may be defined as *'an expression of worry or doubt'* and a complaint as *'an expression of dissatisfaction'*. In terms of this procedure, a concern is a matter which can be dealt with informally and a complaint is a matter raised through the formal complaints procedure.

We take concerns seriously and will make every effort to resolve any concern raised as quickly as possible.

If at any stage you are uncomfortable discussing the matter with a particular colleague, we will respect your views and ask a different colleague to speak with you.

Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure.

However, if you want to raise your concerns more formally you should follow this complaints procedure.

Whether you are raising a concern or making a formal complaint, your points of contact are our Deputy Headteachers:

### Area of concern

- |                     |                  |
|---------------------|------------------|
| • Academic matters  | Tim Munro        |
| • Member of staff   | Nina Firth       |
| • Student behaviour | Dafydd Jones     |
| • School standards  | Simon Mackintosh |
| • Wider curriculum  | Mark Vincent     |

## How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Parents / carers raising a concern should do so in the first instance with the student's class teacher. If that does not resolve the matter, it will be taken forward by the relevant Deputy Headteacher from the list above. The class teacher may refer you on to them or you may contact them yourself.

The relevant Deputy Headteacher will discuss the matter informally with you as a concern or more formally under the complaints procedure if that is your wish.

The procedure for making a formal complaint is set out below (Stage 1 and Stage 2).

Complainants should not approach any of the school's governors to raise concerns or complaints. Governors have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

### Anonymous complaints

We will not normally investigate anonymous complaints. However, the relevant Deputy Headteacher will determine whether the complaint warrants an investigation.

### Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame in exceptional circumstances only.

### Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Wilmslow High School, other than complaints that are dealt with under other statutory procedures.

Exceptions	Who to contact
<ul style="list-style-type: none"><li data-bbox="167 1155 368 1220">• Admissions to schools</li><li data-bbox="167 1232 368 1408">• Statutory assessments of Special Educational Needs</li><li data-bbox="167 1420 368 1525">• School re-organisation proposals</li></ul>	<p data-bbox="419 1155 1398 1249">Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Cheshire East Council.</p> <p data-bbox="419 1290 1249 1317"><a href="https://www.cheshireeast.gov.uk/schools/admissions/admissions.aspx">https://www.cheshireeast.gov.uk/schools/admissions/admissions.aspx</a></p> <p data-bbox="419 1357 1414 1422"><a href="https://www.cheshireeast.gov.uk/livewell/local-offer-for-children-with-sen-and-disabilities/education/supporting-send-in-education/special-educational-needs.aspx">https://www.cheshireeast.gov.uk/livewell/local-offer-for-children-with-sen-and-disabilities/education/supporting-send-in-education/special-educational-needs.aspx</a></p> <p data-bbox="419 1462 1334 1527"><a href="https://www.cheshireeast.gov.uk/schools/school_organisation/school_organisation.aspx">https://www.cheshireeast.gov.uk/schools/school_organisation/school_organisation.aspx</a></p>

<ul style="list-style-type: none"> <li>Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have concerns that you wish to share with agencies independent of school, you may wish to contact the Cheshire East Consultation Service (ChECS) which is the 'front door' for access to services, support and advice for children and their families, from early help and support through to safeguarding and child protection.</p> <p>Phone ChECS on <b>0300 123 5012 (option 3)</b> Callers will be directed to the appropriate team and relevant personnel more quickly via a range of automated options.</p> <p>If you need to contact someone out of hours and you believe it to be an emergency that can't wait, please call our Emergency Duty Team on <b>0300 123 5022</b></p>
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. The Wilmslow High School behaviour policy can be downloaded from the School Policies page of the school website: <a href="http://www.wilmslowhigh.com/about-us/school-policies/">http://www.wilmslowhigh.com/about-us/school-policies/</a></i></p>
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> <li>National Curriculum-content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may mean that we can't keep to the timescales within this procedure . It may result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Wilmslow High School in relation to their complaint, we may suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## **Resolving complaints**

At each stage in the procedure, the school wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

## **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## **Stage 1**

Complaints should be made in writing (marked Private and Confidential) via the school office. They should be addressed to:

- the relevant Deputy Headteacher from the list above;
- to the Chair of Governors if the complaint involves or is about the Headteacher;
- to the Clerk to the Governing Board if the complaint is about the Chair of Governors, any individual governor or the whole governing board.

A template complaint form is included at the end of this procedure.

Complaints may also be made in person or by telephone. In these instances, the school office will direct the complainant to the relevant person of those listed above.

The school will:

- acknowledge receipt of the complaint in writing within 5 school days
- provide an initial written response within 15 school days (which may resolve the complaint)
- provide a final written response within 30 school days (where not resolved by the initial response)
- if unable to respond within 30 days, explain why in writing with a revised response date.

In the first instance, the relevant Deputy Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. A completed complaints form will help in this. A face-to-face meeting may be appropriate.

If further investigation is needed, the relevant Deputy Headteacher may interview relevant parties and keep a written record of those interviews. Where appropriate, those interviewed may be accompanied.

The final written response will advise the complainant of how to escalate their complaint if not satisfied with the outcome of Stage 1.

**The investigation of the complaint is delegated but the outcome of the complaint will be the decision of the Headteacher.**

Stage 1 may alternatively be carried out by:

- an appointed governor (if the complaint is about the Headteacher or a member of the governing board), or
- an independent investigator appointed by the governing board (if the complaint is about the governing board or a majority governors).

## **Stage 2**

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2. This is the final stage of the complaints procedure.

Stage 2 is a meeting with a Governing Board complaints committee. This will consist of at least three governors with no prior involvement or knowledge of the complaint. One of these governors will Chair the meeting. Exceptionally, if there are fewer than three governors available, the Clerk may source additional, independent governors from another school or the local authority.

A request to escalate to Stage 2 must be made in writing (marked Private and Confidential) via the school office, addressed to the Clerk to the Governing Board.

Requests received after 15 school days will not be considered unless there are exceptional circumstances.

The Clerk will:

- within 5 school days acknowledge receipt of the complaint in writing
- within 30 school days convene a meeting and confirm the date of the meeting to the complainant in writing
- if unable to do so within 30 days explain why in writing with an anticipated date for the meeting and keep the complainant informed

Prior to the meeting, the Clerk will:

- at least 15 school days before confirm the date, time and venue of the meeting
- request that any additional written material the complainant wishes the committee to consider be provided to them at least 10 school days before the meeting
- circulate all written material to the committee, complainant and any witnesses at least 5 days before the meeting.

The complainant is expected to attend the meeting. If they are unable to do so on the date offered, the Clerk will reschedule.

The complainant will be offered up to three dates. If they are not able to attend on any of these, the meeting will go ahead in their absence, unless there are exceptional circumstances.

The committee will decide whether to call witnesses.

The complainant may bring someone along to provide support. Any witnesses called may also do so and, in the case of a school employee, this may be a trade union representative.

Legal representation will not normally be permitted at the meeting. If the complainant or any witness feels that they need to be accompanied by a legal representative, this must be raised with the Clerk at least 5 days before the meeting.

The meeting will be held in private.

Representatives from the media are not permitted to attend.

The meeting may not be recorded unless the complainant has special needs that require it. The consent of all parties attending must be given before the committee agrees to the meeting being recorded.

The committee will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will not consider any new complaint or any evidence unrelated to the initial complaint. A new complaint must be dealt with from Stage 1 of the procedure.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within 15 school days.

Where appropriate, the letter will include details of actions the school will take to resolve the complaint. If the action taken pertains to staff conduct this may be taken forward under staff disciplinary procedures. Outcomes of any such staff disciplinary action will not be shared with the complainant.

Stage 2 may alternatively be carried out by:

- a committee of independent governors (if the complaint is about the governing board or a majority governors).

## **Next steps**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288.

# Complaint Form



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HIGH SCHOOL

Please complete and return (marked Private and Confidential) to the school office, indicating your area of concern. Your complaint will then be dealt with by the relevant Deputy Headteacher.

Area of concern	
	Academic matters      Tim Munro
	Member of staff      Nina Firth
	Student behaviour      Dafydd Jones
	School standards      Simon Mackintosh
	Wider curriculum      Mark Vincent
<b>Your name:</b>	
<b>Student's name (if relevant):</b>	
<b>Your relationship to the student (if relevant):</b>	
<b>Address:</b>	
<b>Postcode:</b>	
<b>Day time telephone number:</b>	
<b>Evening telephone number:</b>	
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>	

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<b>What actions do you feel might resolve the problem at this stage?</b>
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<b>Are you attaching any paperwork? If so, please give details.</b>
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<b>Signature:</b>
<b>Date:</b>

<b>School use</b>
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<b>Date acknowledgement sent:</b>
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<b>By who:</b>
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<b>Complaint referred to:</b>
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<b>Date:</b>
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## Guidance notes: roles and responsibilities

### Complainant

You will receive a more effective response to your complaint if you:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of the complaint on social media and respect confidentiality.

### Relevant Deputy Headteacher

The role of the Deputy Headteacher dealing with the complaint is to provide a comprehensive, open, transparent and fair consideration of the complaint through:

- sensitive and thorough interviewing of the complainant to establish the facts around:
  - what has happened
  - who has been involved
  - what the complainant feels would put things right
- interviewing staff, students and other people relevant to the complaint
- analysis and consideration of records and other relevant information

They must:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with the Headteacher (and in Stage 2 with the Chair of Governors and Clerk) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a student
- keep notes of interviews and other records relevant to the investigation

On completion of their consideration of the complaint, they will make a clear recommendation to the Headteacher (or Stage 2 complaints committee) that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

### Stage 2 Complaints Committee

The Chair, committee members and Clerk should ensure that:

- the meeting is conducted in an informal manner, is not adversarial, and that everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease
- both the complainant and the school are given the opportunity to make their case and seek clarity
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and independent and is seen to be so
- the aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the complainant

Committee members should recognise that:

- complainants may feel nervous and inhibited in a formal setting
- parents/carers often feel emotional when discussing an issue that affects their child
- the complainant might not be satisfied with the outcome if the meeting does not find in their favour
- it may only be possible to establish the facts and make recommendations

Extra care needs if a student is to be present during all or part of the meeting.

- If the complainant is a student, the Clerk should ask in advance if any support is needed to help them present their complaint.
- Where the student's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the student needs to attend.
- The welfare of the student is paramount. The committee may decline a parent's wish for the student to attend a part of the meeting if the committee considers that it is not in the student's best interests to do so.
- The committee must:
  - give careful consideration to the atmosphere and proceedings to ensure that the student does not feel intimidated
  - respect the views of the student and give them equal consideration to those of adults