



# THE FULHAM BOYS SCHOOL

<b>Policy Title</b>	Complaints Policy
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## Revisions Table

<b>Version</b>	<b>Date</b>	<b>Edited by</b>	<b>Description of Change</b>
Complaints Policy June 2018	June 2018	Alun Ebenezer	Definitions added to policy.

The master copy of this document can be found on the FBS Google Drive, under the “Policies” folder. This is one of a number of policies that are reviewed by the Governing Body, the full list can be found on the FBS Google Drive in the Policies Folder. Minor revisions that just adjust factual items (eg contact details / names) can be made by the author without formal review, and must be recorded in the Revisions table above. Revisions table front sheet was added to all policies Summer 2018.



# THE FULHAM BOYS SCHOOL

## COMPLAINTS POLICY

Date of next Review: Summer 2019

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### 1. DEFINITIONS

Chair of governing body

The person who is the chair of the governing body from time to time or, as the case may be,

the governor nominated by the governing body to deputise for her/him

Clear working day

A weekday other than a Saturday or a Sunday or a public holiday. A period of a stated number of clear working days is calculated from midnight on the day on which the triggering action or event takes place to midnight on the day before the event or action before which the period is expressed to expire e.g. a period of five clear working days after receipt of a notice will be calculated from midnight of the day on which the notice was received to midnight on the last day of the period

Clerk

The person appointed by the governing body as its clerk who shall also act as the clerk to a Committee or her/his substitute authorised from time to time by the Chair of the governing body for that purpose

Committee

A committee to whom power is delegated by the governing body to act as a committee for the purposes of these procedures and such a committee shall comprise not less than one nor more than three untainted governors and such other independent persons selected by the Chair of the governing body

Companion

A person who accompanies the complainant or other party to a procedure and who may be a member of their family or, in the case of an employee, another employee of the School or a full time official employed by a trade union or lay trade union official as long as they have been certified in writing by their union as having experience of or received training in acting as a worker's companion at hearings or, in a case where a meeting or hearing concerns dismissal, a legal representative. Certification may take the form of an identifying card or letter. The person selected must be unprejudiced and her/his presence must not prejudice a fair hearing

Complainant	The person who has made and is pursuing a complaint
Complaint	An allegation that the School as an organisation or the governing body as a whole or an individual governor or a member of staff or a pupil has behaved in an unacceptable way
Delegated powers	Powers to make any specified decision including to decide whether to hold a meeting or hearing or to make substantive or procedural decisions in the course of meetings or hearings expressly delegated to a Committee or its chair or the Headteacher or any other named or designated individual(s) by the governing body either under its constitution or by a decision of the governing body which has been minuted
Exceptional case	Where the ground of the complaint or the remedy sought are very significant or unusual or for any other reason require substantial time or resources to investigate or resolve or may seriously jeopardise the reputation of the School or of any individual
Governing body	The body of duly appointed directors and/or trustees and/or governors of the School
Headteacher	The teacher appointed or temporarily acting as headteacher of the School. Where the Headteacher is her or himself the subject of the relevant complaint or object of the relevant procedure the term shall include the chair of the governing body or her/his deputy who will act as substitute for all necessary purposes
Independent investigator	An independent person appointed by the chair of the governing body to carry out the initial investigation where the Headteacher and/or identified governors are either the subject of complaint, or have been involved in previous discussions relating to it or for some other appropriate reason
Investigator	The line manager or Headteacher or chair of the governing body or such other person (being either a governor or an independent person)

	appointed by the chair of the governing body as is appropriate in all the circumstances to investigate and establish the relevant facts
Line manager	An employee of the School who has delegated responsibility from the governing body under the control of the Headteacher for the day to day management of an identified employee or group of employees. This will normally be a member of the senior leadership team
Must	Indicates something which is required by law or formal policy or procedure adopted by decision of the governing body as to which there is no discretion under these procedures
Prejudiced	To be potentially biased having previously read about, listened to or taken part in discussion of a relevant matter relating to a person against whom the complaint is made or by being a personal friend or close relative of that employee. An unprejudiced person has no apparent bias arising from any such earlier involvement with the complaint or personal association with the person complained of
Procedures	The procedures authorised by the governing body and to be followed under the relevant School policy
Pupils	Boys on the current School register
Records	Documents or other physical records including electronic data and documents setting out facts and other relevant matters
School	The Fulham Boys School
School day	A day when any member of staff is contractually required to be present including any such day when pupils may not be present
Should	Indicates something which is generally accepted as good practice and recommended but is not required by law or formal regulation adopted by decision of the governing body
Untainted governor	A governor who is unprejudiced in relation to the matter and whose ability to act and decide

fairly in it is not impaired by previous direct involvement in that matter or by prior consideration of it by the governing body as such

## **2. INTRODUCTION**

- 2.1 The Christian values and ethos of FBS are central to our Complaints Policy.
- 2.2 The school intends to build good relations with our parents, boys, staff and community
- 2.3 We are committed to ensuring the highest levels of communication and partnership with our parents through the House System, publications, regular opportunities for face-to-face communication and our Home-School Agreement.
- 2.4 The aims of this policy are to ensure that parents, boys and staff are fully aware of the School's expectations of them and of the relationship we wish to maintain with them.
- 2.5 As a school we aim to listen and respond to expressions of concern, so we can learn how to improve our communications and procedure
- 2.6 To ensure good relations it is important we all give and expect courtesy and consideration, hear and value the views of everyone – boys, parents, staff and governors – and recognise the key to solving dispute and disagreements is effective communication.

## **3. COMMUNICATION**

- 3.1 Parents are kept informed of all School activities, events and expectations in the following ways:
  - 3.1.1 Weekly Headmaster's bulletin to parents
  - 3.1.2 Regular letters providing information about key School issues and activities
  - 3.1.3 Half-termly newsletters
  - 3.1.4 Termly monitoring reports on students' progress
  - 3.1.5 News bulletins on the website
  - 3.1.6 Termly meetings with Form Tutors or Subject Teachers
  - 3.1.7 House Welcome Meetings
  - 3.1.8 Twitter
  - 3.1.9 Opportunities for on-going dialogue with Form Tutors and Heads of House via telephone and/or email
  - 3.1.10 Student planners
  - 3.1.11 Parent Portal
  - 3.1.12 Communication via CHQ (communication regarding Co-Curricular, and parent consultations)
  - 3.1.13 Termly Headmaster's Coffee mornings

#### 3.1.14 SEN coffee mornings

### 3.2 Specific meetings with parents are also arranged for the following:

- 3.2.1 SEN reviews
- 3.2.2 Re-integration following exclusions
- 3.2.3 Concerns about behaviour
- 3.2.4 Concerns over punctuality and attendance
- 3.2.5 Concerns for academic progress
- 3.2.6 Team Around Child Meetings and Professionals meetings for boys of concern

3.3 If there is a concern of any kind about a boy, parents will be contacted either by telephone or email.

3.4 If a boy is continually causing concern, a parent will be requested to meet the appropriate member of staff at the School.

3.5 All staff will be informed of the correct procedures for contacting parents through the Staff Handbook.

3.6 Copies of all letters sent home, notes taken from telephone calls recorded via the communication log on the school (MIS) made and interviews held and monitoring reports should be sent to the Head of House who will be responsible for placing them onto the students' confidential file via the school MIS.

## 4. COMPLAINTS

4.1 It is intended that all complaints are resolved as quickly and amicably as possible.

4.2 The complaints procedure is a way of ensuring that anyone with an interest in the school can raise a concern with confidence that it will be heard and if well founded, addressed in an appropriate and timely fashion.

4.3 Most complaints are best dealt with informally. If parents have any concerns about the school or the education provided, they will discuss the matter with their son's Head of House at the earliest opportunity.

4.4 Formal complaints will therefore not be considered until all informal stages have been completed.

- 4.5 The stages in the procedure set out in point 5 below are sequential, and must be followed in order. When a complaint is lodged which attempts to miss out one or more stage, the complainant will be referred to the relevant stage of the procedure.
- 4.6 Full confidential written records will be kept at all stages of the complaints procedure.
- 4.7 Complaints in the following areas have separate procedures (see relevant policies):
- 4.7.1 Admission to the School
  - 4.7.2 Exclusion of students from the School
  - 4.7.3 Statutory assessment of Special Educational Needs
  - 4.7.4 Staff grievances and disciplinary procedures
  - 4.7.5 Complaints about other service providers who use school facilities
- 4.8 If the complaint relates, or appears to relate to alleged criminal activity, the recipient of the complaint will immediately refer the matter to the Headmaster. If the Headmaster is the subject of the allegation the complaint should be referred to the Chair of Governors who will inform the relevant authorities i.e. police. If the complaint is against the Headmaster and the Chair of Governors, the complaint will be referred to the Vice Chair. If the complaint of alleged criminal activity against the Headmaster and Chair of Governors concerns financial issues, the complaint will be referred to the vice chair and/or the chair of the Resources Committee (provided they are not the subject of the allegation), who should contact the relevant authorities. If any of the officers listed in this paragraph are collectively included in an allegation and there is no available officer of the governing body to accept the complaint, the complainant will be advised to send his or her complaint to the clerk of the governing body who should refer the matter to the local authority officer.
- 4.9 If a complaint involves (or appears to involve) a Safeguarding issue, the recipient of the complaint must refer it to the Designated Safeguarding Lead (DSL). If the DSL is the subject of the allegation the matter should be referred to the Headmaster.

## 5. STAGES IN COMPLAINTS PROCEDURE

### 5.1 Stage 1 (informal):

- 5.1.1 The complaint should be put in writing or by telephone to the Head of House who will investigate the issues raised and respond to the complainant.
- 5.1.2 This may include the complainant being invited into school to discuss the issues, or telephone conversations.
- 5.1.3 An acknowledgement should be made within two school days.

### 5.2 Stage 2 (informal):

- 5.2.1 If the complainant feels that a concern has not been addressed through discussion with the Head of House, or that the concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Deputy Headteacher who line manages the Heads of House

### 5.3 Stage 3 (informal)

- 5.3.1 If the complainant feels that a concern has not been addressed through discussion with the Deputy Headteacher, or that the concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Headmaster. The Headmaster considers any such complaints seriously and most complaints can be resolved at this stage. Until an appointment with the Headmaster has taken place, and his response made in writing, the complaint will be treated as part of the informal process.

### 5.4 Stage 3 (Formal):

- 5.4.1 If the matter cannot be resolved, or the complaint is about the Headmaster, then it may be appropriate to write to the Chairman of Governors. Upon receipt by the Clerk, this will be treated as a formal complaint for the purposes of these procedures.
- 5.4.2 The written request must give full details of the nature of the complaint, the informal steps taken to resolve it and the action proposed to satisfactorily deal with the complainants concerns.
- 5.4.3 The Chairman of Governors will review the way in which the complaint has been handled by the school and will investigate whether the issues have been dealt with properly and fairly. Upon completion of the review, the Clerk shall send a letter to the complainant with the outcome of this process within *15 school days* of receiving the formal complaint.
- 5.4.4 We will always be mindful of how a complaint might be resolved and we encourage complainants to state what actions they feel might resolve the problem at any stage. As part of this, the complainant may like to consider whether mediation might help resolve their complaint before it goes further

through the formal complaints process (see Appendix 2 for an explanatory note about Mediation). If they so choose, they should indicate their willingness to enter into mediation following receipt of their letter from the Chairman of Governors. If the mediation takes place and is successful, this will be the end of the process; if the mediation either doesn't proceed or proceeds but fails to reach agreement, the complainant may apply in writing to the Clerk for reference of the formal complaint to a Committee (see Stage 4 Formal below).

#### 5.5 Stage 4 (Formal):

If the complainant is not satisfied with the result, they may ask to refer their complaint to Stage 4 of the procedure (see Appendix 1). At this Stage, a panel of two Governors and an independent representative who must not be connected to The Fulham Boys School will meet to consider the complaint and make a final decision about it on behalf of the governing body. The panel will consist of governors who have no detailed prior knowledge of the complaint, or connection with the complainant. The meeting will normally take place within 15 school days of the complainants request.

5.5.1 The complainant will have the opportunity to submit written evidence on the complaint prior to the meeting of the panel and also to attend part of the meeting, accompanied by a friend/partner if wished, to put their case. The Headmaster will be given the same opportunities.

5.5.2 At the end of the meeting the chair of the Committee shall either orally inform the complainant of the conclusions of the Committee as to the formal complaint and its decision as to the action or remedy if any which the Committee may have concluded is required in order to properly and fairly deal with the formal complaint, or inform the complainant that such conclusions and decisions will be communicated to the complainant in writing by the Clerk within five school days of the meeting.

5.6 If, after following all the steps outlined in this policy, the complainant is not satisfied with the way in which the School has dealt with their complaint, they can then complain to the Department for Education or Ofsted. They should include any relevant documents with their complaint. The Department for Education can look into complaints relating to their son. Ofsted can look into complaints about the whole school. For more information about how to complain to the Department for Education or Ofsted, see the gov.uk website. <https://www.gov.uk/complain-about-school>

## 6. INVESTIGATING COMPLAINTS

6.1 At each stage the person dealing with the complaint will be required to:

- 6.1.1 establish what has happened so far, and who has been involved
- 6.1.2 clarify the nature of the complaint and what remains unresolved
- 6.1.3 meet with the complainant or contact them if unsure or further information is necessary
- 6.1.4 clarify what the complainant feels would put things right
- 6.1.5 talk to those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- 6.1.6 approach matters with an open mind and
- 6.1.7 keep records

6.2 Complaints will be kept confidential and only those involved in investigating and making a decision be made aware of the nature of the complaint.

6.3 A general principle is that an accused person is entitled to know the substance of the accusation. However, there are cases where the governing body may decide to withhold information e.g. where there is need to protect the source (or there is a legal reason why the information should not be released) or to meet data protection requirements.

6.4 Particular consideration will be given to arrangements for handling complaints involving boys. Boys may be involved as complainants, as the subject of a complaint or as witnesses. At each stage a boy may be accompanied by his parent/guardian or an adult of the boy's choice.

6.5 Boys may provide evidence to committees but this would need to be done voluntarily and with their parents' consent in the case of boys under the age of 16. Committees will be sensitive to the fact that appropriate techniques are needed when hearing evidence from child witnesses to ensure that the boy's view is properly heard. Separate guidance will be issued on the specific arrangements for dealing with complaints involving boys, including the support that should be given to pupils and advocacy arrangements.

6.6 An essential element of a complaint procedure is record keeping. This is important in terms of tracking how a complaint has been handled and resolved and can assist the school in defending its actions if the complainant has recourse to external bodies or is dissatisfied with the outcome. Beyond this, effective recording enables a school to learn from issues raised and is a tool in evaluating and improving performance

6.7 The records should include:

6.7.1 the name of the complainant

6.7.2 date of receipt of the complaint

6.7.3 a brief description of the complaint

6.7.4 action taken to resolve the complaint and outcome

6.7.5 issues for action by the school and lead member of staff

6.8 For anonymous or withdrawn complaints, or complaints regarded as vexatious, frivolous or malicious the record will provide:

6.8.1 a description of the complaint

6.8.2 whether the complaint was investigated or just recorded

6.8.3 the outcome of any investigation

6.8.4 any issues for action by the school and the lead member of staff.

6.9. All records relating to a complaint should be kept on file for five years.

## APPENDIX 1

### 1. Calling a Governing Body Complaint Committee Hearing

- 1.1 The membership of the committee will be checked before each hearing. If the committee includes any governor who has had any prior involvement with the complaint the actual or perceived fairness of the proceedings may be called into question. In order to avoid any accusation of bias, care ought to be taken to ensure that no committee member has any personal links with the complainant or the person against whom the complaint is being made.
- 1.2 The chairman of governors should ask the clerk to the governing body to acknowledge receipt of a complaint, usually within 5 school days. The clerk should make arrangements for the governing body complaints committee to meet to hear the complaint, usually within 15 school days of the date of receipt of the complaint. The clerk to the governing body should take steps to find out when the complainant and others entitled to attend the hearing would be available in order to ensure that all parties are able to attend. The clerk should also arrange a suitable venue for hearing the appeal.
- 1.3 The letter of acknowledgement should set out a timetable and may make clear:
  - 1.3.1 all parties involved in the complaint are entitled to provide evidence/written documentation that they wish the committee to consider
  - 1.3.2 the date by which parties must provide such written evidence
  - 1.3.3 the date by which documents will be forwarded to the person complained about
  - 1.3.4 the date by which the person complained about must return their response
  - 1.3.5 the date that response will be made available to the complainant
  - 1.3.6 the date of the hearing (if available at this point)
- 1.4 It is important that a person against whom a complaint is made is given sufficient time, usually 10 school days, to consider all the evidence and take advice before providing a response and before any hearing takes place.
- 1.5 The chair of the committee should ensure that the complainant and members of the committee are usually given at least 5 school days notice of the date of the hearing in writing. The letter should inform the parties of:
  - 1.5.1 the time and place of the committee hearing
  - 1.5.2 the grounds of the complaint, with copies of all relevant documents
  - 1.5.3 the right of all parties to be accompanied or represented by a person of their choice or companion.
  - 1.5.4 details of those attending and their role

- 1.5.5 the committee's right to proceed with an oral hearing in the absence of either or both parties if no good reason is given why they should not do so
- 1.5.6 the entitlement of the parties to seek an adjournment of the hearing if there is good reason why they cannot attend.

## **2. Role of the Chair of the Complaint Committee**

- 2.1 The purpose of the hearing is to enable members of the governing body committee to clarify facts and ascertain whether there are grounds for upholding the complaint. The chair of the complaints committee plays a central part. He or she should introduce all the committee members and key players and explain that the committee is impartial. The chair also has a key role in ensuring that:
  - 2.1.1 The issues are addressed
  - 2.1.2 Key findings of fact are made
  - 2.1.3 Those attending the hearing who may not be used to speaking in such circumstances are put at ease
  - 2.1.4 The hearing is conducted in an informal manner with each party treating the other with respect and courtesy
  - 2.1.5 Each party has the opportunity to put his/her case without undue interruption
  - 2.1.6 There is no cross examination of individuals and the hearing does not become confrontational.

## **3. Proceedings for a Complaints Committee Hearing**

- 3.1 Witnesses should only be required to attend to give their evidence, but may stay throughout if the committee and the complainant agree.
- 3.2 The committee members may ask questions of any person
- 3.3 After introduction, the complainant or their representative is invited by the chair to explain their complaint and be followed by their witnesses
- 3.4 The complainant should sum up their complaint
- 3.5 The headmaster or other appropriate witness should then explain the schools actions followed by any witnesses for the school
- 3.6 The Headmaster should sum up the school's actions and response to the complaint

- 3.7 The chair informs both parties that they will hear from the committee in writing, usually within 5 school days
- 3.8 Both parties and all witnesses leave whilst the committee discusses and decides on the matter.
- 3.9 If any party appears to be having difficulty in presenting their case, (e.g. complainants for whom English is an additional language or who have literacy problems and may not have understood all the paperwork) the chair can intervene to assist them.
- 3.10 At the conclusion of the hearing all parties should:
- 3.10.1 have understood the nature of the proceedings
  - 3.10.2 have been given proper opportunity to speak, put evidence forward and to take questions
  - 3.10.3 feel that they have said everything they wished
  - 3.10.4 feel the complaints committee has listened to and understood all the points made
  - 3.10.5 be clear as to when they will be informed of the committee's decision.

#### **4. The Decision**

- 4.1 Once all the evidence has been presented the complaints committee should consider its decision in private. Before doing so it can take advice if it wishes from advisers. Such advisors should leave once their advice has been given.
- 4.2 The committee needs to consider:
- 4.2.1 the evidence
  - 4.2.2 whether the headmaster or others have complied with the school's complaints procedure
  - 4.2.3 whether there is substance to the complaint.
- 4.3 It would be usual for the decision to be based on a majority agreement with a second or casting vote from the chair as necessary. The decision needs to cover:
- 4.3.1 whether or not the complaint is upheld
  - 4.3.2 any action to be taken by the governing body, headmaster and/or members of staff in light of the decision
  - 4.3.3 any recommendations for changes to school policies or procedures to ensure similar problems do not arise in future.

1.4. The committee's decision should be sent in writing to the complainant usually within 5 school days of the hearing, setting out the reasons for the decision and any remedial action to be taken by the school.

1.5. When the decision of the complaints committee is made known, all parties should:

1.1.1 have understood the reasons for the decision, which should be expressed clearly and concisely in writing

1.1.2 be satisfied that even if they have not been successful, the hearing was a fair one.

## **2. Records of Governing Body Complaints Committee**

1.1 Records should include

1.1.1 a full account of the proceedings of the complaints committee, evidence presented and all other relevant documentation

1.1.2 decision reached and any action to be taken by the school, headmaster, governing body or member of staff

1.1.3 date of the decision and the date the decision letter was sent to the complainant.

## **3. Finalisation of a Complaint**

1.1 Once a governing body has exhausted its own procedures it should attempt to secure closure of the complaint. If at the end of stage 4 i.e. consideration by the governing body at the complaints committee, the complaint is not upheld, the decision letter should make clear:

1.1.1 that the complaint has been thoroughly investigated

1.1.2 the governing body and the headmaster will not re-open the matter

1.1.3 any new issues will mean re-opening an already determined complaint

1.1.4 if new issues arise these will be treated as a new complaint but only if they are demonstrably different from matters raised under a previous complaint.

## **APPENDIX 2 - An explanatory note about mediation**

Mediation can be a good way to resolve a complaint because:

- It gives both complainant and Headmaster another opportunity to hear each other's points of view (with a third party facilitating)
- It gives the third party an opportunity to help Headmaster and complainant identify and build on areas of agreement
- It gives the Headmaster and complainant a structure within which they can resolve remaining differences.
- If both complainant and Headmaster emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them.
- Even if the complaint is not resolved, the issues to be considered are likely to be much clearer following the mediation.

Mediation may elicit one or more of the responses listed below from either party:

- an acknowledgment that the complaint is valid in whole or in part.
- an appropriate 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 acceptance that the complaint needs go no further
- a commitment to review school policies in light of the complaint.

APPENDIX 3

Summary of FBS process for dealing with complaints

