

**FREMAN COLLEGE**

**COMPLAINTS POLICY AND PROCEDURES**

**POLICY**

This Complaints Procedure has been based on the policy suggested by the Hertfordshire Local Authority, amended to reflect the college's Academy status.

This document sets out for parents and carers the procedure for making and dealing with complaints about matters at the college.

Within the ethos of Freman College the governors hope that most concerns can be resolved informally before they become a formal complaint. Furthermore governors believe that all stakeholders in the college – students, staff, parents and carers, and the wider community – must treat each other at all times with a high degree of mutual respect. Unacceptable behaviour of any kind by a complainant at any time will mean that the college and governors will investigate the complaint without the attendance of the complainant.

*Procedures may be changed by the college as appropriate.*

Ratified: Autumn 2024

Review: Review 2025

# PROCEDURES

## Summary of Complaints Procedure

A parent has a concern/complaint about something at school

### STAGE 1

The parent speaks to the member of staff concerned, if that is appropriate.  
If the parent prefers, they can speak to the Head of Department, Head of Year or a member of the Senior Leadership Team. If your child has special educational needs you might find it helpful to speak to the Special Educational Needs Co-ordinator (SENCO).  
(If the complaint is about the Headteacher then the complainant should contact the Chair of Governors via the College Office).

Issue resolved

Issue not resolved

The parent contacts the Headteacher.  
(The Headteacher will acknowledge your complaint within 5 working days)  
The parent outlines their concern/complaint to the Headteacher.  
The Headteacher investigates the complaint.  
The Chair of Governors may also be involved informally at this stage.  
The Headteacher reports back to the parent on the result of the investigation.  
Most issues are resolved at this stage by the Headteacher, or by the Headteacher and the Chair of Governors, working together with the parent.

Issue resolved

Issue not resolved

### STAGE 2

The parent fills in the school's official complaints form, available from the Clerk to the Governors, and sends it to the Chair of Governors.  
(If there is more than one complaint then a separate form should be filled in for each complaint.)  
The Chair of Governors responds to the form within 5 working days and tells the parent what will happen next.  
The Chair of Governors sets up a complaints panel, consisting of at least 3 people who were not directly involved in the matters detailed in the complaint, including one panel member who is independent of the management and running of the school.  
The parent and the Headteacher are invited to a meeting with the complaints panel.  
Parents may be accompanied by a friend or supporter at the hearing. If the parent wishes to bring legal representation to the hearing of any kind, the Clerk to Governors must be informed of this at least 10 working days prior to the hearing.  
At this meeting the complaint is formally considered.  
After this meeting the panel will write to the parent telling him/her what their conclusions are and what, if any, their recommendations will be to the Governing Body.  
This formal stage 2 should take no longer than 28 working days from the receipt of the complaints form to the receipt of the conclusions letter.

## HOW TO COMMENT OR COMPLAIN

### We care about what you think

Each day the school makes many decisions and tries hard to do the best for each student. Your comments - either positive or negative - are helpful for future planning.

You may want to talk to us about a particular aspect of this school, though not actually make a complaint - you just want to get something 'off your chest'.

If you are dissatisfied about the way your child is being treated, or any actions or lack of action by us, please feel able to contact us.

### Our aims

- Your complaint will be dealt with honestly, politely and in confidence.
- Your complaint will be looked into thoroughly and fairly.
- If your complaint is urgent we will deal with it more quickly.
- We will keep you up to date with progress at each stage.
- You will get an apology if we have made a mistake.
- You will be told what we are going to do to put things right.
- You will get a full and clear written reply to formal complaints within 28 school days.

### First stage of the Complaints Procedure

At this stage the complaint is regarded as an **INFORMAL** complaint.

If you have a concern about anything we do, or if you wish to make a complaint, you can do this by telephone, in person or in writing. We know that it can feel uncomfortable to question or challenge, but if you don't tell us what is worrying you we cannot explain what we are doing or try to put it right. We hope that most complaints can be settled quickly and informally, either by putting matters right or by giving you an explanation.

If there is something you are not happy about, or you don't understand why we are doing something in a particular way, please discuss it with the appropriate member of staff. You may prefer to speak to a Head of Department or a Head of House or the Special Educational Needs Co-ordinator (SENCO) if it is about special needs.

If this approach does not resolve your concern, then you should contact the Headteacher. The Headteacher will acknowledge your complaint within 5 working days and try to speak to you, whenever possible, **within 10 working days**. The Headteacher will listen to your concern/complaint. After speaking with you the Headteacher will investigate your complaint and report back to you **within 10 working days**. It should be possible to sort out your concerns by this stage. If this is not the case then there is a next step.

### Second Stage of the Complaints Procedure

At this stage the complaint is regarded as a **FORMAL** complaint.

If you are not satisfied with the outcome of the first stage then you can complain **formally** by filling in the school's **Complaint Form** available at Annex A. If you have more than one complaint then you will have to fill in a separate form for each complaint. Send the completed form/s to the Chair of the Governors at the school. The Chair will acknowledge your complaint within **5 working days** and tell you what will happen next. The Chair will arrange for your complaint to be investigated and considered by a panel, consisting of at least three people who were not directly involved in the matters detailed in the complaint, including one panel member who is independent of the management and running of the school.

As part of the investigation you and the Headteacher will be invited to attend a meeting with this panel to discuss your complaint. You will be given at least 15 working days' notice of the date and time of the hearing. You should submit any additional evidence you wish to bring to the attention of the panel 10 working days before the hearing, and you will receive details of any evidence submitted by the school 5 working days prior to the hearing. You will also be invited to bring a friend or representative with you if you wish. If you wish to have legal representation at the hearing the Clerk to Governors must be advised of this at least 10 working days in advance of the hearing. At this meeting all parties to the complaint will have the opportunity to ask questions via the Panel Chair. The aim of the meeting will be to resolve the complaint and achieve reconciliation between the school and the complainant. When your complaint has been fully investigated you will be told of the outcome in writing, including any recommendations that might be made to the Governing Body by the panel as a result of the investigation. The timing of this second, formal, stage should be **28 working days** from receipt of the complaints form by the school to the receipt of the outcome letter by you. Sometimes, however, further investigations are necessary and new time limits have to be set. In this case you will be sent details of the new deadline and an explanation for the delay.

### **Third Stage of the Complaints Procedure**

Most complaints are the responsibility of the Governing Body and will be resolved by them using the above process. In the event you are not satisfied that your complaint has been handled appropriately you should contact the Education and Skills Funding Agency (ESFA) via the schools complaint form

[https://form.education.gov.uk/fillform.php?self=1&form\\_id=cCCNJ1xSfBE&noLoginPrompt=1](https://form.education.gov.uk/fillform.php?self=1&form_id=cCCNJ1xSfBE&noLoginPrompt=1)

The ESFA will only consider complaints where

- a) There has been undue delay or the school did not comply with its own complaints procedure when considering a complaint.
- b) Where the school is in breach of its funding agreement with the Secretary of State.
- c) Where the school has failed to comply with any other legal obligation

The ESFA cannot overturn the school's decision, but if they find the school did not deal with a complaint appropriately they can request that the school look at it again. If we did not meet with regulations they will ask the school to put that right and they may, on behalf of the Secretary of State, if appropriate, seek to enforce the decision under the terms of the school's funding agreement.

The contact details for the ESFA are:

Academies Central Unit (Academy Complaints)

ESFA

Earlsdon Park

53-55 Butts Road

Coventry

CV1 3BH

Email: [academyquestions@ESFA.education.gov.uk](mailto:academyquestions@ESFA.education.gov.uk)

## **HOW THE SCHOOL WILL HANDLE COMPLAINTS MADE BY:**

- A member of staff about another member of staff or the Headteacher.
- A member of the Governing Body about a member of staff. ☒
- A member of staff about a member of the Governing Body.
- A member of staff about the action/decision of the Governing Body.
- Members of the public (not parents).
- A parent whose child no longer attends the school.
- Anonymous complaints

### **Complaint made by one member of staff against another (including the Headteacher)**

Complaints from members of staff are not covered by this procedure. They will be dealt with by the Headteacher (where appropriate) or the Chair of Governors informally in the first instance. If this approach fails to resolve the issue, the next step would be for the Staff Grievance Procedure to be invoked (by the person bringing the grievance).

### **Complaint made by a governor about a member of staff**

This will be dealt with through this complaints procedure. The governor concerned will have to withdraw from any meeting at which the complaint or its outcome is being discussed. If the complaint is related to the conduct of a member of staff, it may be dealt with through the school's Disciplinary Procedures.

### **Complaint by a member of staff against an individual governor acting in a personal capacity**

The Chair of Governors (or the Vice-Chair if the complaint is against the Chair) should attempt to resolve the matter informally. If such a resolution is not possible, and with the agreement of the governor concerned, a Complaints Panel will be set up to consider the matter as under the complaints procedure in this document.

### **Complaint by a member of staff against the action/decision of the Governing Body**

If the decision was taken at a meeting of the full Governing Body the matter will be put on the agenda for review at another meeting and if the decision was then confirmed that would be the end of the matter. If a committee or individual with delegated authority took the original decision then a Panel who were not involved in the decision will review the matter, ensuring that the member of staff concerned was given an opportunity to state his/her case to the Panel. Any decision by the Panel will be final.

### **Complaint by a member of the public (not a parent)**

Complaints from members of the public will be dealt with by the Headteacher and beyond that the Chair of Governors.

### **Complaint by a parent whose child no longer attends the school**

The purpose of this complaints procedure is to ensure that if an error has been made, or an injustice done, some action can be taken to remedy matters for the injured party. Where parents have removed their child from the roll of a school it is clearly impossible for the Governing Body to put things right for that child. However, the Governing Body has a duty of

care to the students who remain on roll and will investigate the circumstances to satisfy themselves that no-one had acted inappropriately and that procedures and policies had been followed correctly. Whilst no Complaint Panel will be convened, parents will be informed whether the complaint had been upheld or otherwise and of any changes to practice and procedures which have been agreed by the Governing Body.

### **Anonymous complaints**

Should a complaint be made anonymously, the school will not deal with it unless it receives at the same time evidence, which the school can independently verify, in support of the complaint.

### **Serial and Persistent Complaints**

There may be occasions when, despite all stages of the complaints procedure having been followed, the complainant remains dissatisfied. A serial and persistent complaint is likely to involve some or all of the following:

- the complaint arises from an historic and irreversible decision or incident;
- contact with the school is frequent, lengthy, complicated and stressful for staff;
- the complainant behaves in an aggressive manner to staff when he/she presents his/her complaint or is verbally abusive or threatening;
- the complainant changes aspects of the complaint partway through the complaint process;
- the complainant makes and breaks contact with the school on an ongoing basis; or
- the complainant persistently approaches the school (and in some cases the Local Authority) through different routes about the same issue in the hope of eliciting different responses.

If the situation is challenging but it is possible to proceed, staff should avoid giving unrealistic expectations on the outcome of the complaint. In instances where there is a complete breakdown of relations between the complainant and the school, a decision may be made to restrict contact. Any restrictions imposed should be appropriate and proportionate. The options that schools are most likely to consider are:

- requesting contact in a particular form (e.g. – letters only);
- requiring contact to take place with a named member of staff (e.g. – Headteacher);
- restricting telephone calls to specified days and times;
- asking the complainant to enter into an agreement about his/her future contact with the school; and
- informing the complainant that if he/she still does not follow this advice (as stated above) any further correspondence that does not present significant new matters or new information will not necessarily be acknowledged, but should be kept on file.

If the complainant tries to reopen an issue that has already been examined through the complaints procedure, the Chair of Governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

### **Complaints about the Headteacher**

If your complaint is about the Headteacher then the first thing to do is to write to the

Chair of Governors. The school office can tell you who this is. The Chair of Governors will acknowledge your letter within 5 working days and inform you of the next step.

This Complaints Procedure is based on, but not identical to, that of Hertfordshire Local Authority. Copies of that document can be obtained at:

<http://www.thegrid.org.uk/info/csf/policies/index.shtml#complaints>

## Useful contacts

Freman College  
Bowling Green Lane  
Buntingford  
Herts  
SG11 2QA  
01763 271818

### **Chair of Governors**

Mrs Jackie Martin can be contacted via The College Office or [admin@freman.org.uk](mailto:admin@freman.org.uk) .

### **Secretary of State Department for Education**

Sanctuary Buildings  
Great Smith Street  
London SW1P 3BT

### **County Councillor for your area**

Contact the Members' Secretariat at County Hall, 01992 556556

### **Educational Funding Agency Academies Central Unit (Academy Complaints)**

Earlsdon Park  
53-55 Butts Road  
Coventry  
CV1 3BH  
Email: [academyquestions@ESFA.education.gov.uk](mailto:academyquestions@ESFA.education.gov.uk)

### **Local Authority - Parent Partnership (Special Educational Needs)**

Helpline 01992 555847

In reviewing this policy the governors referred to and gave consideration to the School's Equality Scheme.

**Annex A**

Formal Complaint Form (Stage 2 of Complaints Procedure)

<b>Complainant details</b>			
Name:	Title (Mr/Mrs etc)		
Address:			
Postcode:			
Telephone Day:			
Telephone Evening:			
<b>WHAT IS IT YOU WANT TO COMPLAIN ABOUT?</b>			
<b>HAVE YOU COMPLAINED TO THE HEADTEACHER?</b>	<b>YES</b>	<b>NO</b>	
<b>WHEN DID YOU DO THIS?</b>	<b>Date:</b>		
<b>WHAT HAPPENED WHEN YOU COMPLAINED TO THE HEADTEACHER?</b>			



**WHAT WOULD YOU LIKE US TO DO TO PUT THINGS RIGHT?**

Signed

Date

**Please return this form to:** Chair of Governors, Freman  
College, Bowling Green Lane, Buntingford, Herts, SG9 9BT