



COMPLAINTS POLICY

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Context

It is fundamental to the ethos of Ian Mikardo High School that we want students and their families to feel empowered to speak out and to feel confident that other people will listen to them. We encourage open communication, trust and transparency and we regard every moment in the school as a learning opportunity.

The way we deal with complaints is integral to this. Working in a complex area of special needs education, we understand that situations can arise that confuse and upset students, parents and carers. We work hard to engage every student and their family in the school and as part of this process we take any complaints about the school seriously, and seek to address them quickly, fairly, objectively and constructively. This policy explains how we offer support should a student, parent, carer, or any member of the public, wish to complain about any aspect of school life.

Aims

When dealing with a complaint, Ian Mikardo seeks to be fair, open, honest, non-judgemental, thorough and respectful to all parties. When students make complaints, we deal with them immediately and seek to resolve them through talking.

When adults make complaints we deal with them as soon as is practical. In all cases our priority is to serve the interests of any student/s involved and to ensure that their emotional wellbeing is not compromised. If a situation arises where talking does not resolve the concern, we will follow the formal complaints procedure outlined on page 3 of this policy.

We aim to deal with complaints in a way that inspires confidence in the school and those who are part of it. Confidentiality is respected as is appropriate; if it is in the interests of a student to involve other agencies, this will be done.

Our practice

Students

We work hard to ensure that the school is an environment in which students feel safe and this helps us to know if anything is worrying them. If they have a concern about a fellow student, a member of staff or an element of the teaching, if they feel they have been treated unfairly or inappropriately, or wish to challenge a decision that has been made concerning them, we encourage them to let us know.

The Head Teacher leads on complaints but students can take a complaint to any member of staff, and we encourage them to have an open relationship with their tutor. In practice, because the Head Teacher operates an open door policy to students and has mutually respectful and trusting relationships with them, they often go straight to her office to tell her that something is troubling them. She will always listen, let the student know that he was right to tell her, and take action promptly.

Where there is a disagreement between two parties, we use conflict resolution. This involves bringing the parties together, discussing what has happened and why it happened, and encouraging mutual understanding and empathy. If appropriate, the perpetrator apologises

to the other party. Both parties are supported through the process, which is of immense therapeutic value to our students.

Complaints raised by students with other members of staff are referred to the Head Teacher or, in her absence, the Deputy Head Teacher, and dealt with in a similar manner. They are always investigated as quickly and thoroughly as possible and in a positive manner. This can diffuse difficult situations. If necessary, a longer-term plan of action will be put in place.

When a complaint involves a member of staff, the same process is followed and the Head Teacher will look at the circumstances leading up to the complaint with objectivity. This can lead to a conflict resolution involving a student and a member of staff, who will apologise to the student if this is appropriate. Staff who become aware of an incident that could lead to a complaint are advised to inform the Head Teacher, Deputy Head Teacher or Assistant Head Teacher as soon as possible; being proactive can often diffuse a misunderstanding and may protect staff from malicious complaints.

Complaints are recorded on the school's online MIS system where information about students is securely stored and can be accessed only by authorised members of the school's staff. We keep bureaucratic processes, such as form-filling, to a minimum to enable staff to focus on students and their welfare.

Formal complaint procedure

Should a student complain about a serious matter that cannot be dealt with by discussion and prompt action as outlined above, the Head Teacher will lead a formal complaint investigation within the school. This will involve:

- Appointing an investigating officer who is unbiased and prepared to be persistent in questioning the parties involved.
- Interviewing the complainant to establish what has happened and who was involved. The complainant can be accompanied if they wish.
- Writing to the person or people who are the subject of the complaint to give them: notice of the allegations; five school days' notice of the interview; and inviting them to be accompanied if they wish and to nominate witnesses.
- Interviewing the person or people who are the subject of the complaint and, separately, their witness/witnesses.
- Keeping notes of the interviews or arranging for an independent note taker to record minutes.
- Preparing a written report for the Head Teacher.
- The Head Teacher will make the final decision on any action to be taken and will inform all parties promptly. The decision will be recorded in writing.
- The outcome may involve an apology, an explanation, an admission that the situation could have been handled more positively, an explanation of the steps that have been taken to ensure that the event will not happen again, and/or an undertaking to review school policies. Or the Head Teacher may decide that there is no case to answer.

Child Protection

If a student complains that a member of staff has mishandled them physically, or raises another Child Protection complaint, we regard this as a Child Protection matter and invoke the Child Protection procedure described in our Child Protection policy.

Parent/carers/visitors/others

Adults who wish to make a complaint about the school can do so verbally to a member of staff, by telephone or in writing, and we expect them to be made as soon as possible after an incident arises. The complaint will be passed to the Head Teacher within one working day and she will seek to resolve the matter as quickly as possible. Where appropriate, the adult complainant will be invited to the school to discuss the issue, or the complainant may be visited at home by the Parent Engagement Officer.

- If the complaint cannot be resolved through talking, adult complainants should write to the Head Teacher by e mail or letter to register their complaint. See the Contact Us page of the school's website, www.ianmikardo.com for details.
- Written complaints will be acknowledged in writing within five working days and lead to further fair and thorough investigation of the issues raised by the Head Teacher, following the Formal complaint procedure outlined above.
- Any other parties involved in the complaint will be notified immediately and will be given the opportunity to put their side of the case.
- The complainant and any others involved in the complaint will be kept informed of progress, and will receive prompt advice of the outcome.
- This may be an apology, an explanation, or action to resolve the matter.
- If an adult continues to be unsatisfied by the Head Teacher's response, we advise them to contact the Clerk of the Governors by letter or an e mail sent to admin@ianmikardo.towerhamlets.sch.uk The Parent Engagement Officer will support with this if appropriate. The complainant will be advised on how they can best take their complaint forward and the Appeals procedure will be followed, as outlined in Appendix 1.
- Complaints regarding the Head Teacher should be submitted in writing to the Governing Body as above.

All complaints

In our experience complaints are rarely made in a written form and are usually resolved through talking. This is possible because the school's staff know the students well, and involve their parents or carers in the school.

Ian Mikardo is an inclusive school and we are sincerely committed to equal opportunities, as outlined in our Equality Information and Objectives. Any complaint, whether explicitly made or not, that involves race, gender, sexuality, age or any other difference is dealt with promptly and sensitively. If there is a student perpetrator, we recognise that he needs our support and we provide this.

No matter how trivial a complaint might appear to be, we are always pleased when a student or an adult brings a matter to our attention rather than takes it into their own hands. Listening sympathetically to these concerns demonstrates our determination to listen to everyone involved in the school, and underlines our commitment to ensuring that students are able to express themselves safely, respectfully and appropriately.

We regard the process of going through a complaint with a student as a reflective process from which both students and staff can learn. It helps students to develop their communication skills, and helps the school to identify areas where our practice can be improved.

Exceptions

Complaints about the following matters are not covered by this policy:

Exclusion of children from school	To raise concerns, follow the guidance in the exclusion letter sent by the school or go to www.gov.uk/school-discipline-exclusions/exclusions
Admissions to schools Statutory assessments of SEN School re-organisation proposals Matters likely to require a Child Protection investigation	Concerns should be raised directly with the local authority.

Compliance

This policy complies with Section 29 of the Education Act 2002 and takes account of the Department for Education's *Best Practice Advice for School Complaints Procedures 2016*.

Third party providers offering community facilities, or who use the school's premises or facilities to offer services, are required to have their own complaints procedure in place.

This policy is regularly reviewed and revised, and assessed by the Governing Body in line with statutory obligations.

Appendix 1

The Appeals procedure

Any complainant who is not satisfied with the response of the Head Teacher should write to the Clerk of the Governors to request that their complaint is considered further. The school will advise on how this approach can best be made.

The complainant should give details of the complaint. The Chair, or a nominated governor, will convene a GB complaints panel made up of independent and impartial governors to hear the complaint. The governors' appeal hearing is the last school-based stage of the complaints process and is not convened merely to rubber-stamp previous decisions.

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

In hearing the complaint, the panel will bear in mind the ethos and practice of the school, as outlined above. It will be sensitive to issues of race, gender and religious affiliation, and to the lack of ease a child or parent may feel when engaging with a formal process. Governors will take care to be friendly and to encourage the complainant to express their concerns, and not to inhibit them in any way.

The *Clerk* will:

- Acknowledge receipt of the complaint in writing and send written confirmation of the date, time and venue of the hearing, ensuring that these are convenient to all parties.
- Invite the complainant to bring witnesses to the hearing.
- Collate written material and send it to the parties at least five school days before the hearing.
- Record the proceedings.
- Notify all parties of the panel's decision.

The *Chair* of the panel will ensure that:

- The remit of the panel is explained to parties, each of whom has the opportunity to put their case fully and ask questions.
- The issues are addressed.
- Key findings of facts are made.
- Everyone involved is put at ease.
- Interviews of any children or young people are conducted in the presence of a member of staff, or their parents/carers.
- The hearing is conducted informally and with respect and courtesy.
- The panel is open-minded and acts independently.

- No member of the panel has a vested interest in the outcome, or has been involved.
- Written material is seen by all parties.

The *panel* need to take the following points into account:

- After introductions, the complainant is invited to explain their complaint, and to be followed by their witnesses.
- Witnesses need to attend only the part of the hearing in which they give evidence.
- The Head Teacher may question the complainant and the witnesses after each has spoken.
- The Head Teacher is then invited to explain the school's actions and to be followed by the school's witnesses.
- The complainant may question the Head Teacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head Teacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave while the panel decides on the issues.
- The Chair may inform both parties of its decision immediately and confirm this in writing, or may explain the decision, and the reason for the decision, in writing within ten school days of the hearing.

Notification of the panel's decision

The chair of the panel must ensure that the decision is notified to the complainant and other parties in writing. The letter must explain whether, in this instance, there are further rights of appeal; if so, a written appeal should be sent to Ann Canning, Service Head, Learning and Achievement, Tower Hamlets Borough Council.

The final stage of appeal is to the Secretary of State of Education whose department will examine whether the complaints policy was followed, and whether the procedure meets education legislation. The Department will not re-investigate the substance of the complaint but if it finds legislative or policy breaches it may require remedial action to be taken.

Complainants should be advised that they may write to:

The School Complaints Unit (SCU)
 Department for Education
 2nd Floor, Piccadilly Gate
 Manchester M1 2WD.