



Policy on Responding to Complaints

November 2019

RESPONDING TO COMPLAINTS

It is in everyone's interest that complaints are resolved at the earliest possible stage and with the appropriate member of staff.

The first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. Riverside staff are made aware of the complaints procedure so they know what to do when they receive a complaint.

Stage One: The complaint is heard by a Staff Member

Riverside School staff should always be ready to hear a complaint no matter how insignificant it may appear.

The school will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In such cases, the Principal may refer the complainant to another staff member.

Where the complaint concerns a Principal it should be referred to the Director and should the complaint be against the Director it should be referred to the Chair of the Board.

Should a member of staff directly involved feel too compromised to deal with a complaint, the Principal will consider referring the complainant to another staff member. The member of staff may be more senior, but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a Board Member, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. Board members are unable to act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

The school will set up a meeting within five working days of the complaint being notified.

Stage Two: The complaint is heard by a Principal

Should the complainant be dissatisfied with the way the complaint was handled at Stage One they may refer the matter to the appropriate Principal and if still dissatisfied with the Director.

The Principal or Director will set up a meeting within five working days of the referral.

Stage Three: The complaint is heard by The Riverside Board Complaints Appeal Panel

If the complainant remains dissatisfied with the outcome he/she should write to the Chair of the Riverside Board giving details of the complaint. The Chair, or a nominated board member, will convene a Complaints Panel.

Individual complaints would not be heard by the whole Board at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing.

The Board may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;*
- hearing individual appeals;*
- making recommendations on policy as a result of complaints.*

The panel can be drawn from the nominated members and will consist of three Board members and where practicable a fourth person, independent of the school. The panel may choose their own chair.

The Panel will arrange a Panel Meeting within 15 working days of the referral or 25 working days within a school holiday.

The Remit of The Complaints Appeal Panel

The panel can:

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

Guidelines for Complaints Panel members

1. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Board Member may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, Board Members need to try and ensure that it is a cross-section and sensitive to the issues of race and gender.

2. The aim of the hearing, which is held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

3. The Appeals Panel acknowledges that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child and they may if they wish be accompanied to a meeting with a friend. The panel chair will ensure that the proceedings are as welcoming as possible.

4. *Extra care will be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel will take seriously the views of the child and give them equal consideration to those of adults.*

5. *The Board Members sitting on the panel need to be aware of the complaints procedure.*

Roles and Responsibilities

The Role of the Secretary to the Complaints Panel

The secretary is appointed by the Chair of the Board and is the contact point for the complainant. He or she will:

- *set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;*
- *collate any written material and send it to the parties in advance of the hearing;*
- *meet and welcome the parties as they arrive at the hearing;*
- *record the proceedings;*
- *notify all parties of the panel's decision.*

The Role of the Chair of the Board

The Chair should:

- *check that the correct procedure has been followed;*
- *if a hearing is appropriate, notify the clerk to arrange the panel;*

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- *the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;*
- *the issues are addressed;*
- *key findings of fact are made;*
- *parents and others who may not be used to speaking at such a hearing are put at ease;*
- *the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;*
- *the panel is open minded and acting independently;*
- *no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure; each side is given the opportunity to state their case and ask questions;*
- *written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.*

Notification of the Panel's Decision

The chair of the panel will ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this will be within five working day of the Panel Meeting. The letter will; clarify if there are any further rights of appeal and, if so, to whom they need to be addressed. An appeal should be made within three working days.

Written Records

Written records will be kept of all complaints indicating whether they were resolved at the preliminary stage, or whether they proceeded to a panel hearing. All correspondence, statements and records of complaints are to be kept confidential, except in cases where legal requirements permit access.

Guidelines for a Panel Hearing

The panel will take the following points into account:

- *The hearing is as informal as possible.*
- *Witnesses are only required to attend for the part of the hearing in which they give their evidence.*
- *After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.*
- *The Director may question both the complainant and the witnesses after each has spoken.*
- *The Director is then invited to explain the school's actions and be followed by the school's witnesses.*
- *The complainant may question both the Director 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 Director is then invited to sum up the school's actions and response to the complaint.*
- *Both parties leave together while the panel decides on the issues.*
- *The chair explains that both parties will hear from the panel within a set time scale.*

Next Review

This policy is to be reviewed in November 2020.

Summary of Dealing with Complaints

Complaint heard by staff member

- Ensure the Principal is informed of outcome

Issue resolved

Issue not resolved

Complaint heard by Principal or Director

- Acknowledge receipt of complaint
- Write to complainant with outcome of investigation
- Ensure Board Chair is informed of outcome

Issue resolved

Issue not resolved

Board complaints panel meeting arranged

- Issue letter inviting complainant to meeting
- Issue letter confirming panel decision
- Ensure Board Chair is informed of outcome

Riverside School Formal Complaint Form

Please complete and return to the Director who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Your relationship to the student:

Email Address:

Telephone number:

Please give details of your complaint.

*What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?*

Riverside School Formal Complaint Form

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Office use:

Date acknowledgement sent:

By who:

Complaint referred to:

Date: