



## Why

Marlborough School welcomes feedback on the services it provides. Should anyone be unhappy with any aspect of the school, it is important that the school learns about this. We encourage parents, pupils and visitors to comment on, complement or complain about our work because we want to build on our good practice and to learn from mistakes to improve our performance or put things right as soon as we can.

Schools have legal responsibilities to deal with general complaints and this policy outlines how such complaints are dealt with by the school. The Local Education Authority (LEA) can only get involved with general complaints after all the school stages have been tried (see Stage 4 below).

## What

Complaints are made when mistakes occur, or are perceived to occur; when procedures are not followed or are perceived not to have been followed; or when procedures are themselves flawed or no longer meet requirements. They are normally made and handled informally within the daily management of the school although there may be occasions where it is necessary for them to be taken further and managed formally in order to reach a complete resolution.

Should a complaint be about a general matter, it may be possible to respond immediately, for example if only an explanation of school policy is required. Should a complaint reveal an issue for which other procedures exist (for example, child protection) then it will be dealt with under those procedures rather than as a complaint.

Children as well as parents have legitimate rights to express concerns or to make complaints. Their maturity and understanding varies and so the school considers every complaint on its merits. A person does not have to be a parent or a pupil of the school to make a complaint.

Anonymous complaints cannot be examined under a complaints procedure.

Governors have an important role to play in considering complaints. However, individual governors must not investigate or discuss complaints outside this given procedure.

## How

### Stage 1 - Informal Resolution

The school values informal meetings and discussions. It expects that everyone observe the principles and details of *Marlborough Manners*, to:

Show Good Manners all the time

Care for Everyone and Everything

Follow all Instructions (*and therefore agreed procedures*) with attention and thought

Most enquiries and concerns can be dealt with satisfactorily by the class teacher, the headteacher or other members of staff without the need to resort to a formal procedure.

Given the importance of dialogue through discussion and mutual respect, there is no suggested timescale for resolution at this informal stage, although it would be expected that most issues would be resolved within 5 school days. Should more time be required the school would inform the complainant of this in writing (by letter or email) as soon as this is known.

Should the face to face discussions appear unlikely to resolve matters, then either party may initiate a move to the next stage (Stage 2 below) of the procedure and a copy of the school's complaints procedure will be forwarded to the complainant if it has not been already been provided.

## **Stage 2 - Formal Written Complaints**

The complainant should set out the precise nature of the complaint on the school's complaints form and send it in a sealed envelope addressed to the Chair of Governors and marked '*Private and Confidential – Complaint*', care of the school office. Should the chair of governors be the subject of a complaint, the complainant should send the form directly to the vice-chair of governors (or to the clerk to the governing body for the vice-chair's attention). A copy of this form and all other relevant correspondence should be retained.

All formal complaints will be acknowledged and the next steps explained, within 5 school days of receipt.

The Chair of Governors may invite the complainant to a meeting to clarify any concerns and to explore possible solutions. The complainant may wish to be accompanied and this can be agreed. It may be possible to arrange a meeting with the headteacher, although confrontational 'hearings', where the subject of the complaint is questioned in the presence of or by the parent, are avoided.

If it is not possible to resolve the complaint through such a meeting, arrangements are made for the matter to be fully and formally investigated.

Investigations at this stage should normally be completed within 15 school days of receipt of the complaint, unless there are circumstances that require a longer investigatory period. The complainant will be informed in writing should more time be required.

The school will aim to send a formal written response within 5 school days of the completion of the investigation, thus ensuring that this stage of the procedure is completed within one calendar month.

Following the stage 2 investigation, the complaints officer will decide either to recommend appropriate remedial action, or confirm that all internal investigative measures have been exhausted and uphold the original informal response if this had occurred.

The decision is final and confidential to the complainant and to the governing body.

## **Stage 3 - Complaints Review**

Where a complainant is unhappy about the outcome of the formal written complaint he or she may request that the governing body reviews the initial investigation by submitting a complaints appeal form and sending it, addressed to the Clerk to the Governing Body, marked '*Private and Confidential – Complaint*', care of the school office. Any such request must be made within 5 school days of receiving notice of the outcome and will need to include a statement specifying any perceived failures to follow the procedure.

A new panel of 3 members of the governing body is then convened to review the school's management of the complaint. This will usually be made within 10 days by re-assessing the written evidence and submissions to check that the complaints procedure has been correctly

followed and appropriate conclusions drawn. Sympathetic consideration may also be given to any further requests for oral representation although no new evidence can be considered.

Reviews usually take place within 10 school days of receipt of the request. Following the stage 3 review, the panel will either recommend remedial action or confirm that the process has been followed properly and all internal investigative measures have been exhausted, upholding the original response.

The decision is final and confidential to the complainant and to the governing body. However, complainants who have exhausted all school-based stages and consider that the school has not investigated the complaint in a fair and reasonable manner, may request, in writing, that Cornwall Children's Service reviews how the school handled the complaint.

#### **Stage 4 - Referral to the Local Children's Services Authority (CSA)**

The address for correspondence is:

*Director of Children, Schools & Families  
New County Hall,  
Truro,  
Cornwall,  
TR1 3AY*

The CSA monitors those school complaints that they receive. Whilst it does not investigate individual complaints, notes are kept of these and the information is shared with senior managers. As part of this school's complaints policy, they will review how the school handled the complaint after all the above stages have been completed but only if the complainant requests this in writing.

Our understanding is that the CSA will acknowledge this request within five school days and will normally complete the review within 20 school days. Their review can only check that procedures have been properly followed and will not investigate the original complaint.

#### **Stage 5 - Appeals to the Secretary of State or the Ombudsman**

Finally, complainants have a right of appeal to the Secretary of State for Education. In such cases, the Department for Education (DfE) will examine the complaint and adjudicate. The DfE has the power to require the CSA to take certain actions, including the issuing of instructions to the school governing body. Members of staff also have the same right of appeal.

Should a complainant feel that there has been maladministration in the manner in which a complaint has been dealt with, this can be referred to the Local Government Ombudsman.

Please note that the Ombudsman can look into complaints about how something has been done, but cannot question what has been done simply because the complainant does not agree with it. The relevant addresses are:

The Secretary of State for Education  
Sanctuary Buildings  
Great Smith Street  
Westminster  
London SW1P 3BT

Tel: 0171 925 5000

Local Government Ombudsman

The Oaks  
Westwood Way  
Coventry  
CV4 8JB

Tel: 01203 695999

**What if**

Respectful	observing and upholding Marlborough Manners
Ready	clear and fair in responding to and managing all complaints
Resourceful	efficient in managing time and people
Resilient	learn from mistakes
Remembering	build on strengths
Reflective	adapt procedures to meet changing needs
Responsible	effective in reaching a resolution

Reviewed and adopted by the Governing Body – 12 March 2015