



**LYMM**  
HIGH SCHOOL

# Complaints Procedure

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## **1. Purpose**

Lymm High School is a stand-alone academy. All academies are required to have a complaints procedure that meets the standards set out in the Education (Independent School Standards) (England) Regulations 2014.

This means that the procedure must:

- Be in writing;
- Be available to parents of school students;
- Set out clear time scales for the management of a complaint;
- Allow for a complaint to be made and considered initially on an informal basis;
- Where the parent is not satisfied with the informal response to the complaint, establishes a formal procedure for the complaint to be made in writing;
- Where the parent is not satisfied with the response to the formal complaint, makes provision for a hearing before a panel appointed by Lymm High School and consisting of at least three people who were not directly involved in the matters detailed in the complaint;
- Ensure that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school;
- Allow for a parent to attend and be accompanied at a panel hearing if they wish;
- Provide for the panel to make findings and recommendations and stipulate that a copy of those findings and recommendations is
  - ❖ Provided to the complainant and, where relevant, the person complained about; and
  - ❖ Available for inspection on the school premises by Lymm High School leaders;
- Keep a record of all written complaints, whether they are resolved following a formal procedure, or proceed to a panel hearing; and action taken by the school as a result of those complaints (regardless of whether they are upheld);
- Provide that correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

## **2. Introduction**

Parents, carers and their children sometimes have worries about aspects of school life. These concerns may be to do with behaviour, aspects of teaching and learning, or the way the school is organised. We work hard to maintain the highest standards in all we provide, welcome comments from parents, and are always happy to receive concerns or complaints directly and in person.

We are also conscious that on rare occasions, our service might raise a concern with someone who is not the parent/carers of a student at the school. We will take seriously all concerns or complaints that are raised, as we intend this procedure will help the school be regarded as an excellent provision by the whole community.

Please note that this procedure is separate to our internal staff grievance policy.

Concerns or complaints should be brought to the attention of the school as soon as possible. All parties to the complaints process are expected to act reasonably. We expect all parties to behave in a calm and positive manner. If it is considered that a complainant has acted in an unacceptable manner, the procedure may need to be suspended for a period of time.

Anonymous complaints, by their nature, cannot be investigated under this policy, as there is no complainant with whom to discuss the issues of concern. However, if there are a series of complaints related to a common theme, it would be prudent for the school to consider such themes to determine if any action is necessary e.g. a review of policy.

### **3. Resolving complaints**

At each stage of the procedure all parties will keep in mind ways in which a complaint may be resolved. If appropriate, it may be acknowledged that the complaint is valid in whole or in part.

It may be appropriate to offer one or more of the following as a resolution:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an explanation of the steps that have been taken to help prevent it from happening again
- an undertaking to review school policies in light of the complaint.

NB The above would be provided in an appropriate form, that is, written or verbal, usually to the complainant only, and in such a way as to maintain the dignity of those involved. Any actions for improvement or learning points arising from a complaint will be shared with the governing body and / or staff if appropriate.

#### **Managing serial and unreasonable complaints**

Lymm High School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. Please see our [Management of serial and unreasonable complaints policy](#) for further information.

### **4 Raising a concern or complaint**

#### **Time scales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

#### **Complaints received outside of term time**

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

#### **Discuss with relevant member of staff**

It will be helpful if the school knows of a concern or complaint at the earliest opportunity. It is in everyone's interest that complaints are resolved at the earliest possible stage and preferably with the person about whom the complaint has been made. If parents have a concern relating to their child, they should raise this with the class teacher. In many cases the matter will be resolved straight away to the parent/s satisfaction. If the class teacher cannot resolve the matter alone it may be helpful to involve the Head of Faculty, Head of Year, or the relevant Assistant Headteacher.

Experience shows that nearly all concerns raised by parents can be dealt with quickly and efficiently through informal discussion. If the complaint is about the Headteacher it should be discussed with him/her informally first before progressing to the next stage.

Informal complaints may be made by telephone, email, in person or in writing. If you are uncertain about who you should contact, please seek advice from the Clerk to the Governing Body ([hheadon@lymmhigh.org.uk](mailto:hheadon@lymmhigh.org.uk); telephone number: 01925 755458).

### **Discuss with Headteacher**

Should the complainant remain dissatisfied they can request a meeting with the Headteacher using the same contact details as above. The complainant may wish to complete a Complaint Form (Appendix B) in advance of this meeting. The main aim of this meeting will be to resolve the complaint. If appropriate, the Headteacher will follow this meeting up with a written response.

### ***Formal Stage - Making a complaint to the governing body***

Where informal attempts have been unsuccessful in resolving a complaint, the complainant should email or write to the Chair of Governors or Clerk to the Governing Body at the school address. The envelope should be marked 'FOR IMMEDIATE ACTION' and staff in the school office must ensure that the letter is forwarded without delay.

The complainant will be asked to complete a complaint form (Appendix B) if they have not already done so. The Chair of Governors or Clerk will offer to help an individual to complete the form if appropriate.

On receipt of the complaint form the Chair of Governors (or other governor) will:

- confirm receipt within five working school days;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right.

Within ten working school days the chair of governors will decide whether the complaint should go straight to the governors' complaints panel or if a mediation stage should be offered. Mediation can only proceed if the complainant and the Headteacher are willing for it to be tried. If mediation is not successful, the complaint will be considered by the governors' complaints panel.

### **Mediation**

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

- It gives both complainant and Headteacher another opportunity to hear each other's points of view (with a third party facilitating – usually the chair of governors)
- It gives the third party an opportunity to help Headteacher and complainant identify and build on areas of agreement

- It gives Headteacher and complainant a structure within which they can resolve remaining differences
- If both complainant and Headteacher emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them
- Even if the complaint continues to a governors' panel, 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 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 undertaking to review school policies in light of the complaint.

Following mediation, the chair of governors will write to the complainant confirming the outcome of these discussions.

If no correspondence has been received from the complainant/s **within ten working days** following their receipt of the Chair of Governor's letter, the matter will be considered closed.

### ***Governors' Complaints Panel Hearing***

If mediation is not considered appropriate, or if the complainant remains dissatisfied following mediation, the complainant should contact the Clerk to the Governing Body requesting their complaint be heard by a governors' panel.

The governors' complaints panel is the last school-based stage of the complaints process.

The meeting must be independently minuted, for example by the clerk.

The clerk will convene a Governing Body Complaints Panel. A panel of at least three members will conduct the review. Two panel members will be drawn from the governing body. One member of the panel will also be appointed who is independent of the management and running of the school, and is not a current or former governor of the school. It is the school's responsibility to make a suitable appointment for this role.

The aim of the hearing is to try to resolve the complaint and to try, if possible, to achieve reconciliation between the complainant and the person against whom the complaint is made.

The panel and both parties should focus on the substance of the original complaint in the complaints form and how the complainant would like it to be resolved.

The clerk will notify all parties of the date, time and location of the meeting. At least five working days' notice will be given to attendees.

The clerk will inform the complainant/s of the names of the panel members and the contact details of the chair of the panel.

The complaint will be heard by the panel within fifteen\* working school days of the clerk receiving the written request to progress to a governors' panel.

\*If there are reasons why these timescales cannot be met, the Chair of the Complaints Panel will contact the complainant to explain reasons for the delay and provide a deadline for response, which should be as near as possible to the original deadline.

Both the complainant and the person against whom the complaint is being made may be accompanied by one adult (who have no involvement in the issue), if they wish. The accompanying adult is a supporter only and may not speak on behalf of the complainant except where this would otherwise disadvantage them (for example if English is not their first language), in which case they can act as an advocate. If an accompanying adult is to act as an advocate and speak for the complainant this must first be discussed with and agreed by the chair of the panel before the date that the panel meets.

The chair of the panel will ensure that the panel members, the complainant and the person against whom the complaint is raised receive copies of relevant documentation plus a copy of the school's complaints procedure, at least five working days in advance of the hearing.

The panel will meet immediately before the hearing to discuss the issues raised in the documentation and to discuss the format of the hearing.

The chair of the panel will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

Following the hearing, the chair of the panel will:

Provide a written response to the complainant, copied to the Headteacher, the Chair of Governors and the person against whom the complaint is being made (if not the Headteacher) within ten school working days.

Provide conclusions in the written response and reasons for the conclusions.

State what actions, if any, need to be taken.

Be clear that the complaint has been "upheld", "upheld in part" or "not upheld".

Explain that the decision of the complaints panel is final and concludes the school based investigations.

## **5. The role of the Education and Skills Funding Agency**

If, following the outcome of the panel hearing, the parent or other person making the original complaint remains unsatisfied, they may direct their concern directly to the Education and Skills Funding Agency (ESFA) via the online school complaints form.

[https://form.education.gov.uk/fillform.php?self=1&form\\_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form\\_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1](https://form.education.gov.uk/fillform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1)

ESFA will check whether the complaint has been dealt with properly. They will consider complaints about academies that fall into any of the following three areas:

- Where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint
- Where the academy is in breach of its funding agreement with the Secretary of State
- Where an academy has failed to comply with any other legal obligation ESFA will not overturn an academy's decision about a complaint. However, if they find an academy did not deal with a complaint

properly they will request the complaint is looked at again and procedures meet the requirements set out in the Regulations.

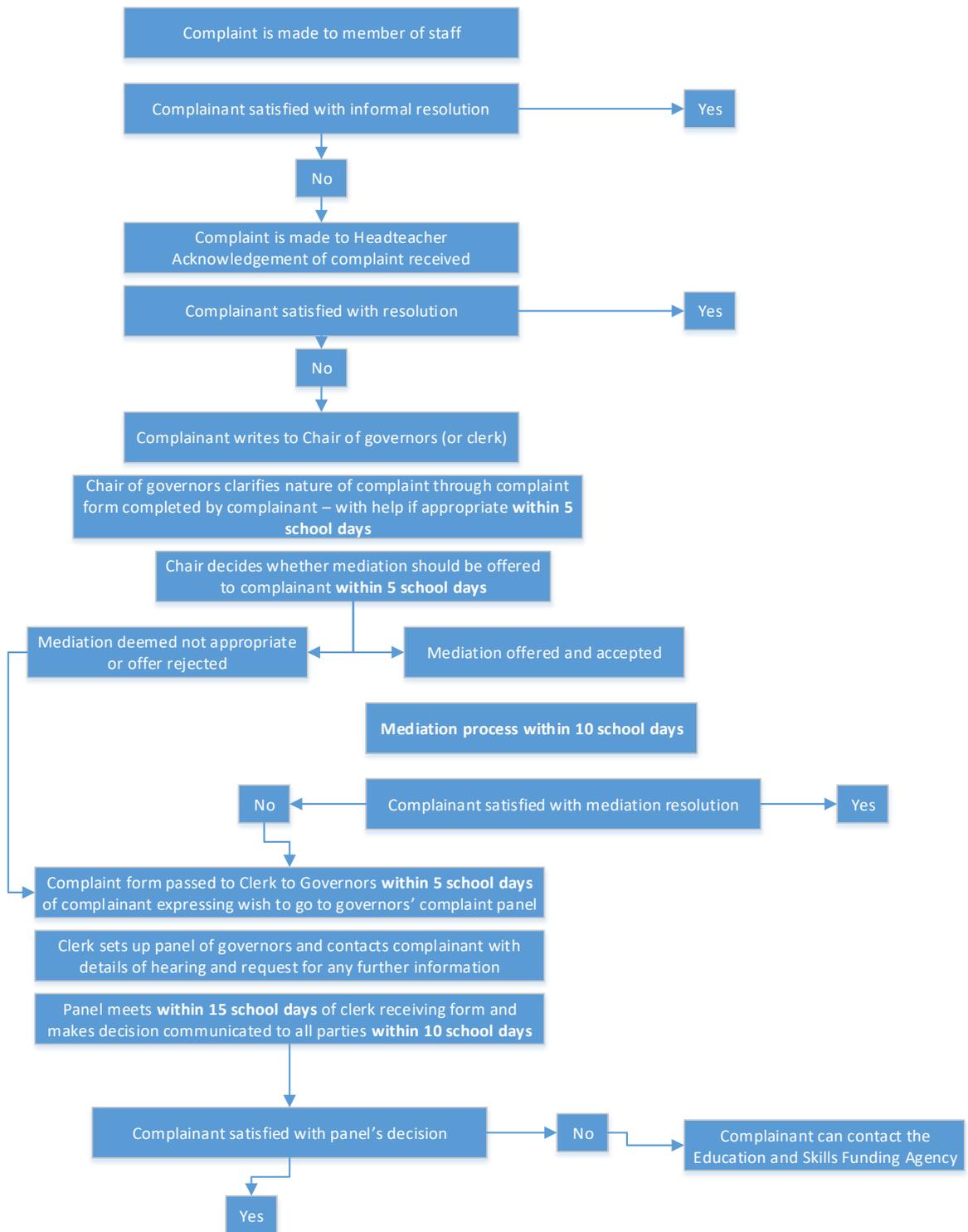
If the academy's complaints procedure does not meet the Regulations, ESFA will ask the academy to put this right. They may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.

## **6. Confidentiality**

Correspondence, statements and records relating to individual complaints will be kept confidential, except where the Secretary of State (or someone acting on their behalf), or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access.

The school will only provide information to third parties, such as a constituency Member of Parliament, with the written permission of the complainant.

## **Appendix A – Lymm High School Complaints Policy Flowchart**





## Appendix B – Complaint Form

Please complete and return to Headteacher / Chair of Governors who will acknowledge receipt and explain what action will be taken.

Your name		Pupil's Name	
		Pupil's Form	
Your relationship to the pupil			
Address		Daytime telephone number:	
		Evening telephone number:	
Postcode			
Email address:			
Please give details of your complaint:			
You may continue on separate paper or attach additional documents if you wish.			
Number of additional pages attached:			

Headteacher: Mr Gwyn Williams

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01925 755458 info@lymmhigh.org.uk www.lymmhigh.org.uk



Edge Hill  
University





# LYMM HIGH SCHOOL

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

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

Signature:

Date:

**Official use**

Date form received:

By whom:

Date acknowledgement sent:

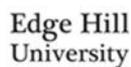
By whom:

Complaint referred to:

Date:

Headteacher: Mr Gwyn Williams

Lymm High School, Oughtrington Lane, Lymm, WA13 0RB  
01925 755458 info@lymmhigh.org.uk www.lymmhigh.org.uk



## Appendix C – Guidance & Expectations

Lymm High School will:

- treat all complaints individually
- not take complaints personally
- stay calm
- not rush
- respond as promptly as possible
- maintain confidentiality
- treat all complaints seriously.

Complainant/s will:

- bring the complaint to the attention of the school as promptly as possible
- not make a complaint personal

All parties will:

- speak calmly without raised voices
- use appropriate, courteous language (never swearing or using offensive language)
- use appropriate body-language that is non-threatening
- never make threats or be sarcastic
- not discuss a complaint on social networking sites
- have the option of being accompanied by one adult. This person will be in attendance for support only, not to speak on behalf of the complainant/the person about whom the complaint has been raised. All parties must notify, via those convening the meetings, in advance of their intention to be accompanied.

Advice and good practice for the school

- Be mindful of equal opportunities ensuring that the complainant has support through the process where necessary; with reading the policy/completing the complaints form, if English is an additional language for instance
- Anonymous complaints are only acceptable in exceptional circumstances
- Try to be clear (without patronising) and avoid using jargon
- Ensure the complainant has a copy of the complaints procedure

- Take your time. Let people have their say. Listen carefully and sympathetically before replying and attempting to find a solution
- Keep open-minded
- Have a colleague with you to take notes
- End the meeting on a positive note and thank people for their time
- Offer to arrange another review meeting

#### Advice and good practice for the parents

- Be tactful, plan the words you will use to explain the problem
- Try to demonstrate that you can see both sides of the situation but be sure to say how your child feels
- Remember to praise any actions taken by the school
- Write down any points you wish to make beforehand
- Take a friend or partner along with you if you wish
- Make sure you are clear about what you would like to happen to resolve the complaint – remember this must be reasonable
- Be open-minded
- End the meeting on a positive note and thank people for their time
- Ask for another review meeting if that would be helpful
- Ask for clarity around any points in the school's complaints procedure if necessary.