

## Complaints Policy and Procedures

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### Purpose of the Complaints Procedure

This procedure aims to reassure parents and others with an interest in the school that:

- Any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution; and
- The school recognises that a willingness to listen to questions and criticism and to respond positively, can lead to improvements in school practices and provision for pupils.

### Definition

The DfE guidance explains the difference between a concern and a complaint:

A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”

A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

### Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistleblowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with special educational needs (SEND) about the school's support are within the scope of this policy.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

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Complaints which have an alternative statutory avenue of appeal or complaint, i.e. admissions, exclusions, SEN assessments, and those covered by the Education (School Records) Regulations 1989 such as Disability Discrimination claims are dealt with through the Local Authority.

Serious complaints that must be dealt with by specific employment procedures e.g. allegations of professional misconduct, criminal offences or those that are potentially staff disciplinary issues will be dealt with under internal school procedures and the outcome will be confidential to the employee and employer.

### **Allegations relating to abuse of children or vulnerable adults.**

- Complainants may be anyone e.g. parents, guardians, grandparents, neighbours of the school or anyone with an interest in the work of the school. However, it is expected that it will be mainly parents or guardians who will make use of this procedure. The term 'parent' is therefore used throughout the procedure as a generic term but the procedure also applies in relation to any other type of complainant.
- Complaints may be made by telephone, e-mail, in person or be written.

### **General**

- Records of all conversations and meetings with parents to resolve complaints will be kept. To help prevent recurring complaints, copies of correspondence and notes will be kept on file in the school's records, separately from individual pupil records.
- If at any stage in the procedure it becomes apparent that for any reason the complaint falls outside of this general complaints procedure, parents will be informed.
- There may be rare occasions when, despite all the stages of the procedure having been followed, a parent remains dissatisfied. If the parent seeks to re-open the same issue, the school reserves the right to inform him/her in writing that the procedure has been exhausted and the matter is closed.
- Complaints need to be considered, and resolved, as quickly and efficiently as possible. The time limits set within this procedure will be adhered to wherever possible, however where further investigations are necessary, new time limits can be set and the complainant sent details of the extended deadline, with an explanation of the reasons for extending.

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- Where complaints are made about events that took place more than 6 months earlier, or where a pupil concerned has left the school, the school reserves the right to not consider those complaints through this procedure. For example, where proper investigation would not be possible given the passage of time or where it is clearly impossible for the Governing Body to put things right for that pupil. However, the Governing Body has a duty of care to the pupils who remain on roll and where appropriate such complaints may be considered by means of a management review. In these circumstances the parent will be informed of any changes to practice and procedures, which have been agreed by the Governing Body as a result of the issues raised but there is no right of escalation through this procedure.
- We understand that people may become angry, when they feel matters are not being dealt with as they wish. If that anger escalates into verbal or physical aggression towards our staff, we consider that to be unacceptable. Any aggression or abuse directed towards our staff will not be tolerated.

### Concerns will be dealt with in this order:

1. Class teacher
2. Assistant Headteacher
3. Head of School
4. Executive Headteacher

### Stage 1 : Raising a Concern

#### Informal Stage – class teacher

On occasion, a parent may raise a concern directly with school staff informally. At this stage, it may be unclear whether the parent is making a complaint or seeking information or clarification. In any event, the school aims to resolve the concern at this point in a speedy and effective way.

- If you have any concerns relating to your child at school, you should initially discuss your concerns with the class teacher.
- The vast majority of concerns can be dealt with by either chatting with the class teacher after school or during a short meeting. This can be arranged for the beginning or end of the school day, via the office.
- Most concerns can be dealt with at this level. However, if you are not satisfied with the outcome of your discussion, then a further appointment may be arranged with both the class teacher and a senior teacher.

### Exceptions:

Should the complaint be about any member of the Senior Leadership Team (SLT) then the complaint should go directly to the Executive Head.

Should the complaint be about the Executive Head, then the complaint should go directly to the Chair of Governors.

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Should the complaint be about the Chair of Governors, then the complaint should go directly to the Governor Complaints Panel (GCP)

### **Stage 2: Escalating a Concern** **Involvement with the Assistant Heads**

If after meeting with the teacher, you are still not satisfied with the outcome then an appointment may be made to bring the issue to either the Assistant Headteacher. An appointment can be made through the office to meet with either of the Assistant Heads.

### **Stage 3: A meeting with the Head of School/Executive Head**

If the concern cannot be resolved and the parent wishes to continue with a complaint, the opportunity to discuss the matter with the Head of School will be given.

The Head of School/Executive Head will discuss the issue with the parent and those involved in school, with the aim of resolving the complaint as soon as possible. The parent will be informed, within 5 school days of the discussion, of the outcome of the investigation and what action, if any, the school proposes to take.

The parent will be advised of their right to request that the complaint is considered formally at Stage 4, with the Chair of Governors, if they are dissatisfied with the response and resolution offered at Stages 2 or 3.

### **Stage 4 : Formalising a Complaint** **Referral to the Chair of Governors for further investigation**

- Complaints only rarely reach this level. However, where the complaint has escalated from Stage 3, the Chair of Governors will hear it. The complaint must be in writing and addressed to the Chair of Governors.
- The Chair of Governors will acknowledge the written complaint within five school days of receipt and provide an opportunity for the parent to meet with them to discuss the complaint.
- The Chair of Governors will investigate the complaint and a written response will normally be made within ten school days of receipt of the complaint. If this is not possible, a letter will be sent explaining the reason for the delay and providing a revised target date.
- The written response will include full reasons for the conclusions reached by the Chair of Governors and what action, if any, the school proposes to take to resolve the matter.
- If the parent still remains dissatisfied, he/she will be advised that, in order to progress the complaint further, he or she must notify the Chair of Governors in writing within ten school days of receipt of the Stage 4 response.

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- The Chair of Governors will then ensure that the parent is offered the opportunity of taking the complaint to the Governors' Complaints Panel at Stage 5 of this Procedure.

### Stage 5: Review by the Governors' Complaints Panel (GCP)

- Complaints rarely reach this level. However, when the need arises, the Governors' Complaints Panel (GCP), established according to the suggested composition detailed in **Appendix 1** attached, will consider complaints at this stage.
- A written acknowledgement of the complaint and the request for it to be heard at Stage 5 of the Procedure will be sent to the parent by the GCP within five school days of receipt.

The letter will inform the parent that the complaint will be heard by the GCP within **twenty school days** of receiving the complaint. It will also inform the parent of the right to submit any further documents other than the complaint form and that these must be made available to the GCP within five school days of receipt of the acknowledgement letter. The right to call witnesses to the meeting, subject to the approval of the GCP, and the right of the parent to be accompanied by a companion of her/his choice, will also be explained in the letter.

- The GCP will send a copy of the letter of acknowledgement of the complaint to the Chair of Governors and/or Headteacher and request a written report in response to the complaint to the GCP within five school days of receipt of the letter. The right to call witnesses, subject to the approval of the GCP, will also be explained.
- The GCP will then convene a meeting, having consulted with all parties on convenient times. The date, time and venue for the meeting will then be confirmed at least five school days in advance of the meeting.
- The names of all parties and witnesses (if any) to attend the meeting and all relevant documents to be referred to at the meeting will also be provided by the GCP to:

The parent;  
The Chair of Governors and/or Head of School/Exec Head  
Each panel member.

This will be provided as soon as possible and, in any event, at least five school days prior to the meeting.

- The meeting will be held following the procedures for hearing a complaint detailed in **Appendix 2**.
- A written decision will be sent to both the parent and the Chair of Governors and/or Executive Headteacher by the GCP within ten school days of the hearing.

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The letter will explain that the decision of the GCP represents the end of the school's complaint procedure and what options remain open to the parent if they still remain dissatisfied.

Note: Complaints will be dismissed if, once the complaints procedure has started, the complainant opts to publish details on social media.

### Persistent and Vexatious Complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before and it has already been resolved by following the school's complaints procedure
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints' procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints' procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

### Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place.

We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

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### Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

### Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

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### Appendices

#### Appendix 1

##### **Composition of the Governors' Complaints Panel**

- The Governors' Complaints Panel (GCP) should consist of three members of the Governing Body.
- A Chair of the GCP should also be appointed.

No member of the GCP should have had prior involvement with the complaint. As the Chair of the Governing Body is involved at an earlier stage in the procedure (particularly where the complaint is about the Executive Headteacher) she will not be included as a member of the GCP to avoid any possible reference to the Chair being "tainted".

It is not considered appropriate for the Executive Headteacher to be a member of the GCP. The role of the Executive Headteacher would be to attend the panel hearing to give evidence and s/he may choose to invite staff directly involved in matters raised by the complainant (subject to the approval of the Chair of the GCP)

#### Appendix 2

##### **Governors' Complaints Panel Procedures for Hearing the Complaint**

###### Introduction

The aim of the meeting is to resolve the complaint and achieve a reconciliation between the school and the parent. The Chair of the Governors' Complaints Panel (GCP) will ensure that the meeting is properly minuted.

Although the meeting will follow the structured order below, given potential sensitivities and anxieties, the Chair will endeavour to ensure that the proceedings are as informal as possible and that all parties are put at their ease.

The introduction of new information or witnesses, previously not notified to all parties, would be reason to adjourn the meeting so that everyone has time to consider and respond to the new information.



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### Order of the meeting

1. The Chair welcomes the parent and his/her companion and the Executive Headteacher and the Chair of Governors (where the complaint has been addressed by the Chair of Governors at stage 2) and introduces the GCP.
2. The Chair explains the purpose of the meeting, the procedure, and that all written evidence has been made available to all parties.
3. The parent/companion explains the complaint, calling in witnesses if appropriate.
4. The GCP may question the parent/companion and witnesses.
5. The Executive Headteacher/Chair of Governors present a response to the complaint, including action taken to address the complaint at stage 1 and 2 of the procedure and calling witnesses, if appropriate.
6. The GCP may question the Executive Headteacher/Chair of Governors.
7. The Executive Headteacher, together with the Chair of Governors, where applicable, is invited make a final statement.
8. The parent/companion is invited make a final statement.
9. The parent/companion, Executive Headteacher and Chair of Governors retire.
10. The GCP considers the complaint and reaches a unanimous or majority decision. The GCP also decides what action (if any) to take to resolve the complaint and, if appropriate, recommends changes to ensure similar complaints are not made in future.
11. The outcomes are confirmed in writing to both parties

**Reviewed:** Spring 2023

**Approved by:** Full Governing Board

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**Monitored by:** Executive Head