



Complaints Policy

Policy Author	Dan Chandrakumar
Reviewed By	Dan Chandrakumar
Approved By the Personnel Committee	
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Contents

1. Aims	2
2. Legislation and guidance	2
3. Definitions and scope	3
4. Roles and responsibilities	3
5. Principles for investigation	4
6. Stages of complaint (not complaints against the headteacher or governors)	4
7. Complaints against the headteacher, a governor or the governing board	7
8. Referring complaints on completion of the school's procedure	7
9. Persistent complaints	7
10. Record keeping	9
11. Learning lessons	9
12. Monitoring arrangements	9
13. Links with other policies	9

1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- › Be impartial and non-adversarial
- › Facilitate a full and fair investigation by an independent person or panel, where necessary
- › Address all the points at issue and provide an effective and prompt response
- › Respect complainants' desire for confidentiality
- › Treat complainants with respect and courtesy
- › Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- › Keep complainants informed of the progress of the complaints process
- › Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

3. Definitions and scope

3.1 Definitions

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”. The school will resolve concerns through day-to-day communication as far as possible
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

3.2 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
- Whistle-blowing
- 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 (SEN) about the school's support are within the scope of this policy. Such complaints should first be made to the class teacher/special educational needs co-ordinator (SENCO); they will then be referred to this complaints policy. Our SEN policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

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

4. Roles and responsibilities

4.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect

- › Not publish details about the complaint on social media

4.2 The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- › Interview all relevant parties, keeping notes
- › Consider records and any written evidence and keep these securely
- › Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions

4.3 Clerk to the governing board

The clerk will:

- › Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- › Arrange the complaints hearing
- › Record and circulate the minutes and outcome of the hearing

4.4 Committee chair

The committee chair will:

- › Chair the meeting, ensuring that everyone is treated with respect throughout
- › Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

5. Principles for investigation

When investigating a complaint, we will try to clarify:

- › What has happened
- › Who was involved
- › What the complainant feels would put things right

5.1 Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- › Set new time limits with the complainant
- › Send the complainant details of the new deadline and explain the delay

6. Stages of complaint (not complaints against the headteacher or governors)

6.1 Stage 1 (Informal):

- 6.1.1 The complaint should be made in writing or by telephone to the relevant Head of Keys Stage or Head of Department who will investigate the issues raised and respond to the complainant.
- 6.1.2 This may include the complainant being invited into School to discuss the issues, or telephone conversations.
- 6.1.3 An acknowledgement of receipt a complaint should be made within two School days.

6.2 Stage 2 (Informal):

- 6.2.1 If the complainant feels that a concern has not been addressed through discussion with the Head of Keys Stage or Head of Department, or that the concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Senior Leader (Academic or Pastoral) who line manages the Subject Teacher or Form Tutor.

6.3 Stage 3 (Informal)

- 6.3.1 If the complainant feels that a concern has not been addressed through discussion with the Senior Leader (Academic or Pastoral), or that the concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Headmaster. The Headmaster considers any such complaints seriously and most complaints can be resolved at this stage. Until an appointment with the Headmaster has taken place, and his response made in writing, the complaint will be treated as part of the informal process.

6.4 Stage 4 (Formal):

- 6.4.1 If the matter cannot be resolved through informal processes, or the complaint is about the Headmaster, then the complainant who wishes to pursue the matter should write to the Chairman of Governors. Upon receipt of the request by the Clerk, this will be treated as a formal complaint for the purposes of these procedures.
- 6.4.2 The written request must give full details of the nature of the complaint, the informal steps taken to resolve it, the unresolved issues and the action which the complainant proposes to satisfactorily deal with his or her concerns.
- 6.4.3 The Chairman of Governors will review the way in which the complaint has been handled by the School and will investigate whether the issues have been dealt with properly and fairly. Upon completion of the review, the Clerk shall send a letter to the complainant with the outcome of this process within *15 School days* of receiving the formal complaint.
- 6.4.4 Complainants are encouraged to state what actions they feel might resolve the problem at any stage. As part of this, the complainant may consider whether

mediation might help resolve their complaint before it goes further through the formal complaints process. If they so choose, they should indicate their willingness to enter into mediation following receipt of the letter of response from the Chairman of Governors. If the mediation takes place and is successful, this will be the end of the process; if the mediation either doesn't proceed or proceeds but fails to reach agreement, the complainant may apply in writing to the Clerk for reference of the formal complaint to a Committee (see Stage 5 Formal below).

6.5 Stage 5 (Formal):

If the complainant is not satisfied with decision of the Chairman of Governors, they may ask to refer their complaint to Stage 5 of the procedure. At this Stage, a Committee (normally comprising two untainted Governors and an independent representative) will meet to consider the complaint and make a final decision about it on behalf of the governing body. The meeting will normally take place within 15 School days of the complainant's request.

- 6.5.1 The complainant will have the opportunity to submit written evidence on the complaint prior to the meeting of the Committee and also to attend part of the meeting, accompanied with a Companion if wished, to put their case. The Headmaster will be given the same opportunities.
- 6.5.2 At the end of the meeting the chair of the Committee shall either orally inform the complainant of the conclusions of the Committee as to the formal complaint and its decision as to the action or remedy if any which the Committee may have concluded is required in order to properly and fairly deal with the formal complaint, or inform the complainant that such conclusions and decisions will be communicated to the complainant in writing by the Clerk within five School days of the meeting.

6.6 If, after following all the steps outlined in this policy, the complainant is not satisfied with the way in which the School has dealt with their complaint, they can then complain to the Department for Education or Ofsted. They should include any relevant documents with their complaint. The Department for Education can look into complaints relating to their son. Ofsted can look into complaints about the whole School. For more information about how to complain to the Department for Education or Ofsted, see the gov.uk website.

<https://www.gov.uk/complain-about-School>

7. Complaints against the headteacher, a governor or the governing board

7.1 Stage 1: informal

Complaints made against the headteacher or any member of the governing board should be directed to the clerk to the governing board in the first instance.

If the complaint is about the headteacher or one member of the governing board (including the chair or vice-chair), a suitably-skilled and impartial governor will carry out the steps at stage 1 (set out in section 6 above).

7.2 Stage 2: formal

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, an independent investigator will carry out the steps in stage 4 (set out in section 6 above). They will be appointed by the governing board, and will write a formal response at the end of their investigation.

7.3 Stage 3: review panel

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, a committee of independent governors will hear the complaint. They will be sourced from local schools, the local authority and will carry out the steps at stage 5 (set out in section 6 above).

8. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- › Whether there was undue delay, or the school did not comply with its own complaints procedure
- › Whether the school was in breach of its funding agreement with the secretary of state
- › Whether the school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

9. Persistent complaints

9.1 Unreasonably persistent 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's already been resolved by following the school's complaints procedure
- › 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, refused 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
- › Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- › 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

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.

9.2 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.

9.3 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- › Publishing a single response on the school website

- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

10. Record keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

11. Learning lessons

The governing board will review any underlying issues raised by complaints with the headteacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

12. Monitoring arrangements

The governing board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The governing board will track the number and nature of complaints, and review underlying issues as stated in section 11.

This policy will be reviewed by the headteacher/job title of other staff member/full governing board/name of committee/name or role of individual governor] every at least once every 3 years.

At each review, the policy will be approved by [the full governing board/name of committee/name or role of individual governor/the headteacher].

13. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures

- › Staff disciplinary procedures
- › SEN policy and information report
- › Privacy notices