

SCHOOL COMPLAINTS PROCEDURE

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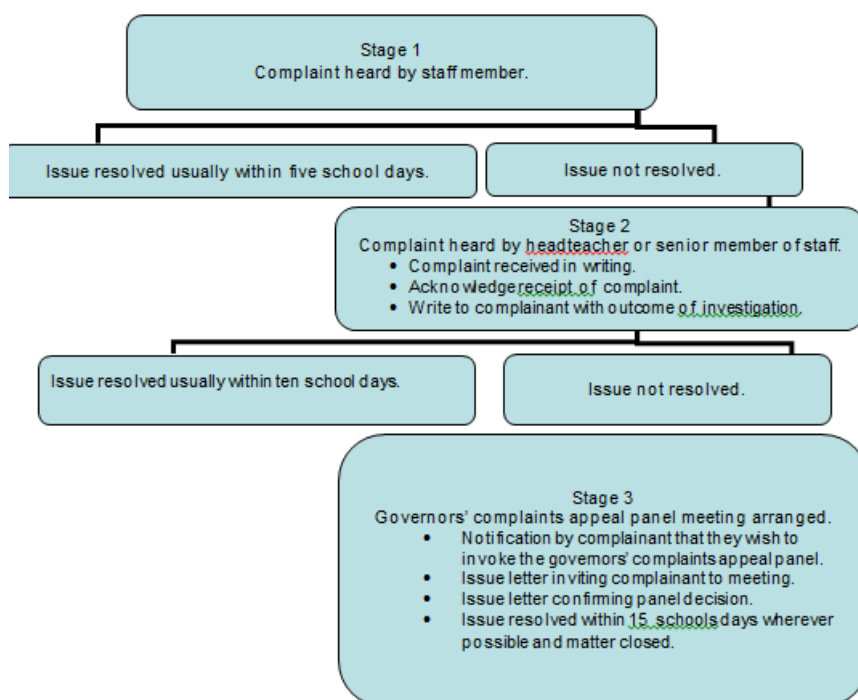
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Complaints Procedure

- This procedure complies with Part 7 of the Education (Independent School Standards) Regulations 2014. It deals with complaints relating to the School, the actions of staff and application of school procedures where they affect individual students. In addition, it refers to any community facilities or services that the School provides.
- In making a complaint, the complainant should ensure that they act reasonably. Information about how to avoid unreasonable complaints can be found in **section 2** of this procedure.
- Written records will be taken and kept of all stages of the complaints process informal and formal and will include outcomes and actions taken. Records will be kept regardless of whether complaints are upheld.
- Complaints against the Headteacher will usually first be dealt with by the Chair of Trustees.
- Complaints against the Chair of Trustees or any individual trustee should be made by writing to the clerk to the board of trustees. In some circumstances, the school reserves the right to refer the matter to an external body.

SECTION 1

FLOWCHART FOR THE COMPLAINTS PROCEDURE



Stages in the procedure

There are 3 stages in the complaints procedure. We anticipate that the majority of concerns will be dealt with at the informal **stage 1**, between the complainant and the member of staff as outlined in our communications process. All complaints will be acknowledged as soon as possible after they have been received and will be kept confidential at all stages unless it is necessary to involve other parties.

Stage 1 – informal – dealt with in line with our communications process on the web site

- At this stage the complaint may be made and heard in person, by telephone, or in writing. We would normally expect a full and proper attempt to resolve the concern with the member of staff and if necessary, their line manager to have been made before the complaint moves to stage 2.
- At the end of a stage 1 communication, the member of staff or line manager will ensure that the complainant and the school have the same understanding of what was discussed and agreed.
- A brief note of the communication will be kept and a copy of any written response added to the record.
- The informal complaint should be resolved within five school days. Where this will not be possible the complainant will be informed of a realistic expected timeframe.

If the complainant wishes to take the matter further, they should complete the complaints form (section 3) and return it to the school for the attention of the Headteacher within five school days.

Stage 2 – formal – complaint heard by Headteacher, senior leader or Chair of Trustees (in the case of complaints regarding the Headteacher)

If an attempt at resolution has not been successful at stage 1 and the complainant remains unsatisfied, then:

- The complainant should put the complaint in writing to the Headteacher (or the Chair of Trustees in the case of complaints regarding the Headteacher) using the complaints form (section 3).
- The Headteacher will identify which senior member of staff is best placed to investigate the complaint (this will be the investigating officer) and will inform the complainant of this, usually within 1 working day of receiving the complaint. In the case of complaints regarding the Headteacher, the Chair of Trustees will lead the investigation.
- If the complaint is about a member of staff they will be informed and evidence received from them will form part of the investigation.
- The nominated leader (or trustee in the case of complaints regarding the Headteacher) will provide the outcomes of the investigation to the Headteacher (or the Chair of Trustees in the case of complaints regarding the Headteacher) who will then decide what action is required and respond to the complainant with the outcome. This will normally be within ten school working days of receipt of the complaint. Where this will not be possible the complainant will be informed of a realistic expected timeframe. The response may be in writing or at a meeting with the complainant followed by written confirmation of the outcome.

We anticipate that complaints heard at this stage will be fully resolved, however, on the rare occasion that this may not be the case the complainant will be informed of his or her right to have the matter referred to the governors' complaints appeal panel. The time frame in which any appeal must be lodged in writing is five school days. Any such request by a complainant should be addressed to the clerk to the governors for the attention of the chair of trustees and a governors' complaints appeal panel will be convened.

Stage 3 – formal – governors' complaints appeal panel hearing

When the clerk to the governors receives the request for the governors' complaints appeal panel to meet:

- The complainant will be informed by the clerk of the timescale for the investigation and the written report to be provided – usually within 15 working days of receipt of the request. Where this will not be possible the complainant will be informed of a realistic expected timeframe.
- A governors' complaints appeal panel will be set up comprising of three members one of whom will be independent of the management and running of the school. The meeting will additionally have a clerk in attendance. The three panel members will have no prior knowledge of the complaint.
- The clerk will write to the complainant, the Headteacher, the chair of trustees and appeal panel members giving details of the meeting, requesting copies of any documents to be put before the meeting and the names of any witnesses that either party may wish to attend.
- The clerk will inform the complainant of the right to be accompanied by a friend
- The procedure at the hearing will be sensitive and appropriate for the circumstances and is at the discretion of the chair of the governors' complaints appeal panel.

- After the hearing, the clerk will provide copies of the minutes of the meeting to all parties involved in the panel hearing. Any challenges to the accuracy of the minutes should be sent to the clerk within five school days.

The panel can:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Decide on the appropriate action to be taken to resolve the complaint.
- Recommend changes to the school's procedures to ensure that similar problems do not recur.

The governors' appeal panel's decision is final.

A copy of the findings and recommendations of the panel will be sent to the complainant and, where relevant, to the person complained about. Records relating to the complaint will be kept confidential and will be available for inspection on the school premises except where the Secretary of State or body conducting an inspection under section 109 of the 2008 Act requests access to them.

Referral to the DFE

If complainants wish to take the complaint further, they must complete the form available at: https://form.education.gov.uk/submitform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1 and the complaint will be directed to the Education and Skills Funding Agency who will not overturn the decision about the complaint but will check whether:

- There has been undue delay in the proceedings.
- The procedures in the school's policy and other relevant policies were followed correctly.
- The school has complied with its funding agreement with the Education Secretary.
- The policy meets all legal requirements.

Complaints to the ESFA may also be sent to:
Ministerial and public communications division

ESFA

2nd Floor, Piccadilly Gate

Store Street

Manchester

M1 2WD

Telephone helpline: 0370 000 2288.

SECTION 2

Avoiding unreasonable complaints

As unreasonable behaviours or expectations may have an adverse impact on the investigation of a complaint they should be avoided. These are when the complainant :

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.
- Changes the basis of the complaint as the investigation proceeds.
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and/or by telephone while the complaint is being dealt with.
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education.

- Refuses all reasonable attempts to resolve the issues raised.
- Seeks an unrealistic outcome.

A complaint may also be considered unreasonable if the person making the complaint does so face-to-face, by telephone, in writing or electronically:

- Maliciously.
- Aggressively, using threats, intimidation or violence.
- Using abusive, offensive or discriminatory language.
- Knowing it to be false.
- Using falsified information.
- By publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Where aggression or abusive behaviour has been used, the school may have to:

- Ask them to leave the school premises.
- Inform the police.
- If necessary, bar them from being on school premises.

Other relevant policies or documents:

Communication process

Equalities Policy

Data Protection Policy

Curriculum Policy

SECTION 3: COMPLAINTS FORM

Please complete and return to Denise Wilson dwilson@kngs.co.uk (complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Daytime telephone number: Evening telephone number:

Email address:

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)?

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

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

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: