



Complaints Policy

Governor Committee Responsible:	Full Governing Body	Governor Lead(s):	Headteacher
Status	Statutory	Review Cycle	Annual
Last Review	September 2023	Next Review Date	October 2024
<i>Date policy ratified</i>	<i>Ratified by FGB on 12 September 2023</i>		

General Principles:

We believe our school to be a successful and happy place, where everyone is an active learner. However, we understand that very occasionally some issues may arise over which not everyone is in agreement. The school and Governing Body have therefore created a procedure to enable legitimate concerns or complaints to be made. This policy complies with the standards set out in the Education Independent School Standards (England) Regulations 2014 Schedule 1. Part 7.

The Governing Body monitors complaints as a standard agenda item at Full Governing Body meetings.

All complaints received by the school will be dealt with under this policy, except grievances made by employees which should be referred to the Grievance Policy. Guidance from the Education and Skills Funding Agency (ESFA) has been followed in the creation of this policy.

Procedure to raise a concern or complaint – a staged approach:

The school and Governing Body will work with any complainant to resolve the concern or complaint as quickly and as effectively as possible. Any correspondence, statements and records relating to individual complaints will be kept confidential, except where the secretary of state (or someone acting on his/her behalf) requests access to them. We have therefore adopted a staged approach.

1) Informal Stage - discussing the issue

Concerns should be addressed to the relevant member of staff in the first instance and will normally be in the form of a meeting. Often these are resolved informally to the full satisfaction of the complainant. The member of staff who receives the complaint will attempt to address the issue as soon as practically possible and within 5 school days.

If the concern or complaint is not resolved by discussions with the initial staff member and the complainant wishes to take the matter further, they should take the opportunity to discuss their concerns with the staff member's line manager.

If the complainant is not satisfied with the response to the complaint they may formalise the complaint by writing to the Headteacher. If the complaint is specifically about the Headteacher, please

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instead direct your correspondence to the Chair of Governors who will respond to the complaint.

2) Formal Stage

a) Making a formal complaint to the Headteacher

On receipt of a written formal complaint, the Headteacher will endeavor to respond within 5 school days, though more complex issues may take longer and we will inform you if this is the case. Please help by ensuring that the school has all the relevant information needed to investigate the complaint thoroughly, such as personal details, what your concern or complaint is, any action you may have already taken to try to resolve the situation and what you would determine to be a satisfactory resolution.

The Headteacher may suggest a meeting to clarify the concerns with the complainant and to seek an informal resolution. If the concern or complaint is not resolved at this stage and the complainant wishes to take the matter further they should write to the Chair of Governors.

b) Making a formal complaint about the Headteacher

On receipt of a written formal complaint about the Headteacher, the Chair of Governors will respond within 10 school days.

If an investigation is necessary the Chair of Governors will make the decision as to which Governor will investigate the complaint. The investigating Governor will endeavor to respond within 10 school days.

The complainant will be informed in writing of the outcome of their complaint. The response may include:

- a brief outline of the process that has been followed
- a summary of the findings
- any recommendations for future action

Please help by ensuring that the school has all the relevant information needed to investigate the complaint thoroughly, such as personal details, what your concern or complaint is, any action you may have already taken to try to resolve the situation and what you would determine to be a satisfactory resolution.

The Governor managing the complaint may suggest a meeting to clarify the concerns with the complainant and to seek an informal resolution.

Should a complainant be unhappy with the outcome, a right of appeal will be offered. For an appeal to be considered, an appeal must be received in writing to the Governors within 10 school days of receiving notice of the outcome and include a statement specifying why the appeal has been requested.

3) Panel Hearing

An appeal process will be followed only when the formal process at stage 2a or 2b has been

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exhausted. Should the complainant wish to appeal, they must write to the Chair of Governors outlining their complaint, explaining their reasons for pursuing it to appeal stage and enclosing all relevant paperwork.

The Panel Chair will contact the complainant in writing within 5 school days of receipt of the letter outlining the process that will be followed. The appeals panel will comprise of three members, none of whom will have had direct involvement in the original complaint, at least one panel member will be independent of the management and running of the school the others will be from the Governing Body. The panel hearing will take place within 20 school days of receipt of the request.

Complainants and the subject of the complaint will be invited to attend with reasonable notice and can be accompanied if they wish. Any other individuals deemed appropriate by the Appeals Panel may be invited to attend. The Appeal hearing will be conducted at a neutral venue.

Depending on the complexity of the complaint the appeal will be conducted through a consideration of written submissions or oral representations as agreed by the Appeals Panel.

The panel can decide to:

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

Within 5 school days of the panel meeting, the panel will provide a copy of the findings and recommendations to the complainant (and, where relevant, the person complained about), and make a copy of the findings and recommendations available for inspection by the Headteacher. The matter will then be closed, as far as the school is concerned.

Progression beyond this policy

The ESFA can support academies to achieve a compliant procedure but it is the responsibility of academy trusts to make sure that their complaints procedure is fully compliant. Our responsibility is to ensure academies comply with their funding agreements.

If a complaint comes to us we will check whether the complaint has been dealt with properly by the academy. We will consider complaints about academies that fall into any of the following three areas:

1. Where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint.
2. Where the academy is in breach of its funding agreement with the Secretary of State.
3. Where an academy has failed to comply with any other legal obligation.

We will not overturn an academy's decision about a complaint. However, if we find an academy did not deal with a complaint properly we 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, we will ask the academy to put this right. We may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.

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More information on how the ESFA handles complaints about academies and how to contact the agency can be found on their [gov.uk](https://www.gov.uk) website.

Record Keeping

Written records of formal complaints will be kept stating whether the complaint was resolved and at what stage and what action was taken by the school as a result of the complaint.

Handling Unreasonably Persistent, Harassing or Abusive Complainants

Sometimes, those pursuing complaints or other issues treat staff and others in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community.

What does the school expect of any person wishing to raise a concern?

The school expects anyone who wishes to raise concerns with the school to:

- treat all members of the school community with courtesy and respect;
- respect the needs of pupils and staff within the school;
- respect the need for confidentiality;
- avoid the use of violence, or threats of violence, or any threatening behaviour of any kind towards people or property;
- recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
- follow the school's complaints procedure.

What do we mean by 'an unreasonably persistent complainant'?

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include:

- Actions which are
 - out of proportion to the nature of the complaint, i.e. pursuing unjustified complaints and/or unrealistic outcomes to justified complaints
 - persistent – even when the complaints procedure has been exhausted
 - personally harassing
 - unjustifiably repetitious
- An insistence on
 - pursuing justifiable complaints in an unreasonable manner (e.g. using abusive or threatening language; or
 - making complaints in public; or
 - refusing to attend appointments to discuss the complaint.

What is 'harassment'?

We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

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Behaviour may fall within the scope of this policy if:

- it appears to be deliberately targeted at one or more members of school staff or others, without good cause;
- the way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has a significant and disproportionate adverse effect on the school community.

Schools' responses to unreasonably persistent complaints or harassment

In cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach;
- require all future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken;
- inform the complainant that, except in emergencies, the school will respond only to written communication and that these may be required to be channelled through partner agencies.

Physical or verbal aggression

The Governing Body will not tolerate any form of physical or verbal aggression against members of the school community. If there is evidence of any such aggression the school may:

- ban the individual from entering the school site, with immediate effect;
- request an Anti-Social Behaviour Order (ASBO);
- prosecute under Anti-Harassment legislation;
- call the police to remove the individual from the premises.

Legitimate new complaints will always be considered. The school nevertheless reserves the right not to respond to communications from individuals subject to the policy.

In general, any matter raised more than three months after the event, being complained of, will not be considered.