



Hope High School

# COMPLAINTS POLICY AND PROCEDURE



'Learning for Life'

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## 1 Policy and Procedure Overview

### 1.1 Policy Details

<b>Policy Title:</b>	Complaints Policy and Procedure
<b>Target Audience:</b>	Parents/Guardians, School Stakeholders, Staff
<b>Policy Review Date:</b>	May 2023
<b>Policy Review Lead:</b>	Executive Headteacher
<b>Personnel Involved in the Review of this Policy:</b>	Executive Headteacher, Head of School, Deputy Headteacher, Senior Leadership Team
<b>Policy Consultation Period:</b>	June 2023
<b>This policy was developed through consultation with:</b>	Senior Leadership Team
<b>This policy was presented to the Board of Governors on:</b>	14 October 2023
<b>This policy was ratified by the Board of Governors on:</b>	14 October 2023
<b>This policy is effective from:</b>	01 September 2023
<b>Frequency of Policy Review:</b>	This policy should be reviewed every 2 years
<b>This policy will be reviewed:</b>	On or before 30 June 2025
<b>Executive Headteacher:</b>	Helen Dunbavin
<b>Head of School:</b>	Leanne Fletcher
<b>Chair of Board of Governors</b>	Matthew Walker

### 1.2 Record of Policy Amendments

The following table outlines any significant changes/amendments made to this policy since it was last ratified by the Board of Governors.

DATE OF REVIEW OR AMENDMENT	SUMMARY OF CHANGES / AMENDMENTS TO POLICY	AMENDED BY

### 1.3 Monitoring and Evaluation of the Policy

It is the responsibility of the Board of Governors, in liaison with the Headteacher, to monitor the effectiveness of this policy. This policy will be reviewed annually but may be updated sooner in response to:

- relevant circulars and publications provided by the Department of Education (DFE) / Education Authority (LEA);
- a recommendation by Ofsted
- learning which emerges from issues/situations which arise; or
- a review of other related school policies that impact this policy.

To ensure that this policy is relevant and up to date, comments and suggestions for additions or amendments are sought from users of this document. To contribute towards the process of review, please contact the Policy Review Lead listed with this document or an SLT member.

### 1.4 Related School Policies and Documents

This policy is related to but not limit to the following school policies and documents:

Document/Policy name
Whistleblowing Policy
Safeguarding policy
Admissions Arrangements policy
Data Protection Policy
To view these polices and all school policies please visit the school's website - <a href="https://www.hope.lancs.sch.uk/key-information/policies">https://www.hope.lancs.sch.uk/key-information/policies</a>

### 1.5 Equality And Diversity Statement

Hope High School is committed to the fair treatment of all in line with the Equality Act 2010. An equality impact assessment has been completed on this policy to ensure that it can be implemented consistently regardless of any protected characteristics, and all will be treated with dignity and respect.

### 1.6 Policy References

This policy has been developed with reference to the following relevant sources and publications:

Document/Policy name

### 1.7 Policy Aims

This policy and its associated procedures aim to:

•	The Policy and Procedures for the Handling of Complaints at Hope High School
•	A concern or a complaint is defined as: <ul style="list-style-type: none"> <li>• An expression of dissatisfaction about the conduct/operation of the school.</li> <li>• The conduct of actions or lack of actions by a member of staff/the Governing Board/an individual governor.</li> <li>• Unacceptable delay in dealing with a matter or the unreasonable treatment of a pupil or other person.</li> </ul>
•	To work in partnership with parents/carers and the wider community

### 1.8 Policy Link to School Vision, Mission and Aims

This policy reflects the Hope High Schools vision for Inspiring Excellence, Fulfilling Potential and the school's mission to provide a stimulating, challenging and caring environment that allows each individual to develop to his/her full potential.

The policy relates directly to the following school aims whereby we:

- challenge and stimulate the minds of pupils through excellent teaching, diverse learning opportunities, and a rich, balanced curriculum;
- provide pupils with every opportunity to flourish academically and to develop their skills, gifts and talents as individuals;
- tailor personalised learning and specialist support to meet the needs of pupils so that they reach their full potential;
- offer an extensive extra-curricular programme that enriches and extends the curriculum, encouraging pupils to explore and develop their personal interests;
- develop wide ranging opportunities for pupil leadership to enable pupils to develop the skills, knowledge and qualities they will need to be leaders in the future;
- support and encourage pupils to play an active and responsible role in society, to develop as global citizens and to use their talents for the service of others; and
- work in close partnership with parents/guardians and members of the wider community to provide the best possible education for all pupils.

### 1.9 Abbreviations Used in Policy

The following abbreviations are used throughout this policy:

<b>DFE</b>	Department for Education
<b>LEA</b>	Lancashire Education Authority
<b>EHT</b>	Executive Headteacher/Headteacher
<b>HOS</b>	Head of School
<b>DHT</b>	Deputy Headteacher
<b>AHT</b>	Assistant Headteacher
<b>SENCO</b>	Special Education Needs Coordinator
<b>DSL</b>	Designated Safeguarding Lead

## 2 Complaints Policy and Procedure

### 3 Introduction and Scope

#### 3.1.1 We care about what you think

The Policy of this School is to work in partnership with parents/carers and the wider community. Therefore, any person, including members of the public, can make a complaint. We try hard to do our best for all our pupils/students. Your views help us plan for the future.

We like to know when things are going well. We also want parents/carers to tell us about their worries, concerns or complaints as soon as possible. It is much easier for the school to sort out a recent problem than something that happened some time ago.

#### 3.1.2 Our commitment to you

- We will deal with your concern or complaint in a professional manner.
- It will be looked into thoroughly, fairly and as quickly as possible.
- We will keep you up-to-date with what we are doing.
- We will apologise if the school has made a mistake.
- We will tell you what we are going to do to put things right.

### 3.2 What to do first

If you have a concern about anything you can tell us by telephone, in person or in writing. If any of these are difficult for you, a friend or advocate can speak to the school on your behalf. Most concerns or complaints will be sorted out quickly either by putting things right or by explaining the school's actions to you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations. We take our duties under equality law seriously and we encourage any person having difficulty accessing this procedure to contact us immediately in order that reasonable adjustments can be made.

Complainants should not approach individual governors to raise concerns or complaints.

They have no power to act on an individual basis and it may also prevent them from considering complaints at the Review Stage of the procedure.

Try to go to the member of staff involved or your child's class teacher (primary and nursery schools)/your child's form tutor or head of year (secondary) who will either deal with your issue or pass you on to someone who is more able to help.

Please remember that the beginning or end of the school day can be a very busy time. If you talk to a teacher at these times, for practical reasons, it may not be possible to sort things out there and then. Be prepared for them to make an appointment to see you/to ring you at a more convenient time.

In considering concerns or complaints, the school will ensure that they are dealt with effectively and with fairness to all parties. Where possible, complaints will be resolved informally. Where a complaint has not been resolved informally, then the formal procedures set out in section "6(ii)" will be followed. Where your concern or complaint is considered sufficiently complex or serious, the school may choose to investigate formally from the outset.

### 3.3 What is a concern or a complaint?

- a) A concern or a complaint is defined as:
- An expression of dissatisfaction about the conduct/operation of the school.
  - The conduct of actions or lack of actions by a member of staff/the Governing Board/an individual governor.
  - Unacceptable delay in dealing with a matter or the unreasonable treatment of a pupil or other person.
- b) This procedure does not cover complaints or concerns that are dealt with under other statutory procedures, including those listed in the following table, as separate procedures apply.

**Note**

- Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also subject to separate procedures. The table following is not exhaustive, and separate procedures may exist for other categories.
- For complaints regarding governors, the school will follow this Policy to resolve the issue.



### 3.4 Statutory procedures who to contact

These procedures do not cover	Who to contact
Admissions to schools Appeals for schools	Concerns about admissions/appeals, should be raised with Lancashire County Council (Pupil Access Team) Email: <a href="mailto:ESCPupilAccessCentral@lancashire.gov.uk">ESCPupilAccessCentral@lancashire.gov.uk</a> Tel: 0300 123 6707
Inclusion Service: Statutory assessments of Special Educational Needs and Disabilities (SEND)	Concerns about Special Educational Needs and Disabilities, should be raised with Lancashire County Council Tel: 0300 123 6706 Email: <a href="mailto:enquiries@lancashire.gov.uk">enquiries@lancashire.gov.uk</a>
School reorganisation proposals	Concerns regarding school re-organisation proposals should be raised with Lancashire County Council (School Place Planning Team) Email: <a href="mailto:schoolplanning@lancashire.gov.uk">schoolplanning@lancashire.gov.uk</a>
Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). Email: <a href="mailto:MASHeducation@lancashire.gov.uk">MASHeducation@lancashire.gov.uk</a></p>
School Exclusions *	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p>Concerns about exclusions should be raised with Lancashire County Council (Pupil Access Team) Email: <a href="mailto:ESCPupilAccessCentral@lancashire.gov.uk">ESCPupilAccessCentral@lancashire.gov.uk</a> Tel: 0300 123 6707</p> <p>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. Please refer to the school's behaviour policy which is located on the school website.</p>

These procedures do not cover	Who to contact
Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to Lancashire County Council or the Department for Education depending on the substance of your complaint  <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>  <a href="mailto:Complaintsandfeedback@lancashire.gov.uk">Complaintsandfeedback@lancashire.gov.uk</a></p>
Staff grievance procedures	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about their service. Please contact them direct.
National Curriculum content Early Years Foundation Stage Statutory Framework Collective worship Sex Education	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>
Unauthorised absence fines	Please contact Lancashire County Council Tel: 0300 123 701
Freedom of Information Data Protection (GDPR)	Data Protection Officer at the school and if this remains unresolved the Information Commission Office Tel: 0303 123 1113 Email: <a href="mailto:dataprotectionfee@ico.org.uk">dataprotectionfee@ico.org.uk</a>
Functions of the County Council	Complaints and Appeals Team Legal and Democratic Services County Hall Preston PR1 8XJ Tel: 0300 1236701 Email: <a href="mailto:Complaintsandfeedback@lancashire.gov.uk">Complaintsandfeedback@lancashire.gov.uk</a>

### 3.5 Anonymous Complaints

The school will always give serious consideration to concerns and complaints that are brought to its attention. However, anonymous complaints will not normally be considered.

### 3.6 Unreasonable Complaints

There is a right to raise a complaint against a school and an expectation that the individual will exhaust the school's procedures. If the individual contacts the school again with the same issue, this could be seen as unreasonable and the school may choose not to respond.

The school should seek advice from Governor Services and their Legal Adviser, prior to taking the decision not to progress the complaint further. The school should not stop responding to a complaint because an individual is viewed as difficult to deal with or asks complex questions. The school may refuse to respond to the subject matter but not the correspondent.

The DfE provide additional guidance in 'Best Practice Guidance for School Complaints Procedures' (January 2019 and updated in March 2019).

See: <https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019>

### 3.7 Making a complaint

The school expects that the majority of complaints to be made within three months of the incident being complained of. The school will consider complaints beyond this time frame in exceptional circumstances only.

Dependent on the type of complaint, the following table is a guide to whom it should be referred to:

Type of Complaint:	Contact the:
Something that has happened, or failed to happen, in School.	Class teacher
The actions of the class teacher.	Executive Headteacher or Head of School via the school.
The actions of the Headteacher.	Chair of Governors via the school.
The actions of a governor.	Chair of Governors via the school.
The actions of the Chair of Governors.....	Vice Chair via the School.....
The actions of the Governing Board.....	Clerk to the Governing Board via the School.

### 3.8 Roles and Responsibilities of the Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible;
- co-operate with the school in seeking a solution to the complaint;
- respond promptly to requests for information or meetings or in agreeing the details of the complaint;
- ask for assistance as needed;
- treat all those involved in the complaint with respect and
- refrain from publicizing the details of their complaint on social media and respect confidentiality.

The School /Governing Board would in most cases hope to resolve concerns and complaints at an informal stage, but the procedures allow for formal consideration of a complaint and a review stage if matters cannot be resolved.

The school is committed to dealing with complaints as speedily as possible and would plan to complete each stage within 20 school days. From time to time, it may not be possible to complete the process in that timescale. Where it is not possible, the complainant will be informed of any delays.

Where complaints are made against an individual member of the school staff or a governor, the individual will be informed of the complaint at the earliest opportunity and certainly before any investigation commences.

## 4 Roles and Responsibilities

### 4.1 Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

### 4.2 Investigator

The investigator's role is to establish the facts relevant to the complaint by: providing a comprehensive, open, transparent and fair consideration of the complaint through:

- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

### 4.3 Complaints Co-ordinator

(this could be the Ex headteacher / Head of School / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

#### 4.4 Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

#### 4.5 Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

## 4.6 Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
  - Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
  - The committee should respect the views of the child/young person and give them equal consideration to those of adults.
  - If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
  - However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.

## 5 The Complaint Procedure

### 5.1 Informal Stage

The school will seek to resolve complaints informally by email, telephone call, brief meeting as appropriate. If the complaint is unable to be resolved at this stage, the school will ask you to put your concerns or complaint in writing and the 'Formal Stage' - Paragraph 6(ii) of the procedures will commence from the date that the letter is received by the school.

If the school has not heard from you within 20 school days, it will assume that you do not want to take things any further and the complaint will be closed.

For concerns regarding the Headteacher, the complainant should put the complaint in a sealed envelope marked 'private and confidential' and addressed to the Chair of Governors via the School. Under Data Protection legislation, the school is not permitted to provide the personal details of the Chair of Governors, but the school will forward the envelope to Chair as soon as possible.

### 5.2 Formal Stage

This stage will commence when the:

Informal complaint has not been resolved to the satisfaction of the complainant.

Or

Complainant has indicated they wish to go straight to the formal stage.

Or

School feels that the complaint is inappropriate for an informal resolution.

The person responsible for investigating the complaint will:

Following receipt of the written complaint, formally acknowledge receipt of the complaint and ensure the complainant receives an up-to-date copy of the School's Complaint Policy and Procedures. It should be clarified what the complainant feels would put things right if it is not clear in the correspondence.

**Note:** It is acceptable for someone else to submit the complaint on behalf of the complainant with their knowledge and consent.

- Seek advice, as appropriate. (Dependent on the nature of the complaint, this could include: the Clerk to the Governing Board; Legal Services; Schools' HR Team; the School's Adviser; the Schools' Finance Officer; Pupil Access Officer or other appropriate Lancashire County Council Officer.)
- Inform the member of staff (or governor) if the complaint concerns them and provide them with a copy of the complaint and the School's Policy and Procedures.
- Arrange and complete a full investigation of the complaint.
- Prepare a report following the investigation; consider whether the complaint is substantiated or unsubstantiated and consider what actions may need to be taken.
- Advise the complainant, in writing, of the outcome of the investigation.

### 5.3 Should the Complaint Remain Unresolved

When a complaint remains unresolved, the complainant can request a review by the Complaints Review Committee to be arranged. This request must be received by the Clerk to the Governing Board with 20 school days of the notification from the Headteacher/Chair of Governors. The request must be in writing, set out the grounds as to which matters remain unresolved and include any relevant documentation.

**Note:** If the Clerk to the Review Committee does not hear from the complainant within 20 school days of the notification of the outcome of the investigation, the complaint will be closed.

The Headteacher/Chair of Governors should make a record in the Complaints Register\* of the complaint and its outcome. This record may need to be updated by the Chair of the Review Committee in due course. The Complaints Register should be available for Ofsted Inspection purposes.

**Note:** This is a requirement for Academies and strongly recommended for maintained schools.

### 5.4 Complaints Review Committee

In very exceptional circumstances where the complaint has not been resolved by the Headteacher/Chair of Governors, a meeting of the Complaints Review Committee will be arranged to review the complaint. The request must be made in writing to the Clerk to the Governing Board via the school. The request for the review must clearly set out the matters which remain unresolved.

The Clerk to the Governing Board will acknowledge receipt and will convene the Complaints Review Committee. It is not expected to take more than 20 days to convene but the Clerk to the Committee will update the complainant as appropriate.

The clerk will request copies of written evidence and will circulate the papers 5 school days before the Committee meets. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it.

When a request for the meeting to be recorded is received, this must be with the clerk in advance of the meeting taking place. The consent of all parties concerned must be obtained. The request and the decision will be recorded in the minutes of the meeting.

The Committee will:

- Consist of 3 governors who have no prior knowledge of the complaint.
- With the Clerk, prepare an Agenda and invite the Headteacher and/or Chair of Governors, (as appropriate) and the complainant to the meeting.

**Note:** It is the responsibility of the Headteacher/Chair of Governors and the complainant to secure their own witnesses and neither party can dictate who the other party brings.

- Consider the written materials;
- Consider the complaint and the Headteacher's (or Chair of Governor's) action.
- Seek advice and support as necessary.
- Consider the oral evidence provided at the meeting.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

At the end of their review, the Complaints Review Committee will:

- Determine whether to dismiss or uphold the appeal in whole or part.
- Where upheld, decide on recommendations that should be reported to the Governing Board by the Chair of the Review Committee.
- Advise the Headteacher/Chair of Governors (as appropriate) and complainant of their findings.
- Advise the complainant of any further action they may wish to take if they remain dissatisfied.

Following the review, the Chair of the Committee will arrange for the School's Complaints Register to be amended to include a brief summary of the complaint and the findings of the Complaints Review Committee. In addition, the Chair of the Committee will ensure that the matter in general terms and any recommendations be reported to the Governing Board.

**This concludes the School's Complaints Procedure.**



## 6 Withdrawal of a Complaint

If the complainant wishes to withdraw their complaint at any time, they will be asked to confirm this **in writing**.

## 7 The Role of the Local Authority or Diocesan/Church Authority

The role of the Local Authority (LA) (and/or the Diocesan/Church Authority for church schools) is prescribed by legislation. In responding to complaints about schools, the LA (Diocesan/Church Authority) will explain to the complainant:

- That schools are self-managing and are responsible for administering procedures that deal with complaints made against them.
- The appropriate procedures for their complaint and refer them to the Headteacher, Chair of Governors or Clerk, as appropriate.
- The school may seek advice and support from the appropriate Local Authority Officer or the School's Adviser (and/or the Diocesan/Church Authority).

## 8 Social Media

Whilst the school accepts that complainants have a right to an opinion and make it public through the use of social media, complainants are reminded that they are not entitled to use social media to defame or harass individual staff or governors.

## 9 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 DfE.

The DfE will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The DfE also looks at whether the school's statutory policies adhere to education legislation.

The DfE will intervene where a school has:

- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the 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:

[www.gov.uk/complain-about-school](http://www.gov.uk/complain-about-school)

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

If the complainant is unsatisfied with the outcome of the school's complaints procedure and the complaint is regarding the school not meeting standards set by the DfE in any of the following areas, the complainant can refer their complaint to the DfE:

- Education
- Pupil welfare and health and safety
- School premises
- Staff suitability

## Complaints Policy and Procedure

- Making information available to parents
- The spiritual, moral, social or cultural development of pupils

The DfE will consider reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the school deals with serious failings.

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

[www.gov.uk/complain-about-school](http://www.gov.uk/complain-about-school)

## 10 Persistent complaints

### 10.1 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
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- 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 timeframes it sets out
- 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.

## 10.2 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 that 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.

## 11 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.

## 12 Record keeping and confidentiality

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 stored securely, 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 and record retention schedule.

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.

### 13 Learning lessons

The governing body will review any underlying issues raised by complaints with the Executive headteacher and relevant senior leadership team, 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.

### 14 Monitoring arrangements

The governing body will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The governing body will track the number and nature of complaints and review underlying issues.

The complaints records are logged and managed by School Business Manager Andy Argile supported by Executive Headteacher Helen Dunbavin and Head of School Leanne Fletcher.

This policy will be reviewed by Executive Headteacher Helen Dunbavin and Governing body every 2 years or sooner in line with DfE recommendations.

At each review, the policy will be approved by the Governing body.

### 15 Calculation of time

All references in this Policy to 'days' should be taken to mean school days and therefore will not include weekends, school holidays or INSET days.

### 16 Next stage

After closing a complaint, should the school receive a duplicate complaint, (e.g., from a spouse; partner, a grandparent, child etc), about the same subject the school will inform the new complainant that the school has already considered that complaint and the local process is complete. The complainant can contact the Department for Education (DfE) if they are dissatisfied with the school's handling of the original complaint.

However, if there are any new aspects to the complaint, the school will investigate and deal with this under the complaints procedure.

If the original complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at:

[www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

**Department for Education**  
**School Complaints Unit**  
**Piccadilly Gate, Store Street**



**Manchester. M1 2WD**

## 17 Appendix- Complaint Form

COMPLAINTS FORM			
Title: Mr/Mrs/Ms/Dr/Other*		Surname:	
Forename(s)			
Mobile:		Landline:	
Address:			
Postcode:			
Pupil Full Name: (If relevant)			
Relationship to pupil: (If relevant)			
Details of the complaint and how you have been affected:			

What action if any have you taken to resolve the complaint?			
What actions do you feel may resolve the problem at this stage?			
When we you first made aware of the problem?			
If it is more than 3months since you became aware of the problem, Please indicate why you haven't complained before?			
Any documents attached with complaint? (Yes/No)		Please list attached documents?	
Signature of Complainant			Date

If making a complaint on behalf of someone else, complete the following

Signature			Date
Please state your relationship to the complainant and why you are making the claim on there behalf:			

SCHOOL USE ONLY			
Date received:		Received via (Hand/email/post	
Acknowledgement Sent (Date)		Acknowledgement Sent by:	
Complaint Referred to		Complaint No on Log	

*Copies of this form are available on the school website and from the school office.*

*Paper copies of this form can also be sent out on request.*