



LONGBENTON HIGH SCHOOL

Complaints Policy

1. Aims, purpose & scope

1.1 This policy has been created to handle complaints relating to any aspects of the provision of facilities or services against any member of staff. It is designed to ensure that the school's complaints procedure is straightforward, impartial, non- adversarial, allows a full and fair investigation, respects confidentiality and delivers an effective response and appropriate redress. This policy outlines the procedure that the complainant and school will follow. Once a complaint has been made, it can be resolved or withdrawn at any stage.

1.2 Complaints about services provided by other suppliers who may use / hire school premises or facilities should be directed to the external providers' own complaints procedures.

1.3 There are certain complaints that fall outside the remit of the governing body's complaints procedure. They include:

- Matters which are the responsibility of the local authority;
- Admissions - refer to the appeals process outlined in the Admissions Policy.
- Conduct or performance of staff at the school (Staff grievance, capability or disciplinary);
- Content of a statutory statement of special educational needs;
- Pupil admissions;
- Pupil exclusions;
- Where the complaint concerns a third party used by the school;
- The national curriculum and related issues, including religious education and sex education, where this relates to the local authority's powers or functions;
- Child protection.
- Subject Access Requests or Freedom of Information Requests
- Whistleblowing - refer to separate policy

1.4 This policy complies with Schedule 1, Part 7 of the Education (Independent School Standards) (England) Regulations 2014.

1.5 The school aims to resolve complaints at the earliest possible stage, and where possible, informally, and is dedicated to continuing to provide the highest quality of education possible throughout any complaints procedure.

1.6 The headteacher and/or chair of the Governing Body may delegate an appropriate person to be the first point of contact during the complaints procedure.

1.7 This policy will:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial;



- be non-adversarial;
- allow swift handling within clearly defined time-limits;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the school's Senior Leadership Team / Governors so that services can be improved.

2. Definitions

2.1 For the purpose of this policy, a "complaint" is defined as 'an expression of dissatisfaction' towards the actions taken or a perceived lack of action. Complaints can be resolved formally or informally.

2.2 A "concern" can be defined as 'an expression of worry or doubt' where reassurance is required. For the purpose of this policy, concerns will be classed and addressed as complaints.

2.3 Any complaint or concern will be taken seriously, whether raised formally or informally, and the appropriate procedures will be implemented.

2.4 The definition of "unreasonable complaints" is *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

3. Resolving complaints

3.1 At each stage of the complaints process the school will keep in mind ways in which a complaint can be resolved including by acknowledging that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An explanation
- An apology
- An admission that the situation could have been handled differently or better
- An assurance that the event complained of will not recur, where possible
- An explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review school policies in light of the complaint, if appropriate

3.2 The majority of concerns can be dealt with without resorting to the procedure. Where you have a concern about any aspect of the school or your child's education or wellbeing, raise this with your child's

class teacher via the phone or by email in the first instance. Ideally, they will be able to address your concerns quickly, or can arrange a meeting with you to discuss the issue.

Contact details:

Informal complaints or concerns: Year 7	Kat Lambert, Associate AHT (SLT)	year7@longbenton.org.uk
Informal complaints or concerns: Year 8		year8@longbenton.org.uk
Informal complaints or concerns: Year 9	Nicola McPherson, Associate AHT (SLT)	year9@longbenton.org.uk
Informal complaints or concerns: Year 10		year10@longbenton.org.uk
Informal complaints or concerns: Year 11	Abby Potts, Associate AHT (SLT)	year11@longbenton.org.uk
Informal complaints or concerns: Sixth Form		post16@longbenton.org.uk
Complaints at Stage 1 (where the complaint has been heard by staff above and parents/carers are still dissatisfied with outcomes)	Kim Hay, Assistant Headteacher <i>The complaint may be handled by a different member of the Senior Team or SEND Team. Most behaviour related complaints will be dealt with here.</i>	HAY@longbenton.org.uk
Complaints at Stage 2 (where the complaint has been heard at Stage 1 and parents/carers are still dissatisfied)	Joe Elliott, Deputy Headteacher (Culture & Ethos) Sarah Willis, Deputy Headteacher (Quality of Education) Kelly Holbrook, Headteacher (Complaints regarding other staff members)	JE@longbenton.org.uk SW@longbenton.org.uk KHO@longbenton.org.uk
Stage 3: Complaints about the headteacher or the running of the school	Sheila Palmerley, Chair of Governors	SLTAdmin@longbenton.org.uk FAO Chair of Governors

3.3 General complaints about the school, but not specifically against any person, would usually be addressed as complaints against the leadership of the school and therefore addressed as a complaint against the Headteacher. They can be forwarded to lhs@longbenton.org.uk It is normal practice for Deputy Headteachers to represent the senior leadership/headteacher with regard to complaints or concerns.

3.4 The Governing Body has determined that any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the school provides. Complaints may also be made by a third party on behalf of a complainant, contingent on appropriate consent having been obtained to do so. All complaints made will be handled via the procedures outlined in this policy.

Confidentiality

3.5 All concerns will be dealt with confidentially, although the staff member may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 1998. However, such notes would be able to be used to as evidence if further investigation was required, or if the concern became a formal complaint.

3.6 Complaints should be treated in confidence and information only given on a need to know basis. It is **not** advisable for details of a complaint to be discussed at full governing body meetings as this may prejudice any involvement of governors at a later stage. However, governing bodies may be required to consider recommendations that come out of a complaint process.

3.7 Additionally, complainants should also refrain from jeopardising a fair and impartial process by breaching confidentiality or by making public comments, which could be detrimental to the professional reputation of a member of staff.

Safeguarding

3.8 Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy.

Social Media

3.9 In order for complaints to be resolved as quickly and fairly as possible, we request that complainants do not discuss complaints publically via social media such as Facebook, Instagram or X (formally known as Twitter). Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

Complaints procedure

4.1 If you need to raise an issue in the first instance, please do so with the relevant member of staff who will be happy to talk to you and seek to establish a solution. If you are not satisfied with this response and believe the issue has not been resolved, please use the following procedure as detailed below. The complaints procedure has the following stages:

Complaint level		Direct to:	Expectation of response	Procedure
Raising concerns	Informal	School LHS email address Any staff member	1-2 days holding response; 4-5 days for resolution*	<p>Concerns can be raised verbally or by email or in writing. The resolution to this concern may be made in writing via email, verbally on the phone or in person.</p> <p>Please do not come in person to school in the first instance unless urgent/safeguarding issue or by prior appointment. We reserve the right to refuse to see anyone who turns up to reception without prior arrangement.</p> <p>Where as a result of raising a concern the complainant still feels that the issue has not been addressed, or where the outcome has been that the complaint needs further investigation than can be resolved briefly, they may progress by making an informal complaint.</p> <p>Please note: Parents cannot demand to see individual members of staff or individual members of the senior team. We reserve the right to decide as an organisation who is best to meet with parents and who best to deal with a complaint or concern. The school will not respond to threats (eg going to Ofsted or the press). Governors, the Local Authority and Ofsted will expect that a parent has used this complaints procedure in full/properly and exhausted all avenues before escalating a complaint to outside agencies. We do not respond to complaints raised informally via our social media channels.</p>
Stage 1	Informal	School LHS email address Any staff member but usually SLT	15 days	<p>Complainant contacts the relevant member of staff. The complainant must explain in writing</p> <ul style="list-style-type: none"> - An overview of the complaint so far - Who has been involved - Why the complaint remains unresolved - Action they would like to be taken to put things right. <p>The staff member will respond within 5 school days of having received the written complaint. They will explain what action they intend to take.</p> <p>The school reserves the right to direct parents back to raising concerns stage if this step has been missed.</p>

				<ol style="list-style-type: none"> 1. Where the complaint is about a member of staff or a governor, the staff member will arrange an informal mediation meeting between the two parties to see if a resolution can be made. 2. The staff member will provide a written confirmation of the outcome of their investigation within 10 school days of having sent confirmation of the intended action. Where the complainant is not satisfied with the outcome, they are able to progress to stage 2 of the complaints process, and launch a formal written complaint. 3. The staff member will make a record of the concern and the outcomes of the discussion which will be held centrally for twelve months, in line with the principles of the Data Protection Act 1998.
Stage 2	Formal	Headteacher, DHT or Chair of Governors	25 days	<ol style="list-style-type: none"> 1. The complainant may submit a formal complaints form to the Deputy Headteacher, Headteacher (or if the complaint is about the Headteacher, then the Chair of Governors). 2. A written response will be sent within 10 school days of the date of receipt of the complaint to acknowledge receipt of the complaint and explain what action will be taken, giving clear timeframes. 3. A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles. 4. The Headteacher or Chair of Governors will consider all relevant evidence; this may include but is not limited to: <ul style="list-style-type: none"> ▪ a statement from the complainant, ▪ where relevant a statement from an individual who is the subject of the complaint ▪ any previous correspondence regarding the complaint ▪ any supporting documents in either case ▪ interview with anyone related to the complaint. 5. The Headteacher or Chair of Governors may decide to have a meeting with the complainant (and where relevant, the subject of the complaint) if they feel that it would be appropriate for the investigation. 6. After considering the available evidence, the Headteacher or Chair of Governors can: <ul style="list-style-type: none"> ▪ Uphold the complaint and direct that certain action be taken to resolve it

				<ul style="list-style-type: none"> ▪ Reject the complaint and provide the complainant with details of the stage three appeals process ▪ Uphold the complaint in part: in other words, the Headteacher may find one aspect of the complaint to be valid, but not another aspect. They may direct for certain action to be taken to resolve the aspect that they find in favour of the complainant. <p>7. The Headteacher or Chair of Governors must inform the complainant of their decision in writing within 15 school days of having issued written acknowledgement of the receipt of the complaint. They must explain clearly why they have come to the decision that they made. They must detail any agreed actions as a result of the complaint. Finally, they must provide the complainant with details of how to progress the complaint to stage three if they are not satisfied, providing them with the contact details of the clerk to the governors (see the end of the procedure for these)</p>
Stage 3	Formal	Complaints Appeal Panel (Governing Body)	25 days	<p>If the complainant wishes to appeal a decision at stage 2 of the procedure, or they are not satisfied with the action that the Headteacher or Chair of Governors has taken in relation to the complaint, the complainant is able to appeal this decision.</p> <p>They must write to the clerk to the Governing Body as soon as possible after receiving notice of the Headteacher or Chair of Governor’s decision, briefly outlining the content of the complaint and requesting that a complaints appeal panel is convened.</p> <p>The clerk (or nominated person) will fulfil the role of organising the time and date of the appeal hearing, inviting all the attendees, collating all the relevant documentation and distributing this 5 days in advance of the meeting, recording the proceedings in the form of minutes, and circulating these and the outcome of the meeting.</p> <p>The complainant must request an appeal panel within 10 school days of receiving the Headteacher or Chair of Governor’s decision or it will not be considered, except for in exceptional circumstances. On receipt of this written notification, the following steps will be followed:</p> <ol style="list-style-type: none"> 1. The clerk will write to the complainant within five school days to confirm receipt of the appeal request and detail further action to be taken. 2. The clerk will convene a panel of two school governors. All three panel members will have no prior knowledge of the content of the complaint.

				<p>3. The appeal hearing will take place within 25 school days of receipt of the date of the confirmation letter from the clerk to the complainant, confirming the appeal.</p> <p>4. In addition to the panel, the following parties will be invited, where applicable:</p> <ul style="list-style-type: none"> - the complainant - the Headteacher who dealt with the complaint at Stage 2 - where the complaint regards a member of staff, the staff member who is the subject of the complaint. <p>The complainant is also able to bring a companion with them to the hearing if they wish. Where the subject of the complaint is a member of staff, that staff member is also able to bring a companion with them.</p> <p>The companion will be a friend or a colleague. Neither party is able to bring legal representation with them. If after the hearing any party feels that legal action is necessary, please see the contact details at the end of the procedure.</p> <p>1. If the attendance of any pupils is required at the hearing, parental permission will be sought if they are under the age of 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.</p> <p>2. Where the complaint is about a governor/trustee, the complainant may request that the appeal is heard by an entirely independent panel. It is at the discretion of the governing body who will notify the clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school source appropriate individuals for the review.</p> <p>3. The panel can make the following decisions:</p> <ul style="list-style-type: none"> - 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 systems or procedures to ensure that problems of a similar nature do not recur. <p>4. All parties who attended the meeting will be informed in writing of the outcome of the appeal within 5 school days (excluding those which fall in the school holidays).</p> <p>This is the final stage at which the school will consider the complaint. If the complainant remains dissatisfied and wishes to take the complaint further, please see the contact details at the end of the document. The school will not consider the complaint beyond this.</p>
--	--	--	--	---

*working days, not including weekends

Timeframes

4.2 We will endeavour to abide by timeframes stated for each stage however where further investigations are necessary or other delays are experienced, new time limits can be set and the complainant made aware of the new deadline and given an explanation for the delay.

4.3 The suggested time limits in this procedure refer to school days, i.e. excluding school holidays and weekends.

4.4 We reserve the right not to investigate complaints that have been made three months after the subject of the complaint took place, except in exceptional circumstances. What is meant by exceptional circumstances is where new evidence has come to light, where the complaint is of an especially serious matter or where there is reasonable justification for why the complainant has been unable to raise the complaint before this time. The Headteacher will review the situation and decide whether or not to enact the complaints procedure, informing the chair of governors of the decision.

Unreasonable complaints

5.1 Where a complainant raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the school will not reinvestigate the complaint except in exceptional circumstances, for example where new evidence has come to light.

5.2 If the complainant tries to reopen the same issue, the Chair of the governing body or their designate, is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

5.3 While parents/carers/guardians of children should have the opportunity to raise issues about emerging problems, all members of the school community have a right to expect that their school is a safe place in which to work and learn. Therefore, violence, threatening or aggressive behaviour, repeated harassment or racially aggravated behaviour, or abuse against school staff or other members of the school community will not be tolerated.

5.4 Unreasonable complaints include the following scenarios:

- The complainant refuses to co-operate with the school's relevant procedures.
- The complainant changes the basis of the complaint as the complaint progresses.
- The complainant seeks an unrealistic outcome.
- Excessive demands are made on the time of staff and school governors
- It is clearly intended to aggravate.
- The complainant acts in a way that is abusive or offensive.
- The complainant seeks unrealistic responses
- 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

- The complainant refuses to accept that certain issues are not within the scope of a complaints procedure
- The complainant insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- The complainant 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 by telephone while the complaint is being dealt with.

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

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as on social media and news outlets.

5.6 The Headteacher will use their discretion to choose not to investigate these complaints.

Anonymous complaints

6.1 The governing body **will not** consider anonymous complaints.

Abusive language and behaviour & barring from school premises

7.1 As an employer, the school has a duty of care for the health, safety and wellbeing of its staff. The school also has a legal responsibility to provide a safe and secure working environment for staff.

7.2 All complainants are expected to behave in an acceptable, respectful manner. Any incident in which an employee is abused, threatened or assaulted in circumstances relating to their work is unacceptable and not tolerated. This includes the serious or persistent use of verbal abuse, aggressive tone and/or language and swearing/foul language. Staff should not be left upset and distressed following an interaction with a parent/carer in the course of dealing with a complaint.

7.3 Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community. If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that

the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

7.4 Anyone wishing to complain about being barred can do so, by letter or email, to the headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school’s own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Taking a complaint further

7.2 There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of Governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond. It is important to note, however, that should a complainant raise an entirely new separate complaint that it must be responded to in accordance with this complaints procedure.

7.3 Where a complaint has been exhausted via the school, the following organisations have their own complaints procedures. Please note that the Local Authority will not respond to or intervene in disputes between parents/carers and the school.

Data Protection	https://ico.org.uk/make-a-complaint/
Discrimination	https://www.equalityadvisoryservice.com/app/ask
Exam boards	https://www.gov.uk/government/organisations/ofqual/about/complaints-procedure
Ofsted	https://complain.ofsted.gov.uk/
DfE	Department for Education (DfE) School Complaints Unit 2 nd Floor Piccadilly Gate Store Street Manchester M1 2WD

Reporting

8.1 The Governing Body will receive a termly anonymised summary of all compliments, complaints and suggestions via the Headteacher Report.

Relevant Legislation and Guidance

The Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/contents>

The Data Protection Act 1998 <http://www.legislation.gov.uk/ukpga/1998/29/contents>

The Education (Independent School Standards) Regulations 2014
<http://www.legislation.gov.uk/uksi/2014/3283/contents/made>

Education Act 2002 <http://www.legislation.gov.uk/ukpga/2002/32/contents>

The Department for Education *Best Practice advice for school complaints procedures*
<https://www.gov.uk/government/publications/school-complaints-procedures>

Complaints to Ofsted about schools: guidance for parents
<https://www.gov.uk/government/publications/complaints-to-ofsted-about-schools-guidance-for-parents>

HM Government (2016) 'Code of Practice on the English language requirement for public sector workers' (A legitimate complaint received in respect of the above, whereby a member of the public feels that a public-facing member of staff has insufficient proficiency in English, will be investigated in line with this policy and will adhere to the Code of Practice on the English language requirements for public sector workers).

<https://www.gov.uk/government/publications/english-language-requirement-for-public-sector-workers-code-of-practice>



Appendix - Complaints Form



LONGBENTON HIGH SCHOOL Longbenton High School Formal Complaints Form

Name	
Name of pupil, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint (<i>please continue on a separate sheet if necessary</i>)	
Action taken so far (including staff member who has dealt with it so far) or solutions offered	
The reason that this was not a satisfactory resolution for you	
What action would you like to be taken to resolve the problem?	



Signed: _____

Date: _____

Official use
Date received:

Signed:

