



# Poole High School

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## Poole High School Complaints Procedure

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# 1. About This Policy

This policy exists for parents of children currently on role at the school. A key purpose of this policy is to support other school policies and reasonable practices within the school to implement these. This is regarded as a 'basic threshold'. On occasions, when matters are raised as 'complaints' which in fact amount to a dissatisfaction with the policies or their reasonable implementation, such matters will be considered, but will not warrant an extensive investigation if the practices are deemed internally consistent and in line with 'practices of other effective schools'. Such matters will be kept under review and governors informed.

In addition, for heightened transparency, a named governor (Mr R Clark) will have responsibility to liaise with the school about complaints and concerns on a regular basis. He in turn will have a dual role: (i) to support and challenge the school to determine if this threshold has/ has not been met; (ii) report back to the Learning and Staffing committee.

Thereafter, communication which passes this threshold, will be considered as complaints with:

- impartiality
- an appropriate response/investigation
- respectful confidentiality
- timely communication appropriately with the complainant
- vigilance for patterns which could shape school improvement

**The stages of complaint will be adhered to sequentially. (See section 5).**

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed. Complaints that are ostensibly vexatious or malicious will not be considered further.

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

## 2. Legislation and guidance

This document meets the requirements of section 29 of the Education Act 2002, which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on best practice for schools on complaints procedures 2020 (updated January 2021) from the Department for Education (DfE).

## 3. Definitions and scope

The DfE guidance explains the difference between a concern and a complaint.

A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action".

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions

- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please refer to the school website to see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy. Such complaints should first be made to the SENCO / headteacher. They will then be referred to this complaints policy.

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

## 4. Principles for investigation

When investigating a complaint, we will try to clarify:

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

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this period in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

## 5. Stages of complaint (not complaints against the Headteacher or a Governor)

### Stage 1: informal

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school reception or ask to speak with Mrs Phillips, Deputy Headteacher.

The school will acknowledge informal complaints within three working days, and investigate and provide a response typically within seven working days. If the complaint is not resolved informally, it can be escalated to a formal complaint by the complainant or the Headteacher making a written request to the Deputy Headteacher.

## **Stage 2: formal**

### **Inform the school in writing**

This letter should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

The designated Deputy Headteacher, Mrs Phillips, will seek clarification about the complaint, and communicate with the complainant to seek a resolution. This typically would involve an investigation and the outcome of the investigation being communicated to the complainant and the Headteacher within ten working days.

If the complainant wishes to appeal against the outcome of the investigation, they should write to the Headteacher. The appeal should be considered and responded to within ten working days of receipt of the appeal.

### **Inform the chair of governors in writing**

If the complainant still regards the complaint as unresolved, they should write to the chair of governors. This letter should set out the details of the complaint including evidence as set out above. The complainant should also specify what they feel would resolve the complaint, and how they feel the previous stage of the procedure has not addressed their complaint sufficiently.

The written conclusion of this investigation will be sent to the complainant within ten working days.

## **Stage 3: submit the complaint to the review panel**

In the event that the complainant still regards the matter as unresolved, a review panel will be formed consisting of members of the governing board. These individuals will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher.

The school will inform those involved of the decision in writing within ten working days of the panel meeting.

## **6. Complaints against the headteacher or a governor**

Complaints made against the headteacher should be directed to the chair of governors. The chair of governors will seek to resolve the matter through dialogue with the complainant. If the matter is unresolved, the complainant should write to the chair of governors. Any complaints regarding Governors should be directed to the Headteacher.

## 7. 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 School Complaints Unit (SCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.

The SCU 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 SCU also looks at whether the school's statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

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

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

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
- 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.

## 8. Persistent complaints

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the chair of governors (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour that is abusive, offensive or threatening may constitute an unreasonably persistent complaint and may result in legal action being taken such as a ban from entering the school site. Such action would be undertaken through the professional legal services provided to the school.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

## **9. Record-keeping**

The school will record the progress of all formal complaints and their outcomes. This will be reported summarily to Governors on a regular basis.

The school will keep appropriate notes of any interviews/ investigations undertaken. This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

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

## **10. Learning lessons**

The Governing Body will review any underlying issues raised by complaints with the headteacher and senior leadership of the school, 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.

## **11. Monitoring arrangements**

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

The complaints records are logged and managed by Mrs Phillips, Deputy Headteacher.

This policy will be reviewed every two years.

At each review, the appropriate sub-committee of the Governing Body will approve the policy.

## **12. Links with other policies**

Policies dealing with other forms of complaints include:

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