



PARK HIGH SCHOOL

Complaints Policy

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This policy was revised in January 2020. Amendments include:

- Removal of use of 'Notification of a Formal Complaint Form' – complaints can be made in writing as per the policy.
- Setting a three month time limit for a complaint to be raised following an incident
- outline what type of complaints are excluded from this complaints policy
- what the school will aim to do when investigating complaints
- a reference for timescales for stage 3
- how the school may act in response to persistent complaints
- links to other relevant policies.

Key points and summary

1. The Academy takes all concerns or complaints seriously. Taking informal concerns seriously at the earliest stage reduces the numbers of formal complaints and reflects the commitment to working effectively with all members of the community.
2. This policy aims to ensure that:
 - as far as possible all concerns should be dealt with as informally as possible;
 - all complaints are dealt with as quickly and sensitively as possible, and by the person best able to do so;
 - where a formal process is required, the steps involved are clearly outlined;
 - people are aware of their responsibilities.
3. The emphasis is to understand, investigate and resolve the complaint as early as possible.
4. The formal process has three stages:
 - a. Complaint heard by a member of staff;
 - b. Complaint heard by an appropriate member of senior staff appointed by the Headteacher;
 - c. Appeal heard by Governors.

1. Introduction and statement of intent

1.1 The Academy takes all concerns or complaints seriously. Taking informal concerns seriously at the earliest stage reduces the numbers of formal complaints and reflects the commitment to working effectively with all members of the community.

1.2 This policy aims to ensure that:

- as far as possible all concerns should be dealt with as informally as possible.
- all complaints are dealt with as quickly and sensitively as possible, and by the person best able to do so;
- where a formal process is required, the steps involved are clearly outlined
- people are aware of their responsibilities

2. Scope and applicability

2.1 This policy applies to all complaints received by the academy except:

- **Pupil Admissions:** please see the School's Admissions Policy or contact Harrow Council Admissions team
- **Pupil Exclusions;** please see the school's Behaviour Policy
- **Special Educational Needs:** The Complainant can use this policy to complain unless the Complainant's child has an Education Health and Care Plan and the Complainant wishes to appeal against a decision that the Local Authority has taken. If this is the case, the Complainant needs to contact the Local Authority.
- **Staff grievance, capability or disciplinary;** these are covered by separate School Policies and Procedures
- **Anonymous complaints:** Please refer to the School's Whistleblowing Policy
- **Subject Access Requests and Freedom of Information Requests:** please see the School's Data Protection and Freedom of Information
- **Concerns or complaints expressed from neighbours living in the immediate vicinity around the school.** Any such query should be directed to the school office, who will liaise with an appropriate member of the senior leadership team. These concerns are nearly always dealt with promptly and to the satisfaction of the neighbour. In the event of a persistent problem, the head teacher is sometimes involved and again we aim for a sensitive, sensible agreed conclusion. Any such concerns are outside the scope of this procedure.

School Governing Bodies are required under Section 29 of the Education Act 2002 to have in place a procedure for dealing with complaints relating to the school. It is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE) 2019. Sometimes when concerns are more specific, there are alternative and more appropriate policies for dealing with them.

2.2 This policy applies to all staff and governors.

2.3 The Academy upholds a three month time limit in which a complaint can be lodged regarding an incident.

3. The policy

Concerns and complaints

3.1 It is important to distinguish between a "concern" and a "complaint". Most concerns can be made informally to the initial member of staff and be resolved without the need to go through the formal complaint procedures. Initial concerns should be made with the school as soon as possible to allow for a proper investigation if the need should arise.

3.2 A concern may arise (for example)

- from uncertainty regarding the application of school rules or disciplinary procedures
- from misunderstanding or misrepresentation of an incident which has taken place inside or outside the classroom
- where a parent believes that their child has been misunderstood or treated unfairly and feels it necessary to raise the matter so that steps may be taken to restore goodwill
- where a parent believes that their child is being bullied or has suffered some form of discrimination and brings the matter to the school's notice so that action can be taken to prevent a recurrence.

3.3 Concerns should normally be raised with the member of teaching staff most directly involved in the situation giving rise to the concern. Parents will appreciate that it is helpful if a concern is expressed as soon as possible after the relevant incident. The staff member will respond as soon as practicable, and in any case within three working days.

3.4 A complaint may arise (for example)

- when an individual has previously raised a concern and is not satisfied with the response offered
- where an individual has serious disquiet over an incident that has taken place or a decision made in the school and believes the school has fallen short of appropriate standards.

3.5 A complaint must be made in writing to the Headteacher. If the complaint concerns the Headteacher it should be addressed to the Chair of Governors.

3.6 All complaints, including all Complaint Forms, will be held by the Headteachers' PA.

3.7 All correspondence and material relating to a complaint is confidential.

Investigating complaints

3.8 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 time frame 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.

The person investigating the complaint will make sure that they:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning; and
- keep notes of the interview.

Resolving complaints

3.9 At each stage in the procedure the person attempting to resolve the complaint will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is a valid complaint (in whole or in part) without admitting liability. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again; and
- an undertaking to review Academy policies in light of the complaint.

3.10 Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the Academy could have handled the situation better is not the same as an admission of negligence.

- 3.11 At all stages those hearing the complaint will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

Safeguarding

- 3.12 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

- 3.13 In order for complaints to be resolved as quickly and fairly as possible, we ask that complainants do not raise concerns or discuss them publicly via social media. Complaints will be dealt with confidentially by the school and we expect complainants to observe confidentiality also. Please refer to the school's GDPR policy.

Complaints that result in staff capability or disciplinary

- 3.14 If at any formal stage of a complaint it is determined that staff disciplinary or capability proceedings are necessary, the details of any action will remain confidential to the Headteacher and/or the individual's line manager. The complainant is not entitled to participate in the process or receive any detail about the proceedings.

Complaints about the Headteacher or the Governors

- 3.15 Where a complaint concerns the actions of the Headteacher, the complainant should first approach the Headteacher in an attempt to resolve the issue informally. If the complainant is not satisfied with this outcome they should notify the Chair of Governors care of the Clerk to the Governing Body that they wish to take a complaint forward. The Stage 2 process will then commence and the Chair of Governors will take the process forward.

Where a complaint is against the Chair of Governors, any member of the governing board, or the entire governing board, it should be made in writing to the clerk to the governing board in the first instance. This should be sent to the school office in an envelope or e-mail addressed to The Clerk to the Governors.

4. Stages of complaint

Stage 1: Complaint heard by a member of staff

- 4.1 It is the interests of everyone that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the academy can be crucial in determining whether their complaint will escalate.

- 4.2 Staff need to be sensitive to any potential actual or perceived conflicts of interest or difficulties of a particular member of staff being involved in hearing and investigating the complaint.
- 4.3 To ensure clarity of understanding, a Notification of a Formal Complaint Form needs to be completed. This ensures that there is no conflict in determining what the complaint consists of and the action taken by members of staff.
- 4.4 The member of staff hearing the complaint needs to ensure that they have investigated it appropriately.
- 4.5 The member of staff hearing the complaint will respond to the complainant in writing.
- 4.6 It is normally expected that complaints will be acknowledged within three working days, and the Stage 1 process completed within ten school days. If it is clear that the process is going to take longer than this, the reasons for this should be explained to the complainant.
- 4.7 If the complaint is resolved, the Notification of a Formal Complaint Form should be completed and passed to the Headteacher's PA for retention.
- 4.8 If the complaint is not resolved, the Notification of a Formal Complaint Form should be passed to the Headteacher who will determine which senior member of staff should be involved in Stage 2.

Stage 2: Complaint heard by appropriate senior member of staff appointed by the Headteacher

- 4.9 The designated senior member of staff will consider both the original complaint and the process followed during Stage 1.
- 4.10 The designated senior member of staff may formally reject a complaint if, in their judgment, the complaint –
 - Was received too long after the alleged incident for realistic investigation to take place;
 - Does not identify specific actions or incidents that are capable of being investigated;
 - Refers only to issues that have already been determined;
 - Raises only minor matters that should have been resolved in discussion with the staff member involved.
- 4.11 The designated senior member of staff will put their judgement and rationale, including details of the process followed, in writing to the complainant.
- 4.12 It is normally expected that the Stage 2 process would be completed within ten school days of the Headteacher initiating Stage 2. If it is clear that the process is going to take longer than this, the reasons for this should be explained to the complainant.

4.13 If the complaint is resolved, the Notification of an Official Formal Form should be completed and passed to the Headteacher's PA for retention.

4.14 If the complaint is not resolved, the complainant has the option of appealing to the Governing Body.

Stage 3: Complaint heard by a Review Panel

4.15 The complainant should write to the Chair of Governors giving details of the complaint and the process followed to that point. This notification needs to be received within fifteen school days of the decision from stage 2 being issued to the complainant otherwise it will be deemed that the decision is accepted and the complaint will be closed.

4.16 Individual complaints would not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

4.17 The appeal hearing should be heard within 10 school days of the Chair receiving notice of the complaint.

4.18 A meeting of the Governors Complaints Panel will be convened. No Governors with prior involvement in the issues complained about will be included on the Panel and it may be necessary to use reserves (previously agreed by the Governing Body) to ensure the Panel can meet within the set time. An experienced Governor will chair the Panel meeting. The Clerk of the Complaints Panel will contact the Complainant with the arrangements.

4.19 The appeal hearing will be heard in private, will give careful consideration to the substance of the complaint, consider all the views expressed, and decide the outcome. The complainant may be accompanied by a friend / colleague.

4.20 The panel can:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on appropriate action to resolve the complaint; or
- Recommend changes to the academy's systems or procedures.

4.21 The decision of the panel is binding. The decision must be communicated within three working days of the hearing.

5. Responsibilities under the policy

Governing Body

5.1 The Governing Body is responsible for:

- approving the Academy policy, procedures, and guidelines;
- hearing and deciding on appeals at "stage 3"

- monitoring the level and nature of complaints and review the outcomes annually or earlier if so determined by the Chair.

5.2 The Chair of the Governing Body is responsible for:

- receiving complaints at Stage 3 of the complaints procedure;
- nominating a panel from the Governing Body to hear the appeal; and
- checking that the correct procedure is followed.

5.3 The Chair of the Governors Panel at Stage 4 is responsible for ensuring that:

- the parties understand the procedure;
- the issues are addressed;
- key findings of fact are established;
- complainants are put at ease;
- the hearing is conducted as informally as possible;
- the panel is open-minded and acts independently;
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously;
- all parties have the chance to be heard;
- any written material is seen by all parties; and
- related Child Protection and Data Protection rules are observed and maintained

Headteacher

5.4 The Headteacher is responsible for:

- the overall internal management of the procedures;
- Identifying who will hear complaints at stage 2 of the procedure;
- ensuring that the procedures are monitored and reviewed and reports made to the Governing Body as appropriate.

Headteacher's PA

5.5 To maintain records of all complaints received by the school

All staff

5.6 All staff are responsible for:

- listening to any concerns brought to them by parents and students;
- reassuring them that they will be dealt with as soon as possible by the appropriate member of staff;
- for informing the relevant staff of the concerns being raise; and
- passing any complaints received from other people who are not parents or students to the Complaints Coordinator.

6. Persistent complaints

6.1 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
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refused 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 time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- 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.

6.2 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 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.

6.3 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.

7. Learning lessons

The Governing Board will review any underlying issues raised by complaints with the [Headteacher/ Senior Leadership Team or relevant person 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.

8. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Data Protection Policy
- Exclusions policy
- HR policy
- SEN policy and information report

- Privacy notices

Notification of a formal complaint



Please complete and return to the Headteacher's PA who will acknowledge receipt and explain what action will be taken.

Your Name:	
Student's Name:	
Your relationship to the student:	
Address:	
Daytime phone number:	
Evening phone number:	
Mobile phone number:	
Please give details of your complaint:	
What action, if any, have you already taken to try and resolve the complaint? Who did you speak to and what was the response?	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details:	

Signature	
Date	
School use only	
Date acknowledgement sent:	
Who sent acknowledgement:	
Signature	
Please complete the following, acknowledge the stages of the complaints procedure that have been followed and make any comments as necessary	
Stage 1 (complaint heard by staff)	Date: Signature:
Stage 2 (complaint heard by senior member of staff)	Date: Signature:
Stage 3 (appeal heard by Governors)	Date: Signature: