



Complaints Policy

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AUTHOR	SLT
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Amendments in Summer 2023:

- Minor formatting changes.
- Amending 'Headteachers's PA' to 'Headteacher's Executive Assistant'.

Amendments prior to Summer 2023:

- Removal of references to the Education and Skills Funding Agency (ESFA), instead referencing the Department of Education (DFE).
- Additional information about items that fall out of the scope and applicability of the policy.
- Further clarity of how findings and recommendations following a complaint are communicated.
- Further clarity of record keeping by the school in relation to complaints.
- Reference to an independent person on a panel at Stage 3.
- scenarios where Stage 3 will be heard by a completely independent committee.
- further clarity of who can attend meetings and the use of the electronic recordings.
- information about stages following a Stage 3 panel, including how the outcome will be communicated.
- outlining next steps following a Stage 3 meeting should the complainant wish to pursue further.
- a refined complaints form including updated school logo.
- Updated timescales following government guidance that to give '*realistic and reasonable time limits*'.
- identifying that emails containing offensive language may be quarantined if sent via email.
- note on responding to complaints during the COVID-19 pandemic.
- further information on unreasonable and serial complaints (adapted from the DFE model policy).
- further information on steps the school will take to unreasonable or serial complaints.
- removal of sole 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.

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.

1. Scope and applicability

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

- **Student Admissions:** please see the School's Admissions Policy or contact Harrow Council Admissions Team
- **Student 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 Whistleblowing Policy
- **Subject Access Requests and Freedom of Information Requests:** Please see the School's Data Protection and Freedom of Information policies
- **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.
- **Ofsted Report June 2022:** Queries about the 2022 Ofsted Report will be treated as a concern and will receive a summary response. The school are unable to respond to requests for detailed information about the strategic direction of the school, or specific feedback about the content of the Ofsted Report.

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) 2016. 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, governors and parents or carers.

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 five school 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. Please note that if the complaint is sent via email and contains any offensive language, it may be quarantined by the school email filtering system.
- 3.6 All complaints, including all Complaint Forms, will be held by the Headteacher’s 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 Data Protection 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 Body 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 in 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 should 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- this may be in person, by phonecall or writing.
- 4.6 It is normally expected that complaints will be acknowledged within five school days, and the Stage 1 process completed within fifteen 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 judgement, 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 fifteen 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 Executive Assistant 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 Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- 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 and there will be one panel member who is independent of the management and running of the school. The Clerk of the Complaints Panel will contact the complainant with the arrangements.
- 4.20 If the complaint is:
- jointly about the Chair and Vice Chair or
 - the entire governing body or
 - the majority of the governing body.

Stage 3 will be heard by a completely independent committee panel.

- 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. Representatives from the media are not permitted to attend. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.
- 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 fifteen working days of the hearing.
- 4.22 The Chair of the Committee will provide the complainant and Park High School with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days. A copy of any findings and recommendations will be:
- provided to the complainant and, where relevant, the person complained about; and
 - available for inspection on the school premises by the proprietor and the Heateacher;
- The letter to the complainant will include details of how to contact the Department of Education (DFE) if they are dissatisfied with the way their complaint has been handled by Park High School.
- 4.23 The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Park High School will take to resolve the complaint.
- 4.24 All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them. The record will detail:
- all complaints received by the school
 - whether they are resolved following a formal procedure, or proceed to a panel hearing; and
 - action taken by the school as a result of those complaints (regardless of whether they are upheld).

Next Steps

- 4.25 If the 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 d after they have completed Stage 3.
- 4.26 The DFE will not normally reinvestigate the substance of complaints or overturn any decisions made by Park High School. They will consider whether Park High School has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).
- 4.27 The complainant can refer their complaint to the DFE online at: [Contact the Department for Education \(DfE\) - GOV.UK \(www.gov.uk\)](#) by telephone on: 0370 000 2288 or by writing to:
- School Complaints Compliance Unit
 Department for Education
 2nd Floor,
 Piccadilly Gate
 Store Street
 Manchester
 M1 2WD

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;
- arranging an independent panel member at Stage 3; and
- checking that the correct procedure is followed.

5.3 The Chair of the Governors Panel at Stage 3 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 Executive Assistant

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 raised; and
- passing any complaints received from other people who are not parents or students to the Complaints Coordinator.

6. Serial and Unreasonable complaints

6.1 Unreasonable behaviour

The school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The school defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if 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.
- refuses to co-operate with the complaints investigation process.
- refuses to accept that certain issues are not within the scope of the complaints procedure.
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice.
- introduces trivial or irrelevant information which they expect to be taken into account and commented on.
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.
- changes the basis of the complaint as the investigation proceeds.
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education.
- seeks an unrealistic outcome.
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- uses threats to intimidate.
- uses abusive, offensive or discriminatory language or violence.
- knowingly provides falsified information.
- publishes unacceptable information on social media or other public forums.

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. complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.
- 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.

- If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.

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 Executive Assistant who will acknowledge receipt and explain what action will be taken.

Your name:
Student's name (if relevant):
Your relationship to the student (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: Email address:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Action taken:

Date: