



## Complaints Policy and Procedures

### Policy Consultation & Review

This policy is referred to in our school prospectus and is available on request from the school office. We also inform parents and carers about this policy when their children join our school and through our school newsletter.

This policy will be reviewed in full by the Governing Body on an annual basis. This policy was last reviewed and agreed by the Full Governing Body in Feb 2020. It is due for review in Feb 2022.

Signature

Headteacher

Date:

Signature

Chair of Governors Date:

This Policy and its procedures were approved by the Full Governing Body on 26<sup>th</sup> February 2020 and will be due for review two years later in 2022.

## Introduction

At Long Stratton High School, we want all our pupils to be healthy, happy and safe, and to achieve.

We recognise that parents and carers play an important part in making this happen. Cooperation between parents, staff and Governors leads to a shared sense of purpose and a good atmosphere in the school.

Naturally, parents and carers are concerned about how their children are doing at school. We expect them to come to the school to discuss these **concerns** informally, whether at pre-arranged Parents' Evenings, or at other times by mutual agreement. Long Stratton High School takes informal concerns seriously and makes every effort to resolve matters as quickly as possible.

Our **complaints** policy relates to those times when parents, carers, or members of the community want to express **dissatisfaction about actions taken or lack of action**. It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures, so the first two stages of our procedures are informal. But there are occasions when complainants want to raise their complaint formally. In those cases, the last two stages of the school's complaints procedure, which are more formal, will be invoked.

### Our policy is intended to:

- encourage resolution of problems by **informal** means wherever possible;
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- be **non-adversarial and impartial**;
- 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 management team so that services can be improved.

To these ends we hope it will be **simple** to understand, use and be easily **accessible** and **publicised**;

## **Under this policy, who can complain about what?**

Anyone, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions). Some complaints fall outside the school's complaints procedure, for example, staff grievances or disciplinary procedures. A full list of the matters that are excluded is at Appendix 1, which indicates the alternative channels which should be used.

## **To whom should you complain?**

We think concerns are best and most quickly dealt with close to where the issue arises. So, if you have a concern about a class or subject teacher, raise it with the teacher or with her / his Head of Department or Head of Key Stage (*See Level 1 procedures below*)

If your concern about a class or subject teacher is not resolved at that level or you have a concern about a Head of Department or Head of Key Stage, raise it with a member of the Senior Leadership Team (i.e. An Assistant Headteacher.) (*See Level 2 procedures below*).

An issue that has not been resolved through the informal levels 1 and 2 can become an official complaint. Anyone wishing to move to level 3 should write a formal letter of complaint to the Headteacher. (*See Level 3 procedures below*).

If the complaint has not been resolved in discussion with the Headteacher, or if the complaint is about the Headteacher, the complainant should write to the Chair of Governors at the school address. (*See Level 4 procedures below*).

Complaints against the Chair of Governors or any individual governor should be made by writing to the Clerk to the Governing Body, again at the school address.

## **Timescales**

Complaints need to be considered and resolved as quickly, and efficiently as possible. So we have set realistic and reasonable time limits for each action within each level. But if we find that further investigations are necessary, we may set new time limits but if so, we will send the complainant details of the new deadline and explain the delay.

We expect complaints to be made as soon as possible after an incident arises and usually one month is the cut-off within which to lodge a complaint. But the school will consider exceptions.

## **Making and Recording Complaints**

A complaint may be made in person, by telephone, or in writing. In Appendix 4 of this document, we have provided a basic complaints form, to help to make sure that the complaint includes the information we will need to look into it. You must give us all the information mentioned on the form but you don't have to use that form.

In order to prevent any later challenge or disagreement over what was said, we will take brief notes of meetings and telephone conversations. Where there are communication difficulties, the school may use recording devices to ensure the complainant is able to access and review the discussions at a later point. We will record the progress of the complaint and the final outcome. Complainants have a right to copies of these records.

## **Unreasonable Complainants**

Long Stratton High 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 the 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.

Investigating and dealing with complaints can take a lot of senior staff time. The school is happy to devote this time if it results in improvements that benefit our children's education and achievement. But we cannot commit disproportionate amounts of time and resources to dealing unreasonable complainants.

We define unreasonable complainants as '*those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints*'. In Appendix 2 we give examples of when a complainant may be regarded as unreasonable.

## **The Four Levels of the Complaints Procedure**

### **Level 1 – Informal**

Anyone with a concern should, in the first instance, make an appointment to speak to the relevant class teacher, Head of Department or the Head of Key Stage about the concern, depending on the nature of the concern. It is best to resolve issues at this point. The class teacher, Head of Department or Head of Key Stage will offer an appointment to discuss the issue as quickly as possible, normally within 10 school days.

### ***Guidance on informal Level 1:***

- *At this level, concerns should be handled informally in a manner that offers the best way of resolving issues.*
- *Making an appointment and setting aside a special time will give both parties time to talk about it calmly and politely without being interrupted. It will also show a commitment to resolving issues.*
- *It is important for parents to recognise that both school and parental commitments may mean it is not always possible to offer an appointment straight away, but they should expect an appointment within ten school days in term time.*
- *The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.*

## **Level 2 - informal**

Anyone dissatisfied with the result of the discussions with the class teacher, Head of Department or Head of Pupil Development should ask for an appointment to meet with a member of the Leadership Team, (i.e. an Assistant Headteacher.) These staff will meet with the complainant as soon as possible, and in any event, within 10 school days of the request for this second meeting.

If an appointment is requested with the Headteacher, the Headteacher may, at his or her discretion and dependent on the gravity of the complaint, advise that the matter be more appropriately delegated at this point to another member of the Leadership Team, (i.e. an Assistant Headteacher.)

### **Guidance on informal Level 2:**

- *It is always best to resolve issues informally at the earliest possible time but if the complainant is not satisfied with the result of the talk with the teacher, Head of Department or Head of Pupil Development then he/she can ask for an appointment to meet with a member of the Leadership Team, (i.e. an Assistant Headteacher.)*
- *It is in everyone's interest, particularly the child or children, for concerns and complaints to be sorted out quickly and smoothly.*
- *The aim should be that discussions end on a positive note with no bad feeling.*
- *After the discussion the member of the Leadership Team will write a letter to parents summarising what has been agreed regarding the issue.*

*It is hoped that most problems will have been resolved by the end of this stage.*

## **Stage 3 – formal complaint letter to Headteacher**

An issue that has not been resolved through the informal levels 1 and 2 can become an official complaint.

Anyone wishing to move to level 3 should write a formal letter of complaint to the Headteacher. The letter will need to set out clearly the issues which have previously been discussed and why the complainant considers the issue to be unresolved. Ideally, the person with a complaint should use the form in Appendix 4 of this policy.

The Headteacher may appoint an investigating officer to make enquiries on their behalf about the matter.

The Headteacher should discuss the matter and its possible resolution with the complainant within 15 school days of receipt of the official complaint letter. The Headteacher should offer a resolution to the complainant in writing within five school days of the meeting.

It is important to be clear that any decision that the Headteacher has made as a result of the complaint does not automatically become a new complaint about the Headteacher. Any subsequent referral to a Level 4 Formal Governors' Complaint panel is to review the original complaint, and does not form a complaint against the Headteacher.

### ***Guidance on stage 3- formal:***

An unresolved issue has, at this stage, become a formal complaint. This is a serious step to be taken. In consideration of future home/school relationships everyone concerned will need to concentrate on finding a resolution to the issue and negotiating an agreement.

### **Stage 4 – formal complaint requesting a Governors' Complaints Panel.**

If the complainant feels the complaint has not been resolved he/she can proceed to Level 4, by asking for it to be considered by a Governors' Complaints Panel.

Also, if the concern or complaint is specifically about the Headteacher and has not been resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Chair of Governors.

In either case, the complainant should write to the Chair of Governors at the school address, marking the envelope 'urgent, private and confidential'. The formal complaint letter should be received within 10 school days of the last meeting with the Headteacher concerning the issue. The letter will need to set out the complaint and show why the matter is not resolved. Ideally the form that is included as Appendix 4 of this policy should be used but a letter will suffice provided it covers the matters listed on that form.

The Chair of Governors will acknowledge the complainant's letter in writing within 5 school days of receipt, and may consider contacting external agencies for advice.

The Chair of Governors will arrange for a Governors' Complaints Panel to meet within 20 school days of receipt of the complainant's letter to consider the complaint and will appoint a clerk to the Governors' Complaints Panel. The Governors' Complaints Panel will comprise two Governors/trust representatives of the school and a member who is independent of the management and running of the school.

If the letter is received within 19 school days to the end of term it may not be possible to organise the Governors' panel meeting before the end of term. In this case the matter should be dealt with within 15 school days of the school reopening.

The Headteacher should be given a copy of the complainant's letter and written documentation should be requested from the school. The clerk should send both the complainant's letter and the school documentation to the Governors' Complaints Panel members, complainant and Headteacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant, the Headteacher and the particular member of staff who is the subject of the complaint (if any) will be invited to attend the Governor's Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

At the meeting the complainant and Headteacher and the particular member of staff who is the subject of the complaint (if any) (or their representative) should provide all the relevant information they wish and the Governors' Complaints Panel members should clarify any points. After all parties have provided all the information they wish, the Chair will ask all parties to leave except the panel members and the clerk. The Governors' Complaints Panel members will consider the complaint and the school's response and come to a decision regarding the issue(s).

After the meeting the Governors' Complaints Panel will issue a decision notice to all concerned within 5 school days to explain their decision and suggest a resolution to the problem, if appropriate.

The panel can:

- 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.

Level 4 is the final stage of the procedure in the school. The decision of the Governor's Complaints Panel is final, although there is provision for an appeal to the Secretary of State for Education – See Appendix 3.

**Guidance on level 4 - formal:**

**Before the meeting:**

- *The formal complaints letter should be passed to the Vice-Chair if the Chair will be unable to receive the letter within 5 days.*
- *Members of the Governors' Complaints Panel should have no prior knowledge of the complaint and it is, therefore, unlikely that staff Governors will be members of the panel.*

**At the meeting:**

- *The Complaints Panel must be made up of at least two governors/trust representative and a member who is independent of the management and running of the school, with a clerk in attendance.*
- *Although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned.*
- *Everyone attending should be in the room at the same time until the panel convene to consider their decision.*



## **APPENDIX 1**

### **Complaints not within the scope of this policy and procedure**

This complaints procedure applies to all complaints about any provision of facilities or services that the school provides EXCEPT those listed below, for which there are separate (statutory) procedures.

- **Admissions to schools**

*Any complaints about admission appeals for Long Stratton High Schools would be dealt with by the Local Government Ombudsman.*

- **Statutory assessments of Special Educational Needs (SEN)**

- **School re-organisation proposals**

- **Matters likely to require a Child Protection Investigation**

*Concerns about these matters should be raised direct with Norfolk County Council.*

- **Exclusion of children from school**

*Further information about raising concerns about exclusion can be found on the Department for Education Website*

- **Whistleblowing**

*The School has an internal whistleblowing procedure for its employees and voluntary staff.*

- **Staff grievances and disciplinary procedures**

*These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.*

### **Complaints about services provided by other providers who may use school premises or facilities.**

*Providers have their own complaints procedure to deal with complaints about service. They should be contacted direct.*

## **APPENDIX 2**

### **Unreasonable Complainants**

A complaint may be regarded as unreasonable when the person making the complaint:-

- 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 while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with this complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately or 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, 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.

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 electronically:-

- 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 in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a 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.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Long Stratton High School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Long Stratton High School

### **Barring from the School Premises**

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, Long Stratton High School can ask him/her to leave school premises. In serious cases, the Headteacher will 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. But the School will always give the parent the opportunity to formally express their views on the decision in writing.

The decision to bar will then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent will be notified in writing, explaining how long the bar will be in place.

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. In this unlikely event, the complainant should seek independent legal advice.

## **APPENDIX 3**

### ***Your right of final appeal to the Secretary of State:***

#### ***The Role of the School Complaints Unit***

If a complaint has completed the local procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State through the Department of Education. The Department of Education of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

The Department of Education can be contact through their website.



**What action, if any, have you already taken to try and resolve your 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:**

***Official use***

**Date acknowledgement sent:**

**By whom:**