

John Colet School Compliments, Complaints and Resolutions Procedure

Date policy was agreed	October 2011
Date Equalities impact assessment completed	n/a
Date policy was reviewed	April 2017
Date reviewed by Governor Advisor	April 2017
Date reviewed by Parents	n/a
Date reviewed by the Governors	June 2017
Governors body responsible for the review	Curriculum Committee
Senior Leadership Team Member accountable for writing and reviewing the policy	Headteacher

Consultants: School Governor, Headteacher

Guidance: The Education (Independent School Standards) (England) Regulations 2010; Education Funding Agency Procedure for dealing with complaints against academies (January 2015).

Monitoring and Reviewing

This policy will be formally reviewed by the Governing Body every three years.

Ongoing monitoring of actions and impacts/outcomes will be:

- Report to Governors in termly Headteacher's report

Introduction

Our Governing Body has adopted this procedure to manage compliments, concerns or complaints from members of the school community or general public.

Aims and Objectives

- We wish to share positive feedback within our school community.
- We aim to be fair, open and honest when dealing with any matter and to resolve it through open dialogue and mutual understanding.
- The school considers any concerns very seriously and we hope to resolve problems at a very early stage.
- Careful consideration will be given to all concerns and complaints and we will deal with them as swiftly as possible. We will provide sufficient opportunity for any complaint to be fully discussed.
- In all cases we will put the interests of the child above all other issues.

Our procedure is underpinned by the following framework of principles: -

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to use and understand
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action and keeping people informed

of the progress

- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- address all points of issue, providing an effective response and appropriate redress, where necessary
- provide information to the school's senior management team so that services can be improved.

Compliments

Parents/carers, students and members of the public are free to give feedback and nominate staff for:

- outstanding service
- compliment the school on an event or activity they are particularly pleased with.

Please email the School Office who will pass onto the relevant member of staff and the Headteacher.

Areas not covered by this procedure

This procedure does not apply to issues concerning the curriculum, collective worship, admissions, exclusion appeals, whistleblowing, decisions about your child's special educational needs, matters likely to require a Child Protection Investigation, complaints about services provided by other providers who use the school premises/facilities or grievances by school staff. These are the subject of separate complaints procedures. Copies of these procedures can be obtained from the school.

In addition, Ofsted has the power to investigate certain (qualifying) complaints about schools, including those from parents/carers. A qualifying complaint is one that affects the whole school, not an individual. More information can be obtained from Ofsted.

All other complaints are handled by the school according to the arrangements set out below.

Stage 1 What to do if you have a concern.

If you have any concerns about the school, or the education we are providing at any time, please discuss the matter with your child's form/subject teacher, Head of Year or the relevant Subject Team Leader at the earliest opportunity. Do not publicise any concerns you have on social networking sites, but speak to someone at the school as soon as possible.

The school considers any concerns very seriously and most problems can be resolved following discussion and a shared understanding of the issues. All members of staff work very hard to ensure that each child is happy at school and is making good progress and they always want to know if there is a problem so they can help to resolve it.

Most concerns can be resolved at this level, however, if after speaking to your child's form/subject teacher, Head of Year or the relevant Subject Team Leader, you are still concerned, please discuss the matter with the Headteacher.

Stage 2 What to do if your concern is not resolved at Stage 1 and is now a complaint

Most concerns are resolved at Stage 1, however if you remain dissatisfied and wish to take the matter further you will be asked to complete a complaint form (Annex 1).

Complaint Form

The aim of the form is to ensure each party has a clear and common understanding of the complaint and includes a section on what actions might resolve the problem at this stage. It can be used by anyone making a complaint about the operation of the school which is not covered by an alternative procedure.

We are happy to provide the assistance of someone unconnected with the complaint, if you would like support in completing the form.

The form (see Annex 1) should be returned to the Headteacher, unless the complaint concerns the Headteacher or a Governor, in which case it should be returned to the Chair (or the Vice Chair of Governors if your complaint is about the Chair of Governors) of the Governing Body at the school address, marking the envelope 'FOR IMMEDIATE ATTENTION'.

You will receive an acknowledgement of the receipt of your complaint form within 5 working days.

Investigation

An investigation will be carried out into the complaint and the way it has been handled by the school. This will include a review of any relevant documentation and information and seeking the views of relevant people, where necessary. The person undertaking the investigation will normally write to you with the outcome of this process within 15 working days of receiving the complaint.

If, at any time, it becomes apparent that the complaint is a staff disciplinary or capability issue, the matter will be dealt with by following the appropriate procedure rather than the complaints and resolution procedure. You will be notified if this is the case with your complaint, however, you are not entitled to know which procedure, or the final outcome, because of the right to confidentiality of the member of staff involved.

If, following the outcome of the investigation, you feel your complaint has not been resolved, you may choose to refer your complaint to Stage 3 of the procedure. This must be done in writing to the school within 15 working days of the completion of Stage 2.

Stage 3

At this stage the complaint will be considered by a panel of two governors and a person who is independent of the management and running of the school, who will meet to consider the complaint and make a final decision about it on behalf of the Governing Body.

The two Governors will have no detailed prior knowledge of the complaint, or connection with the complainant. The meeting will normally take place within 15 working days of your request.

You will have the opportunity to submit written evidence on the complaint prior to the meeting of the panel and also to attend, accompanied by a friend/partner if you wish, to put your case. Legal representation would not normally be appropriate. The Headteacher will be given the same opportunities. Annex 2 outlines the process that will be followed at a panel hearing.

Outcome of the Panel Hearing

The panel will write to you with its conclusion within 5 working days of the meeting, and its decision is final.

If you are still not satisfied, you may wish to put your complaint to the Education Funding Agency (EFA) by using the schools' complaint form. Links to further information and the form are below.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/557407/Complain_about_an_academy.pdf

https://form.education.gov.uk/submitform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1

Unreasonably persistent complainants and unreasonable complainant behaviour

Unfortunately, in a minority of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for the school.

These actions can occur either while the complaint is being investigated, or once the school has concluded the complaint investigation.

In such cases, the school will observe the Department for Education's guidance on Serial and Persistent Complainants which is below.

The decision to stop responding will never be taken lightly.

A school needs to be able to say yes to all of the following:

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

The case is stronger if the school agrees with one or more of these statements:

- The school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience - have they actually said as much in a letter, email or telephone call?
- Their letters/emails/telephone calls are often or always abusive or aggressive.
- They make insulting personal comments about or threats towards staff.

Schools should not stop responding just because an individual is difficult to deal with or asks complex questions. In most circumstances the subject matter is what you can refuse to respond to, not the correspondent. Schools must provide parents with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005. However, where an individual's behaviour is causing a significant level of disruption schools may wish to implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term.

Complainants have a right to have any new complaint heard and failure to respond at all to a complainant could mean that the school is failing to comply with its legal obligations. A school needs to ensure that they are acting reasonably and that any genuine complaint can still be heard.

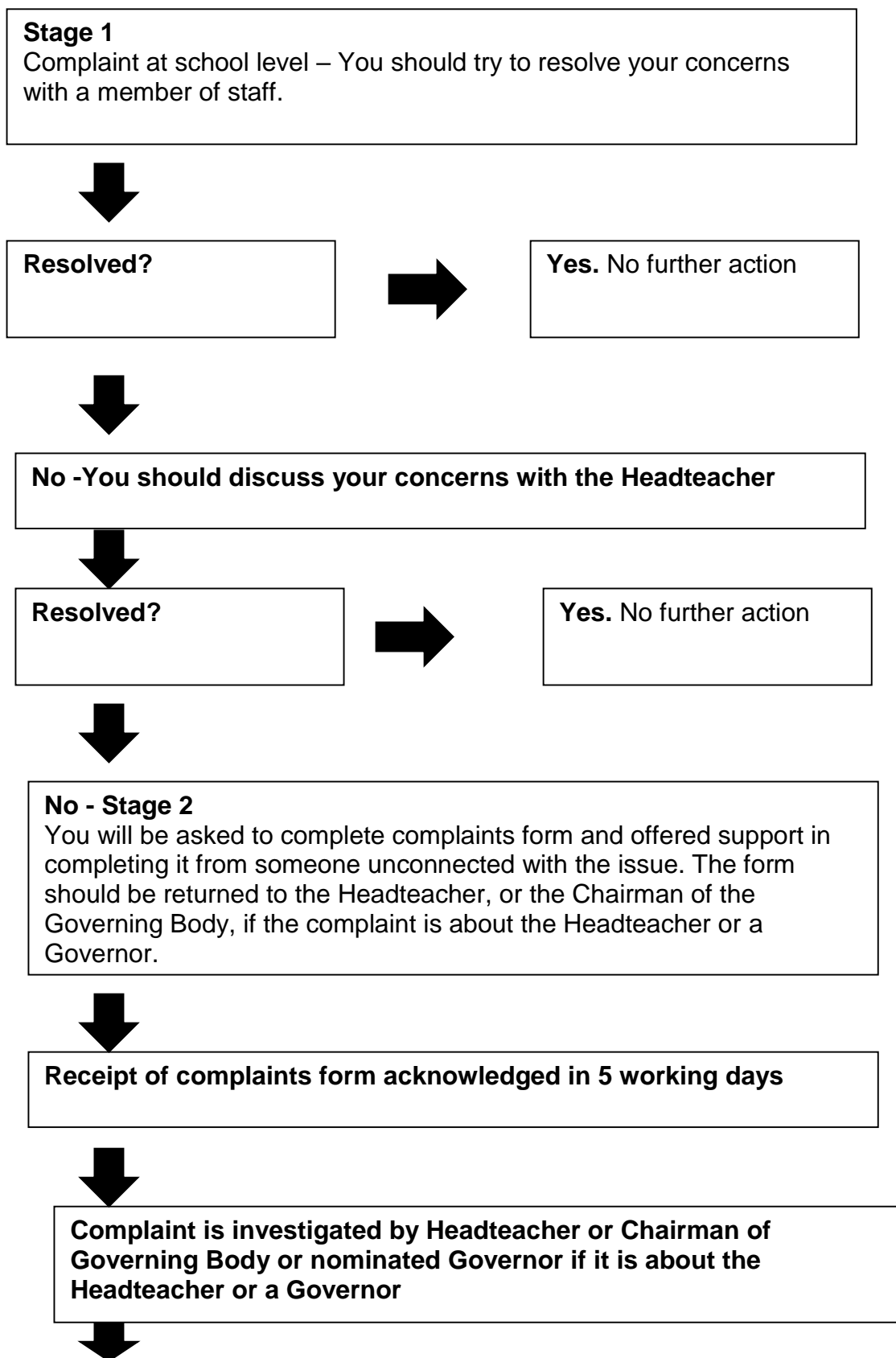
Complainants who may have been restricted in their communications with the school can also be advised to ask a third party to act on their behalf, such as the local Citizen's Advice Bureau.

Ultimately, if a complainant persists to the point that the school considers it to constitute harassment, legal advice should be sought as to the next steps. In some cases, injunctions and other court orders have been issued to complainants because of their behaviours.

Once a school has decided that it is appropriate to stop responding, they will need to let the complainant know; ideally, through a hard copy letter but an email will suffice.

Summary*

* Please refer to the procedure for more detailed information.





You will be informed of the outcome of the investigation within 15 working days of receiving the complaint.



Resolved?



Yes. No further action



No – Stage 3

You will be asked to confirm this in writing within 15 working days of the completion of Stage 2.



Governor Complaints Panel meets to consider your complaint with 15 working days. You will be asked to submit written evidence in advance and attend the panel meeting to explain the nature of your complaint



Panel will make a final decision on behalf of the Governing Body and writes to you within 5 working days



Resolved?



Yes. No further action



No - You can write to the Secretary of State of Education if you feel the school has acted unreasonably or not followed the correct procedures.

Note: Working days are school working days. If school holidays intervene during the process then timescales may be longer.

Annex 1 - Complaint form

Please complete and return to the Headteacher (or Chair of Governors if the complaint concerns the Headteacher or a Governor) who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Please give concise details of your complaint, including dates, names of witnesses etc, to allow the matter to be fully investigated

**What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to/write 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:

Complaint referred to:

Date:

Annex 2 - At the panel hearing

- After introductions, the complainant will be invited to explain their complaint, and be followed by their witnesses (if any).
- The Headteacher/Chairman of Governors may question both the complainant and the witnesses after each has spoken.
- The Headteacher/Chairman of Governors is then invited to explain the school's actions and be followed by the school's witnesses (if any).
- The complainant may question both the Headteacher/Chairman of Governors and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher/Chairman of Governors is then invited to sum up the school's actions and response to the complaint.
- The Chairman of the panel explains that both parties will hear from the panel within five working days.
- Both parties leave together while the panel decides on the issues.
- The Clerk remains to support the panel.