



## **Complaints Policy 2019 - 2020**

### **DOCUMENT HISTORY**

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## **1. Introduction**

Sir Charles Parsons School is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

All school staff will be made aware of complaints procedures and are expected to read this policy regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This policy seeks to help parents/carers, and others, understand how to resolve concerns, issues and complaints.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect
- Keep complainants informed of the progress of the complaints process
- Consider how the complainant can feed into Trust improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full. Anonymous complaints will not be considered.

To support this, we will ensure we publicise the existence of this policy and make it available on the school's website.

## **2. Legislation and guidance**

This policy meets the requirements under Section 29 of the Education Act 2002 which states that from 1 September 2003 Governing Bodies of all maintained schools and maintained nursery schools in England are required to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be published.

### 3. Definitions and Scope

A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day to day communication as far as possible.

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 apply to complaints about:

- Pupil admissions
- Pupil exclusions
- Education Health and Care (EHC) Plans
- Disciplinary issues relating to members of staff.

Each of the above follows its own process of complaints and appeals which are outlined in their relevant policies.

Complaints about services provided by other providers who use the school’s 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 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 so they can still be investigated in a fair manner for all involved.

## **5. Stages of complaint (not complaints against Head Teacher or a Governor) (staff should refer to appendix 2 on how to listen to complaints)**

### Stage 1 – informal

The school will take 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 or the Head Teacher, 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/office.

The school will acknowledge informal complaints within 5 school days, and investigate and provide a response within a further 10 school days. The informal stage will involve a meeting between the complainant and the Head Teacher and/or the subject of the complaint, as appropriate. If the complaint is not resolved informally, it will be escalated to a formal complaint.

### Stage 2 – formal

#### Inform the Head Teacher in writing

Complete the form in appendix 3 with full 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.

For all complaints, the Head Teacher will call a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

The Head Teacher will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 10 school days.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the Chair of the Governing Body (GB) within 10 school days.

### Stage 3 – submit the complaint to an independent person

The independent person is appointed by or on behalf of the Governing Body. This person must not, at any time, have been a governor of the school, or a member of staff or supply staff, and must not have been the parent of a registered or former registered pupil at the school. They must also not have been directly involved in any matter detailed in the complaint.

The independent person will convene a review meeting with the complainant and representatives from the Governing Body/school, as appropriate. Each will have an opportunity to set out written or oral submissions prior to the meeting.

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 independent person, the complainant and the school representative(s) will be given the chance to ask and reply to questions.

The complainant, Head Teacher, and where relevant, the subject of the complaint, will be given a copy of their findings and recommendations made by the independent person.

The school will inform those involved of the decision in writing within 10 school days.

## **6. Complaints against the Head Teacher or a governor**

Complaints made against the Head Teacher should be directed to the Chair of the Governing Body.

Where a complaint is against the Chair of the Governing Body or any member of the GB, it should be made in writing to the clerk to governing body in the first instance.

## **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 Clerk to the Governing Body. The Clerk will check whether the complaint has been dealt with properly by the school. The Clerk will not overturn a school decision about a complaint. However it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the Governing Body were in breach of its funding agreement with the secretary of state
- Whether the Governing Body has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

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

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

## **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 the Governing Body (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 a response will not be made 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:

- It has 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 which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

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 complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

The material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or by the independent person.

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.

Records of complaints will be kept for 6 years from resolution.

## **10. Learning lessons**

The Governing Body will review any underlying issues raised by complaints with the Head Teacher, 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 in section 10.

The complaints records are logged and managed by Ann Taylor, School Business Manager.

At each review, the policy will be approved by the Governing Body.

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

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEND policy and information report

Staff who have a concern about a colleague or a volunteer member of staff should refer to the school's Whistleblowing Policy.

**Contact details**

**Sir Charles Parsons School – Westbourne Avenue, Newcastle upon Tyne, NE6 4ED**  
Head Teacher – Karen Hamilton  
Chair of GB – Ashley Ferguson  
School Office – 0191 295 2280

**Secretary of State for Education (Department for Education):**  
Ministerial and Public Communications Division  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD  
Tel: 0370 000 2288



## How to listen to complaints (staff guidance)

<b>Don't pass the buck</b>	Try not to keep transferring an angry person from one place to another. Make sure you know the contact person for anything you cannot deal with yourself
<b>Don't be flippant</b>	First impressions count. You and the School may be judged on your immediate reaction.  However small or trivial it may seem to you, the complaint will be an important problem for anyone who takes the trouble to complain.
<b>Treat every complaint individually</b>	Even if you have received several complaints on the same day, it is probably the person's first chance to have their say.
<b>Be courteous and patient</b>	Be sympathetic and helpful, but do not blame other colleagues.
<b>Say who you are</b>	If you are unknown to the person, introduce yourself
<b>Ask for their name and use it</b>	Anonymous complaints are acceptable only where there are special circumstances.
<b>Take time to find out exactly what the problem is</b>	It is easy for someone to forget to tell you an important detail, particularly if they are upset or annoyed.
<b>Don't take the complaint personally</b>	To an angry person, YOU are the School and the only one who can put their feelings to right now
<b>Stay cool and calm</b>	Don't argue with the person – be polite and try to find out exactly what the person thinks is going wrong, or has gone wrong.
<b>Check you are being understood</b>	Make sure that the person understands what you are saying. Do not use jargon – it can cause confusion and annoyance to someone “not in the know”.
<b>Don't rush</b>	Take your time. Let people have their say and let off steam if they need to. Listen carefully and sympathetically to their problems before replying and attempting to find a solution or offer the next step.

**Sir Charles Parsons School  
Notification of Complaint**

Please complete and return this form to The Deputy Head Teacher, who will acknowledge receipt and explain how this matter will be dealt with.

<b>Your Name:</b>
<b>Pupil's/Student's Name:</b>
<b>Your relationship to the pupil/student:</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>
<b>Please give details of your complaint:</b>
<b>What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response?)</b>

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

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

**Signature:**

**Date:**

For school use only

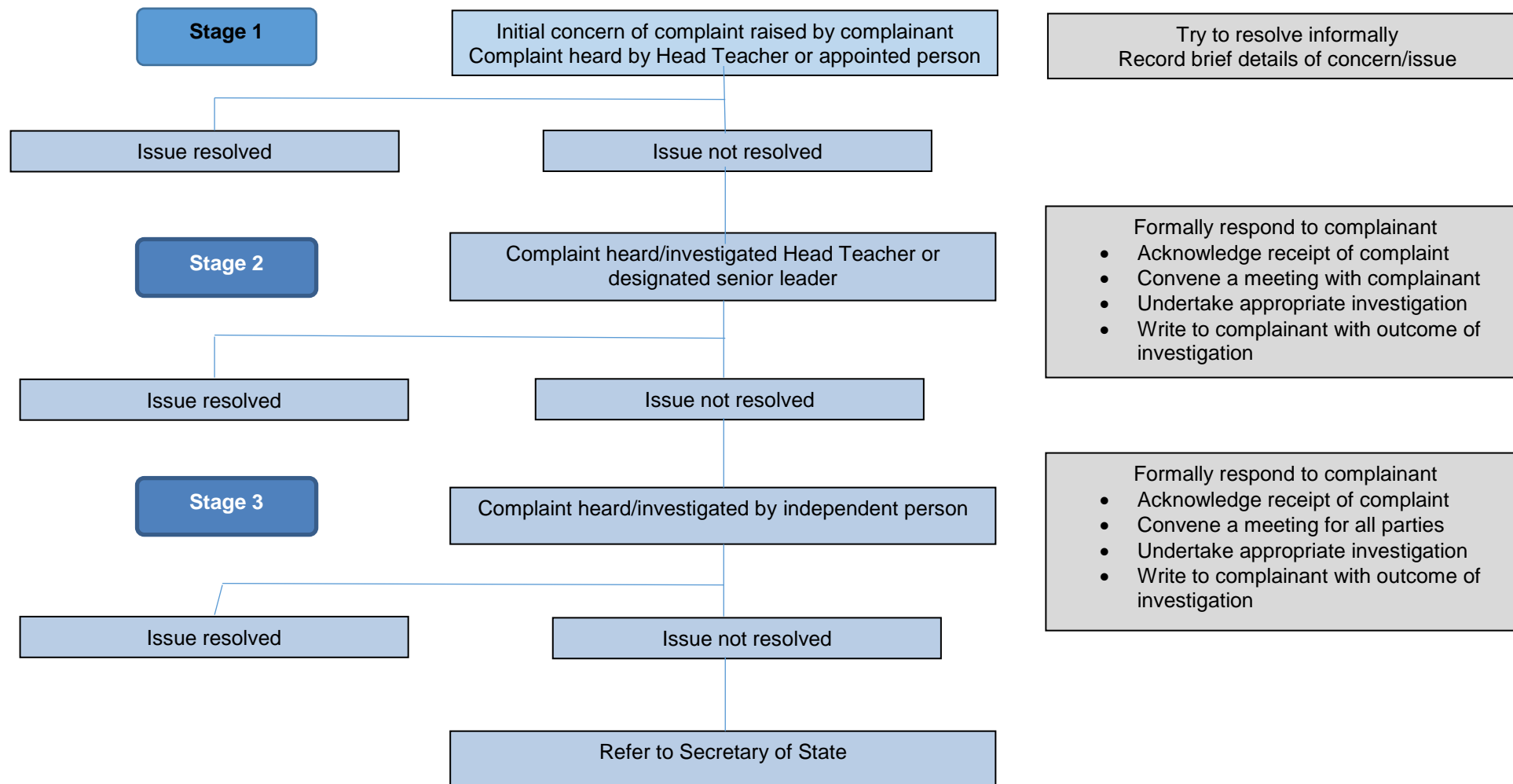
**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**

**SUMMARY OF THE KEY PROCESS IN DEALING WITH COMPLAINTS**



NB – complaints about Head Teachers or governors will start at stage 3