



Dealing with School Complaints

General Principles of Complaints

We comply with section 29 part 1 of the Education Act 2002. These procedures incorporate best practice advice DfE Jan 2016.

Dealing with complaints – initial concerns

- We aim to identify the difference between a concern, defined by the DfE as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought' and a complaint, generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. By taking informal concerns seriously at the earliest stage we aim to reduce the numbers that develop into formal complaints. However, formal complaints always follow the complaints procedure.
- Our underlying principle is that concerns will be handled, if at all possible, without the need for formal procedures. In most cases the class teacher, subject leader, member of Progress and Guidance (P & G) or Leadership Team (LT) should be able to resolve issues.

Who can make a complaint?

Any person, including members of the public, may make a complaint about any provision of facilities or services the school provides.

Dealing with complaints – formal procedures

- The formal procedures will be triggered when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
- The Executive Headteacher / Head of School has responsibility for the operation and management of the school complaints procedure.

Framework of Principles

Our procedure aims to:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible and publicised**;
- be **simple** to understand and use;
- be **impartial**;
- be **non-adversarial**;
- allow **swift** handling with established **time-limits** for action, keeping people informed of the progress;
- 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 our leadership team so that services can be improved.

Investigating complaints

At each stage, the Executive Headteacher or Head of School will:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- appoint an investigator;
- clarify what the complainant feels would put things right;
- ensure contact is maintained with the complainant so that they are fully updated;
- ensure there is opportunity for a sensitive and thorough interview with the complainant to establish the nature of the complaint;
- ensure all staff and students relevant to the complaint are interviewed with an open mind;
- keep notes and records and arrange for an independent note taker to record minutes of meetings if required.

Resolving complaints

At the earliest stage and at each of the 4 stages in the procedure we will consider ways in which a complaint can be resolved. If appropriate this may include:

- 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;
- an undertaking to review school policies in light of the complaint.

We will consider what action a complainant feels might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

We will identify areas of agreement between the parties. We will also clarify any misunderstandings that might have occurred.

Time Limits

- We will endeavour to consider and resolve complaints as quickly, and efficiently as possible.
- We will set time limits for each action at each stage. If further investigation is necessary we will send the complainant details of any new deadline and an explanation for the delay.
- We expect complaints to be made as soon as possible after an incident arises.

Complaints not in the scope of the procedure

- Admissions to schools Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievances and disciplinary procedures
- Complaints about services provided by other providers who may use school premises or facilities.

Serial or Persistent Complaints See Appendix A

If, despite all stages of the procedures having been followed, the complainant remains dissatisfied and tries to reopen the same issue, the Chair of Governors will inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again **on the same issue**, then the correspondence may be recognised as serial or persistent and there will be no obligation on our part to respond.

The Complaints Procedure

The Stages of Complaints

Our school complaints procedure has four stages.

- Stage 1** (informal): complaint heard by staff member (though not the subject of the complaint);
- Stage 2** (formal): complaint heard by the Head of School or Executive Headteacher [who will appoint an investigator];
- Stage 3** (formal): complaint heard by Chair of Governors
- Stage 4** (formal): complaint heard by Governing Body's complaints appeal panel.

At any stage, an unsatisfied complainant can always take a complaint to the next stage.

Complaints against the headteacher are first dealt with by the Chair of Governors (Stage 3). Complaints against the Chair of Governors or any individual governor should be made by writing to the Clerk to the Governing Body.

Managing and Recording Complaints

We will record the progress of the complaint and the final outcome. We comply with our obligations under the Equality Act 2010 and allow for complaints to be made in person, by telephone, or in writing. An example of a complaint form can be found in Annex D and may be used for recording the complaint or as a prompt sheet to ensure good practice.

At the end of a meeting or telephone call members of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.

We will record the progress and final outcome of the complaint and hold records centrally. The Head of School is responsible for ensuring effective records are kept.

Governing Body Review

The Governing Body will monitor the level and nature of complaints, and review the outcomes on a regular basis to ensure the effectiveness of the procedure, making changes where necessary. Complaints information shared with the whole Governing Body will be in very general terms only in case an appeal panel needs to be organised.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, we may identify underlying issues that need to be addressed. The monitoring and review of complaints will be considered when evaluating our performance.

We will review our procedures every three years. However we will also consider a review in the event that new guidance or legislative changes are introduced by the Department for Education.

Publicising the Procedure

We fulfil a legal requirement for us to publish our complaints procedures by publishing it on our website.

The stages of the complaint

Stage 1 (informal): complaint heard by staff member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, staff are aware of the procedures so they will know what to do when they receive a complaint.

As a school we will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the Head of School / Executive Headteacher will refer the complainant to another staff member. Where the complaint concerns the Executive Headteacher or Head of School, the Deputy Headteachers can refer the complainant to the Chair of Governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the Head of School or Executive Headteacher will refer the complainant to another staff member. The member of staff may be more senior but does not have to be, but we will ensure the complaint is considered objectively and impartially.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. Governors will not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Stage 2 (formal): complaint heard by Head of School /Executive Headteacher

If a the complainant may be dissatisfied with the way the complaint is handled at Stage 1 as well as pursuing their initial complaint the matter will be referred to the Head of School / Executive Headteacher who may delegate the task of investigation or collating the information to another staff member but not the decision on the action to be taken.

Stage 3 (formal): complaint heard by Chair of Governors

If the complainant is not satisfied with the response of the headteacher or the complaint is about the headteacher, the complainant should write to the Chair of Governors to request that their complaint is considered further. If the complaint is not resolved at this stage, the process will move to Stage 4.

Stage 4 (formal): complaint heard by Governing Bodies Complaints Appeal Panel

The complainant should write to the Clerk to the Governing Body giving details of the complaint and asking that it is put before the appeal panel. The Chair, or if the Chair has been involved at any previous stage in the process, a nominated governor, will convene a Governing Body complaints panel.

The governors' appeal hearing is the last school-based stage of the complaints process and is not convened merely to rubber-stamp previous decisions.

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.

The governing body will nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These may include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own Chair.

The remit of The Complaints Appeal Panel

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.

There are several points which any governor sitting on a complaints panel needs to remember:

- a. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- b. The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- c. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- d. Extra care needs to be taken when the complainant is a child/young person. Careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child/young person needs to attend. The welfare of the child/young person is paramount.
- e. The governors sitting on the panel need to be aware of the complaints procedure.

Roles and responsibilities – see appendix B for details of the roles and responsibilities of:

See annex A for details of the roles and responsibilities of:

- The Complainant
- The Complaints Co-ordinator
- The Investigator
- The Panel Clerk
- The Panel Chair
- Panel Members

Notification of the panel's decision

The Chair of the Panel will ensure that the complainant is notified of the panel's decision, in writing, with the panel's response (including the reasons for the decision); this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed. This may be the LA or Diocesan Board.

The final stage of appeal is to the Secretary of State for Education.

Complainants should be advised to write to The School Complaints Unit (SCU) at:

Department for Education
2nd Floor, Piccadilly Gate
Store Street
Manchester
M1 2WD

What will the Department for Education do?

If a complaint has exhausted the local procedures, SCU will examine whether the complaints policy and any other relevant policies were followed in accordance with the provisions set out. The SCU also examines policies to determine if they adhere to education legislation.

However, the department will not re-investigate the substance of the complaint. They will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

If legislative or policy breaches are found, SCU will report them to the school and the complainant and, where necessary, require remedial action to be taken. Failure to carry out remedial actions could ultimately result in a formal Direction being issued by the Secretary of State under sections 496/497 of the Education Act 1996.

Policy Type	Statutory	
Version Control		
Created by:	R. Milton	September 2017
Agreed by:	Student Well Being	September 2017
Review :	Mr S. Dixon	September 2018
Agreed by:	Student Well Being	September 2018
Review:		September 2019

Serial or Persistent Complaints

At Greenfield Community College we are 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.

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'.

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 the adopted 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 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, 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 Executive 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 Greenfield Community College causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. 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 Greenfield Community College.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Greenfield Community College 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, Greenfield Community College can ask him/her to leave school premises. In serious cases, the Executive Headteacher, Head of School or the local authority can 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. We will always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should 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 Executive Headteacher, Head of School 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; independent legal advice must therefore be sought.

Appendix B

Roles and Responsibilities

The Complainant

The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:-

- co-operates with Greenfield Community College in seeking a solution to the complaint;
- expresses the complaint in full as early as possible;
- responds promptly to requests for information or meetings or in agreeing the details of the complaint;
- tasks for assistance as needed;
- treats all those involved in the complaint with respect.

The Complaints Co-ordinator (Head of School / Executive Headteacher)

The complaints co-ordinator should:-

- ensure that the complainant is fully updated at each stage of the procedure;
- ensure that all people involved in the complaint procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- liaise with staff members, Chair of Governors and Clerk to ensure the smooth running of the complaints procedure;
- keep records;
- be aware of issues regarding:-
 - ⇒ sharing third party information;
 - ⇒ additional support - this may be needed by complainants when making a complaint including interpretation support.

The Investigator

The Investigator is the person involved in Stages 1 and 2 of the procedure. The

Investigator's role can include:-

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - ⇒ sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
 - ⇒ consideration of records and other relevant information; o interviewing staff and children/young people and other people relevant to the complaint; o analysing information;
- effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
- identifying solutions and recommending courses of action to resolve problems;
- being mindful of the timescales to respond; and
- responding to the complainant in plain and clear language.

The person investigating the complaint should make sure that they:

- conduct interviews with an open mind and be prepared to persist in the questioning;
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.

The Panel Clerk (this could be Clerk to the Governors or the Complaints Coordinator)

The Clerk is the contact point for the complainant for the panel meeting and is expected to:-

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- circulate the minutes of the panel hearing;
- notify all parties of the panel's decision;
- liaise with the complaints co-ordinator.

The Panel Chair

The Panel Chair has a key role in ensuring that:-

- the meeting is minuted;
- the remit of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents/carers and others who may not be used to speaking at such a hearing are put at ease – this is particularly important if the complainant is a child/young person;
- the hearing is conducted in an informal manner with everyone treated with respect and courtesy;
- the layout of the room will set the tone – care is needed to ensure the setting is informal and not adversarial;
- the panel is open-minded and acts independently;
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- both the complainant and the school are given the opportunity to state their case and seek clarity;
- written material is seen by everyone in attendance – if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the hearing;
- liaise with the Clerk and complaints co-ordinator.

Panel Member

Panelists will need to be aware that:-

- it is important that the review panel hearing is independent and impartial, and that it is seen to be so; No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant; However, it must be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- many complainants will feel nervous and inhibited in a formal setting; Parents/carers often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing; Careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated. The panel should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the hearing, if any, the child/young person needs to attend.

The parent should be advised however that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting which the panel considers not to be in the child/young person's best interests.

The welfare of the child/young person is paramount.

We follow DfE best practice advice on interviewing.

Children/young people

- Children/young people should be interviewed in the presence of another member of staff, or in the case of serious complaints (e.g. where the possibility of criminal investigation exists) in the presence of their parents/carers. However, it might not always be possible to conduct an interview in case it prejudices a LADO or police investigation.
- Care should be taken in these circumstances not to create an intimidating atmosphere.
- Children/young people should be told what the interview is about and that they can have someone with them.

Staff/Witnesses

- Explain the complaint and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it.
- Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.
- Use open, not leading questions.
- Do not express opinions in words or attitude.
- Ask single not multiple questions, i.e. one question at a time.
- Try to separate 'hearsay' evidence from fact by asking interviewees how they know a particular fact.
- Persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.
- Deal with conflicting evidence by seeking corroborative evidence. If this is not available, discuss with the complaints co-ordinator/ headteacher/ Chair of Governors the option of a meeting between the conflicting witnesses.
- Make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if s/he has anything to add, and to sign the record as accurate.

Appendix C

Summary for Persons Making a Complaint

Concerns

If you have a concern please let us know as soon as possible. We will always take concerns seriously and work with you to resolve them. Please contact the appropriate staff member [teacher, tutor, house leader, member of progress and guidance] by email, letter, telephone. You could also come to the parent drop in on held every Wednesday 3.30 – 6.00.

We will ask you how you would like the concern to be resolved and work with you to do this as quickly as possible.

If your concerns cannot be resolved in this way or if you believe you have a more serious complaint we will follow our complaints procedures set out below.

Complaints

Stage 1 – informal – complaint heard by appropriate member of staff

If you have a complaint please contact the appropriate staff member [teacher, tutor, house leader, member of progress and guidance or member of the leadership team] by email, letter, telephone or in person at the parent drop in on held every Wednesday 3.30 – 6.00.

Your complaint will be heard by the appropriate staff member and investigated as required.

A resolution will be sought in negotiation with you and you will be informed of the outcome in writing.

The Head of School / Executive Headteacher will be informed of the outcome

If you do not feel this has been resolved or you feel it was not handled properly we you should make this known to us you should make this known to us by letter, email or telephone and we will move your complaint to:

Stage 2 – Complaint heard by Head of School or Executive Headteacher who will:

- Acknowledge receipt of your complaint and set out timescales;
- Appoint an investigator and instigate the investigation which will include scrutiny of any evidence and interviews with witnesses and with you as the complainant as necessary;
- Write to you with the outcome of investigation;
- Record the process and outcomes;
- Offer escalation to Stage 3 if dissatisfied;

If you still do not feel this has been resolved, you should contact the Chair of Governors:

Stage 3 - Complaint heard by Chair of Governors who will:

- Acknowledge receipt of your complaint and set out timescales;
- Discuss the complaint and processes so far and seek further information if required;
- Write to complainant with outcome of investigation;
- Record the process and outcome;
- Offer escalation to Stage 4 if dissatisfied

If you still do not feel this has been resolved, then you should contact the Clerk to the Governing Body at County Hall, Durham, DH1 5UJ.

Stage 4 – Complaint heard by the Governing Body Panel who will:

- Issue a letter inviting you to a meeting;
- Issue letter confirming panel decision;
- Record the outcome;
- Advise of escalation routes to the Secretary of State for Education

Appendix D

Example of Complaints Form

Please complete and return to Head of School or Executive Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:
Students' name (if relevant):
Your relationship to the student (if relevant):
Address:
Postcode:
Day time telephone number: Evening telephone number:
Please give details of your complaint:
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 who:
Complaint referred to:
Date:

Further information

Useful Resources and External Organisations

- [National Governors Association](#)
- [Information Commissioner's Office](#)

Other Relevant Departmental Advice and Statutory Guidance

- [Section 29 of the Education Act 2002](#)
- [Governors Handbook](#)
- [Understanding and Dealing with Issues Relating to Parental Responsibility](#)

Other Departmental Resources

- [How to complain about a school](#) - Advice for complainants
- Parental Responsibility Guidance – non-statutory advice for schools