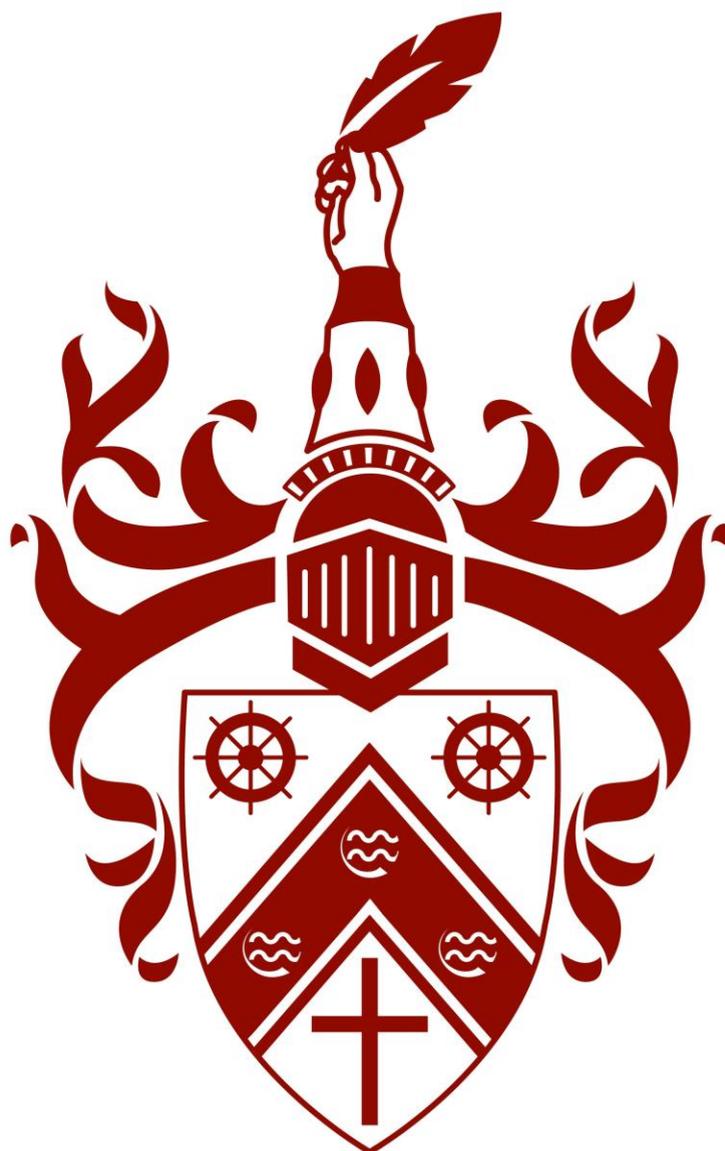


SIR JOHN CASS FOUNDATION & RED COAT
CofE SECONDARY SCHOOL & SIXTH FORM



COMPLAINTS POLICY

Committee Review: F&P

Ratified: Jul 2016

TBR: Jul 2019

SLT Responsible: P. Woods

SIR JOHN CASS' FOUNDATION AND REDCOAT SCHOOL COMPLAINTS POLICY

As a Church of England School, we value our relationship with parents and all members of the school and local community. If you have a concern then we want to know about it so that it can be dealt with immediately. Most concerns can be dealt with easily and quickly but to ensure all concerns are handled effectively the Governing Body has adopted a complaints policy.

The School's Complaints policy is devised with the intention that it will:

- usually be possible to resolve problems by informal means;
- be simple to use and understand;
- treat complaints confidentially;
- allow problems to be handled swiftly;
- inform future practice so that the problem is unlikely to recur;
- reaffirm the partnership between parents, staff and governors as they work together for the good of the pupils in the school;
- ensure that the school's attitude to a pupil would never be affected by a parental complaint;
- discourage anonymous complaints;
- actively encourage strong home-school links;
- ensure that all staff have opportunities to discuss and understand the school's response to concerns and complaints made by parents;
- ensure that any person complained against has equal rights with the person making the complaint;
- regularly review systems for monitoring concerns and complaints received from parents.

EXPRESSING A CONCERN

If you have a concern we would like you to tell us about it so that we can talk with you and see how best to resolve your concern. The majority of concerns can be resolved informally by speaking to a member of staff. We welcome suggestions for improving our work in the school. Whatever your concern, please know that we shall treat it as strictly confidential.

Be assured that no matter what you wish to share with us, our support and respect for you and your child in the school will not be affected in any way; please do not delay telling us of your concern. It is difficult for us to investigate properly an incident or problem which is more than a day or two old.

After hearing your concern we will act as quickly as we can; we will let you know the timescale within which you may expect a response. Please allow time for any action we may take to be effective. Our procedure is outlined below.

Parents' or guardians' wishing to raise a concern about a student who is on the SEND register, please refer to the SEND policy.

What to do first (Informal Stage)

Please contact your child's Head of Year, or another designated member of staff, and arrange a time when you can discuss your concern. To see the member of staff please make an appointment so that you can sit and talk things through. It may be possible to give a response immediately, but where any investigation or information is required, a response will be given within 10 days.

What to do next (Formal Stages)

If you are still unhappy, ask for an appointment with the Headteacher by contacting the PA within 10 school days of receiving a response under Stage 1. You will need to give a brief outline of your concern on the **School's complaints form (Appendix 1)** when you make the appointment. Please note that the school cannot process anonymous complaints because without details of the complainant it would not be possible to engage fully with all parties concerned. After your discussion with the Headteacher or a designated member of the senior staff, you may have to wait a short time while investigations are carried out. Every effort will be made to resolve the situation as quickly as possible and the school will send you a written response within 10 school days of your meeting. If it is not possible to respond within this timescale, the school will tell you when you can expect a response.

The problem will normally be resolved by this stage. However, if you still have concerns and they have not been resolved you may ask for your complaint to be considered by the Chair of Governors, by writing to the Chair of Governors c/o the School. The Chair of Governors will meet with you to discuss your concerns and will confirm the outcome of his or her investigation to you in writing.

If you are still unhappy, you may raise your complaint with the complaints panel of the Governing Body, by writing to the Clerk of Governors c/o the School. The complaints panel will be formed of three governors who have had no prior involvement in the complaint, they will listen to you, to the Headteacher and, if appropriate, any others involved and come to a decision. You may bring a friend to the hearing if you wish.

Overviews of the procedure can be found in Appendix 2 and Appendix 3.

UNREASONABLE COMPLAINTS

The School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. 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, threatening or unreasonable.

The School defines 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'. Please refer to Appendix 4 for further information on complaints that may be regarded as unreasonable.

Complainants should limit the number 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. For complainants who excessively contact the School 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 instances

of serious aggression or violence, the School will involve the police and take appropriate action, which may include banning an individual from accessing the School.

BARRING FROM THE SCHOOL PREMISES

Although fulfilling a public function, schools are deemed to be 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, a school can ask him/her to leave school premises. In serious cases, the Headteacher 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. Please refer to Appendix 4 for further information.

Appendix 1

COMPLAINTS FORM	
When we receive a written complaint, we aim to acknowledge its receipt within 5 school days and send a full or interim response within 10 school days.	
Name of complainant:	
Address:	
Postcode:	
Telephone (day):	Telephone (evening):
What is your concern and how has it affected you?	
Are you attaching any paperwork? If so, please list below:	
Have you discussed this matter with a member of staff before filling in this form? If so, who did you speak to and what was the response?	
What would you like to happen as a result of making this complaint?	
Signature:	Date:
Please return this form to the Headteacher's P.A.	

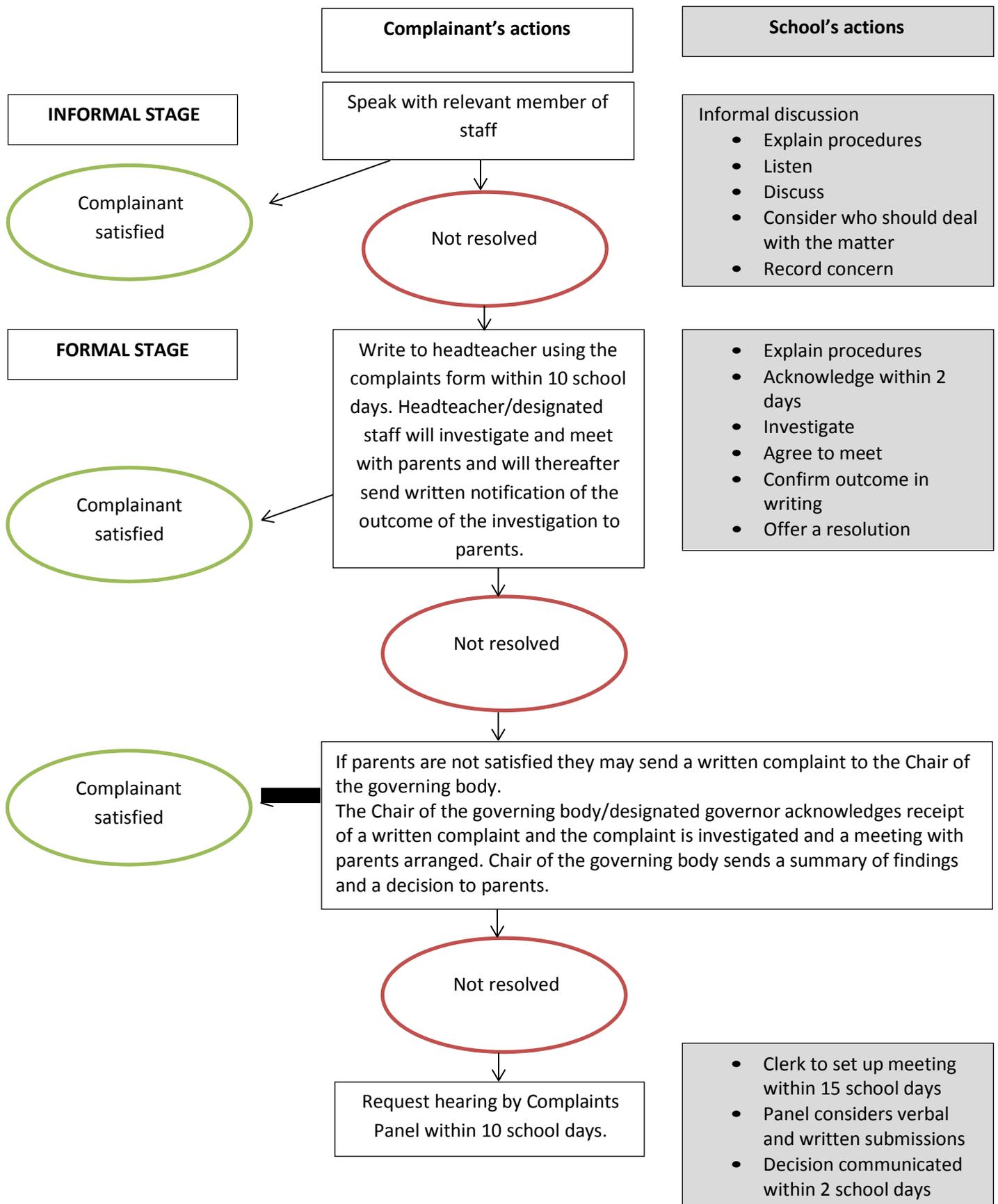
Appendix 2

Overview of Complaints Procedures and Timescales

STAGE	DESCRIPTION	Recommended number of school days ^(a) after receipt of complaint
Informal		
1	Parent(s) contact the Head of Year. Meeting with relevant member of staff to attempt to resolve the matter informally. Head of Year to inform SLT line manager to raise awareness of concern shared.	As soon as possible
2	If parents remain unsatisfied a meeting can be requested between the Headteacher or designated member of senior staff with parent/s. Complainant(s) provided with timescale of response deadline.	10 school days
Formal		
1	Acknowledgement by the Headteacher/ or designated member of senior staff of receipt of a written complaint(s). Complainant provided with timescale of response deadlines for all stages of the formal	Within 5 school days
2	Investigation by Headteacher or designated member of senior staff, which would normally include a meeting with the parent/s or complainant(s).	Within 10 school days or at a mutually agreed time
3	Headteacher or designated member of senior staff sends written notification of the outcome of the investigation to the parents. The parents are told that if they are not satisfied they may send a written complaint to the Chair of the governing body. The Headteacher may wish to refer the matter to the Chair of the governing body.	Normally within 10 school days after the meeting with parents
4	Chair of the governing body, or a designated governor, acknowledges receipt of a written complaint, saying the matter will be investigated and indicating timings. The complaint is investigated, including a meeting with parents.	Acknowledgement of receipt of written complaint within 5 school days. Normally within 10 school days after the meeting with parents
5	Chair of the governing body sends a summary of findings and a decision to the parents. The parents are told that if they are not satisfied that they may ask the matter to be referred to the governors' Complaints Committee.	Within 5 school days of receipt of chair's letter the parent can ask for a referral to the governors' complaints panel
6	Governors' Complaints Committee considers the complaint. Complaint and Head's report of investigation sent to all taking part 5 days before the meeting.	Within 15 school days of the referral
7	Decision of governors' Complaints Committee notified to parent(s) or complainant(s).	Within 5 school days of meeting

(a) School days are when the pupils are attending; staff INSET days are excluded. Counting begins on the school day after receipt. In all cases if any stage in the procedure is likely to take longer than publicised, parents will be informed of new timescales and the reasons for delay

Appendix 3



Appendix 4

Unreasonable Complaints: Additional Information

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 or 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.

If the Headteacher or Chair of Governors have sufficient evidence to consider a complaint unreasonable, they will write to the complainant detailing the evidence of unreasonable behaviour. The complaints procedure will cease for that complaint, or part thereof and the complainant should be invited to re-submit their complaint in a reasonable manner.

Barring from the School Premises: Additional Information

The School will give the parent the opportunity to formally express their views on the decision to bar 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 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 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; independent legal advice must therefore be sought.

Appendix 5

PROCEDURAL ADVICE – CONDUCTING INTERVIEWS WITH COMPLAINANTS

- 1 In conducting interviews with complainants, Headteachers (or Chairs of Governors, if appropriate) should:
 - a. have regard to confidentiality at all times. The need to treat conversations and correspondence as confidential is of paramount importance; from the outset all parties to a complaint should be made aware of the need for confidentiality.
 - b. listen attentively and sympathetically to complainants, allowing them to explain their concern/s in their own way. After they have finished, it may be necessary to try to identify the issue(s) by asking questions and summarising what has been said. It is helpful to ascertain the complainant's desired outcome and possibilities (if any) for redress. Headteachers may wish to ensure that the meeting is minuted by a third party, so that there is a clear record of the meeting.

- 2 At the end of the interview decide if it is possible to:
 - a. Make an immediate response to the concern/s; or
 - b. delay a response. It is often necessary to say to complainants that their concerns will be carefully considered and when all the facts and circumstances have been ascertained, they will receive a response normally within five school days.

- 3 Avoid passing judgement or coming to conclusions before having spoken to any third parties and having considered all the aspects of the complaint.

- 4 If the complaint is against a third party, ensure that they have an opportunity to explain the situation as they see it, but not usually in the presence of the complainant unless this is deemed desirable by all concerned.

- 5 Examine the general context and constraints of the situation and consider if there are any precedents.

- 6 When all the facts and circumstances relating to the matter have been ascertained make careful notes summarising your investigation. You should then decide how to respond to the complainant.

- 7 The complainant should be clearly informed of the school's response to the complaint/s and of the next stage in the procedure, should s/he wish to proceed further

Appendix 6

OUTLINE OF THE PROCEDURE FOR A COMPLAINTS PANEL HEARING

The Panel may:

- a) dismiss the complaint in whole or in part;
- b) uphold the complaint in whole or in part;
- c) decide on the appropriate action to be taken to resolve the complaint;
- d) recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The Panel members should be aware of the following:

- a) the school's complaints procedure;
- b) the appeal hearing is independent and impartial and must be seen to be so;
- c) no governor may sit on the panel if they have had a prior involvement in the complaint, or the circumstances surrounding it;
- d) panel members should be drawn from a cross-section of the governing body; (e) the hearing is held in private;
- e) the aim of the hearing is to resolve the complaint and achieve conciliation between the school and the complainant;
- f) it may not be possible to resolve matters to the complainant's satisfaction, it may only be possible to establish facts and satisfy the complaint that the matter has been taken seriously;
- g) some parents may feel nervous: the panel chair will make efforts to ensure proceedings are as informal as possible.

The chair of the panel:

- a) welcomes those present and introduces each person by name;
- b) stresses that the meeting is strictly confidential to those present;
- c) outlines the procedure to be followed;
- d) asks all attending the Panel, including witnesses, to remain available for approximately 30 minutes after they withdraw from the hearing, in case the Panel needs to clarify a point;
- e) ensures that key findings of fact are made and the issues addressed;
- f) ensures that each party is able to state their case and ask questions without undue interruption;
- g) ensures that all written material is seen by all parties;
- h) conducts the hearing in an informal manner and ensures each party treats the other with respect and courtesy.

Order of hearing:

- The complainant is invited to present their case and explain their desired outcome and any possibilities of redress.
- The headteacher may question both the complainant and any witnesses.
- The headteacher is invited to explain the school's actions.
- The complainant may question the headteacher and any witnesses.
- Both parties are invited to sum up.

After the complainant, Chair of the governing body (if appropriate) and Headteacher have withdrawn, the Panel decides on its recommendations, including any redress. The decision and recommendations of the Complaints Panel are sent within two school days to all parties. The Panel's decision is final.

(This policy is based on the LDBS recommendations and DFE 2016 guidance)