



Complaints Policy & Procedures

Policy Name:	Complaints Policy & Procedures			Review Date:	Every 3 years 28/06/2021
Presented to the Full Governing Body	Date: 28/06/2018	Adopted by the Full Governing Body:	Date: 28/06/2018	Chair of Governors Signature:	

QUEEN'S PARK HIGH SCHOOL
COMPLAINTS PROCEDURE POLICY

1. The school has in place this procedure to deal with complaints relating to the school and to any community facilities or services that the school provides.

Dealing with Complaints – Informal Procedures

2. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints. Concerns ought to be handled, if at all possible, without the need for formal procedures and in the spirit of shared respect and willingness to find a mutually acceptable resolution. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

Dealing with Complaints – Formal procedures (Annex A)

3. The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
4. Queen's Park High School has a designated member of staff to be the 'Complaints Co-ordinator', with responsibility for the operation and management of the school complaints procedure. The Headteacher is nominated for this role. In the case of a complaint against the Headteacher or a Governor, the role will be undertaken by the Chair or Vice-Chair of Governors or an independent and suitably qualified person nominated by them.

Investigating Complaints

5. At each stage, the Complaints Co-ordinator or the person nominated to investigate the complaint:
 - establishes what has happened so far, and who has been involved;
 - clarifies the nature of the complaint and what remains unresolved;
 - meets with the complainant or contacts them (if unsure or further information is necessary);
 - clarifies what the complainant feels would put things right, and establish if this is reasonable;
 - interviews those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
 - conducts the interview with an open mind and is prepared to persist in the questioning;
 - maintains an appropriate record of the investigation and reports findings as required

Resolving Complaints

6. At each stage in the procedure there are a number of ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:
 - 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.
7. In making the initial complaint, all complainants should be encouraged to state what actions they feel might resolve the problem. This will continue to be encouraged at any and all stages. An admission that the school could have handled the situation better is not the same as an admission of negligence.

Vexatious and Unreasonable Complaints

8. The school's complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, as a result of the findings of the Complaints Co-ordinator, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing Body is able to inform them in writing that the school's procedure has been exhausted and that from the school's perspective the matter is now closed.
9. In some instances, the Complaints Co-ordinator may deem at any stage that the complaint is unfair, unreasonable, unfounded and/or vexatious. In such instances, the Complaints Co-ordinator can close the complaint. If the complainant tries to reopen the same issue, the Chair of the Governing Body is able to either inform them in writing that the school's procedure has been exhausted and that from the school's perspective the matter is now closed or to refer the complaint to the Governing Body's Complaints Appeal Panel.
10. Further details on the Trust's policy for dealing with unreasonable complaints is set out at Annex C.

Time-Limits

11. Complaints need to be considered, and resolved, as quickly and efficiently as possible. Realistic time limits will be agreed and set for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.
12. An unsatisfied complainant can always take a complaint to the next stage.

Recording Complaints

13. A note of any complaint is to be made to record the progress and the final outcome. A complaint may be made in person, by telephone, or in writing. An example of a complaint form can be found in Annex D. At the end of a meeting or telephone call, it would be helpful if the member of staff ensured that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record.
14. The Complaints Co-ordinator is responsible for the records and holds them centrally.

Governing Body Review

15. The Governing Body will monitor the level and nature of complaints and review the outcomes annually to ensure the effectiveness of the procedure and make changes where necessary. Preferably, complaints information shared with the whole Governing Body will not name individuals.
16. 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, the school may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body is acknowledged to be a useful tool in evaluating and continually improving the school's performance.

Publicising the Procedure

17. The Complaints Procedures will be publicised on the school website.

Stage One: Complaint Heard by Staff Member

1. 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.
2. The school 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 Complaints Co-ordinator can refer the complainant to another staff member. Where the complaint concerns the Headteacher or a governor the procedure set out in paragraph 4 of the Policy will apply.
3. Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the Complaints Co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.
4. Where the first approach is made to a governor, the next step should be to refer the matter to the appropriate person. This could be an individual member of staff, the Head of Faculty, an Assistant Headteacher or the Head, or the Chair of Governors depending on the nature of the concern. It may also be appropriate to refer them to this Policy and to inform the Complaints Co-ordinator. Governors should not act unilaterally on an individual complaint outside the formal procedure or should only be involved at the early stages when nominated in accordance with this Policy. This will ensure their independence in the event they are needed to sit on a panel at a later stage of the procedure.

Stage Two: Complaint Heard by Complaints Co-ordinator

5. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken. Appropriate records will be maintained of any investigation and the outcome.

Stage Three: Complaint Heard by Governing Body's Complaints Appeal Panel

6. If the complainant remains dissatisfied with the outcome of the previous two stages they may appeal to the Governing Body. The complainant needs to write to the Chair of Governors giving details of the complaint and the outcome they are seeking. They are advised to use the format set out in Annex D. The Chair, or a nominated governor, will convene a GB complaints panel.

7. The governors' appeal hearing is the last school-based stage of the complaints process. It consists of governors with no prior knowledge or involvement in the case and its role is to take a fresh, impartial look at the matter.
8. Individual complaints would not be heard by the whole GB 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.
9. The Chair of Governors will nominate three or five governors to constitute the panel and nominate one to chair the panel.

In the case of complaints against the Headteacher or a governor the same basic procedure will be followed with an appropriate change in personnel.

10. The panel can:
 - 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.
11. 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 needs to 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 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 complaint is by or on behalf of a child. Careful consideration needs to be given as to whether it is necessary and appropriate for the child to attend any or all of the proceedings bearing in mind the possible impact on the child and also on any staff who may be required to give evidence. Care also needs to be taken to ensure the atmosphere and

proceedings will ensure that the child 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 may be helpful to give the parent the opportunity to say which parts of the hearing, if any, they wish the child to attend. Similar considerations apply in the case of child witnesses who will not generally be called but may provide a written statement which may if appropriate be anonymised.

- e. The governors sitting on the panel need to be aware of the complaints procedure.

The Role of the Clerk

- 12. The clerk is the contact point for the complainant and is required to:
 - a. 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;
 - b. collate all appropriate written material and send it to the parties in advance of the hearing;
 - c. meet and welcome the parties as they arrive at the hearing;
 - d. record the proceedings;
 - e. notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor

- 13. **The nominated governor role:**
 - a. check that the correct procedure has been followed;
 - b. if a hearing is appropriate, notify the clerk to arrange the panel;

The Role of the Chair of the Panel

- 14. The Chair of the Panel has a key role, ensuring that:
 - a. the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
 - b. the issues are addressed;
 - c. key findings of fact are made;
 - d. those who may not be used to speaking at such a hearing are put at ease
 - e. the hearing is conducted in an informal manner;
 - f. each party is treating the other with respect and courtesy;
 - g. the panel is open minded and acting independently;
 - h. no member of the panel has a vested interest in the outcome of the process;
 - i. no member has had any involvement in an earlier stage of the procedure;
 - j. each side is given the opportunity to state their case and ask questions;
 - k. written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

15. The chair of the panel will ensure that the complainant is notified of the panel's decision, in writing, with the panel's response within 5 working days.
16. The governors' response will detail whether the complaint is upheld wholly or in part and briefly summarise the basis on which governors arrived at this conclusion and any further action to be taken by the school.

**ANNEX B
Flowchart**

Complaint heard by staff member
• Ensure complaints co-ordinator informed of outcome

Issue resolved

Issue not resolved

Complaint heard by Complaints Co-ordinator
• Acknowledge receipt of complaint
• Write to complainant with outcome of investigation
• Ensure complaints co-ordinator informed of outcome

Issue resolved

Issue not resolved

Governor's complaints panel meeting arranged
• Issue letter inviting complainant to meeting
• Issue letter confirming panel decision
• Ensure complaints co-ordinator informed of outcome.

Annex C

Policy for Dealing with Unreasonable Complaints

The Trust 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.

The Trust 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’.

A complaint may also 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 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 the Trust 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 the Trust.

**Annex D
Complaints Form**

Please complete and return to the school's Complaints Co-ordinator who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Your relationship to the student:

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:

Annex E Conduct of Complaints Appeal Meetings

1. Although this procedure may appear formal, the hearing should be conducted in as informal a way as possible, and the Chair of the panel should make every effort to make all parties feel comfortable.
2. The date of the meeting must be agreed with all parties and witnesses and all relevant documentation must be circulated to all parties at least five working days in advance of the meeting.
3. The meeting should be minuted.
4. The meeting will be attended by:
 - the complainant, with a companion if desired;
 - the Headteacher and/or Chair of Governors, as appropriate;
 - the members of the Governors' Complaints Panel;
 - a minute taker, (normally the Clerk to the Governors) appointed by the governors;
 - Members of staff who have been involved in the issue, or other witnesses, may be called upon by either side to attend part of the meeting to provide information to the governors.
5. The Chair of the panel will introduce all the parties present and explain the procedure to be followed, and that every effort will be made to keep the process as informal as possible.
6. The complainant (or his/her companion) will outline his/her complaint and explain why she/he is dissatisfied with the school's response to date. The complainant may call any witnesses in support of his/her complaint who will attend the meeting only for the time that they are providing information, and may be questioned by all parties.
7. The Headteacher and the governors will have the opportunity to ask questions of the complainant.
8. The Headteacher and/or the Chair of Governors will explain their involvement in the complaint and the reasons for their decisions at the informal and first formal stage. The Headteacher and/or Chair of Governors may call any witnesses in support of his/her statement who will attend the meeting only for the time that they are providing information, and may be questioned by all parties
9. The complainant and the governors will have the opportunity to ask questions of the Headteacher and/or Chair of Governors.
10. The governors may decide to adjourn the hearing pending further investigation at any stage, if this seems necessary.
11. Both parties will leave the meeting and the governors will consider the information that has been put to them.

12. The governors' panel must reach a unanimous or majority decision as to whether or not to uphold the complaint wholly or in part, and what action (if any) the school needs to take to resolve the complaint. This may include referring the matter to another formal process, whether in relation to a complaint against a governor or a member of the school staff. Normally the governors will reach a decision at this point but they may feel the need to take further advice. Where this is the case they should endeavour to reach a decision as soon as possible.
13. The governors will communicate their response to both parties in writing as soon as possible but, in any case, within five working days of reaching their decision. The governors' response should detail whether the complaint is upheld wholly or in part and briefly summarise the basis on which governors arrived at this conclusion. The response should also include any lessons learnt and specify any action to be taken by the school as a result of the complaint and within what timescales.