CAISTOR GRAMMAR SCHOOL

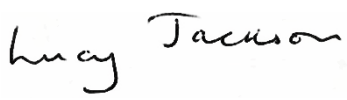
COMPLAINTS

POLICY

Approved by Full Board of Trustees: **March 2018**

Last reviewed: **May 2020**

Signed:



Chair of Trustees

1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of students at the school, and others.

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 complaint can feed into school 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. To support this, we will ensure we publicise the existence of this policy and make it available on the school website. Staff are dedicated to giving students the best possible education and caring properly for their health, safety, and welfare at all times. We are committed to working closely with parents and believe that the school and parents must work together in partnership, each carrying out their own particular responsibilities to help students gain the most from their time in school. We are proud that most parents and students are happy with the way Caistor Grammar School runs. However, should a problem arise, we want to hear about it so that, together, we can resolve thing and develop the School further. This policy sets out how complaints should be raised by parents or students so that they can be resolved in the best way possible.

We are very keen that this positive culture and ethos of mutual respect and support should be sustained. This policy seeks to make that more likely by encouraging a general discussion of problems when they occur. We will not tolerate any aggressive behaviour or abuse of our staff.

2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents of students at the school. It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations, and refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

3. Definitions and scope

The DfE guidance explains the difference between a concern and a complaint.

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 cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN), including Education Healthcare Plans (these should be addressed to the student's Local Authority)
- Safeguarding matters
- Exclusion
- Whistleblowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.
Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy. Such complaints should first be made to the SENCO, or in their absence the acting SENCO, they will then be referred to this complaints policy. Our SEN policy includes information about the rights of parents of students with disabilities who believe that our school has discriminated against their child. Complaints about services provided by other providers who use school 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 each 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 at that time and the complaint can still be investigated in a fair manner for all involved.

5. Stages of complaint (not complaints against the Headteacher or a Trustee)

The complaints procedure at Caistor Grammar School has three stages.

Stage 1: informal

The school will take informal 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 Headteacher, 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 office. The school will acknowledge informal complaints within **three school/ working days** and investigate and provide a response within a further **three school/working days**. The Headteacher may delegate the matter to a member of the senior leadership team. The Headteacher may extend the time available to the investigation to an additional **five days**. The Headteacher will inform the complainant in writing and explain why.

The informal stage will involve a meeting/ telephone conversation between the complainant and the Headteacher.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: formal

The formal stage involves the complainant putting the complaint into writing, usually to the Headteacher and/or the subject of the complaint. This letter should provide 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. The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within **ten school/ working 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 Trustees in writing within **five days**.

Stage 3: review panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by or on behalf of the Chair of Trustees and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. **At least one panel member must be independent of the management and running of the school**. The panel cannot be made up solely of members of the Board of Trustees, as they are not independent of the management and running of the school.

The panel will have access to the existing record of the complaint's progress (see section 9). The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant, and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

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 panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave, and evidence will then be considered. The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and Headteacher.

The school will inform those involved of the decision in writing within five school/working days.

6. Complaints against the Headteacher or a Trustee

Complaints made against the Headteacher should be directed to the Chair of Trustees. This complaint will follow the same process as Section 5.

Where a complaint is against the Chair of Trustees or any member of the governing board, it should be made in writing to the clerk to the governing board in the first instance.
If a complainant finds Trustees' conduct unsatisfactory in that they have not followed agreed School policies or procedures properly or at all, then they can contact the Secretary of State for Education at the Department for Education, who will seek to ensure that agreed procedures are followed. The Secretary of State has to accept the authority of the Board of Trustees if they have been.

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 ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaint's procedure
- Whether the school was in breach of its funding agreement with the secretary of state
- Whether the school 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 complaint's procedure has been fully exhausted and the school has done everything it reasonably can in

response to the complaint, the Chair of Trustees (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 we will not respond 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:

- We have 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.

This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel. 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 three years after the complainant'(s) relationship with the School has ended.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point. Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

10. Learning lessons

The Chair of Trustees will review any underlying issues raised by complaints with the Headteacher, 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 Chair of Trustees will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The deputy Chair of Trustees 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 the Headteacher's PA.

This policy will be reviewed by Headteacher every three years**.** At each review, the policy will be approved by the full Board of Trustees.

12. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures (GA)
- Admissions policy CF
- Exclusion's policy CI
- Staff grievance procedures DI
- Staff disciplinary procedures DK
- SEN policy and information report BJ
- Communication Policy EA

Appendices

Advice for Parents

If you feel that something is not going quite as you would like it to be, that we are doing something that you are unhappy with, or not doing something that you feel we should, PLEASE TELL US ABOUT IT.

- The first step:
  As set out in our Communication Policy, we encourage parents to use their child's Diary Planner as a way of contacting their child's Form Tutor. This is a way of dealing with relatively minor concerns. If you want to speak with a member of staff, then in many cases the best person to ring is the Form Tutor. We hope that most problems can be sorted out in this way.

- The second step:
  If you regard the matter as more serious, you might want to arrange a meeting either with the person concerned or with your child's Head of Section or with a Head of Department.

  Parents need to ring the School Office to make an appointment in advance of this happening. Sometimes such a meeting will take place with just the teacher you have contacted, but sometimes another teacher will also be present. Alternatively, you might wish to discuss a more serious matter with the Head of Section by ringing them.

  If you feel it is appropriate you may wish to ring or have an appointment with the Headmaster, who is always prepared to make an appointment to see parents. In almost all cases we can sort things out satisfactorily in this way.

  Although we do offer you various options for pursuing a concern as set out above, we would encourage you, unless you feel uncomfortable doing so or feel that a particular case makes this inappropriate, to speak to/write to the person whose conduct you are unhappy about in the first instance. It is the School's policy in nearly all cases to ensure that the person who has been complained about is involved in a discussion of the problem and this means sharing the details of concerns raised with them.

- The third step:
  If you have fully explored the first two steps and still wish to continue a complaint, then you should make a formal written complaint to the Headmaster; you should then receive a written response. If you wish to make a formal written complaint about the Headmaster, and do not feel comfortable writing to him, then see below.

- Taking matters further:
  If you are dissatisfied with the Headmaster's response to your formal complaint letter, then you need to contact the Trustees. You may also want to contact the Trustees if you have a complaint about the conduct of the Headmaster, though you are encouraged to contact him and discuss the problem with him first unless you feel uncomfortable or feel it is inappropriate doing so.

You should send written details of your complaint, with any correspondence and evidence to support your complaint to the Chair of Trustees at the school address. If a complaint is referred to the Chair of Trustees, he will speak to the Headmaster about the matter and look into the matter as appropriate. He will then write to the complainant with a response. If it is deemed appropriate, a more formal complaints investigation will be set up. This Complaints Committee will consist of members of the Finance Committee and will be chaired by the Chair of the Finance Committee. The decision of the Complaints Committee will normally be deemed to be final.

In procedural matters the School Trustees will follow Local Authority guidelines, except where the Trustee Policy contradicts them.

As Caistor Grammar School is an Academy, all complaints about either the Headmaster or the Trustees must in the first instance be considered by members of the Board of Trustees itself. If a complainant finds Trustees' conduct unsatisfactory in that they have not followed agreed School policies or procedures properly or at all, then they can contact the Secretary of State for Education at the Department for Education, who will seek to ensure that agreed procedures are followed. The Secretary of State has to accept the authority of the Board of Trustees if they have been.

The above procedures apply to all complainants, both parents and those people who are not parents.

3 Advice for Students

If you feel that something is not going quite as you would like it to be, that we are doing something that you are unhappy with, or not doing something that you feel we should, PLEASE TELL US ABOUT IT.

- The first step:

Students should discuss any concerns with an appropriate member of staff. This could be your Form Tutor, or the particular member of staff concerned. We hope that most problems can be sorted out this way.

- The second step:

If, after speaking to a member of staff, you do not feel that your complaint has been properly dealt with, or if your concern is about the conduct of a particular teacher, then you should discuss that with a more senior member of staff. This might be your Head of Section or a member of the Senior Leadership Team. However, you may wish to speak with the Headmaster, who is always prepared to meet with students. In almost all cases we can sort things out satisfactorily in this way.

If neither of these two steps resolve the matter then if students have not already discussed the matter with their parents, they should consider doing so. Taking matters further to the third step and beyond (Section 2 Advice for Parents) is usually done by parents rather than students.