

Colchester County High School for Girls  
Concerns and Complaints Policy

Policy No. A15

<b>COMMITTEE</b>	Personnel
<b>SLT RESPONSIBLE</b>	Mrs Gillian Marshall Headteacher
<b>REVIEW</b>	Every 3 years
<b>POLICY REVIEWED</b>	January 2017
<b>REVIEW DUE</b>	January 2020
<b>APPROVED BY THE GOVERNING BODY</b>	February 2017

# Colchester County High School for Girls Concerns and Complaints Policy

Policy No. A15

## **Introduction**

This policy statement sets out the school's approach to dealing with parental concerns and complaints, but it is not applicable to concerns or complaints relating to child protection issues, admissions or exclusions.

This Policy complies with Schedule 1, Part 7 of the Education (Independent School Standards) Regulations 2014.

The following people are recognised as being able to raise a concern or complaint under this policy: parents, carers, legal guardians, education guardians and third parties.

## **Policy Aim and Statement**

### **Aim:**

We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned. We also welcome feedback on what parents feel we do well, or not so well as a school. We will consider all feedback carefully, whether positive or negative, and will review our policies and practices accordingly.

We will ensure that a concern or complaint is managed sympathetically and efficiently, so that it can be resolved as soon as possible. Doing so is good practice, fair to those concerned and helps to promote parents' and students' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.

### **Statement:**

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to relationships between all stakeholders and also to our culture. You and students should never feel (or be made to feel) that a complaint will be taken amiss or will adversely affect a pupil or her opportunities at this school. The policy, however, distinguishes between a concern or difficulty which can be resolved informally and a formal complaint, which will require investigation.

We will treat concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of students.

Staff and governors will receive training in handling parental concerns and complaints as appropriate. All staff, together with members of the Governing Body, will receive a copy of this policy statement and will be familiar with the school's procedures for dealing with parental concerns and complaints.

## **The 3 Stages of our Concerns and Complaints Policy**

All concerns and complaints will be dealt with using the following 3 stage process, further details of which are set out in the body of this policy;

**Stage 1:** Concern or difficulty raised informally orally or in writing to a member of staff.

# Colchester County High School for Girls Concerns and Complaints Policy

## Policy No. A15

**Stage 2:** Formal complaint in writing to the Headteacher and the Chair of the Governing Body.

**Stage 3:** A Complaints Panel Hearing with at least 3 panel members.

### **The Timescale**

We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to Working Days, we mean a weekday when the school is open during term time. The dates of terms are published on the school's website.

### **Stage 1: Informal Complaints**

#### **1. Notification**

- 1.1 We expect that most concerns, where a parent/carer, student or third party seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching or pastoral care, the allocation of privileges or responsibilities, a timetable clash or any other aspect of the school's systems or equipment.
- 1.2 Please raise the concern initially with the subject teacher, Class Tutor or Headteacher, as you feel appropriate.

#### **2. Timescale**

- 2.1 All informal complaints will be dealt with within 15 Working Days from receipt of the complaint.
- 2.2 A Complaints Form will be completed, and a copy of it will be sent to the Complaints Co-ordinator (current contact details available from the Headteacher's Office); an example of this Complaints Form can be found at Appendix A.

#### **3. Unresolved concerns**

- 3.1 A concern which has not been resolved by informal means with 15 Working Days should be notified in writing as a formal complaint which will be dealt with in accordance with Stage 2 below.

### **Stage 2: Formal Complaints**

#### **4. Notification**

- 4.1 An unresolved concern under Stage 1, or a complaint which needs investigation, or a dissatisfaction with some aspect of the school's policies, procedures, management or administration should be set out in writing, providing full details and documentation relating to your complaint, and sent with your full contact details in an envelope addressed to the Headteacher and the Chair of the Governing Body. Your complaint will be acknowledged by telephone, fax, e-mail or letter within 2 Working Days, indicating the action that is being taken and the likely timescale for resolution.
- 4.2 A Complaints Form will be completed and sent to the Complaints Co-ordinator.

#### **5. Investigation**

- 5.1 The Headteacher and the Chair of the Governing Body may either deal with the matter personally, or delegate the matter to a senior member of staff, or one or more

# Colchester County High School for Girls Concerns and Complaints Policy

## Policy No. A15

of the Governors who will act as investigators (“Investigators”). The Investigators may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. The outcome of the investigation will be reported to the Headteacher and Chair of the Governing Body, who will then notify you by telephone, fax, email or letter of their decision and the reasons for it. Written records will be kept of all meetings and interviews held in relation to your complaint.

### **6. Timescale**

- 6.1 The Headteacher will inform any complainant of the outcome of an investigation and the resolution to the complaint within 28 Working Days from receipt of the complaint. Please note that if any complaint is received less than 28 days before the end of term or half term, you may receive your response after the school holidays.

### **7. Unresolved concerns**

- 7.1 Where a complaint has not been resolved by formal means within 28 Working Days, the complainant may request that a Panel Hearing is convened for the complaint to be considered.

## **Stage 3: Complaints Panel Hearing**

### **8. Notification**

- 8.1 To request a Complaints Panel Hearing (“Hearing”) please write to the Complaints Co-ordinator with 10 Working Days of the decision complained of. Please ensure that a copy of all relevant documents and your full contact details accompany your letter to the Complaints Co-ordinator. Please state in your letter the outcome that you desire and all grounds of your complaint. Please also send the Complaints Co-ordinator a list of the documents which you believe to be in the school’s possession and that you wish the Complaints Panel to see.

### **9. Acknowledgment**

- 9.1 The Complaints Co-ordinator will acknowledge your request in writing within 2 Working Days of receipt, and will confirm to you that the complaint has been passed to an appropriate Governor who will convene the members of the Complaints Panel and determine a date for the Hearing.
- 9.2 If you require assistance with your request, for example, because of a disability, please contact the Complaints Co-ordinator who will make appropriate arrangements.

### **10. Timescale**

- 10.1 The Hearing will be within 30 Working Days of receipt of your request for a Hearing and you will be notified by the Governor convening the Hearing of the date of the Hearing not less than 10 Working Days prior to the Hearing.

### **11. Members of the Panel**

- 11.1 There will be at least 3 members of the Complaints Panel, and the Complaints Panel will usually consist of 2 Governors of the school and 1 member who is independent of the governance and management of the school.

# Colchester County High School for Girls Concerns and Complaints Policy

## Policy No. A15

- 11.2 The members of the Complaints Panel will have no detailed prior knowledge of the circumstances of the complaint.
- 11.3 When you receive notification of the Hearing date, you will also receive brief information on who has been appointed to sit on the Complaints Panel.

### **12. The Role of the Complaints Panel**

- 12.1 The Complaints Panel is tasked with establishing the facts surrounding the complaint that has been made by considering:
  - 12.1.1 the documents provided by both parties; and
  - 12.1.2 any representations made by you, the Headteacher or the Chair of Governors.
- 12.2 The Complaints Panel can:
  - 12.2.1 dismiss the complaint in whole or in part;
  - 12.2.2 uphold the complaint in whole or in part;
  - 12.2.3 decide on the appropriate action to be taken to resolve the complaint; and
  - 12.2.4 recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not reoccur.
- 12.3 It is not within the powers of the Complaints Panel to make any financial award, nor to impose sanctions. The Complaints Panel may make recommendations to the Headteacher or the Governors as appropriate, on what they consider appropriate sanctions or on any other issues.

### **13. Attendance**

- 13.1 You may attend the Hearing and may be accompanied by one other person such as a relative, teacher or a friend. You must notify the nominated governor, at least 5 working days before the Hearing, of the name of your accompanying person and in what capacity they are known to you.
- 13.2 If your child, to which your complaint relates, is aged thirteen and above, she may attend all or part of the Hearing at the discretion of the Chair.
- 13.3 The Headteacher may attend the Hearing, and at the discretion of the Complaints Panel, any other person may attend the Hearing if they have a reasonable and just interest in the outcome of the complaint.

### **14. Evidence**

- 14.1 The Chair of the Complaints Panel will conduct the Hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner.
- 14.2 All parties may submit written evidence to the Complaints Panel in support of their position, and the Complaints Panel will consider all evidence provided. Such

# Colchester County High School for Girls

## Concerns and Complaints Policy

### Policy No. A15

evidence should be provided to the Complaints Co-ordinator not less than 5 days prior to the Hearing.

14.3 The Complaints Co-ordinator will distribute all written evidence to the parties not less than 3 days prior to the Hearing date.

14.4 The Hearing is not a legal proceeding and the Complaints Panel shall be under no obligation to hear oral evidence from witnesses.

### **15. The Hearing**

15.1 The Hearing will be chaired by one member of the Panel and will be conducted in an informal manner. The School will be represented by the Headteacher, unless the complaint is against the Headteacher. If the complaint is against the Headteacher a governor nominated by the Chair of Governors will represent the School.

15.2 All statements made at the Hearing will be unsworn. All persons present will be entitled, should they so wish, to write their own notes for reference purposes. A handwritten minute of the proceedings will be taken during the Hearing.

### **16. Conduct**

16.1 All those attending the Hearing are expected to show courtesy, restraint and good manners or, after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. If the Hearing is terminated due to the conduct of the parties, the Complaints Panel may either make their final decision if they are confident they have heard enough information to come to a decision, or they can arrange another Hearing.

16.2 Any person who is dissatisfied with any aspect of the way the Hearing is being conducted must say so before the proceedings go any further and such comments will be recorded.

### **17. Adjournment**

17.1 The Chair of the Complaints Panel may, at his / her discretion, adjourn the Hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice. The Hearing will however, be reconvened within 10 days of the adjournment.

### **18. Decision**

18.1 After consideration of the matters discussed at the Hearing, the Complaints Panel shall come to a decision, which will be communicated to the parties in writing within 10 Working Days, together with the reasons for the decision. If you do not wish to receive the decision by electronic mail, a copy will be given or posted to you.

18.2 The decision of the Complaints Panel is final. The decisions, findings and any recommendations will be available for inspection on the school premises by the Governing Body and The Headteacher.

18.3 If properly followed, this complaints procedure will limit the number of complaints that become protracted. However, no matter how good the concerns and complaints policy, there will be occasions when, despite all stages of the procedure have been

# Colchester County High School for Girls Concerns and Complaints Policy

## Policy No. A15

correctly followed, the complainant remains dissatisfied with the outcome, or the process. The complainant, in this case, may contact the Education Funding Agency.

### **19. Confidentiality**

- 19.1 The outcome of the Hearing and all documents and evidence presented at the Hearing are private and confidential as between the parties to the complaint, and should at all times, be treated as such.
- 19.2 A written record will be kept of all correspondence, statements and records relating to individual complaints for a minimum of 1 year from the date of the complaint. This record will be kept confidential except to the extent required by paragraph 33 (k), Part 7, of the Schedule to the Education (Independent School Standards) Regulations 2014, that is where access is requested by the Secretary of State or where disclosure is required in the course of the school's inspection or under other legal authority.
- 19.3 In accordance with data protection principles, details of individual complaints will normally be destroyed following each investigation. In exceptional circumstances, some details will be retained for a further period as necessary.

### **20. Unreasonable Complaints**

- 20.1 Please see Appendix C for examples of behaviour that will not be tolerated by the school.

## Colchester County High School for Girls Concerns and Complaints Policy

Policy No. A15

### Appendix A Complaints form

This form is to be completed by any member of staff who receives a complaint or a parent/carer who wishes to make a complaint. It should be passed to the Complaints Co-ordinator.

<b>What is the nature of the complaint? (Please tick)</b>	
<input type="checkbox"/> Staff conduct	<input type="checkbox"/> Parental/Carer conduct
<input type="checkbox"/> Teaching standards	<input type="checkbox"/> Pastoral care
<input type="checkbox"/> Condition of premises	<input type="checkbox"/> Timetabling
<input type="checkbox"/> Matters of regime and routine	<input type="checkbox"/> Access to or regulation of extra curricular activities
<input type="checkbox"/> Other (please give details)	
<b>Please give details of the complaint</b>	
Date[s] of incident	Time[s]
<b>If the complaint is about someone's behaviour please give the names of any witnesses to the incident[s]</b>	
<b>Action taken</b>	
Name	Position (staff or parent/carer)
Signed	Date

## Colchester County High School for Girls Concerns and Complaints Policy

Policy No. A15

<p style="text-align: center;"><b>Appendix B</b></p> <p style="text-align: center;"><b>Stage 1</b></p> <p>Concern/complaint raised with subject teacher/class tutor or Headteacher</p>	<ul style="list-style-type: none"> <li>- <ul style="list-style-type: none"> <li>• An informal complaint.</li> <li>• Process completed with 15 Working Days from the receipt of the complaint.</li> </ul> </li> </ul>
<b>If unresolved</b> ↓	
<p style="text-align: center;"><b>Stage 2</b></p> <p>Formal complaint raised with Headteacher and Chair of Governors</p>	<ul style="list-style-type: none"> <li>- <ul style="list-style-type: none"> <li>• A written complaint should be sent to the Headteacher or Chair of Governors, receipt of which will be acknowledged within 2 Working Days.</li> <li>• The process will be completed within 28 Working Days from receipt of the complaint.</li> </ul> </li> </ul>
<b>If unresolved</b> ↓	
<p style="text-align: center;"><b>Stage 3</b></p> <p>Formal complaint heard by the Complaints Panel</p> <p style="margin-top: 20px;">All stages must be followed in the order presented in the table; stages cannot be missed.</p>	<ul style="list-style-type: none"> <li>- <ul style="list-style-type: none"> <li>• Written notification of the request for a Complaints Panel Hearing should be sent to the Complaints Co-ordinator within 10 Working Days of the decision complained of.</li> <li>• The written request will be acknowledged by the Complaints Co-ordinator within 2 Working Days of receipt of the request.</li> <li>• The Hearing will be conducted within 30 Working Days of receipt of the request for the Hearing.</li> <li>• Notification to the complainant of the Hearing date will be provided not less than 10 Working Days prior to Hearing date.</li> <li>• The parties must inform the panel at least 5 Working Days before the Hearing if they intend to be accompanied by a legal representative.</li> <li>• All written evidence must be submitted to the Complaints Panel not less than 5 days prior to the Hearing date.</li> <li>• All written evidence will be distributed to the parties not less than 3 days prior to the Hearing date.</li> <li>• The parties will be notified of the Complaints Panel's decision within 10 Working Days of the Hearing.</li> </ul> </li> </ul>

# Colchester County High School for Girls Concerns and Complaints Policy

Policy No. A15

## Appendix C

### Unreasonable Complaints

- 1.1 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 such behaviour, including that which is abusive, offensive or threatening.
- 1.2 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”.
- 1.3 A complaint may be regarded as unreasonable when the person making the complaint:
  - 1.3.1 refuses to articulate their complaint or specify the grounds of a complaint, or the outcome(s) sought by raising the complaint, despite offers of assistance;
  - 1.3.2 refuses to co-operate with the complaints investigation process whilst still wishing for the complaint to be resolved;
  - 1.3.3 refuses to accept that certain issues are not within the scope of a complaints procedure;
  - 1.3.4 insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
  - 1.3.5 introduces trivial or irrelevant information which the complainant expects to be taken into account; or raises large numbers of detailed but unimportant questions, and insists they are fully answered immediately or to their own timescales;
  - 1.3.6 makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
  - 1.3.7 changes the basis of the complaint as the investigation proceeds;
  - 1.3.8 repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
  - 1.3.9 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 Education Funding Agency.
  - 1.3.10 seeks an unrealistic outcome; or
  - 1.3.11 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.
- 1.4 A complaint may also be considered unreasonable if the person making the complaint does so either in person, by telephone or in writing or electronically:
  - 1.4.1 maliciously;

## Colchester County High School for Girls Concerns and Complaints Policy

### Policy No. A15

- 1.4.2 aggressively;
  - 1.4.3 using threats, intimidation or violence;
  - 1.4.4. using abusive, offensive or discriminatory language;
  - 1.4.5. knowing it to be false;
  - 1.4.6. using falsified information; or
  - 1.4.7. publishing unacceptable information in a variety of media such as in social media websites and newspapers.
- 1.5. Complainants should limit the numbers of communications they have with us whilst we are progressing their complaint. It is not helpful if repeated correspondence is sent (either by letter, fax, phone, email or text) as it could delay the outcome being reached.
- 1.6. Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.
- 1.7. If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to refrain from such behaviour. 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.
- 1.8. 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 school.