

# Complaints Policy

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## **Statement of Intent**

Henlow Church of England Academy aims to resolve all complaints at the earliest possible stage and is dedicated to continuing to provide the highest quality of education possible throughout the procedure.

From time to time parents naturally have concerns about an aspect of their child's education. Often those concerns will resolve themselves, but on occasions parents may feel that the issue will need the school's help to be resolved.

As partners in your children's education the school wishes to work with you in the resolution of problems and this policy is designed to show what steps may be taken.

Once a complaint has been made, it can be resolved or withdrawn at any stage.

## **An Informal Concern**

On most occasions these can be resolved immediately by speaking to your child's class teacher. It will be necessary for you to make an appointment at a time which is convenient to both of you.

Please let the teacher know the nature of your concern when making an appointment so that they may investigate further on your behalf if necessary.

The purpose of the meeting should be to establish a solution or to agree a plan of action to resolve the concern. If the meeting fails to do so, then you should make an appointment to see the Head of Year.

The Head of Year will normally make further investigations on your behalf and meet with you to suggest a workable solution. If you feel that the matter is not satisfactorily resolved, you may request a meeting with the appropriate Deputy Head (Pupil Engagement / Curriculum Design and Pupil Progress) and then, if still not resolved, the Headteacher. If the meeting with the Headteacher does not resolve the situation you might wish to consider making the matter the subject of a formal complaint.

## **A Formal Complaint**

If the concern is not resolved at the informal stage complaints can be emailed to the Headteacher (cearp@henlowacademy.org.uk). Complaints must also be put in writing and delivered by post or by hand to the school. The Headteacher will either investigate the matter or delegate this responsibility to a senior colleague. The complaint should include details which might assist the investigation such as names of potential witnesses, dates and times of events and copies of relevant documents.

On the conclusion of the investigation, the Headteacher will write to the complainant with the outcome of the investigation. If the outcome of the investigation results in the implementation of staff disciplinary procedures, such procedures will remain strictly confidential.

This process will be completed within 15 school days. If a complaint is received during a school holiday period, then every effort will be made to deal with this within 15 days of return to school.

Where the situation is recognised as complex, and it is deemed to be unable to be resolved within this timescale, the Headteacher will contact the complainant to inform them of the revised target date via a written notification. The Headteacher may meet with the complainant to clarify the matter.

If the complainant is not satisfied with the manner in which the process has been followed or if the complaint is about the Headteacher, then in confidence, a full written complaint will need to be made to the Chair of Governors via the Clerk to the Governing Body ([clerk@henlowacademy.org.uk](mailto:clerk@henlowacademy.org.uk)). Communication by email should be followed up in writing and addressed to the Chair of Governors at the school address, delivered by hand or post. The Chair will write to you to confirm receipt of your letter, normally within 5 school days, and will investigate the matter fully unless there are exceptional circumstances which delay the investigation. In this case, the complainant will be informed of the reason for the delay and be told when they are likely to receive a formal response to their complaint.

On conclusion of the investigation, the Chair of Governors will write to the complainant with the result of the investigation. In some circumstances, the Chair may ask another governor to carry out the investigation on their behalf.

There will be occasions when the school has considered a complaint in accordance with its complaints procedure, but this has failed to resolve the matter. If the complainant does not feel the matter has been satisfactorily resolved, they should notify the Chair of Governors in writing via the Clerk, within 10 school days.

Written acknowledgement will be made within 5 school days. This will inform the complainant that a Complaints Appeal Panel will be convened to consider the complaint within 20 school days.

This Panel will be made up of at least three members of the Governing Body.

Prior to the hearing, the Chair of Governors will have written to the complainant informing them of how the review will be conducted. The Headteacher will also have a copy of this letter.

The complainant will receive a written response explaining the final outcome within 15 school days. This letter will also explain whether there are any further rights of appeal and to whom they need to be addressed.

If a complainant believes that the Governing Body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representation to the Secretary of State for Education. Where a complaint is judged by the Governing Body to be vexatious, the complainant will be informed that their complaint will not be accepted and will not be investigated.

### **Managing unreasonable requests**

The school 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.

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 complaints procedure has been fully and properly implemented and completed including referral to the DfE.
- 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
- By 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 school causing a significant level of disruption, the school may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six 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 premises.

### **Complaints campaigns**

For the purposes of this policy, "complaints campaigns" are where the school receives large volumes of complaints that are all based on the same subject.

Where the school becomes the subject of a complaints campaign from complainants who are not connected with the school, a standard, single response will be published on the school's website.

If the school receives a large number of complaints about the same subject from complainants who are connected to the school, e.g. parents, each complainant will receive an individual response.

If complainants remain dissatisfied with the school's response, they will be directed to the DfE.

### **Barring from the premises**

School premises are private property and therefore any individual may be barred from entering the premises.

If an individual's behaviour is cause for concern, a member of the senior leadership team will ask the individual to leave the premises.

The headteacher will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and why, subject to any representations that the individual may wish to make.

The individual involved will be given the opportunity to formally express their views regarding the decision to bar them.

This decision to bar will be reviewed by the chair of governors or a committee of governors, taking into account any discussions following the incident.

If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place, they will also be informed of when the decision will be reviewed.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including email, to the headteacher or chair of governors.

Once the school's complaints procedure is completed, the only remaining avenue of appeal is through the Courts.

Please note that complaints regarding the following are not included in this document: Admissions; National Curriculum; Child Protection; Academy Exclusions; Special Educational Needs and Disabilities and complaints about governors. For further guidance on these matters parents are advised to contact the Department of Education (<https://www.gov.uk/complain-about-school>).

### **Review of the procedure**

The complaints procedure will be reviewed every 2 years, taking into account the latest guidance issued by the DfE.