



Complaints & Concerns Policy

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Please note that this is written following advice from NAHT and the DfE and should be read in conjunction with the schools Persistent and Unreasonable Contact policy.

Complaints Procedure

William Harding is dedicated to providing the best possible education and support for all pupils within its school. This means having a clear, fair and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

Who can make a complaint?

This complaints procedure is for parents of pupils attending the school, parents/carers of children no longer at the school and members of the public. Unless complaints are dealt with under separate statutory procedures (see table on page 2 and 3), we will use this complaints procedure.

The difference between a concern and a complaint

- A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.
- A complaint may be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. William Harding School takes concerns/complaints seriously and will make every reasonable effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, please refer to the **Who to Contact** sheet which clearly shows who you can speak to. This can be found on our school website for your ease; <http://www.williamhardingschool.co.uk/who-to-contact> William Harding School will always attempt to resolve the issue as soon as is reasonably possible, through the internal stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. Concerns should be made informally in the first instance and raised in line with the **Who to Contact** sheet. If the issue remains unresolved, it will be escalated. It is helpful for you to state what outcome you would like. The final step is to make a formal complaint in writing via email using the form within this policy.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at a later stage of the procedure. Complaints against school staff (except the headteacher) should be made in the first instance to the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances which the headteacher or Chair of Governors will determine.

Time scales

You must raise the complaint within three months of the incident. We may consider complaints made outside of this time frame if exceptional circumstances apply.

Timings

We always aim to ensure that complaints are considered and resolved as quickly, and efficiently as possible. We aim to keep to the timescales outlined in this Policy. However, if it becomes necessary to alter the time limits and deadlines set out within this procedure, the staff member/Governor investigating will ensure the below is adhered to;

- an explanation as to why time limits and deadlines are to be altered
- advise with clearly revised timescales

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If a complainant commences legal action against William Harding School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

In this procedure:

- 'School days' excludes weekends, school holidays and inset days;
- 'Parent' means a parent, carer or anyone with legal responsibility for a child.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by William Harding School other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Buckinghamshire Local Authority.
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding relating to a person in a position of trust e.g. a member of staff on 01296 382070 or at secure-LADO@buckinghamshire.gov.uk or the Multi-Agency Safeguarding Hub (MASH). Contact the First Response Team on 01296 383962 between 9am-5pm Monday to Friday.

	<p>If you need an urgent response outside of these hours, contact the Emergency Duty Team (EDT) on 0800 999 7677.</p> <p>You can also report a concern online using the referral form https://www.buckssafeguarding.org.uk/childrenpartnership/reporting-a-concern/report-a-concern/</p>
<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. *complaints about the application of the behaviour policy can be made through the school's complaints procedure. http://www.williamhardingschool.co.uk/policies</p>
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.</p>
<ul style="list-style-type: none"> National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

Resolving complaints

At each stage in the procedure, William Harding School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part or not upheld. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and if possible an indication of the timescales within which any changes will be made
- a review of school policies in light of the complaint
- an apology

Withdrawal of a Complaint

If a complainant wishes to withdraw their complaint, we will ask them to confirm this in writing.

Complaints Procedure and stages

At every stage in the complaints procedure we will mark any complaint-related correspondence with the stage at which the complaint is being considered so as to demonstrate that we have complied with its complaints procedure and to support all parties.

Informal concerns/complaints

Before any formal complaints are made, the complainant is expected, as part of this policy, to try to informally resolve the complaint in the first instance by following the **Who to Contact** sheet.

Many enquiries and concerns can be dealt with satisfactorily and informally in the first instance, without the need to resort to the formal procedure. We value informal meetings and discussions and encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding. Informal concerns and complaints may be made in person or in writing. Complainants must refrain from publicising the details of their complaint on social media and respect confidentiality in order for the process to be a mutually beneficial one.

The process for the **Informal stage** of this policy is to address your concerns/complaint in the following order;

1. **Class teacher** – they always aim to build strong relationships with families and they know your child best
2. **Year Leader** – they will have an overview of the Year group and will be able to offer a greater insight over the year group
3. **Assistant Head teacher** – they will have an overview of the Key Stage and staff, they work closely with the Extended leadership and Senior Leadership team
4. **Assistant Head teacher** – as above to quality assure
5. A member of the **Senior Leadership team**
6. **Deputy Head teacher**

It is always helpful if you can fully explain the nature of the concern and identify the outcome you are looking for. You may be invited to an informal meeting or called over the phone by the member of staff most appropriate for dealing with that concern. The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. More than one member of staff may need to attend the meeting if appropriate.

If the matter is brought directly to the attention of the Headteacher they may decide to deal with your concerns directly or direct the matter to the appropriate staff member as per the process above.

There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion, although it would be expected that most issues will be resolved within 15 school days. Where no satisfactory solution has been found, you will be advised that if you wish your concerns to be considered further you should write to the Headteacher within 15 school days.

Formal Concerns or complaints

Stage 1

In order to move to stage 1 there must be evidence that the informal resolution has been approached, if there is not you will be referred back to previous stage as above.

The date the formal written complaint is received will be recorded and the office will acknowledge receipt of the complaint by email within 5 school days.

If it is not clear, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face to face meeting or investigation is the most appropriate way of doing this. *Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*

During the investigation, the headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the headteacher will provide a formal written response within 15 school days of the date of receipt of the complaint.

If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions William Harding School will take to resolve the complaint.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2.

Stage 2 would be a meeting with a Governor or members of the Governing body, depending on the complexity of the matter.

This is the **final stage** of the complaints procedure.

Any new, different or altered complaints must be dealt with informally and then under Stage 1 of the procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 15 school days of receipt of the Stage 1 response. The clerk/office will record the date the complaint is received and acknowledge receipt of the complaint in writing by email within 5 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Governor/s will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's and schools staff needs. If the complainant/staff member is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate and is agreed. The complainant should notify the Clerk/Governor in advance if they intend to bring anyone to the hearing. Representatives from the media are not permitted to attend.

The Clerk/Governor will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 2 request. If this is not possible, the Clerk/Governor will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk/Governor will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The meeting will consist of a governor/s with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the meeting.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

As soon as reasonably practicable and, in any event, at least 5 school days before the meeting, the Clerk/Governor will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The Governor/s will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The Governor/s will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with at the **informal part** of the procedure and then at stage 1.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it and with the informed consent of all parties being recorded. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. The Governor/s is/are under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. Consent will be recorded in any minutes taken.

The Governor/s will consider the complaint and all the evidence presented. They can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Governor/s will provide the complainant and William Harding School with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days. The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by William Harding School.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions William Harding School will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Records of complaints

A written record will be kept of all complaints, including at what stage they were resolved and action taken by the School as a result of those complaints regardless of whether they were upheld. Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of a school inspection or under other legal authority. The findings and recommendations of the panel will be made available for inspection by the School and the Headteacher.

Persistent and unreasonable contact/complaints

If William Harding School believes that the complaint/contact is unreasonable at any points of the contact/complaint stages, there will be a move to the Persistent and unreasonable contact policy. This is defined as below;

- making excessive demands on school time hindering the proper running of the school by frequent, lengthy or complicated contact with staff regarding the complaint in person, in writing, by email or by telephone
- refusing to participate in the complaints policy, despite offers of assistance
- frivolous, vexatious and/or has insufficient grounds
- refusal to co-operate with the investigation process
- refusal to accept that certain issues are not led/managed by the school
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed questions, and insists they are fully answered,
- demands on immediate response and to their own timescales
- raises persistent questions or comments
- 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)
- refusal 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, such as the inappropriate dismissal of staff
- uses threats/demands to intimidate
- uses abusive, offensive or discriminatory language or violence

- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums

Complaint Campaigns

For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with the School) which are all based on the same subject. Depending on the subject in question, we may deviate from the procedure set out in this policy and instead:

- Send a template response to all complainants and/or
- Publish a single response (as applicable)

Duplicate complaints

Where we receive a complaint that is the same, or similar to or based on the same facts of a complaint from a spouse, a partner, a grandparent, a child not attending this school or a friend, we will remind them that we have already considered the complaint and the local process is complete. Complainants will be advised to contact the DfE if they are dissatisfied with our handling of the complaint.

Case for ceasing correspondence

We may take the decision not to respond to any further correspondence where:

- We have taken every reasonable step to address the persons' concerns
- The person has been given a clear statement of our position and their options
- The person contacts us repeatedly, making substantially the same points each time

The case for ceasing further correspondence is stronger where:

- Letters, emails or telephone calls are often or always abusive or aggressive or make insulting personal comments about or threats towards staff
- We have reason to believe the complainant is contacting us with the intention of causing disruption or inconvenience

Next steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by William Harding School. They will consider whether William Harding School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at:

www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- **work with the school rather than seek external routes for complaint**
- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality

Investigator (if one is needed)

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or Governor/s will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision

Governor/s or Committee Chair

When more than one Governor is involved there may be a Committee Chair.

- The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:
 - both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The committee should respect the views of the child/young person and give them equal consideration to those of adults. If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests. The welfare of the child/young person is paramount.

Complaint Form

Please complete and return to the school office/clerk who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name and class(if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Has this been shared with the school?
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?

What outcome would you like to see?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: