



COMPLAINTS PROCEDURE

At St John's School we use the teachings of the Church of England to embed the following core Christian values.

These are:

Friendship

Forgiveness

Trust

and Compassion

These values will underpin the following Policy.

This Policy is reviewed at least every 5 years by the Headteacher and the Personnel Committee

Date Agreed:	5 March 2018
Review Date:	March 2023
Signed by Headteacher:	
Signed by Chair of Personnel Committee:	

INTRODUCTION

This document sets out the school's procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about the school or the education provided, you are encouraged to discuss the matter first with your child's class teacher at the earliest opportunity. The school considers any concerns very seriously and most problems can be resolved at this stage. If you are not a parent/carer with a child at school concerns should be discussed with the Head Teacher or the Chair of Governors as appropriate (see below for their respective areas of responsibility).

Please note that this procedure does not apply to issues concerning the curriculum, collective worship, admissions, exclusion appeals, decisions about your child's special educational needs or grievances by or against staff. These are the subject of separate procedures, copies of which can be obtained from the school.

All other complaints are handled by the school according to the arrangements set out below, in the spirit of our core Christian values; Friendship, Forgiveness, Compassion and Trust. We expect all complainants to act likewise.

SAFEGUARDING

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy.

SOCIAL MEDIA

In order for complaints to be resolved as quickly and fairly as possible, we ask that complainants do not raise concerns or discuss them publicly via social media (or otherwise). Complaints will be dealt with confidentially by the school and we expect complainants to observe confidentiality also.

AIMS AND OBJECTIVES

The school will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

OUR PROCEDURE AIMS TO

- be easily accessible and publicised
- be simple to use and understand
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action and keeping people informed of the progress
- ensure a full and fair investigation by a person independent of the school where necessary
- respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- address all points of issue, providing an effective response and appropriate redress, where necessary
- provide information to the school's senior management team so that services can be improved.

FORMAL COMPLAINTS PROCEDURE

STAGE 1

If you feel that a concern has not been addressed through informal discussion with the Class Teacher, and you wish to have the matter formally investigated, this process begins with the completion of a complaints form, which you will find later at the end of this pack. If you would like help completing the form, the school will be happy to provide the assistance of someone unconnected with the complaint. The completed form should be returned to (a) The Head Teacher if the concern/complaint is under the Head Teacher's responsibility or (b) The Chair of Governors if the concern/complaint is under the Governing Body's responsibility, (these are indicated below). The complaint form should be returned to the school office, marked Confidential, for the attention of either the Head Teacher or Chair of Governors as appropriate. The Head Teacher/Chair of Governors will acknowledge in writing receipt of the complaint form within **three working days** after receiving it and will enclose a copy of the school's complaints procedure with the acknowledgement.

If the matter is about:

- the day-to-day running of the school
- the interpretation of school policies
- the actions or inactions of staff at the school

These are concerns/complaints under the Head Teacher's responsibility and will be investigated by the Headteacher or Deputy Headteacher. *See D1 below for flowchart.*

If the matter is about:

- school policies as determined by the Governing Body
- the actions or inactions of the Governing Body
- the Headteacher

These are concerns/complaints under the Governing Body's responsibility and will be investigated by the Chair of Governors or another Governor nominated by the Chair.

STAGE 2

If the concern/complaint has been investigated by the Head Teacher, Stage 2 of the formal procedure will begin with the complaint form being passed to the Chair or a nominated governor to review whether the complaint has been properly dealt with (*see flow chart D1*). If the concern/complaint has been investigated by the Chair, the complaint form passes to the Governing Body (*see flow chart D2*).

If the complaint has not been resolved the complainant will be given a copy of Procedure for Governing Body Complaints Panel Hearing (Appendix 1). A governor complaints panel is set up to consider the complaint which will be passed to the Governing Body. The panel consists of at least 3 people, not directly involved in matters detailed in the complaint, one of whom will be independent of the management and running of the school.

Thereafter the complainant may decide to write to The Education and Skills Funding Agency, if they feel the school has acted unreasonably or not followed the correct procedures. (see www.gov.uk – search Complain about an academy and also their schools complaints form)

If the complaint is a staff disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, but we will not be able to tell you which procedure or the final outcome.

POLICY FOR UNREASONABLE COMPLAINANTS

(Appendix 2)

MONITORING AND REVIEW

The Governing Body monitors the complaints procedure, in order to ensure that all complaints are handled properly. The Head Teacher logs all formal complaints received by the school and records how they were resolved. Governors examine this log on an annual basis and consider the need for any changes to the procedure.

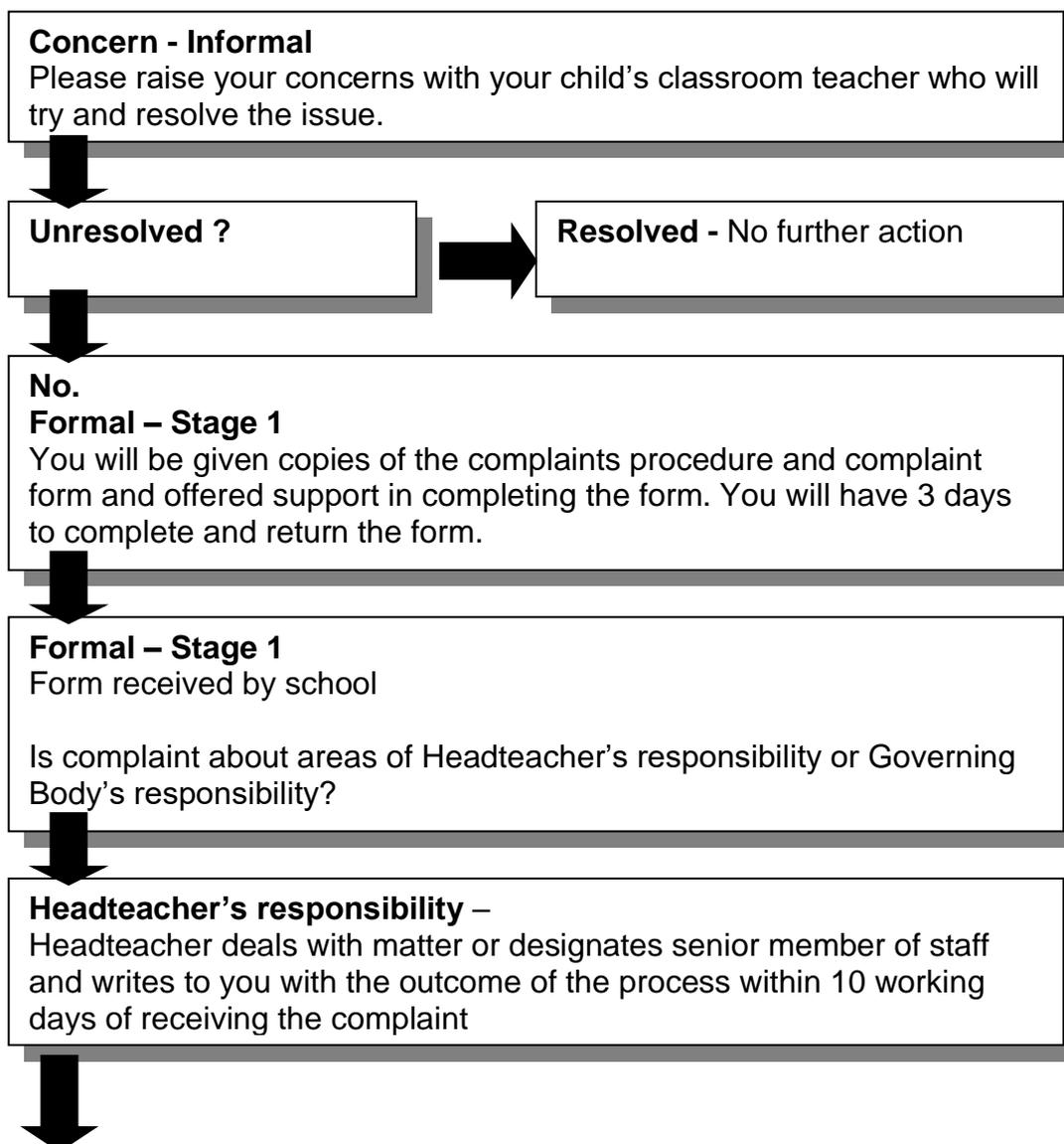
AVAILABILITY

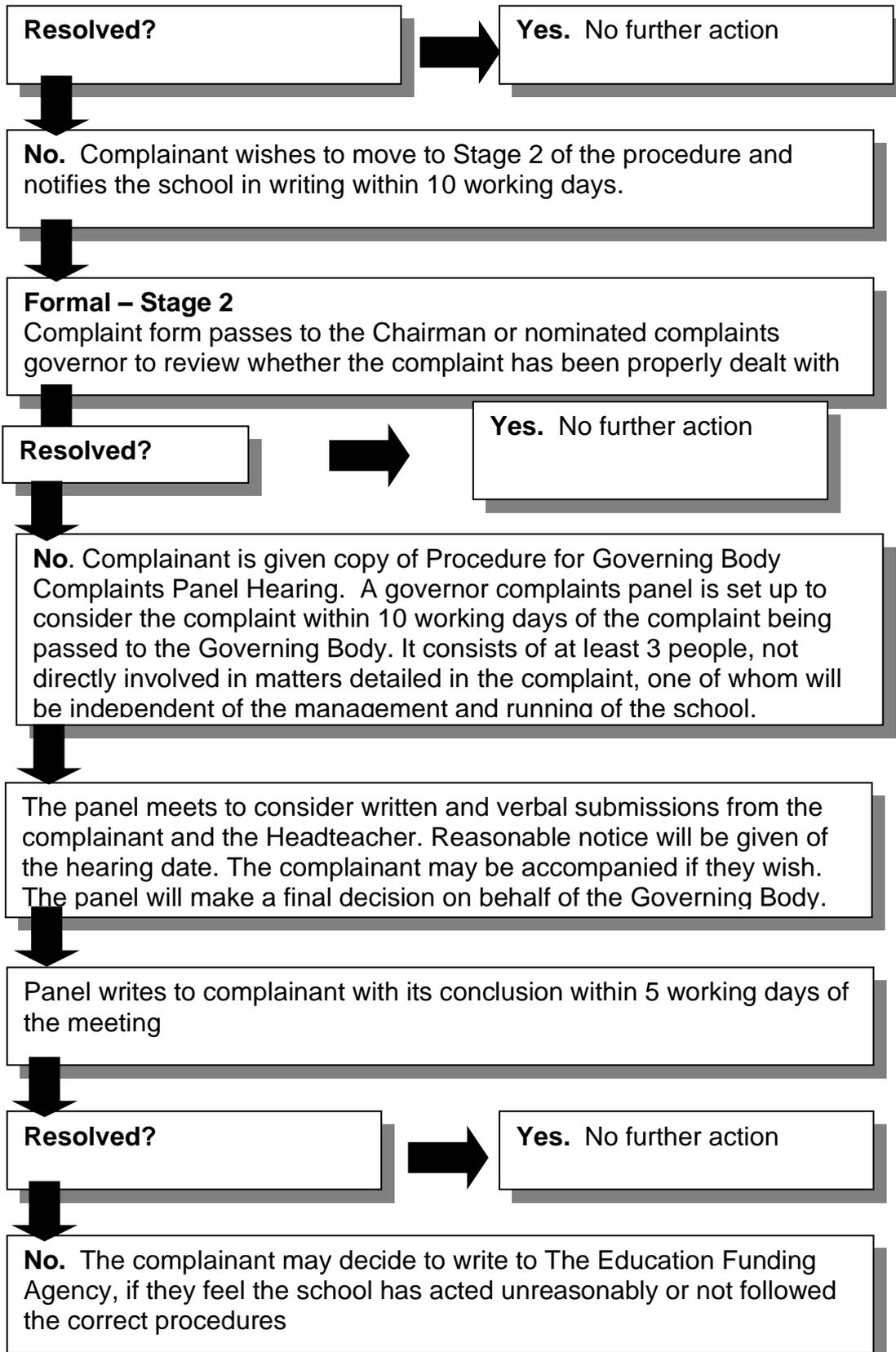
A copy of this procedure is available on request and is also available on the school website.

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 pupils at the school.

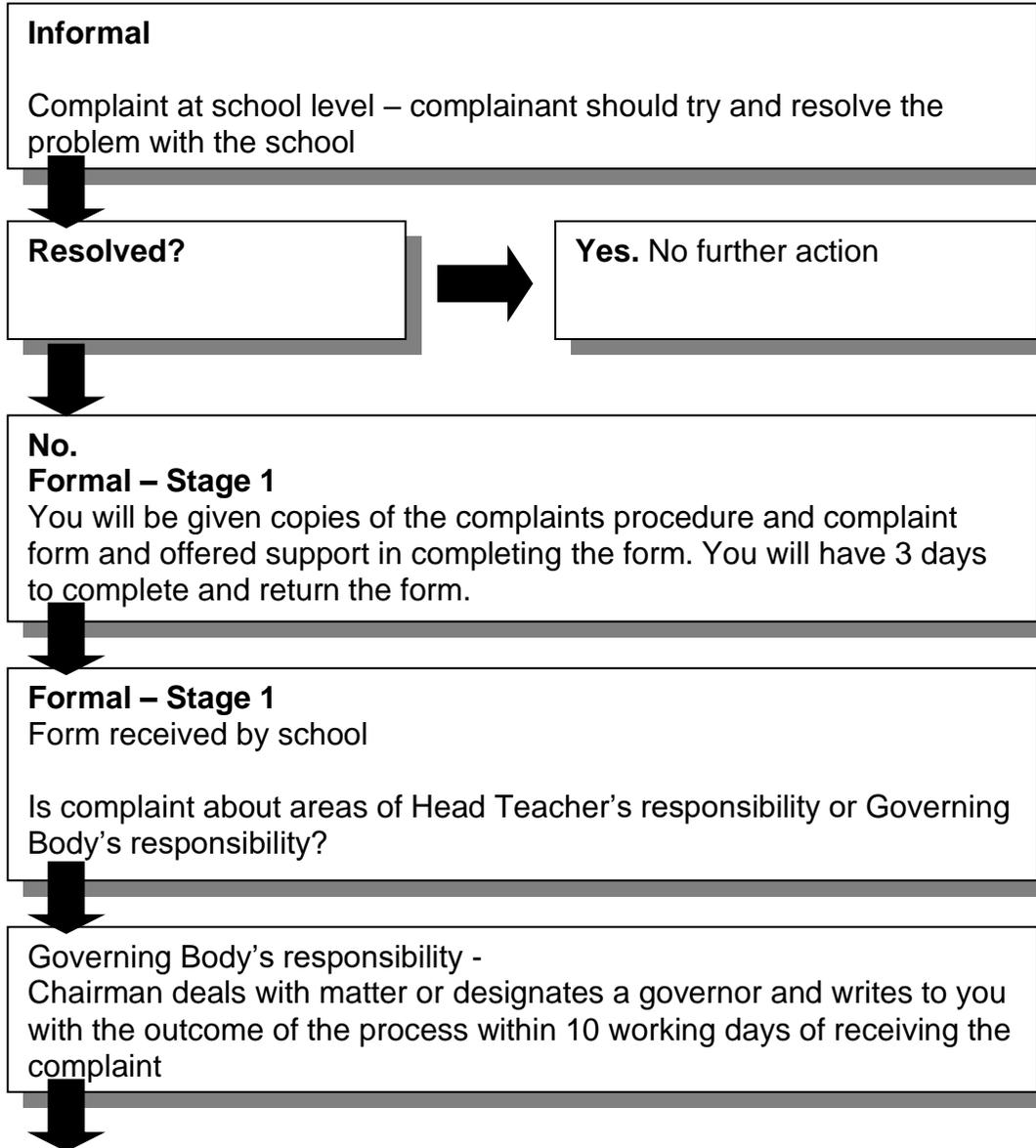
It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

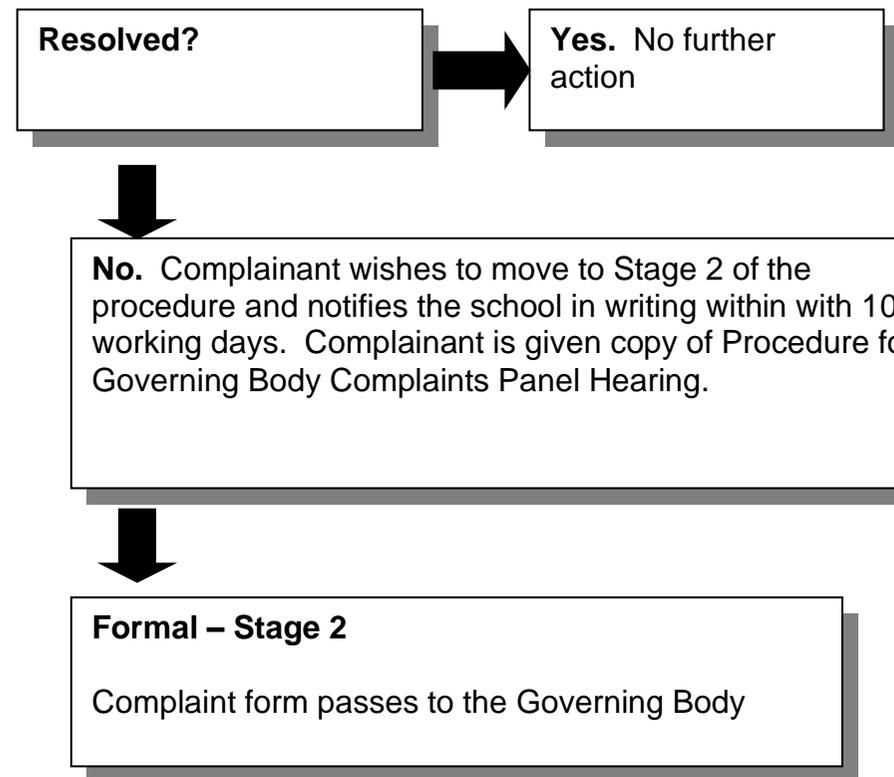
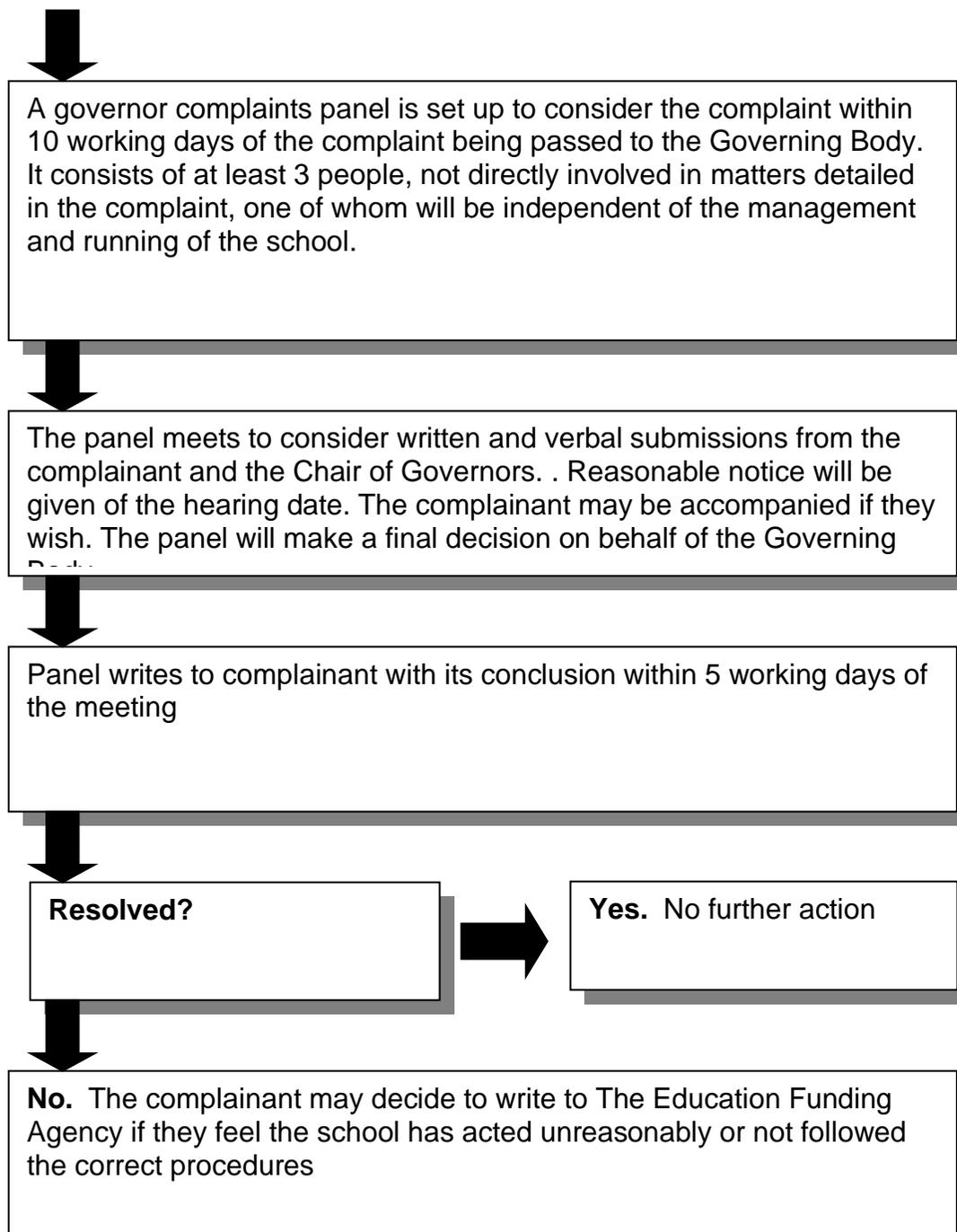
D1 COMPLAINT/CONCERN UNDER HEADTEACHER'S RESPONSIBILITY





2 COMPLAINT/CONCERN UNDER GOVERNING BODY'S RESPONSIBILITY







E COMPLAINT FORM

Please complete and return to the School Office, marked for the confidential attention of the Head Teacher/Chair of Governors.

Your name:

Pupil's name:

Your relationship to the pupil:

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 whom:

Complaint referred to:

Date:

Appendix 1

PROCEDURE FOR CONDUCTING A GOVERNING BODY COMPLAINTS PANEL HEARING

The Governing Body Complaints Panel operates according to the following formal procedures:

1. The Chair of the Governing Body Complaints Panel will aim to arrange for the panel meeting to take place within 10 working days.
2. The Chair of the Governing Body Complaints Panel will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
3. The Head Teacher or Chair of Governors (depending on the nature of the complaint) will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The Chair of the Governing Body Complaints Panel will inform you, the Head Teacher or Chair of Governors, any relevant witnesses and members of the panel by letter, at least five working days in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.
5. With the letter, the Chair of the Panel will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.
6. The letter from the Chair of the Panel will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. With the agreement of the Chair of the Panel, the Head Teacher or Chair of Governors may invite members of staff directly involved in matters raised by you to attend the meeting.
8. Witnesses will be invited to the hearing and give statements but withdraw once they have done so.
9. The Chair of the Panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
10. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
11. The Chair of the Panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the Panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
12. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a

copy of the minutes it would be helpful if you could indicate this in advance. If the Panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.

13. During the meeting, you can expect there to be opportunities for:

- _ you to explain your complaint;
- _ you to hear the school's response from the Head Teacher or Chair of Governors;
- _ you to question the Headteacher about the complaint;
- _ you to be questioned by the Head Teacher or Chair of Governors about the complaint;
- _ the panel members to be able to question you and the Head Teacher;
- _ any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
- _ you and the Head Teacher or Chair of Governors to make a final statement.

14. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Head Teacher or Chair of Governors and yourself within five working days. All participants other than the panel and the clerk will then leave.

15. The panel will then consider the complaint and all the evidence presented in order to:

- _ reach a majority, decision on the complaint;
- _ decide on the appropriate action to be taken to resolve the complaint;
- _ recommend, where appropriate, to the Governing Body changes to the school's systems, policies or procedures to address the issues raised.

16. The Chair of the Panel will send you and the Head Teacher or Chair of Governors a written statement outlining the decision of the panel within five working days. If you are not satisfied with the outcome and feel the school has acted unreasonably or not followed the correct procedures you may write to The Education and Skills Funding Agency, details of which should be provided in the letter.

17. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

Appendix 2

POLICY FOR UNREASONABLE COMPLAINANTS

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 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'*.

Examples: 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 complaint procedure has been fully and properly implemented and completed including referral to the EFSA
- 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 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.

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 school premises.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the EFSA. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.