



Dream Believe Achieve

# Complaints Policy

Signed by Chair of Governors

Kerry Scott

Date ratified by Governors

07/12/2022

Date to be reviewed by Governors

07/12/2023

# Belmont Park School

## Complaints Policy

### Aims

We value the feedback and well-being of all members of our community and are committed to always acting in a professional manner and in accordance with our policies and procedures.

To support this commitment the following policy has been created and outlines the specific arrangements in place for the unlikely event that someone may wish to make a complaint.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect
- Facilitate a full and fair investigation including by a panel where necessary
- 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.

To support these aims we will ensure we publicise the existence of this policy and make it available on the school website.

### The complaints process

Please refer to the flow chart attached for ease of reference.

#### Informal concern or complaint - Stage 1

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 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 as appropriate, 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.

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

## **Formal Complaint - Stage 2**

### **Inform the Headteacher in writing\***

Use the 'School Complaint Form' (attached) to provide details such as relevant dates, times, and the names of any witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

The headteacher (or designated member of the senior leadership team) will call a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The headteacher (or other person appointed by the headteacher for this purpose) will then conduct their own investigation. The conclusion of this investigation will be shared with the complainant.

If the complainant feels that the complaint has not been dealt with appropriately and they wish to proceed to the next stage of the procedure, they should inform the chair of governors in writing within 10 days.

### **If the complaint is about the Headteacher\***

Use the School Complaint Form (attached) and pass it to the school office marked ***for the attention of the Chair of Governors***. The complainant should be contacted within 5 school working days and an investigation will be carried out. The written conclusion of this investigation will be shared with the complainant.

If the complainant feels that the complaint has not been dealt with appropriately and they wish to proceed to the next stage of the procedure, they should inform the chair of governors in writing within 10 days.

### **If the complaint is about a Governor or Governing Body as a whole\***

If the complaint is about the Chair of Governors, use the School Complaint Form (attached) and pass it to the school office marked ***for the attention of the Clerk to the Governing Body***. The complainant will be contacted as soon as possible and an investigation will be carried out by a suitably skilled and impartial member of the Governing Body in the first

instance and by a committee of members of the governing body in the second. The written conclusion of this investigation will be shared with the complainant.

If the complaint is about the Governing Body as a whole, the same form should be used and passed to the school office marked **for the attention of the Clerk to the Governing Body**. The Clerk will then determine the best course of action dependent on the nature of the complaint.

*\*Please note that if complaining in writing is difficult or not possible, please contact the office who will take notes about your complaint or put you in contact with another person who will be able to do this for you.*

### **Complaint Heard by Review Panel - Stage 3**

Where the complainant is dissatisfied with the complaints process or the outcome of their complaint, they may request their complaint to be heard by a Governors Review Panel. The complainant should set out in writing the reason they are dissatisfied with the process or the outcome and pass it to the school office marked **for the attention of the Chair of Governors**.

The complaint will then be considered by a panel of governors who have had no prior involvement with the complaint or the circumstances surrounding it. The panel will convene a meeting to discuss the complaint, the investigation, the evidence, the findings and the outcome and will make a final decision about how to progress. The complainant may or may not be called to the meeting of the panel. Minutes of the meeting will be recorded and kept as a record.

An outcome letter detailing the final decision of the panel will be sent to the complainant within 20 school days of the meeting.

### **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 School Complaints Unit (SCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.

**The SCU will not re-investigate the matter of the complaint.** It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The SCU also looks at whether the school's statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

### **Persistent or Unreasonable Complaints**

Where a complainant tries to re-open the issue (or another version of the same issue) with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the chair of governors (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:

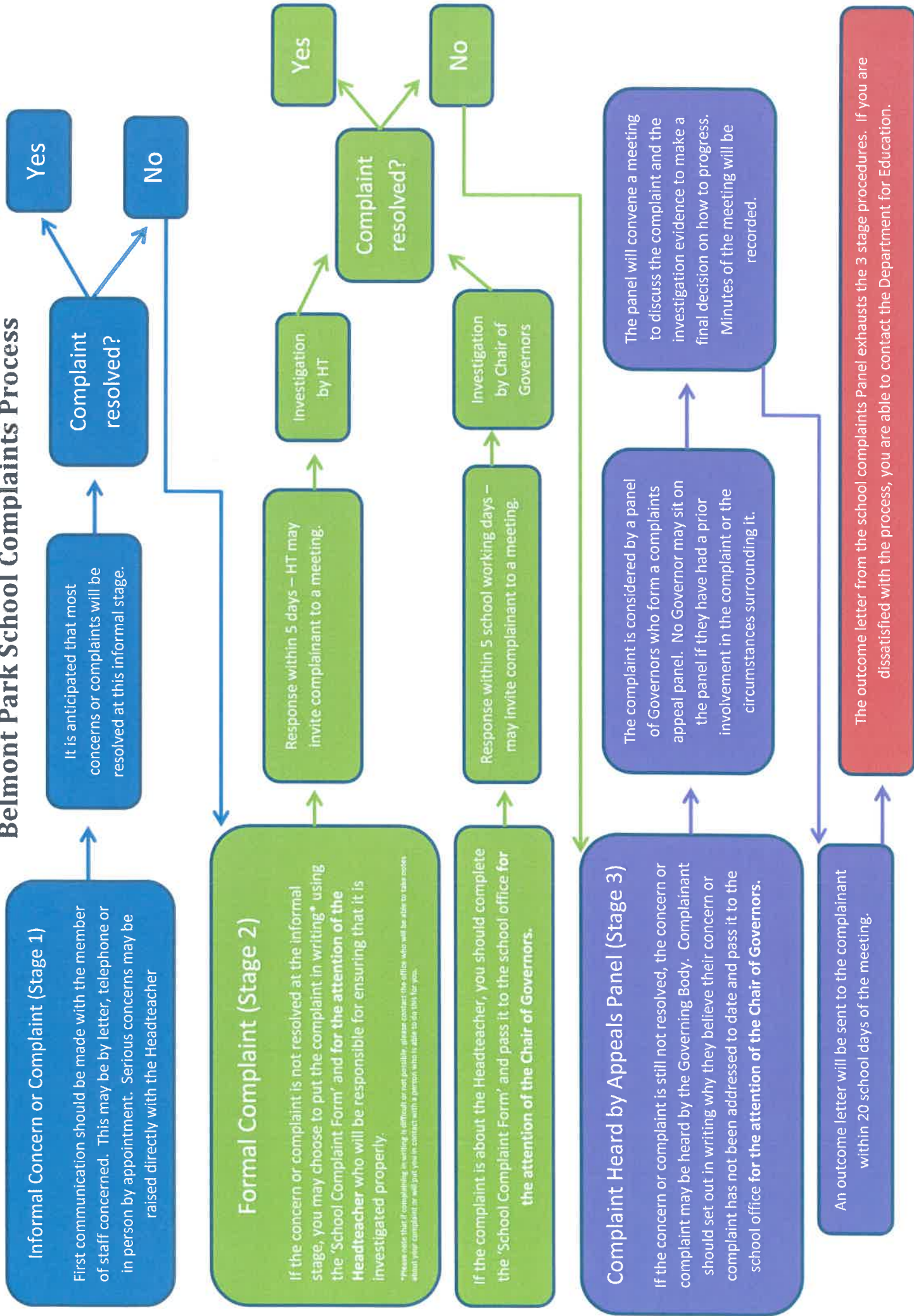
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats 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.

# Belmont Park School Complaints Process



## Informal Concern or Complaint (Stage 1)

First communication should be made with the member of staff concerned. This may be by letter, telephone or in person by appointment. Serious concerns may be raised directly with the Headteacher

It is anticipated that most concerns or complaints will be resolved at this informal stage.

Complaint resolved?

Yes

No

## Formal Complaint (Stage 2)

If the concern or complaint is not resolved at the informal stage, you may choose to put the complaint in writing\* using the 'School Complaint Form' and for the attention of the Headteacher who will be responsible for ensuring that it is investigated properly.

\*Please note that if complaining in writing is difficult or not possible, please contact the office, who will be able to take notes about your complaint or will put you in contact with a person who is able to do this for you.

Response within 5 days – HT may invite complainant to a meeting.

Investigation by HT

Yes

Complaint resolved?

No

If the complaint is about the Headteacher, you should complete the 'School Complaint Form' and pass it to the school office for the attention of the Chair of Governors.

Response within 5 school working days – may invite complainant to a meeting.

Investigation by Chair of Governors

## Complaint Heard by Appeals Panel (Stage 3)

If the concern or complaint is still not resolved, the concern or complaint may be heard by the Governing Body. Complainant should set out in writing why they believe their concern or complaint has not been addressed to date and pass it to the school office for the attention of the Chair of Governors.

The complaint is considered by a panel of Governors who form a complaints appeal panel. No Governor may sit on the panel if they have had a prior involvement in the complaint or the circumstances surrounding it.

The panel will convene a meeting to discuss the complaint and the investigation evidence to make a final decision on how to progress. Minutes of the meeting will be recorded.

An outcome letter will be sent to the complainant within 20 school days of the meeting.

The outcome letter from the school complaints Panel exhausts the 3 stage procedures. If you are dissatisfied with the process, you are able to contact the Department for Education.

## **Belmont Park School Complaint Form**

Please complete and pass to the Headteacher (or Chair of Governors) via the school office.

Your name:

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Pupil's name:

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Your relationship to the pupil:

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Address:

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Postcode:

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Daytime telephone number:

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Evening telephone number:

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Email address:

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Please give concise details of your complaint (including dates, names of witnesses, etc.) to allow the matter to be fully investigated:

What action (if any) have you already taken to try and resolve your complaint? (Who have you spoken or written 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: \_\_\_\_\_