



**Calday Grange**  
Grammar School

# **CONCERNS & COMPLAINTS POLICY**

Date approved by FGB: 9<sup>th</sup> February 2023

## Section A

### 1. Overview and School Context

At Calday Grange Grammar School we recognise that, at times, there will be dissatisfaction with the service that we provide. This policy is designed to assist complainants in such circumstances. There are essentially three stages to the process, and this is outlined later in this document.

Firstly, it is important to note the difference between a 'concern' and a 'complaint'. The DfE does this in the following manner:

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

Therefore, by definition, most issues raised are 'concerns', and these can be resolved relatively easily. For example, a parent/carer may not be happy about a detention issued in a subject. This can be resolved by the classroom teacher involved, or, if necessary, with the involvement of their line-manager. General pastoral concerns, such as perceived unfair treatment over an issue, can be raised with the child's form tutor.

Matters which go beyond 'concerns' will be dealt with in accordance with this Policy. Complaints can be made through various channels; by telephone, email, in person or writing. The proforma (see rear of Policy) is designed to aid this process.

Overall, our School aims to meet its statutory obligations when responding to complaints from parents/carers of students at the School, and others. By 'others', we mean that parents/carers of former students or members of the public may complain to the School.

When responding to complaints, we aim to:

- Be impartial and non-adversarial;
- Facilitate a full and fair investigation by an independent person or panel, where necessary;
- Address all the points at issue and provide an effective and prompt response;
- Respect complainants' desire for confidentiality;
- Treat complainants with respect and courtesy;
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law;
- 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.

The School will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this Policy and make it available on the main School website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

Concerns and complaints are viewed as an important part of the School's self-evaluation processes. There are always lessons to learn and an apology will be issued when our standards of service have fallen short. Complaints and learning points from them are discussed at Governing Body meetings.

## 2. Legislation and Guidance

This document meets the requirements of section 29 of the [Education Act 2002](#), which states that Schools must have and make available a procedure to deal with all complaints relating to their School and to any community facilities or services that the School provides.

It is also based on [guidance for Schools on complaints procedures](#) from the Department for Education (DfE), including the model procedure, and model procedure for dealing with serial and unreasonable complaints.

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 students at the School.

Moreover, it is 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).

This policy complies with our funding agreement and articles of association.

Finally, it refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

## 3. Formal Procedures and Scope

The School intends to resolve complaints informally where possible, at the earliest possible stage. The Headteacher has the overall responsibility for the operation and management of this Policy. In practical terms, the day-to-day application of it falls within the role of the Deputy Headteacher, Internal Community.

Should complainants require any advice on the application of this policy, please contact the Clerk to the Governing Body at the following address [complaints@calday.co.uk](mailto:complaints@calday.co.uk)

This policy does **not** cover complaints procedures relating to:

- Admissions;
- Statutory assessments of special educational needs (SEN);
- Safeguarding matters;
- Suspension and permanent exclusion;
- Whistle-blowing;
- Staff grievances;
- Staff discipline;

Please see our separate policies for procedures relating to these types of complaint.

Complaints about services provided by other providers who use School premises or facilities should be directed to the provider concerned.

## 4. The Complaints Process

### Investigating Complaints

Whenever a formal complaint is received it will be investigated. At each stage, the person investigating the complaint (the Complaints Co-ordinator), makes sure that they:

- establish **what** has happened so far, and **who** has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);

- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

### **Resolving Complaints**

At each stage in the procedure we will remain mindful of ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained about will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review School policies in light of the complaint.

We encourage complainants to state what actions they feel might resolve the problem at any stage. Please note, an admission that the School could have handled the situation better is not the same as an admission of negligence.

At all times we will seek to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

## **THE FORMAL COMPLAINTS PROCEDURE**

### **The Stages of Complaints**

Our formal complaints procedure has well-defined stages. At each stage we clarify exactly who will be involved, what will happen, and how long it will take. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Headteacher after a meeting with the complainant.

#### **Our School-based stages are followed:**

- Stage one: complaint heard by staff member (though not the subject of the complaint);
- Stage two: complaint heard by Headteacher or nominee;
- Stage three: complaint heard by the Governing Body's Complaints Appeal Panel; (See Appendix C).

### **Complaints against the Headteacher or a Governor**

Complaints against the Headteacher should be referred to the Chair of Governors, who will initially investigate the matter. A panel of three Governors will consider the complaint further if required. In the event of a complaint against the Chair of Governors, a Governor with no knowledge of the complaint will be assigned to consider it. A Committee of three Governors may be convened to consider this further. In some circumstances, the School reserves the right to refer the matter to an external body, for example a specialist mediation service.

## **5. Time scales**

It is anticipated that most complaints will be resolved within ten working days. The complainant will be notified of progress and informed if more time is required to aid the process.

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first School day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant;
- Send the complainant details of the new deadline and explain the delay.

## **6. 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 Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint, but will intervene if a school or trust has:

- Breached a clause in its funding agreement;
- Failed to act in line with its duties under education law;
- Acted (or is proposing to act) unreasonably when exercising its functions.

If the School's complaints procedure is found to not meet regulations, the School will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

## **7. Record keeping**

The School will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. They will be stored securely.

## **8. Links with other policies**

Policies dealing with other forms of complaints include those with regard to:

- Safeguarding Policy & Procedure;
- Admissions Policy;
- School Behaviour Policy;
- Staff Grievance Policy;
- Staff Disciplinary Policy;
- SEND Policy;

## **Section B - Unreasonable Complaints and Other Types of Complaint**

### **1. Unreasonably Persistent Complaints**

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the School's Concerns & Complaints Procedure;
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive;
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason;
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this Policy, or insists that the complaint is dealt with in ways that are incompatible with it, including the timeframes set out;
- Makes a complaint designed to cause disruption, annoyance or excessive demands on School time;
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

#### **Steps we will take**

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our Complaints Policy as normal (as outlined above) wherever possible.

If the complainant continues to contact the School in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address;
- Limit the number of times the complainant can make contact, such as a fixed number per term;
- Ask the complainant to engage a third party to act on their behalf;
- Put any other strategy in place as necessary.

**This may include not responding to any further correspondence regarding this issue. This course of action will be followed when:**

- We believe we have taken all reasonable steps to help address their concerns;
- We have provided a clear statement of our position and their options;
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience.

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our School site.

### **2. Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete;
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint;
- If there are new aspects, we will follow this procedure again.

### **3. Complaint campaigns**

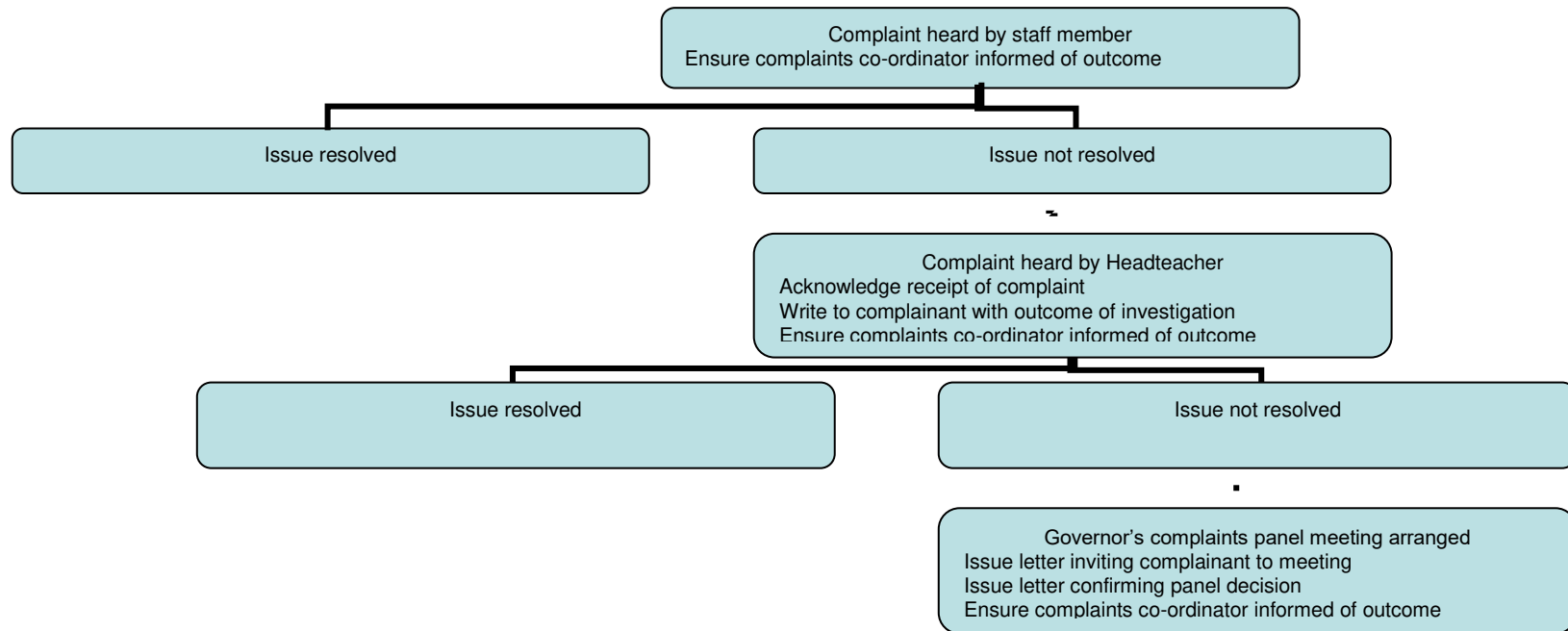
Where the School receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the School, the School may respond to these complaints by:

- Publishing a single response on the School website;
- Sending a template response to all of the complainants.

If complainants are not satisfied with the School's response, or wish to pursue the complaint further, the normal procedures will apply.

### Flowchart

#### Summary of Dealing with Complaints







**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.**

<b>Signature</b>	
<b>Date</b>	

<b>OFFICIAL OFFICE USE</b>	
<b>Date acknowledgement sent:</b>	
<b>By who:</b>	
<b>Complaint referred to:</b>	
<b>Date:</b>	

## **APPENDIX C: CHECKLIST FOR A PANEL HEARING**

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the School's actions and be followed by the School's witnesses.
- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the School's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.