



Olney Middle School

Complaints Policy

February 2019

Agreed by R&P: February 2019

Review by date: February 2020

The policy is scheduled for review, as per the above date however if there are legal or statutory changes the policy will need to be reviewed

Author: H Lamble

Version: Version 2

At Olney Middle School high expectations of learning, behaviour and respect for each other underpin everything we do. Our teachers strive to create independent, articulate thinkers and learners who have the confidence to achieve their ambitions. This drives us in our pursuit for excellence every day.

Purpose

We want all pupils and their families to be happy with the education we offer and the policies and procedures we follow. The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. A 'concern' can 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 generally defined as an expression of dissatisfaction however made, about actions taken or lack of action. Olney Middle School is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint the school will follow the school's formal complaints procedure agreed by Staff and Governors. For the school to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it will not be investigated.

The prime aim is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the school. The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

This procedure takes into account the advice in DfE 2016 Best Practice for Complaints Procedures:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/489056/Best_Practice_Advice_for_School_Complaints_2016.pdf

Principles

At Olney Middle School our effective Complaints Procedure will:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- 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 an independent person where necessary;
- respect people's desire for **confidentiality**;
- address all the points at issue and provide an **effective** response and **appropriate** redress where necessary;
- provide information to the school's senior management team so that services can be improved.

Investigating Complaints

At each stage, the person investigating the complaint will ensure that they:

- establish **what** has happened so far, and **who** has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet 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 Olney Middle School will keep in mind 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 of 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.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage.

It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Unreasonable complaints – vexatious complaints

If a complaint is made that raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the school will not reinvestigate the complaint unless there are exceptional circumstances, for example where new evidence has come to light.

If a complainant persists in raising the same issue, the Headteacher will write to them explaining that the matter has been dealt with fully in line with the school complaints procedure, and therefore the case is now closed. The complainant will be provided with the contact details of the Department for Education (see the end of this document) if they wish to take the issue further.

Unreasonable complaints include the following scenarios:

- the complainant refuses to co-operate with the school's relevant procedures
- the complainant changes the basis of the complaint as the complaint progresses
- the complainant seeks an unrealistic outcome

- excessive demands are made on the time of staff and school governors and it is clearly intended to aggravate
- the complainant acts in a way that is abusive or offensive.

The Headteacher will use their discretion to choose not to investigate these complaints. If they decide to take this course of action, the Chair of Governors must be informed, explaining the nature of the complaint and why they have chosen not to investigate. If the Chair deems it appropriate to, they can redirect the Headteacher to investigate the complaint. The full complaints procedure will then commence from stage one on this direction.

If the Chair upholds the Headteacher's decision not to look into the complaint, and the complainant deems this decision to be so unreasonable that no other rational body in the same position would have made that decision, then the complainant may write to the Department for Education.

Time-Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. Olney Middle School's complaints procedure has realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

The following details outline the stages that can be used to resolve complaints. Olney Middle School's Complaints Policy has four main stages.

In summary they are as follows:

- Stage one: complaint heard by staff member (though not the subject of the complaint);
- Stage two: complaint heard by Headteacher;
- Stage three: complaint heard by Chair of Governors
- Stage four: complaint heard by Governing Body Complaints Appeal Panel.

Stage 1 – Raising a concern

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. The school requests that parents make their first contact with their child's Class Teacher. On some occasions the concern raised may require investigation, or discussion with others, in which case the parent will receive an informal but informed response within a day or two. The majority of concerns will be satisfactorily dealt with in this way. However, if the complainant is not satisfied with the result at stage 1, they should write to or call the school within 10 school working days and state what they would like the school to do. The school will then look at the complaint at Stage 2.

Stage 2 – Complaint heard by the Headteacher

Formal complaints should be put in writing and addressed to the Headteacher. The complaint will be logged, including the date it was received. The school will normally acknowledge receipt of the complaint within 5 school working days of receiving it. In many cases this response will also report on the action the school has taken to resolve the issue. Alternatively, a meeting may be convened to discuss the

matter further. This meeting will normally take place within 10 school working days. The aim will be to resolve the matter as speedily as possible. However, if the complainant is still not satisfied with the result at Stage 2 they should write to or call the school within 10 school working days of getting our response. They should tell the school why they are still not satisfied and what they would like the school to do.

Stage 3 – Complaint heard by Chair of Governors

If the matter has not been resolved at Stage 2, the Headteacher will inform the Chair of Governors and arrange further investigation. Following the investigation, the Chair of Governors will normally give a written response within 10 school working days. The Chair of Governors will also consider the outcome of the investigation and whether to convene a complaints panel. The hearing will normally take place within 10 school working days of the receipt of the written request for Stage 3 investigation.

Stage 4 – Complaint heard by Governors' Appeal Panel

The aim of the Appeal Panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. Any review of the process followed by the school will be conducted by a panel of three members of the Governing Body who are not directly involved in the incident. One of the panel will be independent to the management and running of the school. This will usually take place within 10 school days of receipt of the request.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically. All parties will be notified of the Panel's decision in writing within three school working days after the date of the hearing. The letter will also contain details of the School Complaints Unit (SCU) should they wish to take the matter further.

In cases where the matter concerns the conduct of the Headteacher, the Headteacher and Chair of Governors will be informed of the complaint. The Chair will arrange for the matter to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint. Complaints against the Chair of Governors or any individual Governor should be made in writing to the Clerk to the Governing Body.

Governing Body Review

The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole Governing Body will not name individuals. As well as addressing an individual's complaints, the process of listening to and resolving complaints may contribute to identifying underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body will be a useful tool in evaluating a school's performance.

Olney Middle 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.

Publicising the Procedure

There is a legal requirement for the Complaints Procedures to be publicised. This requirement will be fulfilled by including details in:

- the school web-site;
- any report/communication from the governors to parents;
- the information given to new parents when their children join the school;

Summary of Complaints Procedure:

Stage 1 – Complaint is raised with the child's Class Teacher. This may be answered immediately or within two days if further investigation is necessary.

Stage 2 – Complaint heard by Headteacher. Formal complaints should be put in writing to the Headteacher who will organise to meet with parents/carers.

Stage 3 – Complaint heard by Chair of Governors. A written response will be made by the Chair who will then consider the outcome of the investigation and whether to convene a complaints panel.

Stage 4 – Complaint heard by Governors' Complaints Panel – all parties will be notified of their decision within three working days.

Contact details for external organisations if not satisfied with the outcomes of the complaints procedure in full.

- Any queries regarding any aspect of the complaints procedure, can be directed to the governors.
- If the complainant remains dissatisfied with the outcome of the complaints procedure they may contact the Inspiring Futures through Learning Multi Academy Trust Chair of Board of Trustees or CEO.
- If the complainant feels that the governing board has acted 'unreasonably' in the handling of the complaint, they can complain to the Department for Education after the complaints procedure has been exhausted. Please note that 'unreasonable' is used in a legal sense and means acting in a way that no 'reasonable' school or authority would act in the same circumstances.
<https://www.gov.uk/complain-about-school>
- Ofsted will also consider complaints about schools.

Relevant legislation and guidance

The Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/contents>

The Data Protection Act 1998 <http://www.legislation.gov.uk/ukpga/1998/29/contents>

The Education (Independent School Standards) Regulations 2014
<http://www.legislation.gov.uk/uksi/2014/3283/contents/made>

Olney Middle School Complaints Policy

Education Act 2002 <http://www.legislation.gov.uk/ukpga/2002/32/contents>

The Department for Education Best Practice advice for school complaints procedures 2016

<https://www.gov.uk/government/publications/school-complaints-procedures>

Date: February 2018

Olney Middle School: Meeting Request Form

I wish to meet _____ to discuss the following matter:

Your name:

Relationship with school (e.g. parent of a pupil on the school roll):

Pupil's name (if relevant to the matter to be discussed)

Your Address:

Telephone numbers

Daytime:

Evening:

e-mail address:

Signed **Date**

[Please complete this form and return it to the school office]

School use:

Date Form received:

Date response sent:

Received by:

Response sent by:

Olney Middle School Formal Complaint Form

Please complete this form and return it to the school office or to the Headteacher who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (e.g. parent of a pupil on the school roll):

.....

Pupil's name (if relevant to your complaint):

.....

Your Address:

Telephone numbers

Daytime:

Evening:

E-mail address:

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

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

Signature:

Date:

Olney Middle School Complaints Policy

School use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:	
Date:	

Olney Middle School Complaint Review Request Form

Please complete this form and return it to Headteacher (or Clerk to the Governing body), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Your Address:

Telephone numbers:

Daytime:

Evening:

E-mail address:

Dear Sir,

I submitted a formal complaint to the school on and am dissatisfied by the procedure that has been followed.

My complaint was submitted to and I received a response from on.....

I have attached copies of my formal complaint and of the response(s) from the school.

I am dissatisfied with the way in which the procedure was carried out, because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

Signature:

Date:

Olney Middle School Complaints Policy

School use

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:	
Date:	

FOR SCHOOL USE:

Model Letters

Response to spurious complainant

Dear [Name of complainant]

Thank you for submitting your concern in the letter received on the [insert date]. After careful consideration, unfortunately, I am unable to deal with this matter under the Governing Bodies Complaints Procedure. This is because:

[we suggest that you include one of the following statements]

- The substance of your complaint has been addressed under the complaints procedure already.
- The concerns that you raise do not fall within the scope of this procedure
[suggest alternative for example: admissions policy, exclusion policy, behaviour policy, grievance procedure etc]

If you wish my decision to be reviewed then you can follow the school's Formal Complaint Procedure, by writing to the Clerk to the Governing Body.

Yours sincerely,

Headteacher
Or Chair of Governing Body

Acknowledgement of receipt of formal complaint *and* invitation to meet

Dear [Name of Complainant]

I have received your formal complaint, dated I am grateful that you have brought this to my attention.

The school and governing body take any complaint seriously. Therefore, I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. *Please telephone..... in order to arrange an appointment. **OR** I can offer you an appointment at ... on..... Please let me know if this is convenient.*

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place.

Yours sincerely,

Headteacher
Or Chair of Governing Body

Acknowledgement of receipt of formal complaint referred by a third party [e.g. LA, Diocese, MP]

Dear [Name of Complainant]

I have received a copy of the documentation that you sent in to setting out a complaint about..... This has been passed to the school as it has responsibilities for these matters.

The school and governing body take any complaint seriously. Therefore, I would like to meet with you, so that I can understand the details of your concerns more clearly.

Please telephone, in order to arrange an appointment. **OR** I can offer you an appointment at on Please let me know if this is convenient.

Meanwhile I would be grateful if you would complete and return the Formal Complaint Form that is enclosed, along with details of the school's complaints procedure.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place.

Yours sincerely,

Headteacher
Or Chair of Governing Body

Acknowledgements of receipt of formal complaint and advising complainant that the matter is being dealt with under a confidential school procedure

Dear

I have received your formal complaint, dated I am grateful that you have brought this to my attention.

The school and governing body take any complaint seriously. Therefore, I have initiated an immediate investigation. It is possible that the investigator will wish to meet with you to clarify the evidence that you have provided so far. If so, he/she will write to you to make suitable arrangements.

As your concerns relate to the conduct/capability of a member of staff, the investigation will be carried out under the school's personnel procedures. This means that the detail of the procedure and its outcome **must** remain confidential to the school and the member of staff concerned.

OR

As your concerns relate to the behaviour of a pupil, the investigation will be carried out under the school's pupil conduct and disciplinary procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the parents of the child concerned.

In due course, I may be able to provide you with some information about the outcomes of the investigation and the processes that have been followed, but in any event will let you know when the matter has been concluded.

If I can be of any further assistance, please do let me know.

Yours sincerely,

Headteacher
Or Chair of Governing Body

NOTIFICATION OF DECISION REGARDING FORMAL COMPLAINT

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I/the panel have/has concluded that:

The concern is not substantiated by the evidence in that

OR

The concern was substantiated in part/in full, as The school will review its practices/procedures..... with the intention of avoiding any reoccurrence. Parents will be informed in due course of any policy changes.

OR

In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur

OR

In order to address fully the matters of concern that you identified, the panel recommended that the governing body should review its policy, as a matter of urgency. We are confident that this should prevent similar concerns arising in future.

I hope that this will now conclude the matter and we can look to the future working together for the benefit of your child's and the school.

Yours sincerely,

Headteacher/Chair of Governing Body/Chair of Panel

REVIEW OUTCOME NOTIFICATION

Dear

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint.

Summary of reasons

Therefore, we now consider the matter closed.

Or

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint except

Therefore, the following action will be taken

Once this action has been completed the school will consider the matter to be closed.

Or

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint except

However, the panel determined that this procedural failure did not affect the outcome of the consideration of your complaint so, while we regret this error, we will now consider this matter to be closed as far as the school is concerned.

Yours sincerely,

Chair of Complaints Review Panel
c.c. Headteacher
Chair of Governors