



HIGHFIELDS SCHOOL

COMPLAINTS PROCEDURE

BOUNDARY WAY, PENN, WOLVERHAMPTON, WV4 4NT
Telephone: 01902 556530 E-mail: enquiries@hswv.co.uk Website: www.hswv.co.uk

CONTENTS

Section	Page
Procedure	3
Roles & Responsibilities	4
Informal Concerns – Stage 1	5
Formal Complaints – Stage 2	5
Review Panel – Stage 3	5 – 7
Persistent Complaints	7 – 8
Complaints against the Headteacher/Governor(s)	8
Record Keeping	8 – 9
Learning Lessons	9
Monitoring Arrangements	9
Links with other Policies	9

Complaints

If you have a complaint to make about an element of the school's policies, procedures or practices there are several routes that you could go down which are outlined on the following pages.

This procedure applies to most general complaints received by the school. If your concern relates to admissions, suspension/ permanent exclusions, religious education and collective worship, SEND assessments or child protection allegations, staff grievances or discipline and withdrawal from the curriculum, there are existing statutory bodies, personnel or other procedures for dealing with these issues which we will be able to support you with. If you do not have a child in school but would still like to raise a concern or make a complaint please follow the same process below.

Please be assured that we take all concerns and complaints seriously and will make every effort to deal with these at the earliest opportunity. We would, however, be grateful if you could inform us of your concerns as soon as possible after the issue has arisen.

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.

Highfields School Complaints Procedure

Informal – Stage 1

Inform the appropriate member of staff of your concern. Member of staff looks into matter and advises you of the outcome.



Matter not resolved?



Formal – Stage 2

Complete the Formal Complaint Form and send to the Headteacher's Assistant



Matter not resolved?



Review by Panel – Stage 3

Refer your complaint to the Clerk to the Board who will convene a panel



Matter not resolved?



The DfE will usually only consider complaints after the above stages have been exhausted.

Roles and responsibilities

The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Cooperate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not publish details about the complaint on social media

The investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee, which includes the facts and potential solutions

The complaints co-ordinator

The complaints co-ordinator for our school is the Headteacher or delegated member of staff.

The complaints co-ordinator will:

- Make sure the process runs smoothly by liaising with staff members, the headteacher, chair of governors, clerk and CEO and chair of trustees.

Be aware of issues relating to:

- Sharing third party information
- Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person
- Keeping records

Clerk to the Local Governing Board or Governance Professional

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings

Committee Chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

Time scales

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 liaise with the complainant to reorganise.

STAGE 1 – INFORMAL CONCERNS

The school will take informal concerns seriously and will make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

Any concerns or complaints that you may have should be raised promptly with the relevant Year Team, Form Tutor, Head of Department or a member of the Senior Leadership & Management Team responsible for the issue or area that you are concerned about. This may be through a telephone call or email or submitting via the Forms Survey [HERE](#), but we would suggest that the most productive method is often to arrange to meet with the appropriate member of staff.

We would hope that the vast majority of concerns and complaints can be resolved in this manner and would ask you to seriously consider this route first before moving to the next stage of the process.

You should always be informed of the school response to, or outcome of, any concerns or complaint that you have raised in a timely and appropriate manner. If you are not satisfied, you can request that your concern be raised with the member of staff's Line Manager or you may decide to progress to Stage 2.

STAGE 2 – FORMAL COMPLAINT

If you feel that your concern or complaint has not been resolved through informal discussions, you should complete the online Formal Complaint Form Survey [HERE](#). Please ask us if you would like any help in completing the form. You can also download a word version from our website. We will acknowledge receipt of your complaint, usually within 5 school days, either orally or in writing, with a brief explanation of the process that will follow. It may be that the Headteacher will offer the opportunity for an initial face-to-face meeting to further clarify the issues raised.

For each complaint dealt with under the formal complaints procedure, the Headteacher (or other person appointed by the Headteacher for this purpose) will need to determine who has responsibility to investigate and respond to that complaint, including consideration of the extent of their own involvement in the process. The member of staff designated to investigate, and respond to the complaint will:

- Clarify the nature of the complaint
- Establish what has happened so far and who has been involved
- Contact the complainant or meet with them if necessary
- Clarify what the complainant feels would resolve the matter
- Interview those involved in the matter, allowing them to be accompanied if they wish
- Keep notes of any interviews
- Make clear recommendations for a resolution of the complaint if appropriate or liaise with those within school who will resolve the matter
- Ensure that the issues have been dealt with properly and fairly
- Inform the complainant either in writing or in person, usually within 10 school days, of the outcome of the investigation. If additional time is required the complainant should be informed.

If it becomes apparent that the complaint is a disciplinary or capability issue, then the matter will be dealt with through the relevant school procedures rather than the complaints procedure. You will be notified if this is the case with your complaint, but please be aware you are not entitled to know the details of the procedure or the final outcome.

If you are not satisfied with the outcome from Stage 2, or you are dissatisfied with the way in which your concern or complaint has been handled, you may choose to refer your complaint to Stage 3 of the Complaints Procedure. This must be done in writing to the Clerk to the Local Governing Board within 10 school days of the completion of Stage 2.

STAGE 3 – REVIEW PANEL

Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the school.

The panel will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 15 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting.

At the meeting

The meeting will be held in private. Electronic recording devices may be required as a reasonable adjustment where there are communication difficulties, in order for the complainant to access and review the discussions at a later point (provided that the recording remains confidential). Consent will be recorded in any minutes taken.

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. We don't encourage either party to bring legal representation but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and headteacher.

The outcome

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part
- If the complaint is upheld, the committee will:
 - Decide the appropriate action to resolve the complaint

- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future
- The school will inform those involved of the decision in writing within 5 school days.

Referring On

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>

We will include this information in the outcome letter to complainants.

PERSISTENT COMPLAINTS

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 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 complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets 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 a 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 procedure 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, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- 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.

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.

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.

COMPLAINTS AGAINST HEADTEACHER/GOVERNOR(S)

Complaints about the Headteacher should be addressed to the Chair of the Local Governing Board and marked confidential.

Complaints about the Chair of the LGB, an individual governor or the whole governing board should be addressed to the Clerk to the LGB and marked confidential. It should be noted that such complaints are rare and handling these will depend on the nature of the complaint. This may involve the Trust Board investigating the complaint and holding any subsequent panel hearing. The Complaints Procedure will apply.

RECORD KEEPING

The school will record and keep confidential 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.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and records management policy/record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

LEARNING LESSONS

The Complaints Review Committee will review any underlying issues raised by complaints with the Headteacher, or Senior Leadership Team where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

MONITORING ARRANGEMENTS

The Headteacher will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The Headteacher will track the number and nature of complaints and review underlying issues.

The complaints records are logged and managed by the Governance Professional.

LINKS WITH OTHER POLICIES

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Behaviour for Learning Policy (including Suspension and Permanent Exclusions)
- Staff grievance procedures
- Staff disciplinary procedures
- SEND policy and information report
- Privacy notices