

GMLT

Complaints Policy

For

Parrs Wood High School
(effective from 24th January 2017)

Date of Issue: 24th January 2017
Review Date: January 2018

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Complaints

Date	Review Date	Coordinator	Nominated Governor

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Local Government Act 1974
- Local Government Act 1988
- Education Act 1996
- Data Protection Act 1998
- School Standards and Framework Act 1998
- Freedom of Information Act 2000
- Education Act 2002
- Education Act 2005
- Education and Skills Act 2008
- Apprenticeship, Skills, Children and Learning Act 2009
- Children, Schools and Families Act 2010
- Education (Admissions Appeals Arrangements) (England) (Amendment) Regulations 2008
- Education (Independent Schools Standards) Regulations 2010
- Equality Act 2010
- Education (non-maintained Special Schools) Regulations 2011
- School Admissions (Appeals Arrangements) (England) Regulations 2012

The following documentation is also related to this policy:

- Complaints About Ofsted: Raising Concerns and Making a Complaint about Ofsted (Ofsted)
- School Admission Appeals Code (DfE)

We believe that Parrs Wood High School provides an excellent education and that the Headteacher and school personnel work very hard to build positive relationships and have in place clear lines of communication with all parents and others. In so doing complaints are kept to a minimum.

However, we are aware that under section 29 of the Education Act 2002 we must have in place clear procedures to deal with any complaint made against the school or individuals connected with it. We take any complaint seriously and we deal with them professionally following set procedures.

We believe complaints need to be resolved as quickly as possible but in some cases we need to establish whether the issue brought to our attention is a complaint or an actual concern. In such cases 'many issues can be resolved informally without the need to invoke formal procedures'.

We agree with the definition that a concern is 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought.' While a complaint is best defined as 'an expression of dissatisfaction however made, about

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actions taken or a lack of action'. By making this distinction between a concern and a complaint and taking all informal concerns seriously the number of concerns should be reduced before developing into formal complaints.

We must be aware that besides parents/carers of children who are registered at this school any member of the general public can make a complaint about 'any provision of facilities or services' that we provide at this school.

We have a duty to inform parents and the general public who may wish to make a complaint against an organisation using school facilities that they must lodge their complaint with that organisation and not the school.

We have a duty to publish the complaints policy on the school website with hard copies available from the school office.

We understand that a complaint may be made in writing, by telephone or in person. However, we will endeavour to accommodate those complainants who may be disabled or have learning difficulties by having in place alternative methods of registering a complaint.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that are connected with this policy.

Aims

- To deal with any complaint against the school or any individual connected with it by following the correct procedures.
- To deal with all complaints thoroughly and by being open, honest and fair when dealing with the complainant.
- To differentiate between a concern and a complaint.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body has:

- a duty to have in place a complaints procedure;
- responsibility to ensure that the complaints procedure complies with their obligation under the Equality Act 2010;
- delegated powers and responsibilities to the Headteacher to ensure all school personnel and visitors to the school are aware of and comply with this policy;
- responsibility to deal with any complaint made against the Headteacher;

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- responsibility not to share complaints with the whole governing body in case an appeals panel has to convene;
- responsibility to arrange for an independent panel to hear a complaint if the whole governing body have been 'contaminated' by having full knowledge of the complaint;
- responsibility of annually discussing the concerns/complaints log with the Headteacher;
- in place a self-evaluation process to monitor the way complaints are dealt with and to consider what improvements can be made to the complaints procedures;
- responsibility of taking into account any local or national decisions that affect the complaints process, and will make any modifications necessary to this policy;
- responsibility for ensuring that the complaints procedure is publicised on the school website, is available in hard copy on request, and is concise, simple to understand and impartial;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- nominated a link governor to:
 - visit the school regularly;
 - work closely with the Headteacher and the coordinator;
 - ensure this policy and other linked policies are up to date;
 - ensure that everyone connected with the school is aware of this policy;
 - attend training related to this policy;
 - report to the Governing Body every term;
 - annually report to the Governing Body on the success and development of this policy.
- make effective use of relevant research and information to improve this policy;
- responsibility for the effective implementation, monitoring and evaluation of this policy.

Role of the Headteacher

The Headteacher will:

- deal with all complaints impartially and in a non-adversarial manner;
- keep the complainant fully updated at all stages of the complaints procedure;
- keep records;
- not share third party information;
- seek an interpreter if the need arises;
- refer any complaint made against him/her to the Chair of Governors;
- ensure full and fair investigations are undertaken by an independent person where necessary;
- ensure confidentiality at all times;
- ensure all complaints are resolved as quickly as possible within realistic time limits;
- log all complaints received by the school and records how they were resolved;
- discuss the complaints log every year with the Governing Body;

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- monitor and review complaints to see how they can contribute to school improvement;
- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- work closely with the link governor and coordinator;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- make effective use of relevant research and information to improve this policy;
- monitor the effectiveness of this policy by speaking with school personnel, parents and governors;
- annually report to the Governing Body on the success and development of this policy.

Role of the complainant.

We ask the complainant to:

- cooperate with school to find a solution to the complaint as quickly as possible;
- provide enough information as possible;
- be respectful to everyone involved in the complaint procedure.

Complaint Procedures

Stage 1 (Informal Stage)

- The complainant has an informal discussion in the first instance with the person most closely involved with the complainants cause for concern or with the Headteacher, or a member of the senior leadership team that has been delegated the responsibility of hearing the complaint by the headteacher.
- If, after the discussion, the matter is not resolved, or if the complainant is not happy with the way that it has been handled, then the process moves to the next stage.
- However, every effort should be made to resolve the matter at this stage.

Stage 2 (Formal Stage)

- Once a formal written complaint is received from the complainant, with a clear explanation of the resolution being sought by the complainant, then the Headteacher will undertake an investigation and reply in writing to the complainant within 15 days.
- However, if the complainant is not satisfied with the outcome then the complainant should move to the next stage.
- If a formal written complaint is received about the Headteacher from the complainant then the complaint must be sent to the clerk to the governors complaints appeal panel (Gary Pugh gary.pugh@oneeducation.co.uk) with a written reply being sent to the complainant within 15 days.
- If the complainant is not satisfied with the outcome then the complainant should move to the next stage.

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Stage 3 (Formal Stage)

- The complainant writes formally to the clerk to the governors complaints appeal panel, within 10 school days of the outcome of stage 2, outlining the reasons why he/she is not happy with the outcomes of the Headteacher's investigation.
- The complainant requests that an appeals panel reviews the complaint.
- An appeals panel meets within 12 to 20 days after receipt of the complainant's letter.
- A clerk will be appointed to support the panel. This may be a member of staff who has not been directly involved in the matters detailed in the complaint.
- The clerk will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. You should be given at least 5 school days notice of the appeals panel hearing date and every effort should be made to support you to attend the hearing. Any supporting documentation relevant to the complaint must be submitted to the appeals panel by both parties at least 5 days before the appeals panel hearing.
- You will be entitled to be accompanied to the appeals panel hearing and should notify the clerk in advance if you attend to bring anyone.

The appeals panel

- The appeals panel will be made up of a minimum of three members, made up of representatives from the Local Governing Body and/or The Trust Board.
- No person can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The chair of the panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the complaints policy.
- The panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.
- The panel will hear the appeal(s), consider all the views expressed and decide the outcome in private.

Appeals procedure

The procedure for an appeal is usually as follows:

- The complainant and Headteacher will enter the hearing together.
- The chair will introduce the panel members and outline the process.
- The complainant will explain the complaint.
- The Headteacher and panel will question the complainant.
- The Headteacher will explain the school's actions.
- The complainant and panel will question the Headteacher.
- The complainant will sum up their complaint.
- The Headteacher will sum up the school's actions.
- The chair will explain that both parties will hear from the panel within 5 working days.
- Both parties will leave together while the panel decides.
- The clerk will stay to assist the panel with its decision making.

The chair of the panel/clerk to the panel will notify the complainant and the Headteacher of the panel's decision in writing within 5 school days of the appeal hearing. The letter will set out the decision of the panel together with the reasons

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underpinning that decision. The letter may set out recommendations which will be made to the governing body and will set out any further rights of appeal.

The appeals panel may:

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final.

Failure to follow the complaints policy.

In the event that you feel that this policy has not been followed, or that the school is breaching its Funding Agreement or any other legal obligation, a complaint can be raised with the Education Funding Agency (<https://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form>)

You should note that the EFA will expect any complaints to have first been raised through the school's Complaints Policy.

Unreasonable complaints.

Parrs Wood High School, as a member of The Greater Manchester Learning Trust, 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.

The Greater Manchester Learning Trust 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'.

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;

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- 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 Department for Education;
- 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, 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. Where further correspondence is received on the same matter, the school will be under no obligation to respond to that correspondence.

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.

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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.

Reporting and Reporting

All staff should receive periodic training regarding the handling and management of complaints.

A written record should be kept of all complaints, and of whether they are resolved at the informal stage or proceed to the formal process.

Raising awareness of this policy.

We will raise awareness of this policy via:

- the School Handbook/Prospectus
- the school website
- the Staff Handbook
- meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops
- school events
- meetings with school personnel
- communications with home such as weekly newsletters and of end of half term newsletters
- reports such annual report to parents and Headteacher reports to the Governing Body

Training

All school personnel:

- have equal chances of training, career development and promotion
- receive training on induction which specifically covers:
 - All aspects of this policy
 - Communication
 - Community Links
 - Community Cohesion
 - School Prospectus
 - School Website
 - Home-School Agreement
 - Equal opportunities
 - Inclusion
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications.

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Equality Impact Statement

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement.

Linked Policies

▪ Communication	▪ Community Links
▪ Community Cohesion	▪ School Prospectus
▪ School Website	▪ Home-School Agreement

Headteacher:		Date:	
Chair of Governing Body:		Date:	