



Mary Hare Policy: SCH020

Complaints Policy and Procedure

Policy Owner: Leadership Team

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Securing the future of deaf children and young people

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Introduction

1. Mary Hare School is committed to providing the very best education and care for our young people and want our students to be healthy, happy and safe and to do well.
2. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We are aware that there may be occasions where parents/carers and others have concerns or complaints, and the following procedure sets out the steps that should be followed in order to resolve these as quickly and informally as possible.
3. All schools must have a complaints procedure to address complaints from parents/carers and other professionals involved in the education and care of students and a procedure for students themselves
4. It is expected that all complaints will be referred to the school in the first instance and that all stages will be pursued before considering a referral to the Board of Governors, if a complainant feels that their complaint has not been dealt with appropriately or remains unresolved. Complainants are encouraged to follow through each stage of the procedure, as appropriate, in order to resolve their concerns.

Aims and Principles of the policy

5. This policy aims to:

Encourage the resolution of concerns and complaints by informal means wherever possible. Ensure that concerns are dealt with quickly, fully and fairly within defined time limits wherever possible. Provide effective and appropriate responses to concerns and complaints. Maintain good relationships between the Trust/school and all those involved.

6. Key principles of this policy are:

- Accessibility – the policy will be available on the school’s website and also can be requested from the school office. It will be in a useable format, free from jargon and will assume no specialist knowledge.
- Good communication – the school will be happy to explain the process for dealing with concerns and complaints.
- Timescales – there will be clear timescales which the Trust/school will make every effort to adhere to. Where timescales have to change, we will ensure complainants are advised of the delay and reasons for this and are given clear revised timescales.
- Clarity – over roles and responsibilities of those involved in the process and clarity around the desired outcome for the complainant.
- Confidentiality- appropriate confidentiality will be maintained by all those involved (including and staff and Governors). The Governing Board will appropriately monitor the nature of the complaints received over each academic year to inform practice and potential improvements to procedures and policies within the school.

Upholding or not upholding complaints

7. At each stage of the complaints procedure the conclusion will be either:
 - a) That the complaint is upheld (in part or in full) and where appropriate, some form of action is taken or recommendation made OR
 - b) That the complaint is not upheld and reason(s) for this, where appropriate, are clearly given
The complainant may choose to take no further action or take their complaint to the next stage.

Complaints Procedure

Stage 1 – Informal complaint

8. A 'concern' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. A complaint may be generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'.
9. Please start by telling the school's Subject Teacher/Form Tutor/Head of Year/or Care Team Leader/Head of Care
10. This is usually the best and quickest way of resolving issues. In some cases, the Subject Teacher/Form Tutor/Head of Year/Team Leader/Head of Care may feel it more appropriate to refer you to a more senior or experienced member of staff who will try to resolve the concern informally.

Stage 2 – Formal written complaint

11. If you feel dissatisfied with the outcome of discussions with the selected person you should then contact one of the following senior leadership team:
 - Principal
 - Vice Principal for Curriculum
 - Vice Principal for Pastoral Care and Safeguarding
 - Director of Residential Care
12. Either by arranging an appointment to see them or by putting your complaint in writing. You may use the Complaints Form (see Appendix A) to do this. If you are not using the form, your letter should set out clearly the concern and why you feel the issue has not been resolved through informal channels. It is also helpful if you can set out what resolution you are seeking.
13. The senior leadership team member will consider the complaint and in doing so will:
 - a) Establish what has happened so far, and who has been involved.
 - b) Meet or contact you if they need further information.
 - c) Clarify what you feel would put things right if this has not been set out in your letter or included on your form.
 - d) Interview those involved in the matter and those complained of, allowing them to be accompanied if they wish.
 - e) Conduct any interviews with an open mind; Keep notes of any interview for the record

14. The senior leadership team will keep in mind ways in which the complaint can be resolved. It may 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 (please note this is not an admission of negligence)
 - 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 policies and practice in light of the complaint
15. It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated. The Senior Leadership team will discuss the outcome of their consideration of your complaint with you and should send a detailed response within a maximum of 20 school days. Where this proves to be unrealistic, you will be informed in writing and given an estimate of how long it will take to provide a detailed response. Where you are unhappy about the decision the Senior Leadership has made about your complaint, this does not become a complaint about the Headteacher. However, if your complaint is about the conduct of the Senior Leadership Team and you feel that it has not been resolved at the informal stage, then you should move directly to Stage 3 of the procedure and write to the Chair of the Governors

Stage 3 – Formal complaint to the Chair of Governors

16. If you are not satisfied with the response of the Senior leadership, or you have a concern or complaint that is specifically about the Headteacher which has not been resolved informally, then you must write a formal letter of complaint to the Chair of the Local Governing Body.
17. The school will provide you with the Chair of the Governors name, or you can find it on the school's website. You should either complete the Complaints Form (Appendix A) or write to the Chair of the Governors at the school address, marking any envelope "urgent, private and confidential".
18. The Chair of the Governors will acknowledge receipt of the letter within 5 school days.
19. The acknowledgement will inform the complainant that the complaint will be investigated by the Chair of the Governors or nominated Governor, and they will write to the complainant with the outcome of their review within 20 working days.
20. For complaints specifically about a member of the Senior Leadership Team, the Chair of the Local Governing Body will arrange for the complaint to be investigated, either by herself/himself, a nominated Governor or by an appropriate independent investigator. They will write to the complainant with the outcome of their review within 20 working days.
21. If the Stage 3 Panel is reviewing a decision taken by Senior Management at Stage 2 then it should be clarified that such a review cannot consider new information or claims that were not known when the Stage 2 decision was made.

Policy for Unreasonable Complainants

22. Our 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. The school 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'.

23. Examples: 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 complaint's procedure
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- 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
- 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.

24. A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or 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.

25. Complainants should limit the numbers of communications with the 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 Principal or Chair of the Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues the Principal, Chair of the Governors will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. 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. 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.

Barring from the School Premises

26. Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for students, staff and other

members of their community. If a parent's/carers behaviour is a cause for concern, a school can ask him/her to leave school premises.

27. Serious cases, the Principal, the Chair of the Governors can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent/carers may wish to make. The School should always give the parent/carers the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent/carers, and either confirmed or lifted. If the decision is confirmed the parent/carers should be notified in writing, explaining how long the bar will be in place. Anyone wishing to complain about being barred can do so, by letter or email, to the Principal, the Chair of the Governors. However, complaints about barring cannot be escalated to the ESFA. Once a school's/Trust's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought. Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have 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.

Monitoring and Review

28. The Executive Team and the Board of Governors monitors the complaints procedure, in order to ensure that all complaints are handled properly. The Principal is responsible for ensuring that all formal complaints received by the school are logged and how they were resolved is recorded. The Chair of the Board of Governors will examine this log three times a year and report back in summary at the meetings of the Board of Governors who will consider the need for any changes to the procedure.

Appendices

Appendix A - Complaints Form

29. Please complete and return to the School Office schooloffice@maryhare.org.uk , marked for the confidential attention of either:

- The Principal
- A member of the Senior leadership Team
- The Chair of the Governors

Your Name:	Pupil Name:
Your Full Address:	Your relationship to the Pupil:
Your email address:	
Daytime phone number:	
Evening phone number:	
Your preferred Method of contact:	

Please give details of your complaint: What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to, when did you speak to them 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:

Electronic Form QR Code

MARY HARE POLICY: SCH020 Complaints Policy and Procedure Form (Copy)

