



**THE BEWDLEY SCHOOL**

We fly with our own wings

# THE BEWDLEY SCHOOL

## Complaints Policy

Adoption Date: September 2024

Person Responsible: Headteacher

## Complaints Policy

The school publishes details of its Complaints Procedure and any out-of-time limits the Governors have prescribed in the following ways:

- Available from the school office in paper format.
- Available from the school website in electronic format.

**A. General Principles.** Complaints are not limited to parents/carers of the school. This procedure contains advice for resolving complaints; flowcharts to indicate time limits; and advice on the conduct of meetings.

Every attempt will be made to adhere to the time limits specified in the flow charts and detailed procedures which follow, but these may, in exceptional circumstances be exceeded. In such cases the School/ Governors will advise the reasons and set a new time-scale.

A complaint will usually be considered as 'out-of-time' if it is raised more than 3 months after the matter is known to the complainant. The school will consider complaints outside the 3-month time limit in exceptional circumstances, for example safeguarding concerns.

Anonymous complaints will not be investigated, except in exceptional circumstances such as child protection issues.

The policy for managing serial and unreasonable complaints is highlighted in Annex D.

The aim of this policy is to resolve concerns at the earliest opportunity, and effect reconciliation if there has been friction. If the complaint needs to be formalised, the complainant will be asked to write down the substance of the complaint on a form, an example of which is found in Annex C. This form will also invite a view about what actions might be felt to resolve the problem. Complainants may lodge a formal complaint in the first instance, without going through the informal stage first. Complaints against the Chair of Governors, Vice Chair or the entire Governing Body should be addressed to the Clerk.

**B. Possible resolutions.** Many concerns may be resolved by explanations, others by a simple apology. Other complaints may result from a school procedure which could have been handled differently. Such an acknowledgement would be an appropriate resolution, as would assurances that events complained about, if justified, will not recur. Others may be resolved by an undertaking to review school policies in the light of a complaint.

**C. Later Stages.** Where concerns are not resolved on an early timescale, the procedure allows for formal consideration by the Headteacher, and later still, by a Governors' Complaints Panel.

**D. Unresolved Complaints.** Occasionally, a complainant may remain dissatisfied, even though this procedure has been used through all its stages. However, it will not normally be possible to re-open the same issue. In such circumstances, the Chair of

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Governors will inform the complainant that the procedures have been exhausted and that the matter is closed.

**E. School Complaints Stages in Detail.** This school will monitor and record parents/carers compliments, concerns and complaints. This will endorse and ensure the continuation of our good practice.

It is acknowledged that, where concerns are raised, they are more often than not raised with a more senior person, for example, a Director of Studies or Deputy Head, or the Headteacher in a small school, rather than a more junior teacher. The first stage therefore could, if appropriate, be dealt with informally by one of a number of possible people.

### Scope of this Complaints Procedure

<b>Exceptions</b>	<b>Who to contact</b>
<ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• School re-organisation proposals</li></ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Worcestershire County Council.
<ul style="list-style-type: none"><li>• Matters likely to require a Child Protection Investigation</li></ul>	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.  If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). Details can be found <a href="#">here</a> .
<ul style="list-style-type: none"><li>• Exclusion of children from school*</li></ul>	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .
<ul style="list-style-type: none"><li>• Whistleblowing</li></ul>	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.  The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at:

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	<p><a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> <li>• National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at:  <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

### Stage 1 (Informal)

Where any member of staff becomes aware of a voiced concern, they should deal with it themselves if it is appropriate, and they feel comfortable in doing so. Many concerns can be resolved by simple clarification or the provision of information. It is anticipated that most concerns can be readily resolved at this informal stage. Where the person approached feels uncomfortable with dealing with the matter directly, they should involve, for example, their line manager.

In the case of serious concerns (or where the school deems it more appropriate to do so), it may be necessary to refer these matters directly to the Headteacher.

Where the complaint is specifically about the Headteacher, similarly the parent/carer should discuss this with him/her at this stage first.

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It is not appropriate for a complaint to be directed through a Governor. Any Governor receiving a complaint will give advice that there is an established procedure, and refer the complainant to the appropriate person. (This is because a Governor acting unilaterally could prejudice the involvement of Governors at a later stage).

The concern will be noted (including the outcome) and copied to the Headteacher (or appropriate person in charge of records in larger establishments). Where the subject of the complaint is the Headteacher, he/she will copy the record to the Chair of Governors.

Where informal attempts by the school have failed to bring about a satisfactory resolution for the parent/carer, the parent/carer is entitled to request that the complaint be treated more formally. Unless the complaint directly concerns the Headteacher, it will be him/her who deals with this next stage (Stage 2).

If the complaint is specifically about the Headteacher, and he/she has had the opportunity in Stage one to discuss the matter, the parent/carer can then directly contact the Chair of Governors about Stage 2.

### Stage 2 (Formal) Dealt with by Headteacher

If the complaint concerns the Headteacher, the Chair of Governors is personally responsible for following the procedures in Stage 2 – i.e. the procedures accelerate to Stage 3. (Otherwise, the Headteacher deals with this Stage).

This stage can be initiated if/when dissatisfaction with the outcome of Stage 1 is received by the school. At this point, a copy of these Procedures and Policy will be sent to the complainant within 3 school days, together with the formal complaint form (Annex C).

The form is structured so that each party has a common understanding about the complaint. As the main purpose of the process is to achieve reconciliation, parents/carers are also asked what actions might resolve the problem.

After the formal complaint form is returned, it will be acknowledged within 3 school days and the investigation will commence.

This is the first stage of the formal complaints process and as a result, all communications between parties will be recorded.

Before proceeding with a formal investigation, the Headteacher may wish to meet with the individual and discuss his/her concerns and wishes (this will depend on the nature of the complaint). It may still be appropriate and satisfactory to reach an informal resolution at this point. If not, the Headteacher will decide whether the individual's complaint will be dealt with by this policy or another statutory procedure. In the latter case, the Headteacher will advise the complainant on what will need to be done.

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The Headteacher may delegate the task of collating the information to another staff member, but not the decision on the action to be taken. The investigation should involve the review of any relevant documentation and information. If necessary, witnesses will need to be interviewed and statements taken from those involved. If the complaint centres around a pupil, the pupil will also usually be interviewed.

The outcome of the investigation should be communicated to parents/carers, either at a meeting (followed up in writing) or as a written response. This response should explain the outcome and should be supported by reasons for reaching this decision and what action, if any, will be taken. (If management action is subsequently required against an employee of the school, the parents/carers will not have access to this information). This response should be provided within 10 school days of acknowledging the complaint.

If the complainant is still dissatisfied with the response given and would like to take the complaint further, they should make this clear in writing to the Headteacher. On receipt, he/she will send on the complaint form and all associated information to the Chair of Governors. (In the case of the Headteacher, if the complainant is still dissatisfied, and wishes to take it further, the Chair of Governors should be so advised and Stage 3 initiated).

### Stage 3 (Formal) Dealt with by Chair of Governors

On receipt of the information from the Headteacher, the Chair of Governors will verify that the parent/carer has properly exhausted all Stage 2 procedures. If not satisfied, the Chair will refer the matter back to the Headteacher. When satisfied, the Chair of Governors or Clerk to the Governors' will acknowledge (to the complainant) receipt of the information from the Headteacher within 5 school days.

This letter will inform the parent/carer that the complaint will be considered by the Chair of Governors within 15 school days. In exceptional circumstances, the parent/carer will be notified where this timed period will need to be extended and the reasons for this.

The Chair of Governors may seek external advice from the local authority, external consultants or other governors. As a part of the procedure a complaints appeals panel will be identified at this stage (together with reserve) and the Chair of Governors will not discuss the matter with any of these individuals.

The Chair of Governors needs to ensure that the parent/carer is notified of the decision in writing **within 15 school days** of the referral to Stage 3. The response will include action (if any) that needs to be taken and where appropriate, suggest changes to, or review of, the school's systems or procedures to ensure that similar problems do not happen again.

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If the parent/carer is dissatisfied with the response they have been given, and would like to take the complaint further, they should be referred to Stage 4 of this procedure.

Equally, if the Headteacher perceives due process has not been followed, he/she may wish to refer the matter to Stage 4 for adjudication.

### **Stage 4 (Formal) Dealt with by Governors' Complaints Appeals Panel**

The three governors, previously identified to form the Complaints Appeals Panel, will have appointed their own Chair. On receipt of the information from the Chair of Governors, the Chair of the Complaints Appeals Panel will verify that the parent/carer has properly exhausted all Stage 3 procedures. If not satisfied, the Chair of the Panel will refer the matter back to the Chair of Governors. When satisfied, the Chair will contact the Clerk and liaise with him or her to make preparatory arrangements for the **Governors' Complaints Appeals Panel Meeting**.

The Clerk may be the Clerk to the Governing Body, or, in exceptional circumstances, another Governor acting as Clerk, (over and above those selected for the Panel).

The Clerk to the Governors' Complaints Appeals Panel will acknowledge (to the complainant) receipt of the information from the Chair of Governors within 5 school days.

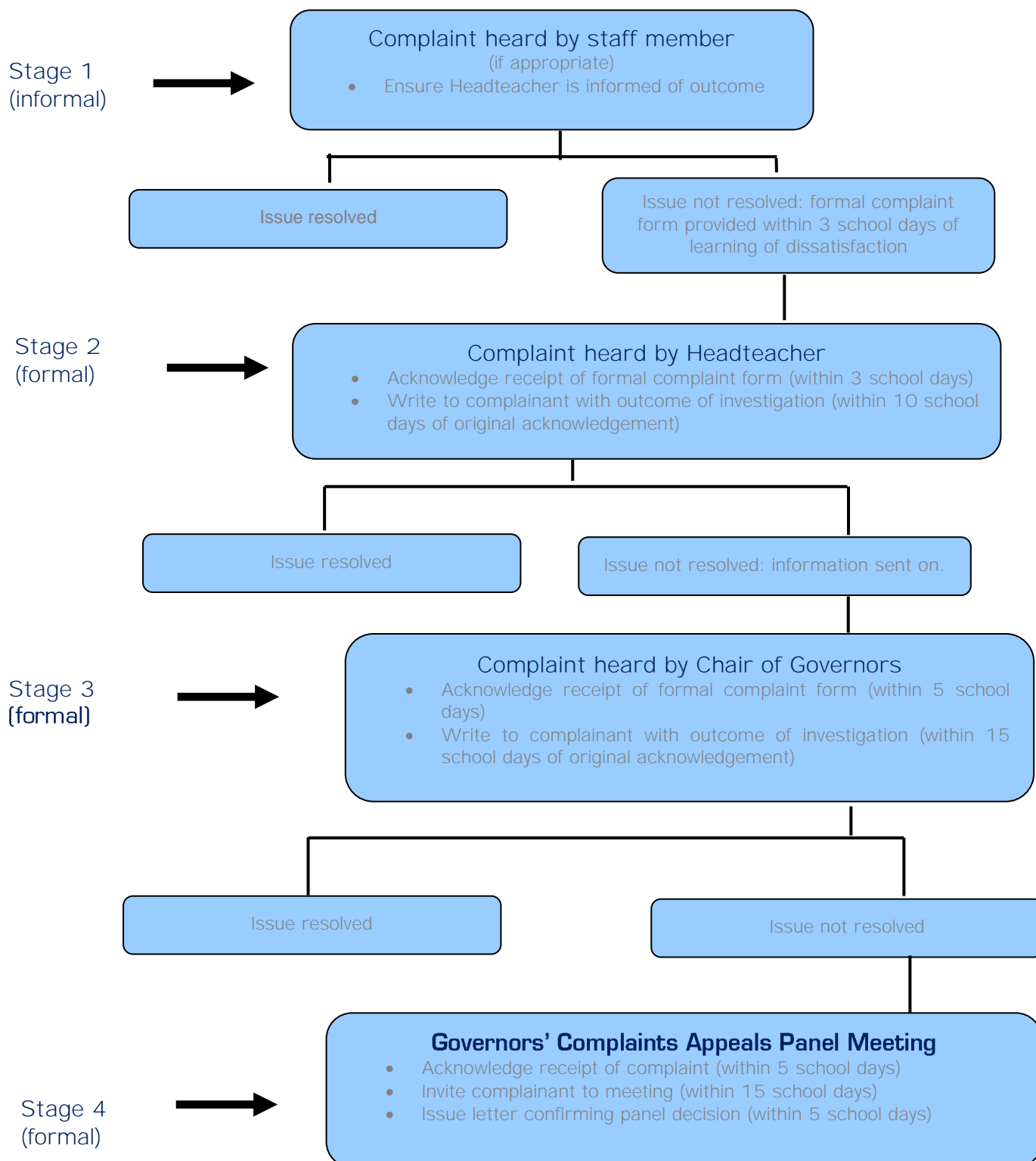
This letter will inform the parent/carer that the complaint will be heard by the Complaints Appeals Panel within 15 school days. In exceptional circumstances, the parent/carer will be notified where this timed period will need to be extended and the reasons for this.

The Clerk of the Panel will convene a meeting of the Complaints Appeals Panel, (as identified by the Chair of Governors), and arrange a time and date for the meeting. All relevant documentation from the Chair of Governors and the parent/carer will be distributed to all parties, (including the Panel members) in advance of the meeting.

The Panel has discretion as to how it will carry out its duties, some of which are itemised in Annex B. As part of this, parents /carers will be asked to attend a meeting of the Panel (with accompanying relative or friend if desired).

The Chair of the Panel needs to ensure that the parent/carer is notified of the Panel's decision in writing **within 5 school days** of the meeting. The response will include action (if any) that needs to be taken and where appropriate, suggest changes to, or review of, the school's systems or procedures to ensure that similar problems do not happen again. The decision of the Complaints Appeals' Panel is final.

Model School Complaints Procedure/Policy Flowchart





**MODEL PROCEDURE FOR THE CONDUCT OF A GOVERNORS' PANEL HEARING  
TO CONSIDER A COMPLAINT**

It is important that the members of the Governor Panel are impartial and independent, and seen to be so. The Panel members should have no prior involvement with the case, and be sensitive to the constitution of the Panel with regard to issues of equality.

It may be the case that parents/carers feel anxious that they will not be provided with opportunities for them to be heard or that the procedure is not seen to be fair (i.e. parents may perceive the Governors' view to be weighted in the school's favour). Panel members need to be aware these perceptions may exist and endeavour to demonstrate openness and objectivity in their actions.

**THE HEARING**

Reports and statements submitted to the Panel should be made available to all parties in advance of the hearing.

The Chair of the Panel must determine in advance the most appropriate method of conducting the hearing into the complaint so that the Panel may achieve 'best evidence'. The decision will be influenced by the contents of the Complaints Form and other information to hand. Some possibilities are listed below, but they are not exhaustive:

**Option One**

To consider the written statements, reports and evidence provided in advance, and to question the originators about their substance.

This approach is likely to be least effective, as it might result in a time-consuming search for additional information and cross-referencing.

**Option Two**

Interviewing separately the complainant and the school representative, and other parties deemed relevant by the Chair, in order to hear statements and collect additional directly related evidence.

**Option Three**

With the agreement of all parties, to hold a hearing with both sides present and available to respond to questions put by the Panel, and through the Chair. Such a meeting should be non-adversarial.

**Option Four**

With the agreement of all parties, to hold a meeting with both sides present, to follow an Agenda on the lines of the following Model: Witnesses are only required to attend for the part of the hearing in which they give their evidence.

### Model Agenda

- 1) Complainant explains reasons for making the complaint, and calls witnesses if desired.
- 2) Headteacher and Panel members may ask questions.
- 3) Headteacher invited to explain the school's actions and call witnesses if desired.
- 4) Complainant and Panel members may ask questions.
- 5) Complainant is invited to sum up the complaint.
- 6) Headteacher is invited to sum up the school's actions and response to the complaint.
- 7) The parties leave together, and the Panel considers its decision.

It is essential to recognise at all times, that the procedure for any of the above options deals only with establishing the validity of a parental complaint and does not constitute a hearing connected with any disciplinary process.

The complainant is welcome to bring an accompanying relative or friend if desired, and witnesses if appropriate.

The school representative will be the person who dealt with Stage 2. (The Headteacher usually, but the Chair of Governors if the complaint related to the Headteacher). He/she may bring a friend if desired.

If other members of staff or other witnesses are needed because of their perceived involvement in the substance of the complaint, each, too, may be accompanied by a friend.

The Clerk to the Governors' Panel will be responsible for inviting participants into the room at the relevant times, and make introductions as necessary.

The Clerk to the Governors' Panel should keep an accurate record of the discussion at the meeting. The Governors may need to refer to this to assist them in their consideration of the case. It may be helpful to the parent/carer for them to be informed if these notes will be made available to them. If, as a result of the complaint being upheld there is any disciplinary action towards a member of staff, the parent/carer is not permitted any knowledge of this. Therefore, if any notes are made available to complainants, any such references should be removed before being sent.

The Chair should explain the Panel's Remit and that the purpose of the hearing is to review the complaint and try to resolve the issues to enable reconciliation between the parent/carer and the school. It may only be possible to establish the facts and recommend future actions.

The Chair should reassure all parties that they will have every opportunity to state their case.

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The Chair should explain the procedure decided upon for the hearing. It may be helpful to have printed copies of this available to all parties.

### The Remit of the Complaints Appeal Panel

The Panel can:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Decide on appropriate action to be taken to resolve the complaint. (See possible resolutions below).
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The Panel should consider:

- The evidence (written and oral) from the school representatives and the parent/carer.
- The relevant school policies and procedures (e.g. anti-bullying, race equality, dress code, and discipline).
- The extent to which the school's action is consistent with the appropriate school policy (i.e. have the school managed the issue in the manner defined in their documentation?).
- The response of the Panel to the parent's/carer's complaint, having considered the information made available to them, providing reasons for their decision.
- Areas of agreement identified between the parties.
- Misunderstandings identified, which can be remedied.

#### Possible resolutions. (re-printed from adopted Procedure)

Many concerns may be resolved by explanations, others by a simple apology. Other complaints may result from a school procedure which could have been handled differently. Such an acknowledgement would be an appropriate resolution, as would assurances that events complained about, if justified, will not recur. Others may be resolved by an undertaking to review school policies in the light of a complaint.

- Any recommendations to review/ revise school policies and procedures as necessary. This should identify a reasonable timescale and a nominated person who will be responsible for this to be achieved, and progress should be monitored by the Governing Body.
- The appropriate action to be taken by the school, if necessary.
- Recommendations on changes to school policies and procedures in the light of this experience, if necessary.

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Reminder: If as a result of the complaint being upheld, there is disciplinary action contemplated towards a member of staff, the complainant is not permitted any knowledge of this.

The Panel's decision, with reasons, should be confirmed in writing to the parent/carer, Headteacher and Chair of Governors within 5 school days.

Complaint Form to be supplied with a copy of the adopted procedure.

Please complete and return to the Headteacher who will acknowledge receipt. The Procedure, at Stage 2, explains what action will be taken after receipt.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint.  
(Whom did you speak to, when, and what was the response?)

The form continues overleaf.....

What actions do you feel might resolve the problem?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom?

Complaint referred to:

Date:

### **Policy for managing serial and unreasonable complaints**

The Bewdley 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 our 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 Bewdley School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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 complaint investigation process.
- refuses to accept that certain issues are not within the scope of the complaint procedure.
- insists on the complaint being dealt with in ways which are incompatible with the complaint procedure or with good practice.
- introduces trivial or irrelevant information which they expect to be taken into account and commented on.
- 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 and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- uses threats to intimidate.
- uses abusive, offensive or discriminatory language or violence.
- knowingly provides falsified information.
- publishes unacceptable information on social media or other public forums.

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- is a serial/frequent complainant.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 ask them to change it. For complainants who excessively contact The Bewdley 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 be reviewed after six months.

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 The Bewdley School.