

## COMPLAINTS POLICY AND PROCEDURE

Reviewed and updated: Sept 2022

Status: Statutory

Harlington School will adhere to the **DfE guidance *Best practice advice for school complaints procedures***.

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals

### The nature of possible complaints

Typical matters that might be considered under a complaints policy might include:

- From parents:
- To the tutor, year head or designated deputy headteacher about suspected bullying.
- Detention and out-of-school activity arrangements.
- Complaints about matters such as facilities, lack of supervision etc.
- Complaints about the curriculum – this applies only to the delivery of the curriculum including RE and RSE.
- Support for pupils with medical conditions.

- School website.
- Dress code.
- In the case of estranged or divorced parents, perceived failure of the school to deal acceptably with issues relating to parental responsibility.
- Lack of fluency in English of a member of staff.

**From the general public, complaints might include:**

- Local residents complaining about the behaviour of pupils coming to, and going from, the school.
- Parking issues.
- A local trader feeling that the school should be trading with her or his company.
- Local community leaders concerned that the school is not involving itself sufficiently in particular aspects of community life.
- Lack of fluency in English of a member of staff.

**Complaints not covered by the school complaints policy**

Any complaint relating to a child protection matter will immediately be raised with the local authority (LA) for them to handle, whatever the status of the school, and with or without parental consent.

A school complaints policy will not include dealing with any of the matters listed below, all of which would be addressed in separate policies and procedures:

- Staff grievances.
- Internal disciplinary matters relating to staff or pupils.
- Appeals to the staff dismissal committee.
- Discrimination.
- Admissions appeals.
- Child protection.
- Pupil exclusions.
- Whistle blowing (matters of impropriety eg a breach of law, school procedures or ethics. These complaints should be directed to the LA or, for academies, the school's auditor).
- National curriculum.
- School re-organisation proposals.

- Exclusions
- Safeguarding matters
- Statutory assessments of special educational needs (SEN)
- Complaints about services provided by third party hirers of the school premises.

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school's support are within the scope of this policy. Such complaints should first be made to the class teacher; they will then be referred to this complaints policy. Our Special Educational Needs and Disability Policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

### **Complaint campaigns**

If the school becomes the focus of a campaign and receives large volumes of complaints about the same issue, depending on the nature of the complaint, the school will either:

- Publish a single response on the school's website, stating the procedure to be followed, or
- Send a template response to all complainers.

### **Serial complaints**

If, after all the school's processes for handling complaints have been completed, the complainant comes back to the school with the same issue, the complaint may be ignored and viewed as 'serial or persistent'. Note that it is the complaint that is 'serial or persistent', not the complainant. If the complainant comes back with a different complaint then a new complaints procedure must be started for the new complaint.

### **When a complainant is not satisfied after all processes have been undertaken**

If a complainant is still not satisfied after all the processes of the school's complaints procedure have been undertaken, it may be possible to take the complaint to the LA. The complaint can be taken to the School Complaints Unit (SCU) of the DfE itself. The SCU will not consider complaints from unsatisfied complainants who have not exhausted the school's procedures.

The process for complaining to the SCU to use the online school complaints form available at [www.gov.uk/complain-about-school/state-schools](http://www.gov.uk/complain-about-school/state-schools).

A series of answers to preliminary questions is asked before the online form can be completed and submitted online to the appropriate organisation.

**Ofsted's role in complaints**

If at any time a complaint about a school is made by a parent to Ofsted, and Ofsted considers it appropriate for the purpose of investigating a complaint, the board of governors or the LA must cooperate in arranging the meeting. There may not be an inspection due, in which case Ofsted may choose to write a report upholding or dismissing the complaint which will be sent to the board of governors. A copy of this must be passed on by the governors to all registered parents.

In preparation for an inspection, an Ofsted inspector will look at any upheld complaints against the school. During the course of an inspection, emerging findings must be discussed at regular intervals as the inspection progresses with the headteacher and other senior staff. The headteacher will be given every opportunity to provide further evidence should s/he wish to do so. The headteacher can and must convey to the lead inspector any complaints or concerns about the inspection process.

**COVID-19**

**Despite the fact that timescales and usual processes may be affected by the pressures caused by unprecedented circumstances, schools should still consider complaints, particularly those relating to the provision of remote education.**

**For the duration of school closures caused by the COVID-19 pandemic, parents may complain to Ofsted if they are dissatisfied with the remote education provided by the school, if the school has failed satisfactorily to respond to their concerns or if there is an issue about pupils' wellbeing and safety. This is a temporary arrangement that can only be invoked during school closures related to the pandemic.**

## COMPLAINTS POLICY AND PROCEDURE

### Introduction

The governors of Harlington School are committed to ensuring that the highest standards are maintained at the school both in the provision of education to pupils and in every other aspect of the running of the school. A complaints procedure is an important part of the management of a well-run school, allowing parents and other members of the public the opportunity to voice any concerns they may have through appropriate channels. As required by legislation, this policy explains the procedure which has been adopted by the Governing Body to ensure a timely, systematic and fair approach to the resolution of such concerns. This policy is available to parents on the school website and elsewhere (see paragraph on publicising the policy).

### Objectives and targets

To be effective our complaints procedure will:

- Encourage resolution of problems by informal means wherever possible.
- Be easily accessible and publicised, including to third parties who hire school premises.
- Be simple to understand and use.
- Be impartial.
- Be compliant with the school's obligations under current legislation.
- 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.

### Action plan

At Harlington School, the headteacher has overall responsibility for the operation and management of the school complaints procedure. In practical terms, the headteacher will nominate a senior member of staff as complaints co-ordinator to deal with matters on a day-by-day basis and hold records relating to any complaints received. The name of this member of staff is readily available from the school office or from any member of staff. We recognise the need to be clear about the difference between a concern and a complaint. Taking concerns seriously at the earliest stage reduces the

numbers that develop into formal complaints and we aim to ensure that concerns are handled, if at all possible, without the need for formal complaints procedures.

### **Concerns and complaints from parents**

We attempt to resolve parental concerns informally, calmly and quickly with the class teacher/form teacher/head of year/tutor before being referred to the headteacher. Our staff development process includes training to help staff resolve issues on the spot, including apologising where necessary. Our formal complaints procedure is only necessary if efforts to resolve the concern informally are unsuccessful. The informal stage of the procedure will be exhaustively applied before the matter is referred to the formal stage at which point a complaint form is issued, together with a copy of the school's complaints procedure guidance. At this point it will be referred to the line manager or headteacher, as appropriate.

### **Complaints arising through conflict between estranged parents**

Complaints arising through conflict between estranged parents over the application of parental responsibility will be dealt with through this policy. They will be dealt with having the best interest of the child in mind, with reference to the DfE guidance *Understanding and Dealing with Issues Relating to Parental Responsibility September 2018*, and with further legal advice if necessary.

### **Concerns and complaints from members of the public**

Complaints from anyone who is not a parent of a pupil currently attending the school should be addressed to the headteacher in the first instance. That person should obtain a complaint form from the school (see appendix 2) and send it to the headteacher who may often be able to deal informally with the concern.

### **Third parties**

The school makes sure that any third-party providers have their own complaints procedures in place if they are using school premises or facilities to offer community facilities or services.

### **Anonymous complaints**

Anonymous concerns or complaints are not normally investigated. However, the headteacher or chair of governors will, if appropriate, consider whether the complaint warrants an investigation and decide what stage of the procedure needs to be invoked.

### **Role of governors in complaints procedure**

Individual governors should not allow themselves to be approached by parents or members of the public who raise concerns or complaints. Governors have no power to act on an individual basis and it may also prevent them from considering complaints at stage 3 of the formal procedure (see below). If the complaint is actually about an individual governor, group of governors or the Governing Body as a whole, it should be addressed to the clerk to the Governing Body who will determine the appropriate persons/board to deal with the complaint.

**Complaints made during school holidays**

Complaints made outside of term time will be deemed to have been received on the first school day after the holiday period.

**Stages in the Complaints procedure**

**If face-to-face meetings are not possible at any stage of this procedure because of the COVID-19 pandemic, the school will make every effort to conduct the meetings remotely by video. This can only be practicable, however, if all the participants have access to the necessary remote technology and are willing to use this medium. The complainant will be informed by the school how the process will be carried out. It may be necessary to adjust some of the normal deadlines if more time is needed to gather information, communicate with all the participants and arrange suitable dates and times for meetings.**

There are three stages in the school's complaints procedure. At each stage in the procedure, we will remain mindful of 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.

We encourage complainants to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence. At all times we will seek to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred because this can create a positive atmosphere in which to discuss any outstanding issues.

**Stage 1 – informal – complaint heard by staff member**

Harlington School expects any concerns or complaints to be made as soon as possible after an incident arises (although up to three months is acceptable in certain circumstances).

A complaint may initially be made in person, by telephone, or in writing. In this informal stage, the investigator, ie the class teacher/form teacher/head of year/tutor (but not the subject of the complaint or a governor), will deal with the complaint. Most parents' concerns can be satisfactorily resolved by discussion with the class teacher/form teacher/head of year/tutor or with other members of staff. There may be no need for the complaint to be put in writing, which would formalise matters and may lead parents to feel less prepared to articulate concerns, perhaps because of a fear that such action may prejudice the interests of their child. At the end of a meeting or telephone call, the member of staff will ensure that the complainant and the school have the same understanding of what was

discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.

The complaint should be resolved within **Five school days**. However, if the concern is not met to the complainant's satisfaction by discussion, or if the complainant is not prepared to go through an informal procedure, then, if the complainant wishes to take the matter further, they are requested to complete the complaints form and return it to the school within **Five school days**. The headteacher is informed and stage 2 is implemented.

### **Stage 2 – formal – complaint heard by headteacher or senior staff member**

Once a formal complaint has been received, the school's cut-off timeframe will apply to both parties. However, the school will consider exceptions to this time-frame from both parties if necessary.

- The complainant puts the complaint in writing using the complaints form.
- The initial recipient of the complaint will refer the matter to the investigator e.g. the headteacher or to a designated member of the senior management team.
- The headteacher, or a designated member of the senior management team, will investigate the circumstances of the complaint and may find it appropriate to ask for written statements from staff or pupils and to call for any relevant documentation. If the complaint is against a member of staff, that member of staff has a right to be given details of the complaint and the opportunity to make representation about it. The person investigating the incident will take these details into account.
- The headteacher or designated member of staff will consider the complaint but it will be the headteacher who will decide what action is required and respond to the complainant with the outcome of the investigation, normally within **Ten school working days** of receipt of the substance of the complaint. The response may be in writing or at a meeting with the complainant followed by written confirmation of the outcome.

### **For complaints against the headteacher or governors**

- Complaints against the headteacher will usually be dealt with by the chair of governors, but might first involve a suitably skilled member of the Governing Body.
- Complaints against the chair of governors or any individual governor should be made by writing to the clerk to the Governing Body.
- Complaints about the Governing Body as a whole should also be referred to the clerk. In some circumstances, the school reserves the right to refer the matter to an external body.

If the complainant is unhappy with the outcome of stage 2 of the procedure s/he will be informed of her or his right to have the matter referred to the governors' complaints appeal panel. Any such appeal must be lodged in writing within **Five school days** and should be addressed to the clerk to the governors for the attention of the chair of governors and the governors' complaints appeal panel will be convened.



### Stage 3 – formal – governors’ complaints appeal panel

The aim of the review panel meeting is to review how the school has managed the complaint, not to re-investigate the complaint itself. This will include reviewing evidence and outcomes from stages 1 and 2 and evaluating whether the school has followed its policies and procedures. The panel should also consider achieving reconciliation between the school and complainant, although it has to be recognised that this is not always possible.

When the clerk to the governors receives the request for the governors’ complaints appeal panel to meet:

- A governors’ complaints appeal panel will be assembled comprising three or five members, none of whom have any previous connection to the complaint, and one of whom will act as chair for the meeting. The meeting will additionally have a clerk in attendance.
- The clerk will inform the complainant/parent of the new timescale for the investigation and for the written report to be provided – within **Fourteen working days**. (However, the length of the investigation will depend on the nature of the complaint and other variable factors. If the investigation is likely to exceed **Fourteen working days**, the school will set realistic time limits for each action within the stage. Where such further investigations are necessary, new time limits may need to be set and the complainant will be sent details of the new deadline and an explanation for the delay.)
- The clerk will inform the complainant of the right to be accompanied by a friend.
- The clerk will write to the complainant, the headteacher, the chair of governors and appeal panel members giving details of the meeting, requesting copies of any documents to be put before the meeting and the names of any witnesses that either party may wish to attend.

If the complainant requests an independent panel, the school will consider the request but ultimately the decision is made by the governors.

### After the hearing

After the hearing, the clerk will offer copies of the minutes of the meeting to all parties involved in the panel hearing and provide an opportunity for the minutes to be agreed and, if necessary, challenged within **Five school days** so that no additional complaints will arise because of the record of the meeting.

A copy of the findings and recommendations of the panel will be sent by letter to the complainant and, where relevant, to the person complained about, and will be available for inspection on the school premises by the headteacher

If a complaint results in disciplinary action by the school against a member of staff this would be confidential between that member of staff and the school, but otherwise complainants will be kept fully informed of the handling of any complaint.

A written record will be kept of all complaints stating:

- Whether the complaint was resolved following stage 2 or proceeded to stage 3 of the complaint's procedure.
- The action taken by the school as a result of the complaint (regardless of whether it is upheld).

All correspondence, statements and other records relating to individual complaints will be kept confidential except where the Education Secretary or Ofsted requests access to them.

### **Roles and responsibilities of the participants in the investigation of a complaint**

#### **The complainant**

The person who makes the complaint will receive the most effective response if s/he:

- Follows these procedures
- Expresses the complaint in full as early as possible.
- Asks for assistance if needed throughout the handling of the complaint.
- Co-operates with the school in its procedures of seeking a solution to the complaint.
- Responds promptly to requests for information or meetings or in agreeing the details of the complaint.
- Treats all those involved in the complaint with respect.
- Not publish details about the complaint on social media.

#### **The governors**

When responding to, or making criticism or complaints affecting the school, all governors must follow the complaints policy and procedures as agreed with the school leadership and management.

#### **The complaints co-ordinator (or headteacher)**

Whenever a formal complaint is received it will be investigated. At each stage, the person investigating the complaint (the complaints co-ordinator), must:

- Ensure that everyone involved in the complaint procedure is aware of the legislation and guidance around complaints including:
  - The Equality Act 2010.
  - Data Protection Act 1998 and the General Data Protection Regulation.
  - Freedom of Information Act 2000.
- Be aware of issues regarding the sharing of third-party information.

- Provide additional support for the complainant when making a complaint including interpretation support.
- Liaise with staff members, headteacher, chair of governors and clerk to ensure the smooth running of the complaint's procedure.
- Keep the complainant fully updated at each stage of the procedure.
- Keep records.

### **The investigator**

The investigator is involved in stages 1 and 2 of the procedure. They investigate the complaint and will ensure that they:

- Conduct interviews with an open mind and are prepared to persist in the questioning.
- Keep notes of the interviews or arrange for an independent note taker to record minutes of all meetings.

The investigator's role will include:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - Interviewing the complainant sensitively and thoroughly to establish what has happened and who has been involved.
  - Interviewing staff, pupils and other people relevant to the complaint.
  - Consideration of records and other relevant information.
  - Analysing information.
- Effectively liaising with the complainant and the complaints co-ordinator to clarify what the complainant feels would put things right.
- Identifying solutions and recommending courses of action to resolve problems.
- Being mindful of the timescales to respond.
- Responding to the complainant in plain and clear language.

### **The review panel (governors' complaints appeal panel)**

The review panel will normally be composed of three school governors, and it is good practice not to involve the chair of governors. The school may use their own governors, but it is also permissible under the School Governance (Collaboration) England Regulations 2003 to have a panel composed of independent governors from other schools.

**The panel clerk**

This could be the clerk to the governors or the complaints co-ordinator if s/he is not the headteacher.

The clerk is involved from stage 3 of the complaint procedure. The panel clerk is the contact point for the complainant for the panel meeting and will:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible.
- Collate any written material and send it to the parties in advance of the hearing.
- Meet and welcome the parties as they arrive at the hearing.
- Record the proceedings.
- Circulate the minutes of the panel hearing.
- Notify all parties of the panel's decision.
- Liaise with the complaints co-ordinator.

**The panel chair**

The panel chair will ensure that:

- S/he liaises with the clerk and complaints co-ordinator.
- No member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- The panel is open-minded and acts independently.
- The layout of the room is informal and not adversarial.
- Parents/carers and others who may not be used to speaking at such a hearing are put at ease (particularly important if the complainant is a youngster).
- The hearing is conducted in an informal manner with everyone treated with respect and courtesy.
- While the hearing is conducted in an informal manner, all matters brought up will be considered seriously.
- The role of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption.
- The meeting is minuted.
- The issues are addressed.

- Both the complainant and the school are given the opportunity to state their case and seek clarity where necessary.
- Key findings of fact are made.
- Written material is seen by everyone in attendance.
- If a new issue arises, a short adjournment of the hearing will take place so that everyone will have the opportunity to consider and comment upon it.

### **Panel members**

Panel members become involved at stage 3 in the complaint procedure. They need to be aware that:

- The aim of the hearing, which will be held in private, is not to re-investigate the complaint but to try to resolve it and achieve reconciliation between the school and the complainant.
- The panel hearing is independent and impartial, and must be seen to be so.
- Many complainants will feel nervous and inhibited in the setting.
- Extra care must be taken when the complainant is a youngster and present during all or part of the hearing and the welfare of the youngster is most important.

### **If the complainant is still not satisfied**

If the complainant is still not satisfied after all the processes of the school's complaints procedure have been undertaken or tries to re-open the same issue, the chair of governors will inform them in writing that the procedure has been exhausted and any further contact from the complainant on the same issue is likely to be ignored by the school.

If complainants wish to take the complaint further, they may approach:

- The local authority (LA) – use this if the LA has an appropriate policy of handling complaints about schools.
- The School Complaints Unit (SCU) of the DfE. The SCU will then decide whether they, or another organisation, would be best placed to respond to the complaint. The SCU will not re-open the complaint but will check that the procedures in the school's policy and other relevant policies were followed correctly and that the policy meets all legal requirements. The complaints form is available at: [www.gov.uk/complain-about-school/state-schools](http://www.gov.uk/complain-about-school/state-schools).

Complaints to the SCU may also be sent to:

**The School Complaints Unit (SCU)**  
**Department for Education**  
**2<sup>nd</sup> Floor, Piccadilly Gate**  
**Store Street**  
**Manchester**  
**M1 2WD**

Telephone helpline: 0370 000 2288

### **Recording complaints**

The complaints co-ordinator will maintain a written record of the progress of all complaints from initiation, through formal and appeal processes (where necessary) to the final outcome and the record will include the action taken by the school as a result of the complaint regardless of whether they are upheld or not.

Findings of individual complaints will be made available to the complainant and, where relevant, the person complained about. They will be available for inspection on the school premises by the headteacher. They will be kept confidential except where the Education Secretary or body conducting an inspection (Ofsted) requests access to them.

### **Publicising the policy and procedure**

Harlington School's complaints policy and procedure is referred to in many of the school's other policies and details of the school's complaints policy and procedure are included, as appropriate, in:

- The school website.
- The information given to new parents when their children join the school.
- The information given to the children themselves.
- Home-school bulletins or newsletters.
- Documents supplied to community users, including course information or letting agreements.
- A specific complaints leaflet which includes a form on which a complaint can be made (see appendix 2).
- Posters displayed in areas of the school that will be used by the public, for example, reception or the main entrance.

### **Unreasonable and/or persistent serial complaints**

Members of staff recognise that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. However, all instances of unacceptable behaviour such as harassment, aggressive verbal or physical abuse at any time will be documented and this may result in the complaint being dealt with only through written communication thereafter.

The school is committed to dealing with complaints fairly and impartially and to providing a high-quality service to those who do complain. However, we do not expect our staff to accept unreasonable 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 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 considered 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.

A complaint will be considered unreasonable if the person making the complaint does so face-to-face, by telephone, in writing or electronically in a way that could be described as:

- Maliciously.
- Aggressively, using threats, intimidation or violence.
- Using abusive, offensive or discriminatory language.
- Knowing it to be false.
- Using falsified information.
- By publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Where aggression or abusive behaviour has been used, the school may have to:

- Ask them to leave the school premises.
- Inform the police.
- If necessary, bar them from being on school premises. The school will give the complainant the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, considering any representations made by the complainant and either confirmed or lifted. If the bar is confirmed, the complainant will be given an explanation as to how long the bar will be in place.

### **Serial or persistent complaints**

We do not normally limit the contact complainants have with the school but it is not helpful if repeated correspondence is sent or repeated requests for meetings are made while a complaint is being progressed.

Such situations may occur when the complainant:

- 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/or by telephone while the complaint is being dealt with.
- 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 DfE.
- Seeks an unrealistic outcome.

Where complainants 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 six months.

If a complaint is investigated according to the school's policy but not to the satisfaction of the complainant, who then tries to reopen the same issue, the chair of the Governing Body will inform them in writing that the procedure has been exhausted and that the matter is now closed. However, if the complainant raises an entirely new, separate complaint, it will be dealt with in accordance with the school's complaints procedure.

The same applies to 'duplicate' complaints by a relative or friend of a previous complainant who seeks to re-open a closed issue. However, if the duplicate complaint contains new allegations then these must be considered under the school's procedure.

### **Monitoring and evaluation**

Wherever possible, complaints information shared with the whole Governing Body will not name individuals.

Should the DfE advise the school that the policy or procedures need to be amended, these will be effected as soon as possible. Where changes in legislation require changes to the policy, these will also be introduced as soon as possible.



## Appendix 1a: Child-Friendly Complaints Policy & Procedures

Created: September 2021

Status: Non-statutory

At Harlington School we listen to our students concerns and complaints. We strive to make sure any concerns or worries are addressed as soon as possible. We aim to make our school a place where you feel happy and safe. This policy has been made so that you know what to do if you have a concern or a complaint, who you can talk to and what will happen once you have complained. It is important to know that you won't get in trouble if you complain and we will take your complaint seriously.

### What does it mean?

A "complaint" is something you make when you are unhappy about something or someone.

A "concern" is when you have a worry about something or someone.

Both a complaint and a concern can be told to anyone, e.g. your parents, teachers or friends. If you tell a teacher or another member of staff at school about a complaint, it will be taken seriously and we will listen to what you have to say.

### Things to think about when making a complaint

- Is my complaint about something which affects the whole school or a group of pupils?
- Could I solve the problem by talking to my parent, form teacher, head of year or someone else in school?
- When making a complaint, we ask that you make it as soon as possible so we can properly investigate it and resolve any problems you have.
- If you are making a complaint about someone you shouldn't complain directly to them: talk to your parents, another teacher, Head of Year or Senior staff.

### What will happen when I complain?

- A meeting with a staff member (teacher, HOY or Senior staff) to explain the problem.
- During the meeting, the staff member will take notes of what has been talked about, and notes of any additional discussions about the complaint will also be noted down.
- You don't have to worry if somebody else is told about your complaint; you are not in trouble, it just means that the person you told thinks it is best to tell them to keep you safe in school.

### What will the school ask me?

When you make a complaint, the adult you tell will talk to you about the following things:

- The main problems you have, your options and how it might be dealt with.
- If any actions will be taken by the school as a result of the complaint.

### What if someone is complaining about me?

- If a complaint is being made about you, you will be asked to talk to the adult responsible for the complaint so you have the chance to tell your side of the problem.
- You will always be treated fairly by the school when looking into the seriousness of the complaint.

**Student Complaints Procedure**

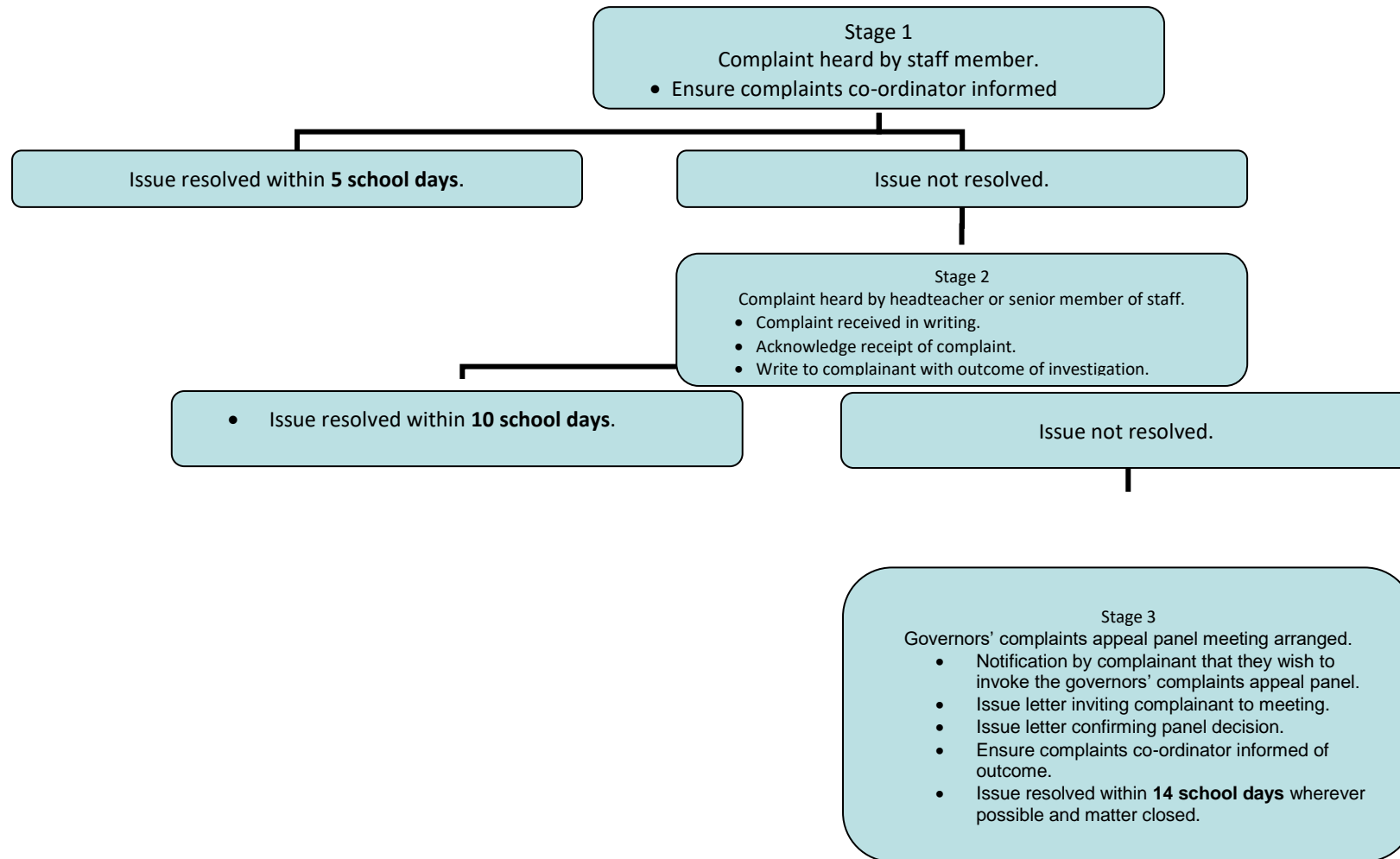
Harlington School recognises the right of an individual student to feel free to voice a concern. Staff will endeavour to investigate, address and, if required, resolve that concern in an open and fair manner. If a student has a concern that they would like addressed, the guidelines below should be followed:

Step 1- Teacher or Head of Year	
<p>The student should choose to discuss the concern with the staff member with whom they are most comfortable. The student may take a friend or their parent for support.</p>	<ol style="list-style-type: none"> <li>1. Concern is raised with a trusted person</li> <li>2. Matter is investigated</li> <li>3. Meeting with relevant parties</li> <li>4. Resolution agreed by all parties</li> <li>5. Matter is documented as outlined in our complaint's procedure</li> <li>6. Monitoring and evaluation</li> </ol>
Step 2- Senior staff	
<p>If not resolved in Step 1 The student speaks to Senior staff to help resolve the issue. The student may take a friend, their class teacher or their parent for support.</p>	<ol style="list-style-type: none"> <li>1. Concern is raised with the Senior staff</li> <li>2. Matter is investigated</li> <li>3. Meeting with relevant parties</li> <li>4. Resolution agreed by all parties</li> <li>5. Matter is documented as outlined in our complaints procedure</li> <li>6. Monitoring and evaluation</li> </ol>
Step 3- The Head teacher	
<p>If not resolved in Step 2 The student speaks to the Head teacher. The student may take a friend or their parent for support. The Head teacher may consult with teachers, school leaders, parent and/ or external agencies. The Headteacher's decision is final.</p>	<ol style="list-style-type: none"> <li>1. Concern is raised with the Headteacher</li> <li>2. Matter is investigated</li> <li>3. Meeting with relevant parties</li> <li>4. Resolution is achieved; matter is closed</li> <li>5. Matter is documented as outlined in our complaints procedure (* <i>Be aware that you may not be able to be told all outcomes due to an employee's right to confidentiality if you complain about a teacher</i>)</li> <li>6. Monitoring and evaluation</li> </ol>

Students should be aware that in some instances confidentiality cannot be guaranteed if the matter is serious or criminal in nature. Students need to be aware that school staff may be obliged to share information with relevant school leaders and/or the social worker, police or outside agency dependent on the nature of the concern. We will do this to fulfil our duties, as stated in our Child Protection and Safeguarding policy:

*The Children Act 1989 gave every child the right to protection from abuse and exploitation and the right to have enquires made to safeguard his or her welfare. Under section 175 of the Education Act 2002, the governors and staff of all maintained schools, have a responsibility to safeguard and promote the welfare of children and to work together with other agencies to ensure adequate arrangement within each school to identify, help protect, and support those children who are suffering harm. The Education and Inspections Act 2006 also places a duty on governing boards of maintained schools to promote well-being, including protection from harm and neglect.*

**APPENDIX 1: FLOWCHART FOR THE COMPLAINTS PROCEDURE**



**APPENDIX 2: COMPLAINTS FORM**

Please complete and return to the headteacher who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil

Address:

Postcode:

Daytime telephone number: Evening telephone number:

Email address:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint?  
(To whom did you speak 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:

**Official use**

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

**APPENDIX 3: CHECKLIST FOR A PANEL HEARING**

The governors' complaints appeal panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

**APPENDIX 4: UNREASONABLE COMPLAINTS– ONGOING PROCEDURE**

**Harlington School**  
**Pinkwell lane**  
**Hayes UB3 1PB**

Date:

Dear Mr/Mrs/Miss/Ms,

**Nature of complaint**

Further to your recent contact with the school in connection with your on-going complaint about ..... I ask for your co-operation while the complaints procedure is in process.

Harlington 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 act to protect them from such behaviour, including that which is abusive, offensive or threatening.

Harlington 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’.

A complaint may be regarded as unreasonable when the person making the complaint:

***Choose from the list of bullet points below according to nature of the problem.***

- 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 considered 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.

- 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/or by telephone while the complaint is being dealt with.

I ask you to please limit the numbers of communications with the school while your complaint is being progressed. It is not helpful if repeated correspondence is sent (by letter, phone, email or text) because it could delay the outcome being reached. If you continue to contact the school excessively, causing a significant level of disruption to staff, I may have to specify the mode and number of communications that will be considered acceptable.

A complaint may also be considered unreasonable if the person making the complaint does so face-to-face, by telephone, in writing or electronically by e-mail or video link:

***Choose from the list of bullet points below according to the nature of the problem***

- Maliciously.
- Aggressively, using threats, intimidation or violence.
- Using abusive, offensive or discriminatory language.
- Knowing it to be false.
- Using falsified information.
- By publishing unacceptable information in a variety of media such as in social media websites and newspapers.

***Where aggression has been used add:***

Please stop using aggressive, abusive behaviour against the school staff or I may have to

- Ask you to leave the school premises.
- Inform the police.
- If necessary, bar you from being on school premises, which I have the right to do.

We do want to resolve your complaint but please let us do so by working to the schedule of the procedure and peacefully.

Yours sincerely

Headteacher



**APPENDIX 5: UNREASONABLE COMPLAINTS– PROCEDURE COMPLETED**

**Harlington School  
Pinkwell lane  
Hayes UB3 1PB**

Date

Dear Mr/Mrs/Miss/Ms,

**[Nature of complaint]**

Further to your recent contact with the school after the decision of the complaints appeal panel, and having advised you of the steps you could take if you were still unsatisfied with that decision, I write a final letter to you to ask that you refrain from contacting the school on substantially the same matter which, having been dealt with thoroughly and reasonably through all the school's complaints procedure, I now consider to be an unreasonable complaint.

Harlington 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 them from such behaviour, including that which is abusive, offensive or threatening.

Harlington 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'.

A complaint may be regarded as unreasonable when the person making the complaint:

*Choose from the list of bullet points below according to nature of the problem.*

- 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.
- 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 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.
- 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/or by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so face-to-face, by telephone, in writing or electronically by email or video link:

- Maliciously.
- Aggressively, using threats, intimidation or violence.
- Using abusive, offensive or discriminatory language.
- Knowing it to be false.
- Using falsified information.
- By publishing unacceptable information in a variety of media such as in social media websites and newspapers.

*Where aggression has been used add:*

Please desist from using aggressive, abusive behaviour against the school staff or I may have to

- Ask you to leave the school premises.
- Inform the police.
- If necessary, bar you from being on school premises, which I have the right to do.

Once again I now ask you to stop contacting the school in connection with this complaint.

Yours sincerely

Headteacher