



Complaints Policy

At TAS the CEO and the Proprietress has overall responsibility for the operation and management of the school complaints procedure. In practical terms, they will handle day-to-day matters and keep records related to any complaints received. Complaints from anyone who is not a parent of a pupil currently attending the school should be addressed to the CEO/ Proprietress/ Headteacher in the first instance.

It is expected that attempts will be made to resolve parental concerns informally, calmly, and quickly with the class teacher or Phase Leader, before being referred to the Headteacher. The informal stage of the procedure must be exhausted before the matter is referred to the formal stages. If any substantial complaint is made to a member of staff by a parent, it will be referred to the line manager or Headteacher, as appropriate, if it cannot be resolved immediately to the satisfaction of the parent.

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 they:

- Express the complaint in full as early as possible.
- Ask for assistance if needed throughout the handling of the complaint.
- Co-operate with the school in its procedures of seeking a solution to the complaint.
- Respond promptly to requests for information or meetings or in agreeing the details of the complaint.
- Treat all those involved in the complaint with respect.

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 Headteacher / Complaints Co-ordinator

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 around complaints, including:



- The Equality Act 2010
- Data Protection Act 1998 and the General Data Protection Regulation (from May 2018)
- Freedom of Information Act 2000
- Be aware of issues regarding:
 - Sharing third-party information
 - 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 complaints 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 questioning.
- Keep notes of the interviews or arrange for an independent note-taker to record the 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.
 - Considering 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

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 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 give consideration to achieving reconciliation between the school and complainant, although it has to be recognised that this is not always possible.

The Panel Clerk

This could be the clerk to the governors or the complaints co-ordinator if they are 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.

Panel Chair

The panel chair will ensure that:

- They liaise 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.

Stages in the Procedure

There are three stages in the school's complaints procedure. (See Appendix 1 for a flow chart). 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, as this can create a positive atmosphere in which to discuss any outstanding issues.

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

Stage 1 – Informal – Complaint Heard by Staff Member

- As a matter of staff development, all staff members receive training in handling complaints.
- A complaint may be made in person, by telephone, or in writing. In this stage, the investigator, i.e. the class teacher/SLMT member /SLT member (but not the subject of the complaint or a governor), will deal with the complaint.
- Most parents' concerns can be adequately resolved by discussion with the class teacher/SLMT or SLT member 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 recorded on the in school CPOMS system and a copy of any written response scanned and added to the record.
- The complaint should be resolved within **ten** school days. However, if the complainant wishes to take the matter further, they are requested to complete the complaints form (Appendix 2) and return it to the school within **ten** school days. The Headteacher is informed and stage 2 is implemented. All of this is recorded on the in school CPOMS system.

Stage 2 – Formal – Complaint Heard by Headteacher or Senior Staff Member



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:

- The complainant puts the complaint in writing.
- 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 leadership team.
- The Headteacher, or a designated member of the senior leadership 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.
- Complaints against the Headteacher will usually be dealt with by the Chair of Governors, but might first involve a suitably skilled member of the Board of Governors.

Complaints against the Chair of Governors or any individual governor should be made by writing to the clerk to the Board of Governors.

Complaints about the Board of Governors 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.

The complainant will be informed of his or her right to have the matter referred to the governors' complaints appeal panel if the outcome of stage 2 is not considered satisfactory. The time frame in which any appeal must be lodged in writing is **ten** school days. Any such request by a complainant 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 Meeting

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

- The complainant/parent will be informed by the clerk of the new timescale for the investigation and the written report to be provided – within **14** 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 **14** 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.)

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

The hearing will be on reasonable notice and be held as soon as practicable after receipt of the referral. The procedure at the hearing (see appendix 3) will be sensitive and appropriate for the circumstances and is at the discretion of the chair of the governors' complaints appeal panel.

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 to decide**] school days so that no additional complaints will arise because of the record of the meeting.

The panel can:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Decide on the appropriate action to be taken to resolve the complaint.
- Recommend changes to the school's procedures to ensure that similar problems do not recur.

The governors' appeal panel's decision is final.

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 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.

Recording Complaints

The progress of any complaint and the final outcome will be recorded by the complaints co-ordinator. These findings will be made available to the complainant and, where relevant, the person complained about, and will be available for inspection by the Headteacher. Initially a



complaint may be made in person or by telephone and if unresolved needs to be put in writing (see Appendix 2). 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 (on the in school CPOMS system).

Unreasonable and/or Persistent Serial Complaints

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 complaints 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.

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, taking into account 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 Department for Education.
- 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.

Monitoring and Evaluation

The Board of Governors will monitor the level and nature of complaints using the records kept in school. Wherever possible, complaints information shared with the whole Board of Governors will not name individuals. The policy will be evaluated in the light of complaints made and their resolution to contribute to school improvement.



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.

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