



## Beths Grammar School Complaints Policy

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### Introduction

1. This document sets out Beths Grammar School's policy and procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If, for instance, you have any concerns about the school or the education provided, please discuss the matter with your child's class teacher at the earliest opportunity.

2. Beths Grammar School will make every effort to provide a high quality service to students, parents/carers and community users. We welcome both compliments and suggestions as to how to improve. Where concerns are raised, every effort will be made to resolve them informally and, where complaints are made, they will be treated seriously and according to the procedure set out below. However, where complaints attempt to bring the school into disrepute, or to undermine individuals or the school's work in general, the school reserves the right to challenge the complaint.

#### 1. Aims

We aim to meet our statutory obligations when responding to complaints from parents of students at the school. Beths Grammar School will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

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 principle of administrative law
- Keep complainants informed of the progress of the complaint through the complaints process
- Consider how the complaint can feed into school improvement evaluation processes.

We will 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.

In applying this policy rigorously, Beths Grammar School aims to meet and uphold its core values of Community, Excellence, Nurture and Respect.

## **2. Legislation and Guidance**

This document meets the requirements set out in Part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents of students at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations, and refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

## **3. Definitions and scope**

### **3.1 Definitions**

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day-to-day communication as far as possible.
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

### **3.2 Scope**

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline.

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 (SEND) about the school’s support are within the scope of this policy. Such complaints should first be made to the Head of Individual Needs (SENDCO) or the Headteacher; they will then be referred to this

Complaints Policy which includes information about the rights of parents of students 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.

#### **4. Roles and responsibilities**

##### **4.1 The Complainant**

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect
- Not publish details about the complaint on social media.

##### **4.2 The Investigator**

An individual will be appointed by the Headteacher to look into the complaint, and establish the facts.

They will:

- Interview all relevant parties and keep notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the Headteacher or Governors Complaints Committee which includes the facts and potential solutions.

##### **4.3 Clerk to the Governing Body**

The clerk will:

- Be the contact point for the complainant and the Governors Complaints Review Panel, including circulating the relevant papers and evidence before the Governors Complaints Review Panel meeting
- Arrange the hearing to be held before the Governors Complaints Review Panel
- Record and circulate the minutes and outcome of the hearing.

##### **4.4 Committee chair**

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case.

#### **5. Principles for investigation**

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right.

##### **5.1 Time scales**

The complainant must raise the complaint within 12 school weeks of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 12 school weeks of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay.

## **6. Stages of complaint (not complaints against the Headteacher or Governors)**

### **6.1 Stage 1: Informal**

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the Headteacher, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the School using the email: [headspa@beths.bexley.sch.uk](mailto:headspa@beths.bexley.sch.uk)

The school will acknowledge informal complaints within three school days, and investigate and provide a response within ten school days.

Most concerns will be effectively dealt with at the Informal Stage. Every effort should be made to resolve the concern informally in discussion with either the class teacher, Head of Department (HoD), Head of Year (HoY) or member of the Senior Leadership Team (SLT). The school encourages parents/carers to approach staff and aims to resolve all issues with open dialogue and mutual understanding.

It is expected that anyone who seeks to make a complaint shall have made reasonable attempts to seek an informal resolution to the concern and shall have acted in relation to the matter in a reasonable and measured way.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

### **6.2 Stage 2: Formal**

If you feel that a concern has not been addressed through informal discussion with the class teacher, HoD or HoY or member of the SLT and you wish to have the matter formally investigated by an appropriate person from the school, please complete the Complaints Form found in Appendix 1 of this policy and email this to [headspa@beths.bexley.sch.uk](mailto:headspa@beths.bexley.sch.uk)

The Complaints Form will be acknowledged within three school days of receiving it. The matter will be formally investigated by the Headteacher or a senior member of staff nominated by the Headteacher. Depending upon the nature of the complaint he/she will normally write to you with the outcome of this process within 15 school days of receipt of the Complaints Form. If circumstances arise that mean that the person investigating the complaint is unable to complete the process within 15 school days, he/she will write to you explaining why and indicating a new date by which it is hoped he/she will write with the outcome of the process.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the Clerk to the Governing Body in writing within 15 school days of the completion of Stage 2.

### **6.3 Stage 3: Review Panel**

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by, or on behalf of, the proprietor and must consist of at least three people who were not directly involved in the matters detailed in the complaint. At least one panel member must be independent of the management and running of the school. The panel cannot be made up solely of Governing Body members, as they are not independent of the management and running of the school.

The panel will have access to the existing record of the complaint's progress (see section 10).

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and Headteacher.

The school will inform those involved of the decision in writing within 15 school days.

## **7. Complaints against the Headteacher, a Governor or the Governing Body**

### **7.1 Stage 1: Informal**

Complaints made against the Headteacher or any member of the Governing body should be directed to the clerk to the Governing Body in the first instance.

If the complaint is about the Headteacher or a member of the Governing Body (including the Chair or Vice Chair), a suitably-skilled and impartial Governor will carry out the steps at stage 1 (set out in section 6 above).

### **7.2 Stage 2: Formal**

If the complaint is jointly about the Chair and Vice Chair, the entire Governing Body, or the majority of the Governing Body, an independent investigator will carry out the steps in stage 2. They will be appointed by the Governing Body and will write a formal response at the end of their investigation.

### **7.3 Stage 3: Review Panel**

If the complaint is jointly about the Chair and Vice Chair, the entire Governing Body or the majority of the Governing Body, a committee of independent governors will hear the complaint. They will be sourced from local schools and/or the local authority and will carry out the steps at stage 3 (set out in section 6 above).

## **8. Referring complaints on completion of the school's procedure**

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the school was in breach of its funding agreement with the Secretary of State
- Whether the school has failed to comply with any other legal obligation.

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

## **9. Persistent complaints**

### **9.1 Unreasonably persistent complaints**

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refused to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

### ***Steps we will take***

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary.

### ***Stopping responding***

We may stop responding to the complainant when all of these factors are met if:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options

- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience.

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

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 our school site.

### **9.2 Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint
- If there are new aspects, we will follow this procedure again.

### **9.3 Complaint campaigns**

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants
- If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## **10. Record keeping**

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the Secretary of State (or someone acting on their behalf), or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law and our privacy notices.

The details of the complaint, including the names of individuals involved, will not be shared with the whole Governing Body in case a review panel needs to be organised at a later point.

Where the Governing Body is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The complainant would need to provide reasons for this belief to the Governing Body to consider. The decision to approve this request is made by the Governing Body, who will not unreasonably withhold consent.

### **11. Learning lessons**

The Governing Body will review any underlying issues raised by complaints with the Headteacher/Senior Leadership Team, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

### **12. Monitoring arrangements**

The Headteacher and the Governing Body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Headteacher and the Governing Body will track the number and nature of complaints, and review underlying issues as stated in Section 11.

The complaints records are logged and managed by the Senior Deputy Headteacher.

This policy will be reviewed and approved by the Headteacher and Chair of the Governing Body every three years.

### **13. Links with other policies**

Policies dealing with other forms of complaints include:

- Accessibility
- Admissions
- Anti-Bullying
- Behaviour & Rewards
- Child Protection and Safeguarding
- Disposal of Records
- Fair Treatment at Work
- Performance Management
- Privacy notice
- SEND information report
- Staff Code of Conduct

Reviewed : Spring 2020  
Next Scheduled Review Date : Spring 2023



## Complaints Form – Stage 2 Formal

To assist with any investigation into your complaint and to help avoid any delay to the process, please complete this form with as much detail as possible.

*When complete please return to [headspa@beths.bexley.sch.uk](mailto:headspa@beths.bexley.sch.uk)*

Name of the person making the complaint:	
Contact details for the person making the complaint Phone number: Email address:	
Date the incident about the complaint occurred:	Date the Complaints Form was sent to school:
Approximate time of day the incident occurred:	
If the complaint is raised by a parent/carer relating to a student, please give Student name:	Tutor Group:
Please clearly state the nature of the complaint and how you would like this resolved:	
<b>For internal purposes only</b>	
Date received:	
Investigated by:	
Date complaint resolved:	



## Complaints Form - Stage 3 Review Panel

***If you wish to make a complaint to be considered by the Governing Body, please complete this form. When completed this form and any supporting papers should be sent to Geoff Webdale, Clerk to the Governors, who will acknowledge your complaint and explain what action will be taken: [mrwebdale@beths.bexley.sch.uk](mailto:mrwebdale@beths.bexley.sch.uk)***

Your Name:		Name of Student:	
Your relationship to the student:			
Your Address:	Post Code:		
Day time telephone number:		Evening telephone number:	
Mobile telephone number:		Email address:	
Please provide details of your complaint:			

What action, if any, have you already taken to try to resolve your complaint?

What actions do you consider might resolve the problem at this stage?

Please list any papers provided in support of your complaint:

Signature:

Date: