



# DEVONPORT HIGH SCHOOL FOR GIRLS

## CONCERNS AND COMPLAINTS POLICY

Named person: Mrs Anita Hemsli

Category: Statutory

Review: Bi-Annually

Date to be reviewed: Spring 2020

**This policy has been reviewed with regard to the work/life balance of staff.**

Adopted by the Governors' Policy Committee on: 15/03/18

Ratified at the Full Governors' meeting on: 23/04/18



## **DEVONPORT HIGH SCHOOL FOR GIRLS CONCERNS AND COMPLAINTS POLICY (Procedure, Guidance notes and Complaints form)**

Schools value the generally good relations they enjoy with parents and the community. These good relations are based on mutual respect and a willingness to listen to other points of view. It is in the best interest of all parties that any concern is expressed and resolved quickly and at the earliest possible stage.

### **Stages of the procedure:**

Stage 1 – Informal discussion with appropriate member of staff and/or Head Teacher

Stage 2 – Formal complaint to Head Teacher

Stage 3 – Formal appeal to Governing Body's Complaints Appeal Panel

Stage 4 – Formal complaint to the Department for Education

### **Stage 1 – Informal discussion with appropriate member of staff and/or Head Teacher**

Where a concern is brought to the school's attention, it can often be resolved with a single conversation. Sometimes the issue is more complex and will take more than one discussion to resolve. Complainants should be encouraged to telephone to make an appointment with the appropriate member of staff or the Head Teacher in order to discuss their concerns. Telephone calls should be returned within 24 hours. The school should respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. Where the complaint concerns the Head Teacher and cannot be resolved by arranging a meeting with him/her, the complainant should be referred to the Chair of Governors. Occasionally, despite the best efforts of those concerned, these discussions do not resolve the issue, which then may become a formal complaint.

### **Stage 2 – Formal complaint to Head Teacher**

The complainant should be asked to confirm to the Head Teacher that they wish to make a formal complaint and it should be acknowledged in writing on the day of receipt, confirming that the investigation will be completed within twelve school days. If, however, the complaint is received during the last five school days of the Summer term, the Head Teacher should attempt to contact the complainant by telephone to discuss the timescale for investigation and reporting. The letter acknowledging the complaint should confirm the details of this conversation or, if the Head Teacher has been unable to make telephone contact, that the situation will be investigated at the beginning of the Autumn term and suggest a date for a meeting to discuss the findings. If it becomes apparent that further investigations are necessary, new time limits should be set and the complainant informed of these together with the reasons for the delay.

The Head Teacher should copy relevant papers to any member of staff named in the complaint and make a full investigation. On completion of the investigation the Head Teacher should arrange a meeting with the complainant to discuss the results. The complainant should be encouraged to bring a friend or interpreter to the meeting. Immediately following the meeting, a letter should be sent to the complainant outlining the results of the investigation and meeting and, if appropriate, detailing the proposed course

of action. The complainant's right to refer the decision to the Governing Body's Complaints Appeal Panel should also be included in the letter.

### **Stage 3 – Formal appeal to Governing Body's Complaints Appeal Panel**

A complaint can only be made to the Governing Body's Complaints Appeal Panel if it relates to the Head Teacher or the complainant has completed all of the following:

- Already exhausted Stages 1 and 2
- Allowed twelve school days for the Head Teacher to complete the investigation at Stage 2
- Accepted any reasonable offer by the school to discuss the findings of the investigation
- Taken part in any process of mediation offered by the school, such mediation should be undertaken by an independent person who has not been involved or known about the nature of the complaint
- Contacted the Chair of Governors within two months of the event requesting that the complaint be referred to the Governing Body's Complaints Appeal Panel

Where the complaint is received during the last 5 school days of the Summer term, the Chair of Governors should attempt to contact the complainant by telephone to discuss the timescale for the appeal process. The letter acknowledging the complaint should confirm the details of this conversation or, if the Chair of Governors has been unable to make telephone contact, that the situation will be investigated at the beginning of the Autumn term and suggest a date for a meeting of the Complaints Appeal Panel of the Board of Governors.

The Governors should set up a panel to deal with appeals on complaints relating to the school. This could be the committee that deals with exclusions or personnel issues, since the procedure will be similar. This panel will include at least one member who is independent of the management and running of the school. The panel's responsibility is to hear and decide about formal complaints that have not been resolved at an earlier stage. The Governors' appeal hearing is the last school-based stage of the complaints process and should not be convened to merely rubber-stamp previous decisions.

The panel should consist of three or five Governors who have not previously been involved in any aspect of the complaint. The Head Teacher should not be a member of the panel. A complaint may give rise to subsequent disciplinary proceedings against a staff member and the procedure for dealing with a complaint should, therefore, be kept separate from an application of the school's staff discipline procedure.

The complainant should contact the Chair of Governors within two months of the event, requesting a meeting of the panel responsible for appeals on complaints relating to the school, outlining the complaint and providing all supporting evidence and specifying which matters remain unresolved. No new complaints may be included.

The Clerk to Governors should arrange all matters relating to the meeting, including the date, that should be no later than twelve school days from receipt of the complaint, ensuring that it is held at a time that suits all parties. The Clerk should copy the complaint to the Head Teacher who will have five school days in which to respond.

Any documents from either the complainant or the Head Teacher to be considered by the panel, and the names of any witnesses or friends who might attend, must be received by the Clerk at least seven school days before the meeting. Copies of the agenda and all documents should be forwarded to the panel members, Head Teacher, complainant and Chair of Governors at least five school days before the meeting date. The Head Teacher should copy relevant papers to any member of staff named in the complaint.

The complainant can bring a friend or interpreter to the meeting. The Head Teacher may bring a friend or professional representative to the meeting. Any teachers or other members of staff requested to attend the meeting can bring a friend or professional representative.

Witnesses are only required to attend for the part of the hearing in which they give their evidence. The Head Teacher may question both the complainant and his/her witnesses after each has spoken and the complainant may likewise question the Head Teacher and his/her witnesses. The panel may ask questions at any time. Having summed up the complaint and the school's response, the complainant and Head Teacher should leave together while the panel decides on the issues.

The panel should consider the complaint on the basis of the papers they receive and what is said at the meeting. The Clerk should take minutes that must remain confidential.

The committee may:

- Uphold the complaint in full or in part and make recommendations to the Governing Body for action and, where appropriate, recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again; or
- Decide to recommend no action be taken and give reasons for the decision.

Within five school days of the meeting, the Clerk should send a letter to the complainant, Head Teacher and Chair of Governors outlining the outcome of the meeting. It is important that everyone understands that the panel is acting on behalf of the Governing Body and no further appeal to the Governing Body is available.

#### **Stage 4 – Formal complaint to the Department for Education**

If the complainant is dissatisfied with the outcome of a Stage 3 appeal and wishes to pursue the matter further, this should be done by following the Department for Education's procedure for dealing with those complaints about schools that fall outside statutory requirements. Complaints relating to schools should be directed to the nominated officer for school complaints in writing, by fax, by email, by telephone or in person.

It must be understood, however, that it is not the DfE's role to re-investigate and direct the Governors or Head Teacher to take a particular course of action but to help find a solution to a complaint. The DfE will listen to the complaint, ask questions and give advice on how to break the deadlock.

#### **Unreasonable Complainants**

The school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

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;
- repeatedly makes the same complaint (despite previous investigations or responses concluding the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

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

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school premises.



## DEVONPORT HIGH SCHOOL FOR GIRLS CONCERNS AND COMPLAINTS GUIDANCE NOTES FOR PARENTS/CARERS

### **If you have a concern or complaint**

We would like you to tell us about it. We welcome suggestions for improving our work in the school. Be assured that no matter what you want to tell us, our support for you and your child in the school will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate properly an incident or problem that happened some time ago.

### **What to do first**

Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher or another member of staff.

If you have a complaint that you feel should be looked at by the Head Teacher you can contact him/her first. It is usually best to discuss the problem face to face. You may need to make an appointment to do this and can make one by telephoning (01752 705024) or calling at the school office.

You can take a friend or relation to the appointment with you if you want to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the issue. It may also help to prevent a similar problem arising again.

### **What to do next**

If you are dissatisfied with the member of staff's response you can make a complaint to the Head Teacher. You should advise the Head Teacher that you wish to make a formal complaint. This can be done verbally or by completing the attached complaint form. Please contact the school office if you need assistance with this.

If your complaint is about an action of the Head Teacher personally, then you should refer it to the Chair of Governors.

The school's Concerns and Complaints Policy explains in details what procedures are followed.

The Head Teacher will ask to meet you for a discussion of the problem. Again, you may take a friend or relation with you if you wish. The Head Teacher will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.

### **If you are still unhappy**

The problem will normally be solved by this stage. However, if you are still not satisfied you may wish to contact the Chair of the Governing Body to ask for referral of your complaint to the Governing Body's Complaints Appeal Panel. You can contact the Chair of Governors at the school address (Devonport High School for Girls, Lyndhurst Road, Peverell, Plymouth PL2 3DL.

Your complaint will then be heard by a group of at least three Governors who have no previous knowledge of the problem and so will be able to give it a fresh assessment. You will be invited to attend and speak to the panel at a meeting that the Head Teacher will also attend. The procedure is explained in the school's Concerns and Complaints Policy.

### **Further action**

Complaints about school problems are almost always settled within schools but if you are dissatisfied with the school's internal procedure, you can contact the Department for Education. However, please note that the role of the DfE is limited to ensuring that the school has followed its own procedures. It is not the role of DfE to re-investigate and/or direct the Governors or Head Teacher to take a particular course of action.



## DEVONPORT HIGH SCHOOL FOR GIRLS COMPLAINT FORM

Our leaflet Guidance notes for parents/carers explains the complaints procedure followed at Devonport High School for Girls. This form is designed to help you ask the Head Teacher to arrange an investigation of your complaint or to ask the Chair of Governors to arrange further investigation if you are dissatisfied with the Head Teacher's response to your complaint.

### Data Protection Act

Personal information provided by complainants will be treated as confidential. It will be kept secure in accordance with our data protection policy and not provided to anyone unless they are allowed to see it by law. Analysis will be restricted to types of complaints and individual complainants will not be identified. The analysis will be reported to the Board of Governors on an annual basis. The reporting will include identifying particular trends of complaints, which may require some change in the school's procedures.

Please complete this form and return it to the Head Teacher's PA or Clerk to Governors (as appropriate) who will acknowledge receipt and explain what action will be taken.

If you need assistance with completing this form, please contact the main school office.

<b>Your name:</b>	
<b>Pupil's name:</b>	
<b>Your relationship to the pupil:</b>	
<b>Your address (please include the postcode):</b>	
<b>Your telephone number (daytime):</b>	
<b>Your telephone number (evening):</b>	
<b>Please give details of your complaint:</b>	

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

**Your signature:**

**Date:**

**FOR OFFICIAL USE AT DEVONPORT HIGH SCHOOL FOR GIRLS**

**Date acknowledgement sent:**

**Acknowledgement sent by (name):**

**Complaint referred to:**

**Date of referral:**