



Highcliffe School
11-18 Academy

COMPLAINTS

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Introduction

Highcliffe School is committed to encouraging the involvement of parents and carers in the community of the School and their children's education. One aspect of this commitment is reflected in the recognition that occasionally, things may occur which cause parents concern.

Highcliffe School recognise it is important that parents, carers and pupils know the steps to take to ensure any problems are resolved. This document is intended to provide guidance to help parents in this process.

Highcliffe aims to resolve all complaints at the earliest possible stage and is dedicated to continuing to provide the highest quality of education possible throughout the procedure.

The principles of our procedure

- No group will be excluded from making a complaint.
- Resolution of problems by informal means wherever possible is encouraged.
- Our steps are simple to understand and use.
- In investigating complaints, we are impartial and non-adversarial. We will ensure a full and fair investigation, by an independent person where necessary.
- We provide clear time frames in each step.
- We respect people's desire for confidentiality.
- We will address all the points at issue and provide an effective response and appropriate redress, we take on board feedback so that provision can improve.
- We have due regard to the principles of the Equality Act 2010 and how they impact upon schools, parents, carers and children/young people.

Scope of this complaint procedure

This procedure covers all complaints with the exceptions listed below, for which there are separate (statutory) procedures.

This policy does not cover the following issues:-

- admissions to schools;
- exclusion of children/young people from school;
- statutory assessments of special education needs;
- school re-organisation proposals subject to statutory procedures;
- whistle-blowing;
- staff grievances and disciplinary procedures; and
- complaints about services provided by other providers, such as contractors.

Complaints about child protection matters may require a child protection investigation and may need to be referred to the local authority designated officer or the multi-agency safeguarding hub. Accordingly, it may not be appropriate to handle such complaints under this procedure, in which case you will be informed accordingly.

Concurrent considerations

Legal, safeguarding or disciplinary proceedings may take precedence over complaints procedures and timescales.

If there is a risk that dealing with a complaint might prejudice a concurrent investigation, the complaints procedure will be suspended until any such risk has been sufficiently mitigated. The Complaints Co-ordinator will write to the complainant explaining the reason for the decision and if appropriate the nature of the concurrent investigation.

Who can make a complaint?

- Parents or carers of children/young people attending the school.
- Parents or carers of children/young people who have recently attended the school. Consideration will be given to complaints lodged within six months of leaving the school.
- Members of the general public may make complaints to the School if the School is directly responsible for the issue being complained about.

Informal complaints

Most concerns are dealt with quickly, through informal discussion with members of staff at the school. Parents are always welcome to come into school to discuss concerns or problems that have arisen. You can expect that matters you raise will be treated in confidence, but parents also need to understand that to resolve issues and find the best way forward, the person dealing with the matter may have to make further enquiries. If this is necessary, you can expect that it will be done with sensitivity to how the issues affect your child. It is always preferable to find an informal resolution before entering a formal complaints procedure.

Should parents wish to raise an informal complaint, the School will respond to them via informal discussion, or in writing, within 5 school days.

The School recognises that it is not always possible to resolve an issue informally and, when this occurs, the formal procedure can be invoked.

Anonymous complaints

Normally, an anonymous complaint will not be actioned. However, the Head Teacher and Chair of Governors will, at their discretion, determine whether the gravity of an anonymous complaint warrants its investigation.

Complaints received out of term time

A school day refers to Monday to Friday during a school term and specifically excludes school holidays and public holidays.

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

How to make a formal complaint

There are two stages to this procedure

Stage 1 – Complaint Heard by Head Teacher or Chair of Governors

The complaint will only be heard by the Chair of Governors if the Head Teacher is the subject of the complaint.

Stage 2 – Complaint Heard by Governing Body Review Panel

This will consist of Governors not involved in the complaints process at an earlier stage and in addition, one panel member independent of the management and running of the school.

Detailed Procedure

Stage 1

Formal complaints should be made in the first instance, to Angie Parsons, PA to the Headteacher, or if about the Head Teacher, to the clerk of the Governing Body, email: clerktogovernors@highcliffeschool.com who will thereafter adopt the role of Complaints Co-ordinator.

A complaint can be made in person, in writing or by telephone and you will be asked to complete a complaints form unless there are specific communication preferences due to disability or learning barriers. The Complaints Co-ordinator will record the date the complaint is received and will acknowledge in writing (letter or email) receipt of the complaint within five school days.

If the Headteacher is the subject of the complaint then it will be responded to by the Chair of Governors, otherwise it will be responded to by the Headteacher.

Unless the subject matter of the complaint is the Headteacher, the Headteacher may designate a member of the Leadership Team to investigate the complaint.

If the subject matter of the complaint is the Head Teacher then the Chair of Governors may designate another member of the Local Governing Board to investigate the complaint.

If the Headteacher or Chair of Governors, or person to whom they have delegated the task, believes it to be appropriate, a meeting may be called with the complainant, which will be minuted. Standard practice is to investigate the complaint, prepare and then send a full response within ten school days of the receipt of the complaint, or within ten school days of that meeting. If the complaint requires in-depth investigation, this will be acknowledged within five days of the acknowledgement being sent by the Complaints Co-ordinator and the complainant will be informed that a full response will take longer, and a reasonable timeframe provided.

Stage 1 offers an opportunity for achieving conciliation between parties. Informal discussions are key to resolving the complaint and agreeing a way forward. The aim is to resolve the complaint and prevent further escalation of the disagreement. The Headteacher or Chair of Governors will need to decide who is responsible for dealing with the issues involved and, if relevant, what powers are available to governors with respect to the subject matter of the complaint. The Headteacher or Chair of Governors (or person to whom they have delegated the investigation) may also invite members of staff directly involved in matters raised by the Complainant to respond in person or in writing.

If the complainant is unhappy with the outcome, they can request an appeal hearing with the Governing Body's Complaint's Review Panel through the Clerk to the Governors email - clerktogovernors@highcliffeschool.com

Stage 2 – Complaint Heard by the Governing Body’s Complaints Review Panel

The Complainant should write to the Chair of Governors and/or the Complaints Co-ordinator setting out their reasons for being unhappy with the outcome of their complaint. The panel will not consider new complaints at this stage of the procedure.

The Complaints Coordinator should acknowledge the request in writing within five school days and inform the Complainant of the right to submit any further documents or information relevant to the complaint. A deadline for submission of these documents should be given. No documentation will be admitted less than five days before the hearing.

The Complaints Panel should consist of at least three people who were not directly involved in the matters detailed in the complaint. The Clerk to the Governors will convene the complaints committee, two of whom shall be members of the Governing Body and at least one of whom shall be independent of the management and running of the academy.

The Complaints Panel will set a timetable for the hearing and will notify the Complainant of this. The review hearing should be heard within 20 school days of receiving the request, unless this is impracticable for any parties. The Complainant will be invited and advised that they may be accompanied by a friend; ordinarily, legal representation will not be appropriate for either the complainant or the school.

The Complaints Panel will be provided with the Stage 1 response together with any written responses from the Head Teacher and the Chair of Governors, as appropriate. The panel may also invite members of staff directly involved in matters raised by the Complainant to respond personally or in writing to the Complaints Panel.

The aim of the Panel should be to resolve the complaint and achieve reconciliation between the School and the Complainant if this is possible. The Panel will consider the matter afresh based upon the evidence before it.

The Panel Hearing

The Clerk to the Governors should arrange the hearing, but not participate in the hearing.

The hearing should be held in private. Any witnesses (other than the Complainant who may be accompanied, and the Head Teacher, or if about the Head Teacher, the Chair of Governors) should only attend for the part of the hearing in which they give their evidence.

The outline agenda of the hearing will include:

1) Introductions of all those present

- Note that the Headteacher and/or Chair of Governors if present, can make submissions to the Panel and respond to the Panel’s questions but not participate in the judgement process
- Confirmation that the members of the Panel have no prior knowledge of the complaint
- Explanation of the need for a formal agenda to ensure all parties have the opportunity to make full representation
- Explanation the powers open to the panel in respect to the complaint
- Reminder to the Complainant that the complaint(s) to be heard will be those already handled by the Headteacher and Chair of Governors and that no new complaints can be heard during the meeting

- 2) Complainant's verbal submission
- 3) Questions by the Panel
- 4) The school's verbal submission
- 5) Questions by the complainant
- 6) Questions by the panel
- 7) Summary by the school
- 8) Summary by the complainant
- 9) Close of the hearing

A letter detailing the panel's findings and recommendations and the basis on which these have been made will be sent to the Complainant within 15 school days and, where relevant, the person complained about. The findings and recommendations and the basis on which these have been made will be retained at Highcliffe School for inspection purposes.

If the complainant believes the School did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Education and Skills Funding Agency ("ESFA") after they have completed Stage 2.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by [Highcliffe School](#). They will instead consider whether [Highcliffe School](#) has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the ESFA online at: [https://form.education.gov.uk/service/Contact the Department for Education](https://form.education.gov.uk/service/Contact%20the%20Department%20for%20Education) or by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Decisions

Any decision at any stage of the complaints procedure, after consideration of the complaint and all the evidence presented, will include a decision to either:

- Uphold the complaint, in whole or in part.
- Dismiss the complaint, in whole or in part.
- Decide on the appropriate action to be taken to resolve the complaint; and/or
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar difficulties in the future.

Complaints Record Keeping

A written record will be kept of all Stage 1 and Stage 2 complaints detailing whether they are resolved following a formal procedure, or proceed to a panel hearing; and action taken by the School as a result of those complaints (regardless of whether they are upheld).

All correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the Education and Skills Act 2008 requests access to them.

Serial and persistent or frivolous and vexatious complainants

Highcliffe School is committed to dealing with all complaints fairly and impartially and to providing a high-quality service to those who complain and they will not normally limit the contact complainants have with the school. However, the School does not expect their staff to tolerate unacceptable behaviour and it will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. Moreover, if a complainant tries to re-open the same issue, they will be informed that the procedure has been completed and that the matter is now closed. If the complainant contacts the School again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and we may choose not to respond.

While the School will always take every reasonable step to address the complainant's concerns, it may also consider some complaints to be frivolous or vexatious. The School considers a 'frivolous' or 'vexatious' complaint may include the following characteristics:

- complaints which are obsessive, persistent, harassing, prolific, repetitious;
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
- insistence upon pursuing meritorious complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance; and
- demands for redress that lack any serious purpose or value.

Should the Headteacher or Chair of Governors consider that the complaint is persistent, serial, frivolous or vexatious, they will write to the complainant requesting that they cease raising persistent or serial complaints, or change the nature of the complaint in specified ways so that they cease amounting to frivolous or vexatious complaints. If the complainant persists with complaints that s/he has been told amount to persistent, serial, frivolous or vexatious, the School may decide to stop responding.

Any decision to stop responding will only be taken if the:

- School has taken every reasonable step to address the complainant's concerns;
- complainant has been given a clear statement of your position and their options; and
- complainant contacts you repeatedly, making substantially the same points each time.

The School will be more likely to stop responding if:

- the complainant's letters, emails, or telephone calls are often or always abusive or aggressive;
- the complainant makes insulting personal comments about or threats towards staff; or
- the School has reason to believe the complainant is contacting you with the intention of causing disruption or inconvenience.

For complainants who do excessively contact the School with the intention of causing disruption or inconvenience, the School may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

Any serious incident of aggression or violence from any member of the School community may result in the School banning an individual from the premises and informing the police. Legal advice may be sought if a complainant persists after they have reasonably been asked not to.

Useful Contacts

Complaints Co-ordinator
 Angie Parsons
 01425 282323
 aparsons@highcliffeschool.com

Education and Skills Fund-
 ing Agency
 Earlsdon Park
 55 Butts Road
 Coventry
 CV1 3BH

The Chair of Governors
 clerktogovernors@highcliffeschool.com

