



DANES HILL SCHOOL

STRONG & SAGACIOUS

COMPLAINTS POLICY

Author/Reviewer responsible:	Head/Director of Finance & Operations	Date of Review:	September 2022
Reviewed by:	Full Board of Governors	Date of Authorisation:	1 December 2022
		Date of next Review:	December 2023



Vernon Educational Trust Ltd

**THIS POLICY APPLIES TO THE MAIN SCHOOL, THE EARLY YEARS FOUNDATION
STAGE AND THE PRE-PREPARATORY SCHOOL**

**DANES HILL SCHOOL
COMPLAINTS PROCEDURE**

1. Introduction

- a) This complaints procedure is available on the school's website and on request, to all parents whose children are currently attending the school.
- b) The complaints procedure does not apply to prospective pupils, and therefore, it does not cover failure to admit such pupils.
- c) The procedure only applies in relation to complaints from parents of pupils, i.e. persons for whom education is being provided at the school. The process does not cover complaints from parents of pupils who have left voluntarily or as a result of being excluded (except in cases where the complaints process was started when the pupil was still being educated at the school).
- d) A written record is kept of all formal complaints including those that are resolved following a formal procedure, or those that proceed to a panel hearing and action taken by the school as a result of these complaints.
- e) All records of formal complaints will be kept for seven years.
- f) Parents are entitled to know the number of formal complaints made during the previous academic year and the stage of the procedure at which the complaint was resolved.
- g) 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 108 or 109 of the 2008 Act requests access. For EYFS, the record of complaints must be made available to Ofsted and ISI on request.
- h) The procedure is divided into three stages. The informal stage aims to resolve the concern through informal contact at the appropriate level in school. Stage two is the first formal stage at which written complaints are considered by the Head. Stage three is the next stage once stage two has been worked through, involving an appeal panel of governors.

1. Stage 1 – Informal Resolution

- a) It is hoped that most complaints and concerns will be resolved quickly and informally.
- b) If parents have a complaint, they should normally contact their child's form teacher or tutor. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the form teacher or tutor cannot resolve the matter alone, it may be necessary for the parent to consult the Head of Year, Head of Department, or Head of Section.
- c) Complaints made directly to a Head of Department, Head of Year or Head of Section will usually be referred to the relevant form teacher or tutor unless the Head of Year, Head of Department or Head of Section deems it appropriate for them to deal with the matter personally.
- d) The form teacher or tutor will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within seven working days or if the form teacher or tutor and the parents fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with stage 2 of this Procedure.

Any complaints made to HOY/HOD or HOS will be noted and logged in the Complaints Record log and analysed to identify common themes

2. Stage 2 – Contacting the Head

- a) A Stage 1 concern becomes a Stage 2 complaint when the parents seek a formal meeting with the Head, or raise issues through a formal letter, which may require a written response from the school. This would normally be regarded as a formal complaint. Also, if a concern about a more minor matter is repeated and the parent is clearly not satisfied with the school's original response, it should be regarded as a complaint.
- b) If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
- c) The Head will aim to speak to the parents concerned within ten working days of receiving the complaint to discuss the matter. If possible, a resolution will be reached at this stage. It is not expected that the parents would be accompanied or represented by another person at this stage.
- d) It may be necessary for the Head to carry out further investigations. *The manner and procedure in which this will be done will be at their discretion.*

- e) The Head will keep written records of all meetings and interviews held in relation to the complaint.
- f) Once the Head is satisfied that, as far as is practicable, all the relevant facts have been established, a decision will be made, and parents will be informed of this decision in writing within seven working days. The Head will also give reasons for their decision.
- g) *Following this ruling, if parents are still not satisfied then they should proceed to the Stage 3 Panel Hearing.*

Stage 3 – Formal complaint Panel Hearing

If parents seek to invoke Stage 3, they will be referred to the Chair of Trustees, who will appoint a panel.

- a) The matter will then be referred to the Complaints Panel for consideration. The panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school. Each of the panel members shall be appointed by the Chair of Trustees, who, on behalf of the panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and within twenty working days of the parents informing the School, after receiving the Stage 2 report, that they wish to invoke Stage 3. However, if a complaint has been received about the Head it will be dealt with within twenty working days from receiving the initial complaint.
- b) If the panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than seven working days prior to the hearing.
- c) The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend who will be acting in a non-professional capacity. If parents wish to be accompanied, they should notify the Chair of Trustees in advance of the hearing of the name of the person who will be attending and the capacity in which he or she will do so.
- d) The provision requiring a complaints procedure to allow a parent to be accompanied at a panel hearing does not confer a right on a parent to have a legal representative to make representations on their behalf at the hearing.
- e) If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.
- f) Where further investigation is required, the panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the panel will reach a decision and may make recommendations, which it shall complete within five (5) working days of the hearing. The panel will write to the parents informing them of its decision and the reasons for it, regardless of whether the complaint is upheld. The decision of the panel will be final. The panel's findings and, if any, recommendations will be sent in writing or via email to the parents, the Head, the Governors and, where relevant, the subject of the complaint.
- g) Any action taken as a result of a formal complaint will be recorded.

- h) If a parent does not exercise the right to attend a panel hearing, this does not remove the school's obligation to hold the hearing as per its complaints policy. The school's arrangements for the panel hearing should be reasonable to facilitate the parent(s) exercising the right of attendance.
- i) 'Working days' means working days during school term time. Any complaint received during the school holidays will be dealt with as soon as practicable or when school returns.
- j) A copy of the findings and recommendations of the hearing will be provided to the complainant and, where relevant, the person complained about. A copy will also be available on the school premises for inspection by the Chairman of the Board of Trustees and the Head.
- k) It will normally be in the interests of any child or children involved in the subject matter of the complaint that the fact of a complaint being made, its subject matter and the outcome of the complaint's procedure should be kept confidential. Parents can be assured that all concerns and complaints will be treated seriously and confidentially by the school. Correspondence, statements, and records relating to individual complaints will be kept confidential by the school except to the extent required by Part 7, Paragraph 33 of the Education (Independent School Standards) Regulations 2014, by the Secretary of State for Children, Schools and Families, or where disclosure is required during the school's inspection or under other legal authority.
- l) Parents are required to maintain the confidentiality of the complaint's procedure in the interests of the child or children concerned.
- m) All complaints relating to the fulfilment of the EYFS requirements are investigated and complainants will be notified of the outcome of the investigation within 28 days of having received the complaint. Where parents do not believe that an early years complaint has been resolved they can raise this with ISI. Parents of EYFS children have the right to complain to ISI or Ofsted if their complaint is concerned with the fulfilment of the EYFS requirements and not any provision outside those requirements.

3. Closure of Complaints

- a) Very occasionally, the School will feel that it needs to close a complaint where the complainant is still dissatisfied. Despite the School's attempts to resolve a complaint, it is sometimes not possible to meet all the complainant's wishes and there must be an agreement to disagree.
- b) If a complainant persists in making representations to the School, then it can be extremely time-consuming and detract from our responsibility to look after all the children in our care. For this reason, the school is entitled to close

correspondence (including personal approaches, telephone calls, letters, or emails) on a complaint where the School feels it has taken all reasonable action to resolve the complaint and the complaint has exhausted our official process.

- c) Where a complainant has been through the School's internal complaints procedures and is still unhappy with the outcome or decision from the Governing Body, then the DFE (Department for Education) School Complaints Unit can be contacted via the DFE website. The DFE advise that unless the school is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as Governing Bodies are empowered to deal with many issues without reference to either the local authority or the secretary of state.

4. Unreasonable Complaints, and Serial and Persistent Complainants

- a) 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.
- b) The School defines serial and 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.'*
- c) A complaint may be regarded as unreasonable when the person making the complaint:
 - i. refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
 - ii. refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
 - iii. refuses to accept that certain issues are not within the scope of a complaint's procedure;
 - iv. insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
 - v. 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;
 - vi. makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
 - vii. changes the basis of the complaint as the investigation proceeds;

- viii. repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- ix. 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;
- x. seeks an unrealistic outcome;
- xi. 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.

d) 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:

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

e) 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, telephone, email, or text) as it could delay the outcome being reached.

f) Whenever possible, the Head or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' judgement. If the behaviour continues the Head 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.

g) 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.

ISI's contact details are:

Email: concerns@isi.net

Phone: 020 7600 0100

Address: CAP House, 9-12 Long Lane, London EC1A 9HA

Ofsted's contact details are:

Email: enquiries@ofsted.gov.uk

Phone: 0300 123 4666

Address: Piccadilly Gate, Store Street, Manchester M1 2WD

During 2021-2022, the school received one formal complaint, which went to a panel hearing.