

Complaints Policy

(in conjunction with the Peninsula Multi Academy Trust)

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1. Aims

Weatherhead High School aims to meet its statutory obligations when responding to complaints from parents and carers of students at the school.

When responding to complaints, Weatherhead High School will 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 complainant's desire for confidentiality
- Treat complainants with respect
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into the school's improvement evaluation processes

We 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 to publicise the existence of this policy and make it available on the school website.

1.1. Scope

Stage 1 – Informal Resolution to a Concern

Stage 2 – Formal Complaint heard by Headteacher or appropriate member of staff

Stage 3 – Formal Complaint heard by Appeal Panel / Complaints Committee

Stage 4 – Formal Complaint directed to Education & Skills Funding Agency (ESFA)

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 pupils at the school.

It is also based on guidance published by the 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).

The school will ensure this policy complies with the Academy Trust Funding Agreement and Articles of Association.

3. 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”.

Weatherhead High 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”.

Weatherhead High School should look to resolve complaints informally where possible and at the earliest possible stage.

The school acknowledges, however, that there may be occasions when complainants would like to raise their concerns formally. This policy, in conjunction with the Peninsula Multi Academy Trust Policy, outlines the procedure relating to the handling of such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of Special Educational Needs (SEN)
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see separate policies for procedures relating to these types of complaints available from the school website or school office.

Arrangements for handling complaints from parents and carers of children with SEND about the school's support, are within the scope of the school's SEND Policy, but also covered generally within this document. Such complaints should be made to the Director of SEND in the first instance; parents/carers will then be referred to the School's Complaints Policy and SEND Policy as appropriate, which includes information about the rights of parents of students with disabilities who believe that the 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; however, the school should be made aware of such complaints.

Complaints from other parties / those who are not parents or carers of students at Weatherhead High School will be considered separately and the school will respond as appropriate.

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
- Cooperate with the school throughout the process and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Not publish details about the complaint on social media

4.2 The investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the Headteacher or complaints panel which includes the facts and potential solutions

4.3 Clerk to the Governing Board

The Clerk will:

- Be the contact point for the complainant and the complaints panel, including circulating the relevant papers and evidence before any complaint panel hearings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

4.4 Panel Chair

The panel chair will:

- Chair the panel 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, Weatherhead High School will try to clarify:

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

The school will attempt to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set and the complainant will be sent details of the new deadline with an explanation for the delay.

Weatherhead High School expects complaints to be made as soon as possible after an incident arises and no later than three months afterwards. Exceptions to this time frame may be considered in circumstances where there were valid reasons for not making a complaint within that time and the complaint may still be investigated in a fair manner for all involved. The school will consider such circumstances on an individual basis.

6. Stages of Complaint (including complaints against the Headteacher or a Governor)

Stage 1: Informal Resolution to a Concern

Weatherhead High 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 as appropriate, 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 office.

The school will acknowledge complaints within three school days. It will investigate and provide a response within 15 school days.

The informal stage may involve a meeting between the complainant and an appropriate senior member of staff; for example:

- Subject / teacher concerns – Curriculum Leader or Curriculum SLT Mentor as appropriate
- Tutor concerns – Year Leader or Student Services SLT as appropriate
- Administration, buildings, health & safety, non-curriculum or non-student based concerns – Business Manager or Assistant Business Manager as appropriate

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

Stage 2: Formal Complaint heard by Headteacher or appropriate member of staff

The formal stage involves the complainant putting the complaint to the Headteacher and/or the subject of the complaint, usually in writing via the complaints form (appendix A); however, the school will also consider complaints raised:

- In a letter or email
- Over the phone
- In person
- Through a third party acting on their behalf

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the school office. The school will acknowledge the complaint within three school days. The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 15 school days. The Headteacher may also speak with the complainant to outline the findings of the investigation.

Complaints made against a Headteacher should be directed to the Chair of Governors. The Chair of Governors (or a suitably skilled Governor or appropriately qualified independent professional appointed by the Chair of Governors) will consider the complaint.

Where a complaint is against any member of the Local Governing Body, it should be made in writing to the Clerk to the Local Governing Body who will bring it to the attention of the Chair of Governors.

Where the complaint is against the Chair of Governors, it should be made in writing and addressed to the Chair of the Peninsula MAT Trust Board.

Where a complaint has been addressed to or escalated to the Trust, please refer to the separate Peninsula MAT Complaints Policy (a copy can be found [here](#)).

If the complainant is not satisfied with the response at Stage 2 and wishes to proceed to the next stage of this procedure, they should inform the Clerk to the Governing Board in writing within 10 school days of receiving the response.

Stage 3: Formal Complaint heard by Complaint Panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at Stage 2.

The panel will be appointed by or on behalf of the Local Governing Body and will consist of at least two Local Governing Body members who have not been directly involved in the matters detailed in the complaint, and one further member who must be independent of the management and running of the school. The panel cannot be made up solely of Local 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 8).

The complainant will have reasonable notice of the date of the panel meeting. The Clerk will aim to find a date within 15 school days of the request, where possible. If the complainant rejects the offer of three proposed dates without good reason, the Clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least five school days before the date of the meeting.

At the meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The complainant will be allowed to attend the panel meeting and be accompanied if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint hearing, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

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's 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 by the panel alone.

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 Headteacher.

The outcome

The Panel can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the panel will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The panel, through the Clerk to Governors, will inform those involved of the decision in writing within 10 school days.

Complaints heard at Stage 1-3 of this policy can be conducted remotely, if required.

Stage 4: Formal Complaint directed to ESFA

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 ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the Trust. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Complaints Team
Education and Skills Funding Agency
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

7. Unreasonably Persistent Complaints

Where a complainant tries to re-open the issue with Weatherhead High School after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the Headteacher or Chair of Governors will inform the complainant that the matter is closed.

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
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to cooperate 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
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Is often or always abusive or aggressive in communication with the school
- Makes insulting personal comments about, or threats towards, school staff
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Weatherhead High School will take every reasonable step to address the complainant's concerns, and give them a clear statement of the school's position and the complainant's options. The school will maintain its role as an objective arbiter throughout the process, including when they meet with individuals. The school will follow the 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 which could include:

- Giving the complainant a single point of contact via an email address
- Limiting the number of times the complainant can make contact, such as a fixed number per term
- Asking the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Putting any other strategy in place as necessary

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time.

However, this list is not intended to be exhaustive.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

In response to any serious incident of aggression or violence, the school will immediately inform the police and communicate their actions in writing. This may include barring an individual from the school site.

Note: This policy is supplemented by the Parent, Carer & Visitor Expectations and Code of Conduct and via communications relating to school policy and procedure.

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

8. Record Keeping

The school will record the progress of all formal complaints, including information about actions taken at all stages of investigation, 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 Complaint 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 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 in accordance with record maintenance guidelines.

The details of the complaint, including the names of individuals involved, will not be shared with the whole Local Governing Body in case a Complaint Panel needs to be organised at a later point. Where the Local Governing Body is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practical) 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 decision to approve this request is made by the Local Governing Body, who will not unreasonably withhold consent.

9. Learning Lessons

The school's Local Governing Body will review any underlying issues raised by complaints with the Headteacher and/or 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.

10. Monitoring Arrangements

The school's Local Governing Body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Local Governing Body or committee will track the number and nature of complaints, and review underlying issues as stated in Section 8.

The complaints records are logged and managed by the Headteacher.

This policy will be reviewed by the Headteacher and Local Governing Body every 12 months or following changes in legislation. At each review, the policy will be approved by the Local Governing Body.

11. Links With Other Policies

Policies dealing with other forms of complaints include:

- Admissions Policy
- Exclusions Policy
- Staff Grievance Policy
- Staff Disciplinary Policy
- Whistle Blowing Policy
- Special Educational Needs (SEND) Policy

Complainants should seek a copy of such policies from either the school website or contact the school office.

Appendix A: Complaint Form

Please complete and return to schooloffice@weatherheadhigh.co.uk or in person at the school office for the attention of the appropriate person (depending on the stage of the complaint).

Your name:	
Student name (if relevant):	
Your relationship to the student (if relevant):	
Address:	
Telephone number:	
Email address:	
Please give brief details of your complaint:	
Please provide us with details of what action(s), if any, have you already taken to try to resolve your concern or complaint, as well as who you have spoken to and what was their response.	
What actions do you feel might resolve the problem at this stage?	

Do you wish to provide the school with documents to help us understand your complaint better?
If so, please provide details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Action taken:

Date: