

St Olave's Grammar School



COMPLAINTS POLICY

Introduction

The St Olave's Complaints Policy and associated Complaints Procedure have been revised in accordance with the Best Practice Advice for School Complaints Procedure paper published by the Department for Education in January of 2016. They and their implementation are also informed by statutory obligations to the Equality Act 2010 and the Data Protection Act of 1998.

Aims and Objectives

It is the Governors' Policy to take all complaints made to the School seriously, to investigate them and to ensure that appropriate, fair and proportionate follow up actions are undertaken in accordance with the School's Complaints Procedure detailed below. The school will ask the complainant at the earliest stage what they think might resolve the issue.

The School's Policy aims to ensure that the Complaints Procedure (below) and its implementation:

- is easily accessible and publicised;
- is simple to understand and use;
- is impartial;
- is non-adversarial;
- enables a full and fair investigation by an independent person where necessary;
- respects people's desire for confidentiality;
- addresses all the points at issue and provides an effective response and appropriate redress, where necessary;

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- provides information to the School's Senior Leadership Team so that services can be improved.

Defining Complaints and Concerns

A 'concern' may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'. A complaint may be generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

The School believes it is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. The School takes informal concerns seriously and makes every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns formally. In those cases, the School's formal procedure will be invoked through the stages outlined within the Complaints Procedure below.

Who Can Make Complaints?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that the School provides, unless separate statutory procedures apply (such as exclusions or admissions). The School does not limit complaints to parents or carers of children who are registered at the School.

Recording Complaints

Formal complaints to the School will usually be made in writing, however the School recognises and acknowledges that the complainant may have communication preferences due to disability or learning difficulties and therefore accepts alternative methods of contact:

- A complaint may be made in person, by telephone, or in writing (including electronically);

- The School will record the progress of the complaint and the final outcome. The headmaster will be responsible for these records and hold them centrally.

Timescales for Response

These are detailed in the Complaints Procedure outlined below.

Complaints Outside of Scope

The School's Complaints Policy and associated procedure covers all complaints about any provision of facilities or services that a school provides with the **exceptions** listed below, for which there are separate statutory procedures (guidance on how these matters are resolved is contained within the DfE's Best Practice Advice for School Complaints Procedure paper published in January 2016 and in related School Policies including the Admissions Policy, the SEN Policy, the Safeguarding Policy, the Behaviour Policy and the Whistle Blowing – Child Protection Policy):

- School Admissions
- Statutory assessment of SEND
- Matters likely to require a Child Protection investigation
- Exclusion of a child from school
- Staff grievances and disciplinary procedures
- Complaints about other services provided by other providers who may use the School's premises or facilities

Serial, Persistent and/or Unreasonable Complainants

The School will do its best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where the School is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, the School will need to act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. The School will determine when it has done everything which it reasonably can in response to a complaint. The Department for Education acknowledges “it is a poor use of the schools’ time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.”

If the complainant contacts the School again on the same issue, then the correspondence may be viewed as ‘serial’ or ‘persistent’ and the School may choose not to respond. However, the School will take care that it does not mark a complaint as ‘serial’ before the complainant has completed the procedure.

The decision to stop responding will never be taken lightly and the School will need to be able to say yes to all of the following:

- The School has taken every reasonable step to address the complainant’s needs;
- The complainant has been given a clear statement of the School’s position and their options (if any); and
- They are contacting the School repeatedly but making substantially the same points each time.

The case for stopping responding is stronger if the School agrees with one or more of these statements:

- The School has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience
- Their letters/emails/telephone calls are often or always abusive or aggressive.
- They make insulting personal comments about or threats towards staff.

The School will not stop responding just because an individual is difficult to deal with or asks complex questions.

St Olave’s Grammar School defines 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’*.

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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 the Complaints Policy;
- 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 that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the School's Complaints 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 electronic means and/or 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;

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- 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 Headmaster or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Headmaster 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. Although fulfilling a public function, schools are private places. The public has no automatic right of entry. St Olave's Grammar School will therefore act to ensure it remains a safe place for pupils, staff and other members of its community.

If a complainant's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headmaster or the Local Authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may

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wish to make. The School will always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar will then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the complainant will be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headmaster or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the School's own Complaints Procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

COMPLAINTS PROCEDURE

1. The first point of contact for raising concerns or complaints is a pupil's Form Tutor. Attempts will be made first of all to resolve the matter either with the Form Tutor or in discussion with the Head of Year/Department or other appropriate senior member of staff.
2. Where a meeting is requested in writing by complainants it will be arranged within ten working days of the request being made.
3. Where the matter cannot be resolved under the procedures referred to above, a formal written notice of the concern or complaint will be submitted to the Headmaster. This should set out in detail the matter of concern or complaint. The Headmaster will respond in writing within ten working days of receipt of the written notice and if necessary arrange a meeting, with the complainant, to consider the response.
4. Where the complaint is concerning the Headmaster, a formal notice of the concern or complaint should be sent to the Chairman of Governors (see point 5).

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5. Where the matter cannot be resolved under the procedures referred to under Section 3, a formal written notice of the concern or complaint should be sent to the Chairman of Governors. This should be clearly marked “Confidential for the personal attention of the Chairman of Governors” c/o St Olave’s Grammar School.
6. The Chairman of Governors will investigate the complaint or concern. If appropriate and/or necessary a meeting will be convened of the appropriate Committee; this final review panel will comprise three Governors (excluding the Chair of Governors) who have had no prior exposure to the complaint. The Chairman of Governors will respond in writing within fifteen working days except that a longer period may be required should the full Governing Body be involved.
7. Where the complaint is concerning the Chair of Governors or any individual governor, a formal notice of the concern or complaint should be sent to the Clerk to the Governing Body. Thereafter, if appropriate and/or necessary a meeting will be convened of the appropriate Committee (which will not, in this instance, include the governor who is the subject of the complaint); this final review panel will comprise three Governors who have had no prior exposure to the complaint. The Chairman of Governors (or the Vice Chair of Governors, where the Chair is the subject of the complaint) will respond in writing within fifteen working days except that a longer period may be required should the full Governing Body be involved.