

COMPLAINTS POLICY

2021/22

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This school is committed to safeguarding and promoting the welfare of children and young people/vulnerable adults and expects all staff and volunteers to share this commitment.

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1.0 Aims

1.1 This School is an open community and aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases; we put the interests of the child above all issues. We provide sufficient opportunity for any complaint to be discussed, and then resolved.

1.2 If parents do have a complaint it should therefore be dealt with in accordance with this procedure. All complaints will be handled sensitively and as quickly as possible.

1.3 This procedure also extends to handling complaints from the public. Any reference to parents in this procedure includes the public.

1.4 This policy adheres to the principles of Helping Children Achieve More and complies with the legal requirements of the Early Years Foundation Stage statutory framework.

2.0 What constitutes a complaint?

2.1 A complaint is an expression of dissatisfaction with or concern about a real or perceived problem.

2.2 A complaint may be made if a parent thinks that the school has, for example,

- Done something wrong
- Failed to do something it should have done
- Acted unfairly.

2.3 A complaint may be made about the school as a whole, about a specific department, about an individual member of staff, about a specific incident or about the Head.

2.4 All complaints will be handled seriously as an unresolved problem may become a festering dispute or a confrontation. Our procedure aims to handle both formal complaints and the informal raising of concerns.

3.0 Complaints Log

3.1 All complaints will be recorded in the Complaints Log and, where referable to a pupil, also on the pupil's file. The Log shall contain the following information:

- Date when the issue was raised
- Name of parent
- Name of pupil

- Brief statement of issue
- Location of detailed file(s)
- Staff member handling the issue
- Brief statement of outcome

3.2 The Complaints Log is entirely distinct from other files dealing with the complaint which may contain confidential information.

3.3 The Complaints Log will keep a written record of all complaints received that were not resolved on an informal basis. The Log will record whether complaints were resolved following a formal procedure or whether they proceeded to a panel hearing. The Log will also record action taken by the school as a result of these complaints, regardless of whether they are upheld.

3.4 The school records the number of complaints received under the formal procedure, along with details of how many went to a panel hearing. The school received 0 formal complaints in the 2020-2021 academic year.

4.0 Stage 1 - Informal Complaint Procedure

4.1 Unless the matter is especially pressing or is likely to be of significant concern to the parent, the pupil and/or the school, parents are requested to initially adopt the informal complaints procedure which is designed to bring about a swift resolution to the complaint. It is hoped that the majority of all complaints can be handled in this way.

1. Parents should approach their class teacher with their concerns either verbally or in writing followed by a meeting.
2. If this does not provide satisfaction or if the complaint is about the class teacher, parents should approach the Head with their complaint. Such complaints will be immediately referred to the class teacher unless the Head decides to deal with it.
3. If the complaint is about treatment to or by a pupil the Head or the Designated Safeguarding Lead (DSL) shall be informed.
4. The class teacher or Head will record the nature and date of the complaint in the Complaints Log and, where referable to a pupil, on the pupil's file.
5. If the complaint can be dealt with immediately to the parent's satisfaction the Complaint Log and pupil's file will simply be noted with the outcome of the complaint.
6. If the complaint cannot be immediately resolved or requires investigation the class teacher or Head will send a letter to the parent acknowledging receipt of the complaint, giving particulars of it and providing a timeframe within which it is hoped the complaint can be resolved.

7. It is hoped that each complaint can be dealt with within [5] working days. All EYFS complaints will be concluded within [28] days.
8. In most cases the person dealing with the complaint will discuss the complaint with the parent in an attempt to resolve the issue.
9. Once the complaint has been dealt with, the person dealing with the complaint shall record the outcome of the complaint in the Complaints Log and the pupil's file.

5.0 Stage 2 - Formal Complaint Procedure

5.1 If the informal procedure fails to produce an outcome that satisfies the parents and/or the parents wish to disregard the informal procedure the parents can proceed to the formal complaints procedure.

1. The parents must put their complaint in writing and send it addressed to the Head who will enter the date and nature of the complaint in the Complaints Log and, where referable to a pupil, on the pupil's file. The Head shall also send a letter to the parent acknowledging receipt of the complaint, giving particulars of it and providing a timeframe within which it is hoped the complaint can be resolved.
2. If necessary the Head shall inform the DSL and/or the School Chairman.
3. It is hoped that the Head will discuss the complaint with the parent within [5] working days to see if an immediate resolution can be found. Formal notes will be kept of any discussions.
4. If necessary the Head will then commence investigations into the complaint which will be concluded within [10] working days. All EYFS complaints will be concluded within [28] days.
5. If the complaint is about the Head the parent should complain immediately to the School Chairman who will adopt the procedure noted above.
6. Once investigations have been completed the Head or School Chairman will inform the parents of their decision together with her reasons and record their decision in the Complaints Log and pupil's file. They will also inform the parents of their right to appeal to the Complaints Panel. If the parents are still not satisfied they can proceed to Stage 3 of the procedure.

6.0 Stage 3 - Panel Hearing

6.1 This stage can only be invoked by the parents if they have exhausted the formal procedure stage either with or without starting with the informal stage.

6.2 The Governing Body shall establish a Complaints Panel which shall be chaired by a Governor (the "Chair") who is not the School Chairman. If the Chair is not satisfied that the formal procedure stage has been undertaken they can decide in their discretion to refuse to accept the complaint and refer it back to the Head unless the complaint is about the Head.

6.3 If the Chair agrees to deal with the complaint the following procedure shall apply:

1. The Complaint Panel will consist of two governors and one person independent of the management and running of the school, none of whom are directly involved in the matters detailed in the complaint. If governors are directly involved then two trustees and an independent person will make up the panel. An upstanding member of the local community will be asked to join the panel as the independent person, for example a teacher from a local school.
2. The Panel will acknowledge receipt of the complaint and ask if the parent wishes to provide any further information or documents about the complaint. Alternatively the Panel may ask for further information or documents. The Panel will also ask the parent if there are any dates when the parent will be unable to attend a Panel Hearing to present the complaint.
3. On receiving the parent's response the Panel shall set a hearing date which shall take place within [15] working days or as soon as possible thereafter. The parent shall receive at least [3] working days' notice of the hearing. All EYFS complaints will be concluded within [28] days.
4. Copies of all documents shall be provided by the Panel to the parent not less than [3] working days before the Hearing.
5. The parent is entitled to attend the Hearing and be accompanied although not by legal representation.
6. After hearing the complaint and asking any questions it deems necessary the Panel shall retire to consider its decision. Where possible it is hoped that an immediate decision can be reached although it is possible the Panel may need to undertake further investigations before a decision can be reached. A decision will be reached within five working days at the most.
7. Any decision reached by the Panel shall be confirmed in writing to the parent, the Chair of Governors and the Head and, if appropriate, the person complained about. Reasons for the decision together with any recommendations shall also be provided.
8. The Panel shall ensure that the Complaints Log and, where referable to a pupil, the pupil's file is noted.
9. The Panel's decision shall be final.

7.0 Communicating the outcome

We will ensure that complainants are informed of :

- The conclusion and reasons for any decisions in writing.
- Any further rights of appeal.
- Copies of the minutes will be made available.

8.0 Making a Complaint to OFSTED/ISI

8.1 If a parent or carer does not feel that the investigation satisfactorily answered their complaint they can submit a complaint to OFSTED or ISI:

Parents may complain directly to Ofsted if they believe that Branwood is not meeting the EYFS requirements.

- Ofsted, Picadilly Gate, Store Street, Manchester, M1 2WD, T: 0300 123 1231
- ISI, Cap House, 9-12 Long Lane, London, EC1A 9HA, T: 0207 600 0100

8.2 Any complaints received will be kept in a Complaints Record file kept on the school premises and will be reviewed annually by the Head and Governing Board.

9.0 Confidentiality

9.1 The Complaints Log will be kept securely in the Bursar's office. Should Ofsted or ISI need to view the Log, the Bursar will facilitate access on request. This includes complaints relating to the whole school including EYFS.

9.2 The school shall ensure that correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

9.3 In keeping with the school's aim of openness and fairness it is the school's policy that complaints made by parents should not rebound adversely on their children and similarly that complaints raised by pupils should not rebound adversely on them or on other pupils.

10.0 Anonymous Complaints

10.1 Anonymous complaints may be where there is no indication of either name or address, or where the complainants say that they do not wish to be identified. They may come from members of the public or parents.

10.2 Complaints from the public about the behaviour of a group of pupils may be dealt with on a general basis, with reminders about the school's expectations.

10.3 Parents and members of the public should be encouraged to give their names and should be given reassurance on the issue of confidentiality. If they persist in wishing to remain anonymous, it is at the Head's discretion as to what action if any should be taken, depending on the nature of the complaint. Anonymous complaints will be recorded onto the Complaints Log. Anonymous complaints about child abuse will be dealt with under the school's Safeguarding Policy.

11.0 Evaluation of the Complaints Procedure

11.1 It is important the School learns from any complaints whether justified or not to try to prevent any repetition. The Governors shall monitor the complaints procedure in order to ensure that all complaints are handled properly. The Head shall be responsible for ensuring the smooth running of this procedure including adherence with the various timeframes and whether parents are content with this procedure.

11.2 All complaint logs are reviewed termly and any relevant action taken to adapt our procedures and processes.

12.0 Inspection

12.1 A copy of this procedure is available on request at any time to parents of pupils at the school, prospective pupils and members of the public.

13.0 Disability Equality Impact Assessment

13.1 This policy has been written with reference to and in consideration of the Disability Equality Scheme. Assessment will include consideration of issues identified by the involvement of disabled children, staff and parents and any information the school holds on disabled children, staff and parents.

14.0 Links to other policies

14.1 The Complaints should be read in conjunction with other policies depending upon the reason for referring to policies.

Appendix A

Unreasonable complaints

We are 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 us. 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.

Unreasonable complaints are taken seriously by the School as they put a strain on valuable resources and hinder the progress of proper investigations. We adopt the Department for Education definition of unreasonable behaviour which hinders our consideration of their or other people's complaints because of the frequency or nature of the complainant's contact with the School, such as if the complainant:

- 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 that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where our complaint procedure has been fully and properly implemented and completed;
- 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
- uses threats to intimidate;

- uses abusive, offensive or discriminatory language;
- knowingly provides falsified information;
- publishes unacceptable information social media websites and other public forums.

A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of formal procedure. In assessing this, the School shall have regard to all the circumstances of the case and the nature of the complaint itself rather than the nature of the complainant.

In assessing all of the circumstances of the case the School will consider a range of factors including:

- whether a complaint has reasonable foundation;
- the history and context of the complaint (and any evidence where relevant);
- whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of;
- whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;
- unexplained delay in raising a complaint or issue;
- if the complainant is seeking an outcome which is unavailable via the complaints policy, such as a claim for compensation, damages or a refund of fees paid;
- any evidence of a complaint being brought for an improper purpose.

Whenever possible, the Headmaster will discuss any concerns with the complainant informally before dismissing a complaint as unreasonable.

The Headmaster will normally only do so after consultation with the Chair of Governors. If the behaviour continues, the School will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.

For complainants who excessively contact the school causing a significant level of disruption, the school may specify methods of communication and limit number of contacts in a communication plan. This will be reviewed after 6 months.

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

The school has had no formal complaints during 2020-2021