

## **Denefield School**

### **Policy for handling complaints from members of the public**

Approved by Trust Board on	17 May 2023
Date of next review	May 2025
Review cycle	Biennial
Policy control sheet updated	Yes
Type of policy	Statutory
Policy owner	Headteacher
Location of policy	Website

## **Policy for handling complaints from members of the public**

### **Purpose**

Denefield School is committed to responding fairly and impartially to any concerns or complaints raised by members of the public regarding the School's facilities or provision of services.

A concern may be defined as an expression of worry over an issue for which reassurances are sought from the School. The School will treat such concerns seriously and endeavour to provide that reassurance. A concern does not constitute a complaint.

A complaint is an expression of dissatisfaction by a member of the public (complainant). It is likely to arise if a complainant believes that the School has done something wrong, has failed to do so something that it should have done or acted unfairly.

The procedures outlined in this policy do not apply to complaints from parents of students at the School for which there is a separate policy.

### **Expectations**

The complainant must endeavour to:

- Inform the School of their complaint in full as early as possible;
- Co-operate with staff investigating their complaint;
- Seek a resolution to their complaint in collaboration with the School; and
- Treat all members of staff involved in the complaint with respect and not act unreasonably at any time.

Complaints should be lodged within 3 months of the incident except in exceptional circumstances.

The School will endeavour to:

- Deal with complaints promptly;
- Resolve a complaint by informal means if possible;
- Be impartial;
- Ensure that a thorough investigation is carried out; and

- Provide redress where appropriate.

## **Procedure**

### **Stage 1 - Informal Resolution**

1.1 The School will endeavour to resolve most complaints quickly and informally.

1.2 The complainant should contact the Deputy Headteacher who may designate an appropriate member of staff to investigate the complaint. The Deputy Headteacher may however decide, in their discretion, that the complaint is unlikely to be resolved informally so the complaint will be dealt with at the next stage as a formal complaint.

1.3 The investigator will gather information relevant to the complaint in order that they may clarify the matter. The complainant will usually be informed of the outcome of the complaint **within 10 school days** of receipt of their complaint during term time or as soon as practicable during holiday periods.

1.4 The Deputy Headteacher can dismiss the complaint in whole or in part or uphold the complaint in whole or in part.

1.5 If the complaint is against the Head teacher, the complaint should be made directly to the Clerk to Trustees. A trustee (not the Chair of Trustees) will be appointed to seek to investigate and resolve the complaint as above.

1.6 If the matter cannot be resolved to the complainants' satisfaction, then they will be advised that they can proceed with their complaint in accordance with Stage 2 of this procedure.

### **Stage 2 - Formal Resolution**

2.1 If the complaint cannot be resolved informally, then the complainant should put their complaint in writing to the Headteacher **within 5 school days** of receiving the outcome of the informal complaint. A form is provided for this at (Appendix 1) which we ask you to fill in. The complainant may also be referred directly to this stage if the Deputy Headteacher has decided that the complaint is unlikely to be resolved informally. The Headteacher will then decide, after considering the complaint, the appropriate course of action to take.

2.2 In most cases, the Headteacher (or nominee) will meet or speak to the complainant, normally **within five school days** of receiving the complaint, to discuss the matter. If you wish, you can ask someone, such as a friend or relative, to accompany you

to help you explain the reasons for your complaint. However, a legal representative will not be permitted. Every attempt will be made to reach a resolution at this stage.

2.3 It may be necessary for the Headteacher (or nominee) to carry out further investigations.

2.4 The Headteacher (or nominee) will keep written records of all meetings and interviews held in relation to the complaint.

2.5 Once the Headteacher (or nominee) is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. The complainant will be informed of this decision in writing usually **within 20 school days** of the receipt of the formal complaint during term time and as soon as practicable during holiday periods. The Headteacher (or his nominee) will also give reasons for his decision.

2.6 The Headteacher (or nominee) can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Recommend changes to the Board of Trustees to ensure that similar issues do not occur in future.

2.7 If the complaint is against the Head teacher, it should be sent to the Clerk to Trustees (at [clerk@denefield.org.uk](mailto:clerk@denefield.org.uk)) marked "for the attention of the Chair of Trustees". If appropriate to the circumstances, for example if the complaint is against the majority of Trustees, an Independent Investigating Officer may be designated by either the Headteacher or Chair of Trustees.

2.8 The Chair of Trustees or the Independent Investigating Officer will call for a report from the Headteacher and for all the relevant documents. The Chair of Trustees or the Independent Investigating Officer may also call for a report from members of staff and/or Trustees, and will in most cases, speak to or meet with the complainant to discuss the matter. Once satisfied that, so far as is practicable, all of the relevant facts have been established, the complainant will be informed of the decision in writing. The Chair of Trustees or the Independent Investigating Officer will give reasons for their decision and can recommend changes as above.



## **Recording Complaints**

The School will keep a written record of all complaints and at what stage of this procedure they are resolved. The School will keep records of the following:

- Date when the complaint was raised;
- Name of complainant;
- Description of the complaint;
- Records of all the investigations;
- Witness statements (if appropriate);
- Name of staff handling the issue at each stage;
- Any action taken by the School as a result of the complaint; and
- Copies of all correspondence on the issue.

The School will ensure, wherever possible, that third party information remains confidential.

## **Further Action**

Where you have been through all the internal stages of the School's complaints procedure and are still unhappy with the outcome, you can contact the Education Skills and Funding Agency (ESFA). You are entitled to do this if you feel that the School has not handled your complaint in accordance with the published complaints procedure or has acted unlawfully or unreasonably in the exercise of its duties under education law.

The ESFA will not normally reinvestigate the substance of complaints but will consider whether Denefield School has adhered to education legislation and any statutory policies connected with the complaint.

If the ESFA upholds a complaint then it will not overturn the decision taken by the School. It may do one or both of the following:

- Ask us to reconsider the complaint from an appropriate stage; and/or
- Ask us to change our complaints procedure so that it complies with legal requirements.

Please use the following link to find further information on how to make a complaint to the ESFA: <https://www.gov.uk/government/publications/complain-about-an-academy>. Complaints need to be made via the online form. Please enclose with your submission to the ESFA a copy of the complaint outcome.



## **Complaint campaigns**

If Denefield School becomes the focus of a campaign and receives large volumes of complaints all based on the same subject and from complainants unconnected with the School, we will publish a single response on our website.

## **Serial and unreasonable complaints**

We will do all we can to help to resolve a complaint against the School but sometimes it is not possible to do so.

If you persist in making representations this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care. In this case, the School leadership team and Trust Board are able to enact our Model Policy for Managing Serial and Unreasonable Complaints in order to manage the situation, particularly when these are having an adverse effect upon the ability of staff to conduct their day to day roles. We recommend that you read our Model Policy for Managing Serial and Unreasonable Complaints in conjunction with this policy. We may take action as set out in the policy, including limiting communications, where complaints are considered to be unreasonable.

## **Arrangements for monitoring and evaluation of the policy**

This policy will be reviewed by the Trust Board on a regular basis. The Trust Board will monitor the nature and frequency of complaints. This policy will be evaluated in the light of complaints made and their resolution in order to contribute to School improvement



## Appendix 1 Complaint Form

Please complete and return to Headteacher/Clerk to Trustees who will acknowledge receipt and explain what action will be taken.

For further information on how to make a complaint, please refer to: <https://www.gov.uk/government/publications/complain-about-an-academy>.

<b>Your name:</b>
<b>Student's name (if relevant):</b>
<b>Your relationship to the student (if relevant):</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>
<b>What actions do you feel might resolve the problem at this stage?</b>
<b>Are you attaching any paperwork? If so, please give details.</b>
<b>Date and signature:</b>
<b>Official use</b>
<b>Date acknowledgement sent:</b>
<b>By who:</b>
<b>Complaint referred to:</b>
<b>Date:</b>