

Hitchin Girls' School

Complaints Procedure Policy



This is a Statutory Policy required by all Academies under The Education (Independent Schools Standards) Regulations 2010.

Date of issue:	April 2022
Trust Board approval:	June 2022
Review date:	April 2025

Complaints Procedure Policy

Complaints from parents of former students:

Where the complaints process has been started (but not completed) whilst parents/carers had children at the school, but the children have since left, the school should continue to follow this policy. Where complaints have been started by parents/carers of former students after they have left the school, albeit about incidents that arose during the student's time at the school, the school may use the shorter complaints procedure (included below).

Scope

This policy applies to any matter which has been raised with the school by parents/carers of students as a matter of concern but which has not been capable of resolution informally and which the Complainant or the school consider should be dealt with on a formal basis. Usually matters relating to admissions and exclusions, statutory SEN assessments, matters involving child protection involvement, will not be considered under this policy as they have their own appeal or complaint processes. Where necessary the Academy will exercise its discretion. Whistleblowing and staff grievances and discipline matters will not be considered under this policy.

For the avoidance of doubt this policy does not apply to those who are not parents/carers of pupils at the Academy. Complaints that fall in to this category will be dealt with as follows:

Complainants should first attempt to address their complaint to the School informally. If this fails to resolve the situation, the complaint may be submitted in writing to the Headteacher who will acknowledge receipt of the complaint and thereafter issue a final written response within 15 school days. Where the complaint involves the Headteacher, the Chair of Trustees will issue a final written response within the same timeframe.

Anonymous Complaints and Complaints Campaigns

The School will not normally investigate anonymous complaints or complaints sent as part of a Complaints Campaign¹. However, the Headteacher or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

1. Timescales

Complainants must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. The School will consider complaints made outside of this time frame if exceptional circumstances apply.

2. Complaints received outside of term time

The school will consider complaints made outside of term time to have been received on the first school day after the holiday period.

3. Withdrawal of a Complaint

If a Complainant wants to withdraw their complaint, they will be asked to confirm the withdrawal in writing.

Stage 1 – Informal Resolution

Generally, it is expected that where the matter relates to a student it will have been raised with the student's form tutor and Head of Year before a request is made to deal with it under this policy. The class teacher or other

¹ This would include, for example, large volume of complaints all based on the same subject from Complainants unconnected with the school.

members of staff without the need to resort to a formal procedure can deal with many enquiries and concerns satisfactorily. The School values informal meetings and discussions.

There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 10 working days. Should this informal stage require more time then the School will inform the Complainant of this in writing as soon as this is known.

Should the face-to-face discussions appear unlikely to resolve matters, either party may initiate a move to the next stage (Stage 2) of the procedure. A copy of the school's complaints procedure policy will be forwarded to the Complainant at this stage.

It is a precondition to the operation of this policy that the Complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way consistent with the school's behaviour code adopted from time to time. The Chair of Trustees shall have discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

Where the matter is not resolved at the informal stage, the Complainant may elevate it to the formal stage.

Stage 2 – Formal Resolution (Investigation by a Nominated Individual)

1. The Complainant must put the complaint in writing, addressed to the Headteacher, setting out briefly the facts and stating what it is that the Complainant considers should have been done or where the school has not met reasonable expectations.
2. An investigation will be carried out by a nominated individual identified by the Headteacher as appropriate, who may offer the Complainant a meeting and speak to others involved. Whenever reasonably possible, any meeting with the Complainant will take place within 15 school days of the written complaint being received.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of the meeting with the Complainant and if no meeting is to take place within 25 school days of the complaint being received.

Any complaint relating to the Headteacher must be raised in the first instance with the Chair of Trustees (or Vice-Chair in the absence of the Chair) who will, if an informal resolution cannot be reached, designate a Trustee to investigate in the same way as in the first stage of the formal process outlined above in this Stage 2.

For complaints against the Board of Trustees please note the process to follow set out at the end of this policy.

Stage 3 – Formal Resolution (Investigation by the Headteacher)

1. If the Complainant is dissatisfied with the way the complaint was handled at 'Stage 2', they may proceed to 'Stage 3' and have the Headteacher hear the complaint. The Complainant must put their dissatisfactions in writing, addressed to the Headteacher, setting out briefly the facts and stating what it is that the Complainant considers should have been done or where the school has not met reasonable expectations.
2. A further investigation may be carried out by a nominated individual identified by the Headteacher, who may offer the Complainant a meeting and speak to others involved. Whenever reasonably possible, any meeting with the Complainant will take place within 15 school days of the written dissatisfaction with the Stage 2 outcome being received.
3. The Headteacher will put their findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of the meeting

with the Complainant and if no meeting is to take place within 25 school days of the complaint being received.

4. Where the Complainant remains dissatisfied he/she may request the complaint is dealt with at Stage 4. Any such request must be set out in writing, stating where the Complainant remains dissatisfied and why, what remedies are being sought and be lodged within 10 school days of the Complainant receiving the Stage 3 findings in writing. The request must be addressed to the Clerk to the Trust Board.

Stage 4 – Formal Resolution: Complaints Panel Meeting

1. The Complaints Panel will consider all complaints at Stage 4.
2. The Complaints Panel must comprise at least three people, which will include one person who is independent of the management and running of the School.
3. None of the members of the Complaints Panel will have been directly involved in the matters detailed in the complaint.
4. The clerk will invite the school to put in writing its response to the Complainant's reasons. The school will do this within 15 school days of receiving the request and at the end of that period (whether or not the school has responded) the clerk will convene a meeting of the Complaints Panel. That meeting will be held on school premises as quickly as practicable given the need to find a date that is reasonably convenient for the Complainant, the school and the members of the Complaints Panel. Whenever possible, the meeting will be held within 15 school days of the end of the school's response time.
5. The meeting is not a court case and will be as informal as circumstances allow. For this reason, electronic recordings of meetings or conversations are not permitted unless a Complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before the recording of the meeting takes place. Consent will be recorded in any minutes taken. The Complainant will have the opportunity to put forward her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The Complaints Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The school will have the opportunity to put its side of things and each side, as well as the Complaints Panel members, will be able to ask questions. The Complainant will have the opportunity to make final comments to the Complaints Panel.
6. The Complaints Panel may make findings and recommendations and a copy of those findings and recommendations will be
 - (i) sent by electronic mail or otherwise given to the Complainant and, where relevant, the person complained about; and
 - (ii) available for inspection on the school premises by the Headteacher.
7. The Complaints Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the Clerk will notify all concerned.
8. At any meeting, the Complainant will be entitled to bring a companion along to provide support. Legal representation will only be permitted in exceptional circumstances.
9. The complaints panel will proceed irrespective of whether or not the Complainant and/or their companion attend. If the Complainant fails to attend on the day without compelling reasons, the complaints panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

Serial or persistent Complainants

If at any level the Complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the Chair of Trustees may write to the Complainant to inform him/her that the procedure has been exhausted and the matter closed, and that continued correspondence is vexatious and that the school will not respond to any further correspondence on this issue or a closely related issue.

Complaints against the Board of Trustees / Executive Principal

If the complaint is against a Trustee, then the Chair of Trustees, (or in the case of a complaint against the Chair the Vice Chair) will investigate the complaint (or appoint another member of the Board of Trustees to do so) in the same way as in the first stage of the formal process at Stage 2.

If the complaint is against the Headteacher, then the Chair of Trustees will investigate the complaint (or appoint another member of the Board of Trustees to do so) in the same way as the first stage of the formal process at Stage 2.

Record Keeping

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2 or 3, or whether it proceeded to a stage 4 Complaints Panel hearing. The action taken by the school as a result of a complaint (regardless of whether they are upheld) will also be recorded.

Confidentiality

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a Body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

Education and Skills Funding Agency (ESFA)

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a stage 4 request within the time stated in the policy) the matter is closed. If the Complainant is still not satisfied then they may contact the ESFA. There is an online procedure at:

<https://form.education.gov.uk>

or the Complainant may write to the ESFA at:

Complaints Team
Education and Skills Funding Agency
Cheylesmore House

Date: April 2022

Governing Body approval: June 2022

Appendix – prior year's formal complaint statistics

2020/21

1 formal complaint resolved at Stage 2

2021/22

1 formal complaint resolved at Stage 2

1 formal complaint resolved at Stage 3