



Brentford School for Girls

COMPLAINTS POLICY

Date: February 2019

Date of Review: Spring Term 2021

Complaints Procedure Policy

This policy applies to any matter (other than matters relating to admissions and exclusions which have their own processes) which has been raised with the Academy by parents/carers of pupils as a matter of concern but which has not been capable of resolution informally and which the complainant or the Academy consider should be dealt with in a more formal way. This should be communicated in writing and agreed by both parties. During this process there is an expectation that the complainant, staff and governors will not be expected to tolerate rudeness or threatening behaviour.

Complainants have a right (under the Freedom of Information and Data Protection Acts) to copies of the records kept by the school of the progress of the complaint and the final outcome.

This policy will be made available to parents /carers of pupils and published on the Academy's website.

Stage 1 Informal resolution

It is a precondition to the operation of this policy that the Academy and 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 Academy's Behaviour Code adopted from time to time. The Headteacher and/or Chair of Governors shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued to the next stage, where this precondition has not been met.

The informal resolution may be attempted face to face, by written correspondence/email or telephone. The outcome should be communicated to the complainant and records kept by the school.

Stage 2 – Formal Resolution (Investigation by a member of the Senior Leadership Team)

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 Academy has not met reasonable expectations.
2. When a complaint is received an investigation will be carried out by a member of the Senior Leadership Team - made up of any of the following: Headteacher, Deputy Headteacher or Assistant 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 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 15 school days of the complaint being received.

4. The Headteacher will keep a record of each complaint received, with any letter received or notes of the first conversation with the complainant or a note of the meeting with the complainant.
5. The Clerk for Governors or a member of the school's staff with no prior knowledge of the complaint may take minutes where appropriate.
6. These records should enable trends to be identified including possible issues on disability and ethnicity for example.
7. Any complaint relating to the Headteacher must be raised in the first instance with the Chair of Governors (or Vice-chair in the absence of the Chair) who will, if an informal resolution cannot be reached, designate a Governor to investigate in the same way as in the first stage of the formal process outlined above.

It is very important that the complaint is not discussed (even in outline) by the Governing Body as a whole as this would prejudice all the Governors present and it would then not be possible for Stage 3 to take place.

Stage 3 – Formal Resolution (Panel Hearing)

1. If the complainant is not satisfied with the response of the investigator, she/he may request that the complaint be considered by the Complaints Panel of the Governing Body which will comprise at least three people who were not directly involved in the matters detailed in the complaint including one person who is independent of the management and running of the Academy. That request must be in writing, addressed to the Clerk to the Governors at the Academy, within 10 school days of the response being sent to the complainant and must set out briefly the reasons why the complainant is dissatisfied with the response.
2. The Clerk will invite the Academy to put in writing its response to the complainant's reasons. The Academy will do this within 15 school days and at the end of that period (whether or not the Academy has responded) the Clerk will convene a meeting of the Complaints Panel of the Governing Body. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the Academy and the members of the Panel. Whenever possible, the meeting will be held within 15 school days of the end of the Academy's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.
3. The meeting is not a court case and will be as informal as circumstances allow. The complainant will have the opportunity to put her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The complaint must stick to the facts. The use of offensive or derogatory language will not be accepted. The Academy will have the opportunity to put its side of things and each side, as well as the Panel members, will be able to ask questions. The Academy and complainant will have the opportunity to make final comments to the Panel.
4. The Panel will 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,

(ii) available for inspection on the Academy premises by the Academy Trust and the Headteacher,

5. The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the Clerk to the Governors will notify all concerned.

Attendance at a Complaints Panel Hearing

The Complaints Panel will only be arranged if the complainant and/or their representative attend. If the complainant does not confirm attendance or fails to attend on the day without compelling reasons, the Complaints Panel will not proceed and the complainant will lose their right to the complaint being heard. Any further attempt to re-open the matter will be considered as falling under the serial/ persistent complaint section as below.

Serial, Persistent or Unreasonable Complaints

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

Brentford School for Girls is 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 our school. 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 behaviour is that which hinders our consideration of 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,
- refuses to accept that certain issues are not within the scope of the complaints procedure and maybe only making the complaint to annoy,
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice,
- introduces trivial or irrelevant information which they expect to be taken into account and commented on,

- 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,
- Electronically record meetings and conversations without prior knowledge and/or consent of the other person(s) involved,
- 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 complaint 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 and complicated 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 or violence,
- knowingly provides falsified information,
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the Headteacher 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, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence or continued harrasment, we will immediately inform the police and communicate our actions in writing. This may include

barring an individual from the school or placing restrictions on any future communications.
(see also 'Managing Violent or Abusive Visitors to the School' policy)

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 proceeded to a stage 3 panel hearing. The action taken by the school as a result of a complaint (regardless of whether they are upheld) will also be recorded. The Senior Leadership Team will review the complaints records regularly to consider whether any change to the school procedure is necessary.

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.

COMPLAINTS PROCEDURE

Complaints concerning schools

COMPLAINANT



Stage 1 - INFORMAL Resolution Stage

Discussion with Tutor/HOY - SCHOOL



Non resolution complainant writes to Headteacher



Stage 2 – Formal Resolution (Investigation by a member of the Senior Leadership Team)



School Investigation



Following investigation findings sent to complainant in writing indicating steps for resolution



Non resolution complainant writes to Clerk to Governors requesting the complaint is considered by the Complaints Panel of the Governing Body



Stage 3 – Formal Resolution (Panel Hearing)



Panel of 3 governors (with delegated power from GB not directly involved in complaint or investigation)

Outcome of investigation and recommendations?

Complainant and others interviewed as necessary – formal procedure in place



Formal response to complainant and school

Satisfied – no further action

Stage 3 – Formal - Dissatisfied



Complainant writes to the

SECRETARY OF STATE OR LOCAL GOVERNMENT OMBUDSMAN

This can only be on the grounds that the Governing Body has not considered the complaint properly.

BRENTFORD SCHOOL FOR GIRLS

RECORD OF COMPLAINT

Name of Complainant

Date of Complainant

Name of person dealing with
compliant

Nature of Complaint

Action taken

Date of response to complainant

Referred to

Date of referral