

## **Complaints Policy**

Step by Step prides itself on the quality of the teaching and pastoral care provided to its students. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with this procedure.

### **Principles:**

- There is a difference between a concern and a complaint
- Concerns ought to be handled, if at all possible, without the need for formal procedures
- Concerns will be dealt with openly, fairly and promptly
- Complaints will be dealt with openly, fairly, promptly and without prejudice
- Concerns and complaints will be handled in accordance with this policy even if they are considered unjustified initially
- All parties should seek the resolution of concerns and complaints by informal means wherever possible
- Appropriate confidentiality will be maintained by all involved in the process.

### **Introduction**

It is in the best interests of our school, parents, pupils and community that any concerns and complaints are dealt with as quickly and appropriately as possible.

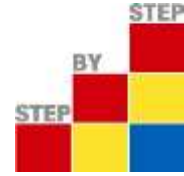
In addition, concerns and complaints brought to the attention of the school should be seen as presenting opportunities to inform, review and help improve school procedures.

This policy outlines the 6 stages for dealing with complaints. Stage 1 is informal; stages 2-5 are formal. Stages 3-5 should only be undertaken in exceptional circumstances. Complainants who have missed out stages in the procedure will be referred back to the appropriate stage.

### **Monitoring and recording complaints**

At all stages of the complaints procedure, the following information should be recorded:

## STEP BY STEP SCHOOL



- Name of the complainant
- Date and time at which the complaint was made
- Details of the nature of the complaint
- Desired outcome of the complainant
- How the complaint is being investigated (including written records of any interviews held)
- Results and conclusions of investigations
- Any action taken
- The complainant's response
- Record of any subsequent action if required

All records will be kept confidential as far as possible; however it may not be possible to resolve a complaint without disclosing details of the complaint to relevant staff members in order to allow the school a fair opportunity to resolve the issue. The governing body should appropriately monitor the general nature of complaints over each academic year to inform practice and potential improvements to procedures and policies within the school. An annual report of complaints will be provided to the Governing Body each Summer Term.

The complaints policy and the number of complaints received under this policy can be located on the Information heading on the school's website.

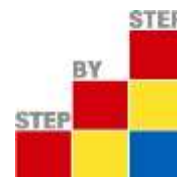
### **The stages of the complaints process**

In the first instance of receiving a complaint, it may be possible to resolve the issue by offering the complainant one or more of the following:

- An explanation of events
- A recognition that the situation could have been handled differently or better, and:
- An explanation of the steps that have been taken to ensure that it will not happen again. Details relating to staff discipline and capability must remain confidential to the Head Teacher, but the complainant will be informed that the school has taken appropriate follow-up action
- An undertaking to review school policies in light of the findings of the complaint

The complainant may choose to take no further action or take their complaint to the next stage.

## STEP BY STEP SCHOOL



**The stages are outlined below and set out in a diagram on page 7**

**Stage 1:** Write, meet or speak to the relevant staff member, their immediate manager or a senior manager (but not the Head Teacher) in an attempt to resolve the issue. Most concerns can be resolved satisfactorily at this stage. However, the staff member may feel it more appropriate to refer the complainant to a more senior or experienced member of staff who will try to resolve the concern informally.

Please note every effort will be made to adhere to timeframes during periods where the country is affected by restrictive legislation deemed necessary for dealing with any SARS based pandemic. Complainants will be notified of any delays within the timeframes at each stage.

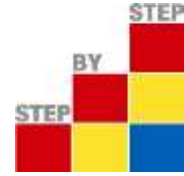
**Stage 2:** If not satisfied after stage 1, write to the Head Teacher. The Head Teacher (or their nominated representative) will acknowledge the complaint/concern in writing within 5 school days, investigate the complaint/concern and respond in writing within 15 school days from the date of the acknowledgement. This is a formal stage of the process and complainants are requested to be specific as to the matter requiring investigation by the Head Teacher.

If the complaint is directly related to the Head Teacher, the complainant will move directly to stage 3 of the process, by writing to the Chair of Governors.

**Stage 3:** If not satisfied after stage 2, write to the Chair of Governors. The chair (or their nominated representative) will acknowledge the complaint/concern in writing within 5 school days, investigate the complaint and respond in writing within 15 school days from the date of the acknowledgement. This is a formal stage of the process and complainants are requested to be specific as to the matter requiring investigation by the Chair. The Chair will determine the most appropriate way to consider the complaint, which can include requesting additional information from the complainant or the School if required and if the Chair considers it necessary to its investigation may involve requesting the complainant, the School's representative and any witnesses to meet with them.

**Stage 4:** If not satisfied after stage 3, write to the Clerk to the Governors, who will acknowledge in writing within 5 school days. The Clerk to the Governors will arrange a panel of two governors and one independent representative to investigate the complaint within 20 school days. The panel will determine the most appropriate way to consider the complaint, which can include requesting additional information from the complainant or the School if required and if the

## STEP BY STEP SCHOOL



panel considers it necessary to its investigation may involve requesting the complainant, the School's representative and any witnesses to meet with them at a panel hearing. The panel's decision will be notified in writing within 10 school days of the hearing.

During times of legislative restrictions due to a SARS based pandemic, any panel hearings will be held remotely.

Neither the Head Teacher nor the Chair of Governors can be members of the panel if they have been involved in handling the earlier stages of the complaint.

**Stage 5:** If not satisfied after stage 4, write to the Department for Education or Ofsted. Any stakeholder may make a complaint to Ofsted at any stage:-

Royal Exchange Buildings, St Ann's Square, Manchester, M2 7LA.  
Telephone 03001 234666  
[enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is a poor use of the school's 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.

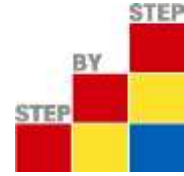
If the complainant contacts Step by Step again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. However, Step by Step will not mark a complaint as 'serial' before the complainant has completed the procedure up to the end of Stage 4.

### **Upholding or not upholding formal complaints**

At each formal stage of the complaints procedure the conclusion will be either:

- That the complaint is upheld (in part or full) and, where appropriate, some form of action is taken  
OR
- That the complaint is not upheld and reason(s) for this, where appropriate, are clearly given.

## STEP BY STEP SCHOOL



The school keeps written records of all complaints that are made and whether they are resolved following a formal procedure or proceed to a panel hearing. Written records of any action taken as a result of complaints, regardless of whether they are upheld are also kept.

Records relating to complaints made to and investigated by the Governing Body are stored from the date of resolution of complaint + 6 years in line with our GDPR processes.

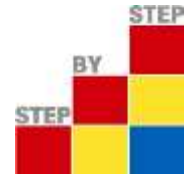
### **Procedure for pupils to make a complaint**

If a pupil wishes to make a complaint, there is a procedure for them to follow that is available in each classroom. Where appropriate, the pupils are made aware of the complaints procedure. See Appendix.

### **What is not covered by this Complaints Policy?**

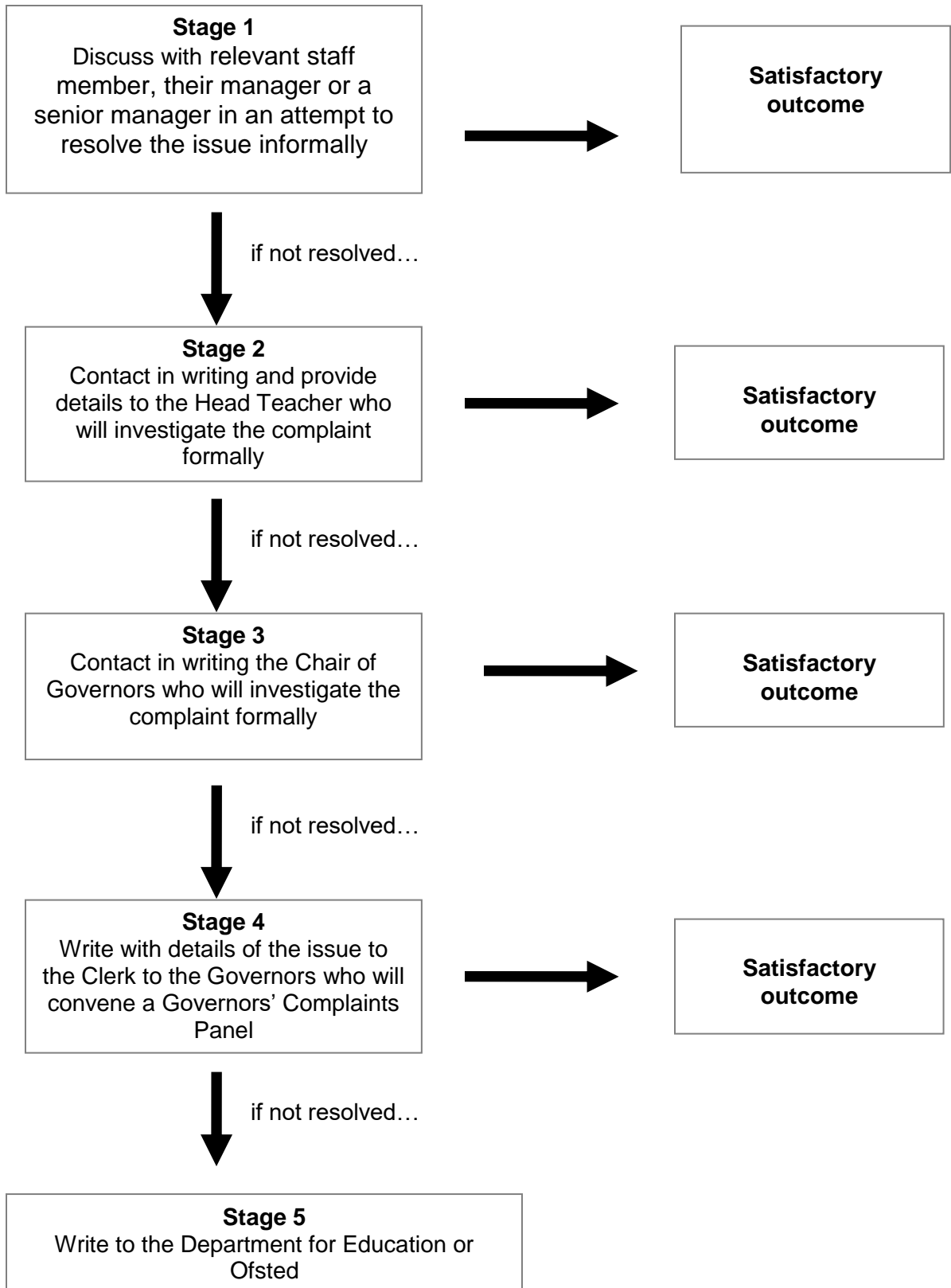
- Pupil exclusions – appeals to be heard by a Governors' Exclusion Panel
- Issues relating to child protection – in the first instance contact the Local Authority Designated Officer for Child Protection (East Sussex): by completing the online referral form  
<https://www.eastsussex.gov.uk/childrenandfamilies/professional-resources/lado/>
- Employee grievances/disciplinary/dismissal – refer to the School's Staff Handbook for the process. Where the complaint results in a staff grievance or disciplinary it is important that the school follows the appropriate procedures and that the complainant should not be given any details of the action involving an individual member of staff.
- Criminal investigations – refer to the police

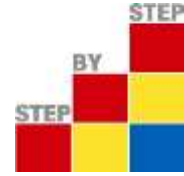
The Department for Education and Ofsted have some powers to investigate concerns, but they do suggest the complainant discusses their worries directly with the school in the first instance. For more information go to <https://www.gov.uk/complain-about-school>



<b>Policy</b>	<b>Complaints</b>
<b>Statutory requirement?</b>	<b>Yes</b>
<b>Approved</b>	<b>January 2021</b>
<b>Responsible Officer</b>	<b>GA</b>
<b>Responsible Governor/s</b>	<b>DT</b>
<b>Date of previous version</b>	<b>January 2020</b>
<b>Frequency of Review</b>	<b>Yearly</b>

## Stages of complaint





## Appendix to Complaints Policy

### 1) Guidance for dealing with unreasonable complainants

Step by Step School 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 the school. However, we do not expect our staff to tolerate unacceptable behaviour and will act to protect staff from that behaviour, including that which is abusive, offensive or threatening.

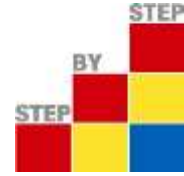
Step by Step School defines unreasonable complainants as ‘those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people’s complaints’.

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 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 the school’s complaint procedure has been fully and properly implemented and completed.
- Seeks an unrealistic outcome.



## STEP BY STEP SCHOOL



- 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.
- Contravenes any data protection legislation

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing:

- Maliciously.
- 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 on social media websites and in newspapers.

Complainants should limit the numbers of communications with the 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.

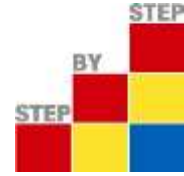
Whenever possible, the Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants whose excessive contact causes 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 barring an individual from school premises.

### **2) Barring from the school premises**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.



If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Head Teacher 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 wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent and either confirmed or lifted. If the decision is confirmed, the parent should 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 Head Teacher 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.

### **3) Procedure for hearing a complaint: Governors' Complaints Panel (Stage 4):**

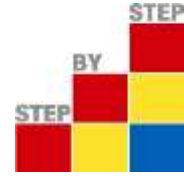
The panel should invite written evidence from the complainant and the Head Teacher (including a summary of actions taken up to this point to try to resolve the complaint). Any written evidence should be circulated to all parties before the hearing.

Although the panel will follow formal procedures, the hearing should be conducted as informally as possible. Extra care will need to be taken if the hearing involves a child or young person being present. The complainant will have the opportunity to bring someone to accompany them if required.

The typical procedure for a hearing is as follows, although the chair of the panel will decide on the procedure for each situation:-

- Introduction by chair of panel
- Complainant makes statement of complaint and outcome sought
- Questions to complainant by panel
- All parties hear and question any witnesses called by complainant
- Head Teacher makes statement in response to complaint
- Questions to Head Teacher by panel

## STEP BY STEP SCHOOL



- All parties hear and question any witnesses called by Head Teacher
- Complainant makes final statement
- Head Teacher makes final statement
- Panel withdraws and reaches decision

Minutes will be taken for this appeal hearing and care should be taken in identifying a clerk. It may be appropriate for a member of staff such as the school administrator or the clerk to the governing body to act as clerk, although consideration should be given to the sensitivity of the particular complaint. It would not be appropriate for a governor to act as clerk.

The decision reached by the panel should be notified to the complainant and where relevant, the person complained about, in writing within 10 school days of the appeal hearing (or within a reasonable time frame during periods of restrictive legislation in force to deal with a SARS pandemic) . It should also be reported back to the next meeting of the full governing body. It will also be made available for inspection on the school premises by the Head Teacher. Only a brief summary should be provided with no detailed or named information; this will ensure that any further actions will not be jeopardised.

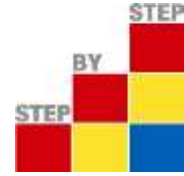
The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems, policies or procedures to ensure that problems of a similar nature do not recur.

Confidential detailed written records will be kept of all complaints indicating whether they were resolved at the preliminary stage, or whether they proceeded to a panel hearing.

#### **4) Pupil Complaint Procedure**

See below.



**Making a Complaint**

A complaint is when you tell someone that you aren't happy about something.

**You can make a complaint:**



- By talking to a teacher
- By asking your family or a friend to talk to a teacher
- By writing a letter to your teacher



**You can tell your complaint:**

- To your mum and dad or a member of your family



- To any adult at school



**What will happen when you make a complaint?**



- a) We will listen to you
- b) We will try and help
- c) If you are still unhappy talk to an adult at school again

