



## 1.08 Complaints Policy

### General Principles

At Cranbrook, establishing positive partnerships within our school and wider community is central to our ethos. We welcome and encourage feedback and recognise its valuable contribution to our internal routine, rigorous and robust self-evaluation processes. We strive to resolve any conflict without recourse to formal procedures but recognise that parents/carers and other stakeholders have the right to make a formal complaint and to have these complaints taken seriously.

### Purposes

We aim to:

- Encourage resolution of problems by informal means wherever possible.
- Have a clearly understood complaints procedure which is available on the school website or on request from the school office.
- Examine complaints in a sensitive, impartial and non-adversarial manner.
- Deal with complaints swiftly with clearly communicated updates and time-lines for actions.
- Investigate complaints fully and fairly by an independent person or agency where necessary.
- Address all the issues raised and provide feedback and appropriate redress where required.
- Review practice where findings suggest an improvement is required.

### Dealing with Concerns and Complaints

#### **Stage 1 – Informal**

We consider that taking concerns seriously at the earliest possible stage may reduce the need to move to the formal complaints process. The requirement to have a complaints procedure should not be seen to undermine efforts to resolve concerns informally. In most cases the teacher or person delivering the service is best placed to resolve the issue which may include apologising where necessary or appropriate.

In some cases it may be considered by the complainant/teacher or service provider that the issue should be referred to another member of staff. In most cases this may be someone more senior however the most important factor is that the nominated person deals with the complaint objectively and impartially.

Where initial attempts to resolve a concern are unsuccessful and the person raising the issue remains dissatisfied and indicates their wish to take the matter further the formal procedure will be invoked.

In cases of serious complaint, e.g. cases of personal injury, the matter will be examined by the Head who may delegate some of the information collation but not the decision of the action to be taken. If the complaint is against the Head then the matter will be passed to the Chair of Governors.

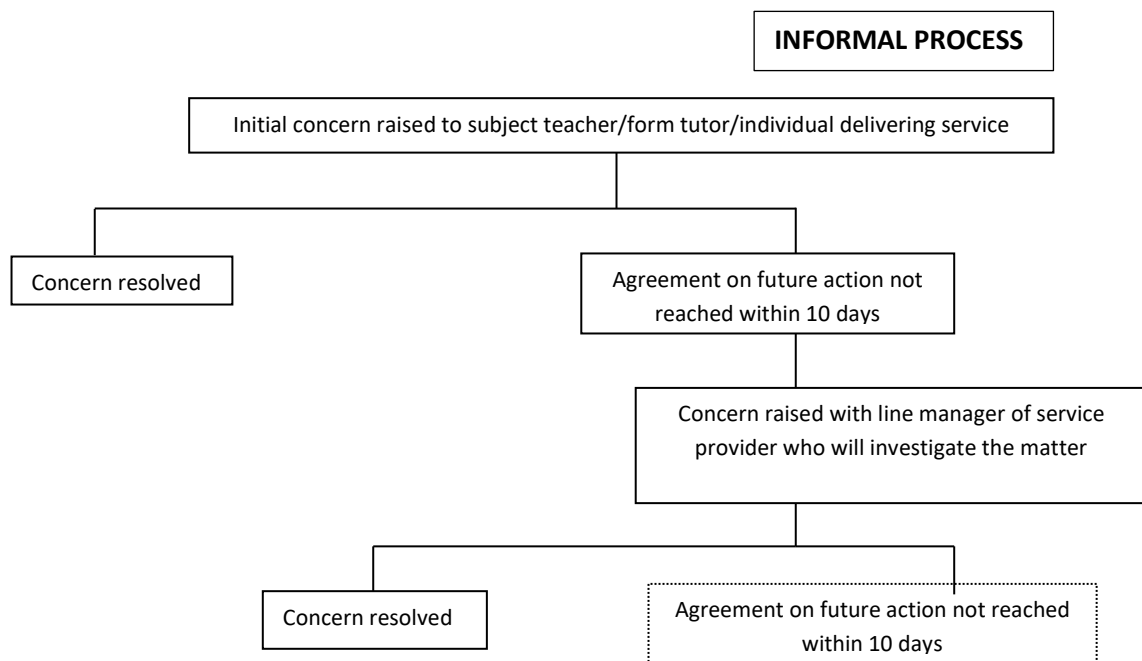
Date Approved:	November 2022
Date of Renewal:	November 2023
Reviewed by:	PW&S/FGB
Ownership:	Bursar

## Flow Diagram Summarising Formal Procedure

### DEALING WITH CONCERNS AND COMPLAINTS

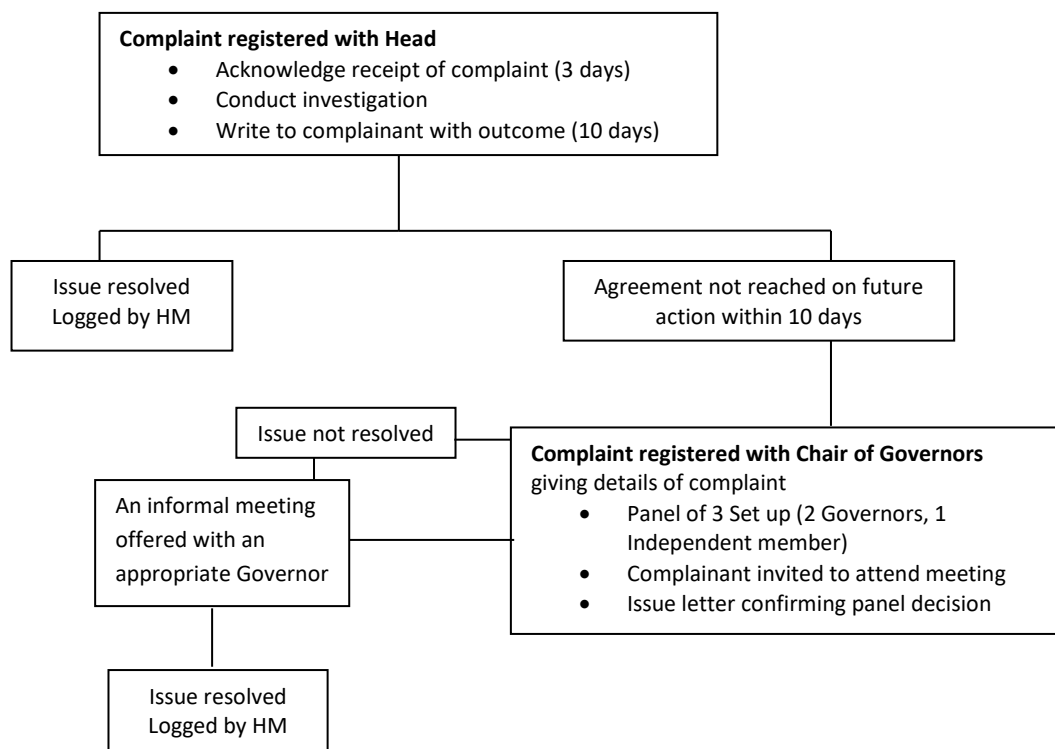
#### STAGE 1

It is expected and intended that the vast majority of concerns will be resolved to the satisfaction of all parties.



#### STAGE 2

#### FORMAL PROCESS



#### STAGE 3

\*Please note throughout this Policy reference to 'days' refers to school working days, and does not include weekends or school holidays

## Stage 2 – Formal Procedure - Head

### Investigation

This is a key part of the procedure and the Head will arrange for an investigation into the complaint and will ensure that they:

- Establishes what has happened to date and who has been involved.
- Clarifies the nature of the complaint and what remains unresolved.
- Contacts the complainant to advise and update them and where necessary to gain further information or clarification.
- Interviews those involved in the matter or those complained of advising them they may be accompanied.
- Carries out all stages of the procedure with an open mind.
- Keeps notes of all the interviews conducted.
- Continues to seek ways to bring the matter to a resolution.

The result of the investigation will be communicated in writing to the complainant by the Head and it should be assumed that the complaint has been resolved and should be subsequently laid to rest.

## Stage 3 – Formal Procedure – Chair of Governors

Where the Head has not been able to resolve the complaint and the complainant is still not satisfied or where the complaint is about the Head, then the complainant should write to the Chair of Governors outlining the complaint. The Complainant may be offered a meeting with an appropriate Governor to see if the matter can be resolved informally, with a meeting within 10 days. This offer does not affect the right to be heard by a complaints panel. If there is an informal meeting, then the complainant must inform the Clerk to the Governors within 10 working days of that meeting whether or not they wish to proceed to a formal Complaints Panel hearing. If no such notice is given then it will be assumed that the matter has been resolved. The procedure below will then be followed. The Chair of Governors or Vice Chair will convene a Complaints panel of three members and will ensure that:

- The complaint is acknowledged within 5 days.
- The panel of 3 members sit within 20 days to hear the complaint.
- The panel will consist of two governors who will be independent of the management and leadership of the school and one wholly independent member.
- The letter advising the complainant of the meeting contains information regarding their right to submit additional information which must be received at least 5 days before the meeting.
- Witnesses may be called and all parties should be advised.
- The members of the panel will have no prior knowledge of the complaint nor will they have a vested interest.

### The Remit of the Complaints Appeal Panel

- Dismiss the complaint in whole or in part.
- Uphold the complaint whole or in part.
- Decide on the appropriate action to be taken to resolve the conflict.
- Recommend changes to systems or procedures to ensure a similar issue does not reoccur.
- To inform the parties of the outcome within 10 days.

### Role of the Clerk

The Clerk will be the central contact point for the Appeal Procedure and will oversee all the administration for the meeting. The Clerk is responsible for:

- Setting the date, time and venue for hearing.
- Collating any written material and circulating it to all parties in advance according to the timeline.
- Recording the proceedings.
- Notifying parties of the decision.

### The Role of the Chair of the Governing Body or the Nominated Governor

The nominated Governor role:

- Check that the correct procedure has been followed;
- If a hearing is appropriate, notify the clerk to arrange the panel.

### The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and other who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The panel is open minded and acting independently;
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

### Checklist for Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head may question both the complainant and the witnesses after each has spoken.
- The Head is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Head and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties will hear from the panel within a set time scale.

### Notification of Outcome

The Chair of the panel should notify the complainant of the panel's decision in writing. The letter should advise if there are any further rights of appeal and to whom they should be addressed. The findings and recommendations of the panel will be made available to the complainant, where relevant the person being complained about and the Head.

### Evaluation of Policy and Levels of Complaint

Written records are kept of all complaints level two and above and actions taken by the school as a result of those complaints (regardless of whether they are upheld) and provides that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under sections 109 of the 2008 Act requests access to them.

The Governing Body will seek to monitor the level of complaints and review their outcomes on a regular basis to ensure that procedures are followed and revised as appropriate. An annual report of complaints at Level 2 and above will be reported to the Full Governors.

### Unreasonable Complaints

Cranbrook School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We do not normally 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.

Cranbrook 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 the 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 in 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 including referral to the Department for Education;
- 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 e-mail and by telephone while the complaint is being dealt with.

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

- 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 in social media websites and newspapers.

Complainants should limit the number of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter phone, e-mail or text) as it could delay the outcome being reached.

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

If the behaviour continues the Head will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Cranbrook School causing a significant level of disruption, we may specify methods of communication and limit contact to a specific member of staff.

This will be reviewed after six months.

In response to a serious incident of aggression or violence the concerns and actions taken will be put in writing immediately and the police informed. This may include an individual being banned from Cranbrook School.

## Staff Complaints Procedure for Performance Management

### Appraisees:

- Can record their dissatisfaction with aspects of the review on the review statement (comments of appraisee).
- Where these cannot be resolved with the appraiser, they can raise their concerns with the appraiser's Line Manager.
- When the Head is the appraiser, the appraisee can raise the issue with the nominated member of the Governing Body.

### The Head:

- Can record his dissatisfaction with aspects of the review on the review statement.
- Where this cannot be resolved with the appointed Governors, he can raise his concerns with the Chair of Governors.
- Where the Chair of Governors has been involved in the review process, the Governing Body should appoint one or more governors who have not participated in the Head's review to act as review officer.
- No Governor who is a teacher or staff member can be involved in the performance review.

### The Review Officer:

- Will investigate the complaint and take account of comments made by the appraisee.
- The review officer should conduct a review of the complaint within 10 days of the referral.
- S/he may decide
  - That the review statement should remain unchanged
  - Or may add any observations of her/his own.
- The review officer may decide, with the agreement of the appraiser to amend the review statement, or declare that the review statement is void and order a new review or part of the review to be repeated. Where a new review is ordered, new governors will be appointed to carry out the review of the Head.
- For other staff the Head will appoint a new appraiser.
- Any new review or part review ordered should be conducted within a further 15 days.

### Grievance Procedure:

- The complaints procedure does not remove an employee's right of recourse to the grievance procedure at any stage.

## COMPLAINT FORM

Please complete and return to Head/Clerk to the Governing Body who will acknowledge receipt and explain what action will be taken.

Your name:
Student's Name:
Your relationship to the student:
Address:
Postcode:
Daytime telephone number:
Evening telephone number:
Please give details of your complaint:
What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response?)
What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature:
Date:
<i>Official Use</i>
Date acknowledgement sent:
By who:
Complaint referred to:
Date: