

# The Bromfords School and Sixth Form College



## Complaints Policy

## Introduction

The Bromfords School and Sixth Form College is dedicated to providing the best possible education and support for all of its students. This means having a clear, fair, and efficient procedures for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

All school staff will be made aware of the complaints procedures and will be expected to review it.

### **This policy does not apply to complaints about:**

- Student admissions
- Student exclusions
- The School curriculum, collective worship and religious education
- Appeals about assessments and statements of special educational needs

Information about the above procedures is available from the school office.

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this policy.

For more information on our school's provision for protecting our students, read our **child protection and safeguarding policy**, which includes the **allegations of abuse against staff** statement. Copies can be obtained from the school.

## Rationale

The Governing Body is committed to building and maintaining good relations with parents and to work with them to provide the best possible education and outcomes for all children. The Governing Body understands that parental concerns can give rise to stressful situations for families and staff and that invoking a complaints procedure can plan an unnecessary barrier of formality between the school and the complainant. We therefore encourage parents to bring their concerns to the school in a spirit of positive willingness to seek a solution. Wherever possible the school will work to resolve concerns informally, at an early stage.

You may wish to approach your child's form tutor first as they will be best placed to help you either directly or by passing in your concern to the most appropriate member of staff.

We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

## Guiding principles

The Governing Body recognises that good relations with parents are crucial in helping us achieve the best possible education for our students. Our school will therefore:

- Have clear lines of communication between parents and the school.
- Be open with information about school policies.

- Publicise our arrangements for handling parental complaints.
- Have and maintain effective policies and procedures to deal with possible areas of parental concern.
- Regularly seeks the views of parents.

**If your complaint is about a member of staff**, you should first raise this with the Headteacher either in person or in writing, and a meeting can be arranged to discuss the issue at hand.

**If your complaint is about the Headteacher**, you should raise your concern in writing with the Chair of governors.

**If your complaint is about a governor**, you should raise your concern in writing with the clerk to the Governing Body, addressing correspondences to. The Clerk of the Governing Body, The Bromfords School and Sixth Form College, Grange Avenue, Wickford, Essex, SS12 0LZ

If the complaint is against a member of staff, the Headteacher will talk to that employee. If it is an allegation of abuse, a formal investigation may be instigated by the school or external child welfare authorities to whom the school reports. Please refer to our **allegations of abuse against staff statement set out within the Child Protection Policy** for an outline of this procedure.

#### **Expected outcome**

Complainants will be provided with a clear procedure for raising their concerns, and feel confident that issues will be dealt with attentively and promptly.

The procedures are divided into **three** stages:

**Stage 1** aims to resolve the concern through informal contact at appropriate level in school

**Stage 2** is the first formal stage at which written complaints are considered by the Senior Leadership Team, who have special responsibility for dealing with complaints

**Stage 3** is the second formal stage, and follows an unsuccessful resolution at Stage 2. It involves a Complaints Review Panel of Governors

Complaints made to the Governing Body may be immediately referred to Stage 1 or 2.

#### **Stage 1 – Informal contact with the school**

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. You may then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

- A written explanation of your concern will need to be given to the staff member that you speak to, so that it is easy to see what the initial problem was when complaints are taken further or referred back to in the future.
- You are welcome to bring a friend, partner or, in the case of a student who has raised a concern, a parent to this meeting. It may be appropriate for a student to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

- Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.
- All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you may decide to move to Stage 2 of the procedure.

## **Stage 2 - Formal consideration of a complaint**

This stage of the procedure deals with written complaints. It applies where the complainant(s) is not happy with the informal approach to dealing with their concern, as outlined under Stage 1 above.

- Written complaints should be addressed to the Headteacher. If, however, your complaint is about the Headteacher or Senior Deputy Headteacher, it should be sent to the school addressed to The Clerk and marked "For the attention of the Chair of Governors".
- The Headteacher will acknowledge the complaint in writing as soon as possible after receiving it. This will be within 3 school days. A copy of these procedures will be enclosed with the letter of acknowledgement.
- An investigation will be carried out by a member of the schools Senior Leadership Team, who will offer the complainant a meeting and who will speak to others involved. Whenever reasonably possible the meeting with the complainant will take place within 10 school days of the written complaint being received, but if this is not possible we will write to explain the reason for the delay and let the complainant know when we hope to be able to provide a response.
- Once we have established all the relevant facts, the investigator will put his/her 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. We may invite the complainant to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations.
- The school will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.
- Where the complainant is not satisfied with the response to the complaint they may request to have the matter heard by a Complaint Review panel under stage 3 of the procedure, as described below

### **Stage 3 - Consideration by a Complaints Review Panel**

If a complainant has already been through Stages 1 and 2 of the procedure and are not happy with the outcome, they may request that the matter be heard by the Complaints Review Panel. This is a formal process, and their ultimate recourse at school level.

The purpose of this arrangement is to give the complainant a hearing in front of a panel of at least three Governors who were not directly involved in the matters detailed in the complaint and someone who is independent of the management and running of the school.

**The aim of the Complaints Review Panel is to resolve the complaint and to achieve reconciliation between the school and the complainant. We recognise, however, that it may sometimes only be possible to establish facts and make recommendation which will reassure the complainant that we have taken the complaint seriously.**

The Complaints Review Panel operates according to the following formal procedures:-

- The clerk to the Governing Body will aim to arrange for the panel meeting to take place within 15 school days.
- The clerk will ask the complainant whether they wish to provide any further written documentation in support of the complaint.
- The Headteacher will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in the complaint will also be asked to prepare reports or statements.
- The clerk will inform the complainant, the Headteacher and any relevant members of staff of the panel meeting by email or letter, at least 5 school days in advance, of the date, the time and place of the meeting. The meeting will normally take place in the school.
- The letter will explain what will happen at the panel meeting and the clerk will also inform parents that they are entitled to be accompanied to the meeting. The choice of person to accompany them is their own, but it is usually best to involve someone in whom they have confidence but who is not directly connected with the school or of legal or political standing. They are there to give support but also to witness the proceedings and to speak on their behalf if they wish.
- With the agreement of the Chair of the Panel, the Headteacher may invite members of staff directly involved in matters raised to attend the meeting.
- Evidence or witnesses previously undisclosed should not be introduced into the meeting by any participants. If either party wishes to do so, the meeting will be adjourned so that the other party have a fair opportunity to consider and respond to the new evidence.
- The Chair of the Panel will ensure that the meeting is properly minuted. Any decision to share the minutes with the complainant is a matter for the panel's discretion and they do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive nature and are therefore confidential.
- Normally the written outcome of the Panel meeting, which will be sent to the complainant, should give them all the information they require. If however, they feel they would like to have a copy of the minutes this should be indicated in advance of the meeting. If the Chair

of the Panel approves this request the clerk can be asked to maintain confidentiality in the minutes.

- In closing the meeting, the Chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Headteacher and complainant within 10 school days. All participants other than the panel and Clerk will be asked to leave.
- Copies of all correspondence and notes will be kept on file in the schools records but separate from student's personal records. All records will be kept confidential except where the Secretary of State of body conducting an inspection requests access to them.

#### **The Complaints Review Panel may:**

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final. If you are unhappy with the outcome, you may wish to put your complaint to the Secretary of State. Complaints should be sent to the School Complaints Unit, DfE, 2<sup>nd</sup> Floor, Piccadilly Gate, Manchester M1 2WD.

#### **Vexatious, Frivolous, or Malicious complaints**

Whilst it is hoped that this policy will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the complaints policy.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints policy, the Chair of Governors will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints policy has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious, frivolous or malicious and the school will be under no obligation to respond to that correspondence and may refer the issues to other agencies.

#### **Definitions:**

##### **Vexatious Complaints**

A complaint may be considered to be vexatious when it may or may not be the latest in a series of requests and it:

- clearly does not have any serious purpose or value;
- is designed to cause disruption or annoyance, or gives rise to disproportionate inconvenience or expense;
- has the effect of harassing the school and/or its staff;
- can otherwise fairly be characterised as obsessive or manifestly unreasonable.

##### **Frivolous Complaints**

A complaint may be considered to be frivolous where:

- it is clear that it is not serious or sensible in content, attitude or behaviour;
- there is an absence of clear desire for a sensible or reasonable form of redress.

##### **Malicious Complaints**

A complaint may be considered to be malicious where:

- there is evidence of intention to do harm or mischief;
- it is reasonable to assume that the complainant intended to do harm or mischief;
- malice may be implied e.g. where it is clear that no redress is sought.

**Governing Body – review and monitoring of complaints**

The Bromfords School and Sixth Form College will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.

The Governing Body will review the complaints policy on an annual basis.

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**Signed by:**

_____	<b>The Chair of Governors</b>	<b>Date: .....</b>
_____	<b>Headteacher</b>	<b>Date: .....</b>