

Complaints Policy

Introduction

Olive High recognises that on occasions parents/carers, students or members of the public may need to raise a concern or complaint about the school. The school takes all concerns and complaints seriously and is committed to seek to resolve any matter raised in a positive way and make any identified improvements.

This policy applies to all concerns and complaints made against the school about any provision of facilities or services provided with the following exceptions, for which there are separate procedures:

- admissions to schools;
- exclusions from school (in behaviour policy);
- matters likely to require a Child Protection Investigation;
- employee grievances;
- whistleblowing matters

A 'concern' is defined as an 'expression of worry or doubt over an issue considered to be important for which reassurances are sought'. A complaint may be generally defined as 'an expression of dissatisfaction however made, about actions taken or lack of action'.

To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, this should be no later than two weeks after the event (or latest event, in the case of a series of incidents) to which the concern or complaint relates.

Complaints should not be raised with members of the Governing Body who may be required to have a formal role if a complaint reaches a Governors Hearing.

Anonymous complaints will not be investigated under this policy, unless there are exceptional circumstances. Any anonymous complaint received will be referred to the governing body who will decide what action, if any, will be taken.

Aims

1. To provide a fair complaints procedure which is clear and easy to use for anyone wishing to raise a concern or make a complaint.
2. To publicise the existence of our complaints procedure so that people know how to contact us to raise a concern or make a complaint.
3. To ensure all concerns and complaints are managed in an impartial and non-adversarial manner.
4. To encourage concerns to be resolved by informal means, without the need to use the formal stages of the Complaints Policy.
5. To ensure all complaints are thoroughly investigated, as quickly as possible and at an appropriate level.
6. To ensure that complaints are, wherever possible, resolved and that relationships are repaired.

7. To gather information which helps us to improve what we do.
8. To support the mission, vision and values of the school.

Who is responsible for this policy?

1. The Principal has overall responsibility for the effective operation of this policy and for ensuring compliance.
2. The Governing Body and Senior Leadership Team has a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

Complaint resolution through this policy

An overview of the stages within our Complaints Policy are as follows;

There are three stages to the Complaints Policy:

- Stage One: Informal resolution
- Stage Two: Formal resolution
- Stage Three: Governors hearing

The aim of each stage is to ensure that the complaint is fully considered, and a clear finding is communicated to the complainant, which either resolves the matter to their satisfaction or explains why this is not possible.

New issues or complaints raised at Stage Two should be given the opportunity to go through Stage One in order to seek an efficient resolution for all parties involved. Complainants will be encouraged to seek resolution to the new issues or complaints through Stage One of the complaints process.

Complainants will be given the opportunity to complete the complaints procedure in line with policy, unless there is clear evidence that the complaint meets the unreasonably persistent or vexatious criteria defined within this Policy.

Although every effort will be made to comply with the timescales within each stage of this policy, this may not always be possible; for example, due to the complexity of the investigation required or the unavailability of a witness to attend a meeting. Where a timescale cannot be complied with, the complainant will be written to within the specified timescale to inform them of the reasons for the delay and the new timescale that will apply.

Where the Policy refers to 'working days', in the cases of a school this will be 'school days', i.e. during term time excluding holidays and inset days.

Confidentiality and data protection

- All complaints will be handled in the strictest confidence by the school and Data Protection principles will be applied in line with the schools Data Protection Policy.

- 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 162A of the Education Act 2002 requests access to them or where the school is otherwise required by law to disclose them.
- It is expected that complainants will also keep their complaint private and confidential. In particular, complainants are not expected to discuss complaints publicly via any form of social media or with third parties. The posting of any defamatory, offensive or derogatory comments by parents on social media sites by parents/carers will be dealt with under the Parent Code of Conduct.
- If a parent/carer's behaviour is unacceptable, the matter will be dealt with under the Parent Code of Conduct

COMPLAINT PROCEDURE

What to do first

If you have a concern about anything we do you can tell us by telephone, in person or in writing. Most concerns or complaints will be sorted out quickly either by putting things right or by explaining the School's actions to you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations. We take our duties under equality law seriously and we encourage any person having difficulty accessing this procedure to contact us immediately in order that reasonable adjustments can be made.

Complainants should **not** approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at the final stage of the procedure.

Try to go to the member of staff involved or your child's class teacher your child's form tutor or head of year (secondary) who will either deal with your issue or pass you on to someone who is more able to help.

Please remember that the beginning and end of the school day can be a very busy time. If you talk to a teacher at these times, for practical reasons, it may not be possible to sort things out there and then. **Be prepared for them to make an appointment to see you/to ring you at a more convenient time.**

The following procedure will be followed in the event of a formal complaint being communicated to the school.

STAGE 1: INFORMAL RESOLUTION

- It is hoped that most complaints and concerns will be resolved quickly and informally
- If parents/carers have a complaint they should normally contact the class teacher. The class teacher will seek to resolve the matter straightaway
- The class teacher will produce a written record of the complaint by detailing all concerns including the date on which they were received
- The class teacher will aim to resolve the complaint within 10 working days of receipt of the complaint
- If the class teacher cannot resolve the matter alone, it may be necessary for her to consult the Headteacher.
- Should the matter not be resolved within 10 working days or in the event that the class teacher and the parent fail to reach a satisfactory resolution then parents will

be advised to proceed with their complaint in accordance with stage 2 of this Procedure

STAGE 2: FORMAL RESOLUTION

- If the complaint cannot be resolved on an informal basis, then 'parents' should put their complaint in writing using the 'Complaint Form' to the Headteacher who will then decide the best way forward
- The Headteacher will arrange a time to meet with parents concerned, within 10 working days of receiving the written complaint. The Headteacher will seek to satisfy parents and reach a resolution in this meeting
- If needed, the Headteacher may carry out further investigations
- The Headteacher will document all meetings and interviews held in relation to the complaint
- Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Headteacher will also give reasons for this decision
- Parents who are still not satisfied with the decision, should proceed to Stage 3 of this Procedure

STAGE 3: GOVERNORS PANEL HEARING

- If parents wish to proceed to Stage 3 (following a failure to reach an earlier resolution), they will be referred to the governors who has been appointed by the principal to call hearings of the Complaints Governors
- The matter will then be referred to the governors for consideration. The governors will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and *normally* within 10 working days
- Parents will be allowed to attend and be accompanied to a governors hearing if they wish

Right to be accompanied

- The complainant has a right to be accompanied by 1 person a friend or relative to any meetings or hearings held under the formal stages of the Complaints Policy (Stages Two onwards).
- Any member of staff interviewed as part of the investigation process into a complaint has a right to be accompanied to the meeting.
- Any pupil interviewed as part of the investigation process must be accompanied to the meeting/hearing, either by a teacher who they are comfortable with or a parent/carer.
- If the Governors deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties no later than 2 working days prior to the hearing.
- If possible, the Governors will resolve the parents' complaint immediately without the need for further investigation

- Where further investigation is required, the Governors will decide how it should be carried out. After due consideration of all the facts, the Governors will reach a decision and may make recommendations, which it shall complete within 5 working days of the Hearing. The Governors will write to the parents informing them of its decision and the reasons for it. The decision of the Governors will be final. The Governors's findings and any recommendations it makes will be sent in writing to the parents, the Headteacher, the senior leadership and any other relevant persons

CONFIDENTIALITY AND DATA PROTECTION

- All complaints will be handled in the strictest confidence by the school and Data Protection principles will be applied in line with the school's Data Protection Policy.
- All 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 2008 Act requests access to them; and to fulfil data protection legislation.
- It is expected that complainants will also keep their complaint private and confidential. In particular, complainants are **not** expected to discuss complaints publicly via any form of social media or with third parties. The posting of any defamatory, offensive, or derogatory comments by parents on social media sites by parents/carers will be dealt with under the Parent Code of Conduct.
- Electronic recordings of meetings must **not** be made by either the school or the complainant. A meeting to discuss a complaint may not go ahead if the complainant is insistent on recording the meeting unless a complainant's own disability or special needs require it, and it is agreed in advance. The school will take notes of any meetings to discuss a complaint, which may be shared afterwards, and complainants may do likewise.
- Due to privacy rights under data protection legislation, information disclosed relating to an outcome if it relates to a third-party individual, i.e. disciplinary action of a member of staff or another pupil, may be limited.

COMPLAINT CAMPAIGNS

- If the school is subject to a complaint campaign, they may employ a separate procedure under this policy to respond to these.
- For the purpose of this policy a complaint campaign is defined as a group of complaints from multiple parties all based on the same subject matter. This could include from parents/carers as well as from complainants unconnected with the school.
- In these instances, the school may respond by:
 - Deciding if the complaint campaign falls under a vexatious complaint
 - Sending a template consolidated response to all complainants with the same message; or
 - Publishing a single response on the school's website

DEALING WITH UNREASONABLY PERSISTENT OR VEXATIOUS COMPLAINTS AND BEHAVIOUR

- We reserve the right to reject a vexatious complaint. Vexatious complaints may be characterised (but are not limited to) the following:
 - Complaints which are obsessive, persistent, harassing, prolific, repetitious
 - Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
 - Insistence upon pursuing meritorious complaints in an unreasonable manner
 - Complaints which are designed to cause disruption or annoyance; and/or
 - Demands for redress that lack any serious purpose or value
- Further features of an unreasonably persistent and/or vexatious complaint include those detailed within Appendix 1. Please note that this list is not exhaustive, nor does one single feature on its own necessarily imply that the complaint will be so defined.
- The school will ensure that the complaint is being, or has been, investigated in accordance with this Complaints Policy. If there are concerns that a complaint may fall within the category of being unreasonably persistent and/or vexatious the Head of School will seek guidance and advice from external agencies.
- If a complainant is found to be unreasonably persistent and/or vexatious the school will write to the complainant advising them of the decision and the reasons for this. The letter will state that all future correspondence from them with regards to complaints should be directed to a certain agency who will consider whether it raises any substantive new issue(s).
- The complainant will be advised that if no substantive new issue is raised, any future complaints will not receive a response.
- There is no internal route of appeal against the decision that a complaint is persistent and/or vexatious.
- If future complaints do raise substantive new issues, these will be investigated in accordance with the Complaints Policy.
- The school will investigate complaints professionally and with respect towards all individuals involved. The school expects anyone raising a complaint to be respectful and avoid aggression or intimidating behaviour. If a parent/carer's behaviour is unacceptable, the matter will be dealt with under the Parent Code of Conduct.

Parents who are still unsatisfied are invited to write to the Office for Standards in Education (Ofsted). The contact details have been reproduced below;

Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD

Tel: 0300 123 1231
Email: enquiries@ofsted.gov.uk
Website: www.ofsted.gov.uk

Independent and Boarding Team
Department for Education
Mowden Hall
Staindrop Road
Darlington DL3 9BG

01325 392 159

The School keeps a written record for at least three years of all complaints detailing whether they were resolved at the informal or formal resolution stage or preceded to a governors hearing.

Copies of complaints and its findings are provided to the complainant and where relevant the person complained about when complaints arise. Copies of action taken by the school as a result of those complaints are also kept confidentially.

Complaints are also available for inspection on the school premises by the proprietor and the head teacher.

Parents have the right to know the number of complaints registered under the formal procedure during the preceding school year. This information is available upon request from the School Administrator.

Ps. In the academic year 2022/2023, no complaints were made.

MONITORING

This policy will be monitored annually by members of the School Governing Body and the Senior Leadership Team.

Date approved by SLT and Board of Governors	Date of next review
08/01/24	08/01/26

Complaint Reporting Form

Please complete in BLOCK CAPITALS and return to the Headteacher, who will acknowledge receipt and explain what action will be taken.

Your name:	
Pupil's name (if applicable):	
Your relationship to the pupil (if applicable):	
Name of School:	

Address, incl. Postcode:	
Daytime telephone number:	
Evening telephone number:	
Email address:	

Please give details of your complaint: <i>(provide as much detail as possible about the matter, including dates and times of events, potential witnesses. You may also attach copies of any relevant documents)</i>

**What action, if any, have you already taken to try and resolve your complaint?
To whom did you speak to and what was the response? (An informal resolution should have been sought)**

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What actions do you feel might resolve the problem at this stage?

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Are you attaching any paperwork? If so, please give details.

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Signature:		Date:	
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For official use only			
Date acknowledgement sent		Complaint referred to	
Acknowledgement sent by		Complaint referred on (date)	

Appendix 1: Examples of unreasonably persistent and/or vexatious complaints

Please note that this list is not exhaustive, nor does one single feature on its own necessarily imply that the complaint will be so defined.

- a. There are insufficient or no grounds for the complaint and it is made only to annoy (or for reasons that the complainant does not admit or make obvious).
- b. There are no specified grounds for the complaint despite offers of assistance.
- c. The complainant refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- d. The complaint is about issues not within the power of the School to investigate, change or influence and where the complainant refuses to accept this.
- e. The complainant insists on the complaint being dealt with in ways which are incompatible with the Complaints Policy (insisting, for example, that there must not be any written record of the complaint or insisting the complaint is only dealt with by the principal).
- f. There appears to be groundless complaints about the staff dealing with the complaint investigation, and an attempt to have them replaced.
- g. There is an unreasonable number of contacts with us, by any means, in relation to a specific complaint or complaints.
- h. There are persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (an example of this could be a complainant who insists on immediate responses to numerous, frequent and/or complex communication).
- i. Attempts to harass, verbally abuse or otherwise seek to intimidate staff dealing with their complaint by use of foul or inappropriate language or by the use of offensive or discriminatory language.
- j. Subsidiary or new issues are raised whilst a complaint is being addressed that were not part of the complaint at the start of the complaints process.
- k. Trivial or irrelevant new information is introduced whilst the complaint is being investigated and an expectation that this to

be taken into account and commented on.

- l. There is a change to the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed.
- m. The complainant denies statements he or she made at an earlier stage in the complaint process.
- n. The complainant electronically records meetings and conversations without the prior knowledge and consent of the other person involved.
- o. The complainant refuses to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given.
- p. The same complaint is made repeatedly, perhaps with minor differences, after the complaints process has been concluded and where the complainant insists that the minor differences make these 'new' complaints which should be put through the full complaints process.
- q. Documented evidence is not accepted as factual by the complainant.
- r. The complaint relates to an issue based on a historic and irreversible decision or incident.