



# Complaints Policy

## **Introduction**

1. 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.
2. 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;
  - matters likely to require a Child Protection Investigation;
  - employee grievances;
  - whistleblowing matters
3. 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'.
4. 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.
5. 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 Panel Hearing.
6. 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**

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

12. To ensure that complaints are, wherever possible, resolved and that relationships are repaired.
13. To gather information which helps us to improve what we do.
14. To support the mission, vision and values of the school.

### **Who is responsible for this policy?**

15. The Principal has overall responsibility for the effective operation of this policy and for ensuring compliance.
16. 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**

17. An overview of the stages within our Complaints Policy are as follows;
18. There are three stages to the Complaints Policy:
  - Stage One: Informal resolution
  - Stage Two: Formal resolution
  - Stage Three: Panel hearing
19. 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.
20. 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.
21. 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.
22. 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.
23. 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**

24. 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.
25. 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.
26. 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.

## **Dealing with unreasonably persistent or vexatious complaints and behaviour**

27. We define unreasonably persistent and vexatious complaints as those which, because of the frequency or nature of the complainants' contacts, hinder our consideration of their or other people's complaints. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complaint.
28. 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.
29. 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 the governing body.
30. 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 should state that all future correspondence from them with regards to complaints should be directed to the governing body who will consider whether it raises any substantive new issue(s).
31. The complainant will be advised that if no substantive new issue is raised, any future complaints will not receive a response. They will also be advised of their right to complain about the decision to Office for standards in Education.
32. There is no internal route of appeal against the decision that a complaint is persistent and/or vexatious.

33. If future complaints do raise substantive new issues, these will be investigated in accordance with the Complaints Policy.
34. 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 and carers can be assured that Olive High have put in place a rigorous system for dealing with complaints and concerns. The Headteacher is responsible for ensuring that complaints are dealt with in a sensitive and professional manner. Where the need arises, investigations will be conducted in a manner that is fair, transparent and consistent with statutory legislation. The Headteacher will follow up remedial action where applicable. This policy is available digitally on the school website and in print on request to the parents of current and prospective pupils.

The following procedure will be followed in the event of a 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 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: PANEL HEARING

- If parents wish to proceed to Stage 3 (following a failure to reach an earlier resolution), they will be referred to the School Administrator, who has been appointed by the School Governors to call hearings of the Complaints Panel
- The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least three persons not directly involved in the matters detailed in the complaint, **one of whom shall be independent of the management and running of the school**. Each of the Panel members shall be appointed by the Chair of Governors. The School Administrator, on behalf of the Panel, 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 panel hearing if they wish

#### Right to be accompanied

- The complainant has a right to be accompanied by a friend, relative or other third party 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 Panel 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 Panel will resolve the parents' complaint immediately without the need for further investigation
- Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all the facts, the Panel will reach a decision and may make recommendations, which it shall complete within 5 working days of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it. The decision of the Panel will be final. The Panel's findings and any recommendations it makes will be sent in writing to the parents, the Headteacher, the Governors and any other relevant persons

- 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](mailto:enquiries@ofsted.gov.uk)  
Website: [www.ofsted.gov.uk](http://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 panel 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.

## **MONITORING**

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

| <b>Date approved by SLT and Board of Governors</b> | <b>Date of next review</b> |
|--|----------------------------|
| <b>15/11/24</b>                                    | <b>15/11/25</b>            |

# Complaint Reporting Form

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

|  |  |
|--|--|
| <b>Your name:</b>                                      |  |
| <b>Pupil's name (if applicable):</b>                   |  |
| <b>Your relationship to the pupil (if applicable):</b> |  |
| <b>Name of School:</b>                                 |  |

|                                  |  |
|----------------------------------|--|
| <b>Address, incl. Postcode:</b>  |  |
| <b>Daytime telephone number:</b> |  |
| <b>Evening telephone number:</b> |  |
| <b>Email address:</b>            |  |

## **Please give details of your complaint:**

*(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)*

|  |
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**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)

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

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

|                   |  |              |  |
|-------------------|--|--------------|--|
| <b>Signature:</b> |  | <b>Date:</b> |  |
|-------------------|--|--------------|--|

| 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.