



# FINHAM PARK 2

# COMPLAINTS POLICY



## GENERAL COMPLAINT PROCEDURE FOR FINHAM PARK 2

The person responsible for co-ordinating complaints (Complaints Co-ordinator) is Miss Leigh Thomson, PA to Headteacher.

### STAGE 1 – THE FIRST CONTACT: GUIDELINES FOR DEALING WITH CONCERNS AND COMPLAINTS INFORMALLY

There is an expectation that every effort will have been made to resolve a concern/complaint informally before escalation to Stage 2 can be considered.

If anyone has a concern/complaint, it may be registered either verbally or in writing. If the member of staff first contacted cannot immediately deal with the matter, they will make a clear note of the date, name, contact address, phone number and brief details of the concern/complaint. It is good practice to agree with the written note of the complaint with the complainant. This information will be passed to the Complaints Co-ordinator at the earliest opportunity and recorded in the school's log.

An opportunity will be given to the complainant to discuss the concern/complaint with an appropriate member of staff, who will clarify the nature of the concern/complaint and the outcome required.

The Complaints Co-ordinator will identify the appropriate procedure and either conduct the investigation themselves, or nominate an appropriate colleague to do so. The Co-ordinator will communicate verbally with the complainant to ensure they are clear about what action or monitoring of the situation has been decided on, only putting this in writing if this seems the best way to make things clear.

### STAGE 2 – FORMAL REFERRAL TO THE HEADTEACHER

If the complaint is about the Headteacher, or the Headteacher has been so involved as not to be impartial, the complaint must be put in writing and addressed to the Executive Headteacher, Mr Mark Bailie, and sent to the school address.

#### Otherwise:

The complaint should be submitted in writing to the Headteacher. (*The attached complaint form may be used*). Help for the complainant can be obtained from the Children, Learning and Young People's Directorate, Customer Liaison Officer, with the writing of the complaint. Telephone 024 7683 1569.

Help and guidance for the investigating officer can be obtained from the Education and Learning Service; contact the nominated Education Improvement Adviser in the first instance.

Where the Headteacher has acted as Complaint Co-ordinator at Stage One, another senior member of staff may be designated to collect some of the information from the parties involved, or another senior member of staff may be nominated to be the Investigator.

The complaint will be acknowledged in writing within **five school days**, giving the name of the person who will conduct the investigation and a target date for providing a response, usually within **10 school days**.

The investigator may ask the complainant to meet with them to give extra information or to explain any information provided previously.



Once all the relevant facts have been established, the Headteacher or designate will provide a written response.

The written response will include:

- a full explanation of the decision reached and the reasons for it.
- where applicable, what action the school will take to address the complaint and prevent recurrence.
- Information on how and the timescales to request a review by the Local Governing Body, if not satisfied with the outcome.

### **STAGE 3 – LOCAL GOVERNING BODY REVIEW OF HEADTEACHER'S DECISION**

A request to review a complaint investigation should be made in writing to the Chair of the Local Governing Body within **20 school days of the date of the outcome letter** and should give the reasons for requesting a review.

For example:

- a claim that material information was not taken into account in investigating the complaint
- a claim that procedures have not been properly applied in handling the complaint
- a claim that there has been an incorrect interpretation of LA, MAT or school policy

As much detail as possible should be provided. If insufficient detail is given this may result in a delay, or a request being made for further clarification.

The Local Governing Body will then nominate two members to form a Complaint Panel. The Panel will also include a third party who is independent of the management and running of the school and Trust. The Complaint Panel will review the complaint and any further documents submitted by the complainant. The members of the Panel must be individuals who have had no prior involvement with the complaint.

The Clerk will convene the Complaints Panel hearing within **20 school days of receipt of the review request** and at the same time provide panel members with copies of all relevant correspondence and documentation.

The Complaints Panel can set time limits for both sides to present their case and for the length of the hearing overall. These will be communicated to everyone involved by the Clerk.

The complainant, the Headteacher and other witnesses will be given a minimum of **5 school days'** notice of the hearing. The complainant will be advised of their right to bring a friend, or to be represented by someone of their choice.

#### **The outcome of a Review includes:**

- upholding the result of the original investigation.
- upholding the result of the original investigation but making recommendations for improving practices.
- finding the complaint was justified and overturning the original decision.



The Chair of the Panel will notify the complainant in writing of the outcome of the review and of any action to be taken, within **7 school days** after concluding the review. The complainant will also be advised of any right of further appeal.

The Chair will ensure that any required action is put in place.

**The MAT Board will monitor complaints across all schools in the Trust and undertake audits of any LGB Complaints Hearings to ensure they have been conducted in line with MAT Policy.**

### **Unreasonable Behaviour by Complainants**

If a complainant acts in an unreasonable manner, for example:

- taking actions that are out of proportion to the nature of the complaint
- pursuing a complaint in an unacceptable manner by using threatening, intimidating or abusive language or behaviour
- continuing to pursue a complaint once the complaints procedure has been exhausted

The Headteacher/ Chair of the Governing Body may inform the complainant that their behaviour is unacceptable and take any action appropriate to limit the impact of the complainant's behaviour on the School, its staff and its representatives. This could ultimately include limiting the complainant's contact with the School to written communication with a named individual unless in an emergency.

### **Data Protection Act 1998**

The personal data that you provide will be used for the purposes of investigating your complaint and for producing statistical data to enable the school's management to monitor the effectiveness of the school's complaint procedure. The information you give will be held securely and in confidence.

**Please complete and return to Miss Leigh Thomson (Complaints Co-ordinator) who will acknowledge receipt and explain what action will be taken.**



## COMPLAINT FORM

*(Mr/Mrs/Miss/ Ms/Other)*

*First Name:*

*Last Name:*

*Address:*

*Postcode:*

*Day time telephone number:*

*Evening telephone number:*

*If the complaint relates to a student, please give:*

*Student's name:*

*And relationship to the pupil:*

*Please give details of your complaint:*



*What action, if any, have you already taken to try to resolve your complaint?*

*(Who did you speak to and what was the response?)*

*What would you like us to do to make improvements or put things right?*

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

Signature:

Date:



## **FINHAM PARK 2 COMPLAINTS PROCEDURE:**

### **POLICY ON UNREASONABLY PERSISTENT COMPLAINANTS**

Finham Park 2 School recognises that, mostly, its formal complaints procedure is the last resort for complainants seeking to resolve an issue. The School is also aware that it is accountable for the proper use of public money and must ensure that that money is spent wisely and achieves value for complainants and the wider public.

Finham Park 2 School is committed to dealing with all complaints fairly and impartially and to providing a high-quality service to those who make them. As part of this service it does not normally limit the contact complainants have with school employees. However, there are a small number of complainants who, because of the frequency of their contact, hinder our consideration of their, or other people's complaints. We refer to such complainants as 'unreasonably persistent complainants' and, exceptionally, we will take action to limit their contact with our offices.

The decision to restrict access to our offices and/or site will be taken by the Headteacher and Chair of Governors. This decision will normally follow a prior warning to the complainant. Any restrictions imposed will be appropriate and proportionate, as determined by the Headteacher and Chair of Governors. The options we are most likely to consider are:

- requesting contact in a particular form (for example, letters only)
- requiring contact to take place with a named member of staff
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their future contacts with us

In all cases where we decide to treat someone as an unreasonably persistent complainant, the Headteacher and Chair of Governors will write to tell the complainant why we believe his or her behaviour falls into that category, what action we are taking and the duration of that action. We will also tell the complainant how they can challenge the decision if they disagree with it.

When a complainant whose case is closed persists in communicating with us about it, we may decide to terminate contact with that complainant. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under the unreasonably persistent complainants policy will be treated on their merits.



## COMPLAINTS POLICY

Written by V Maginnis / R Plester

Review date:

October 2010

Review date:

October 2014

Review date:

April 2016

Review date:

February 2019

Next review date:

February 2021

Approved by Governors

Signed:

RUSSELL PLESTER

Headteacher

Date:

Signed:

CATHERINE COLBY-JOHNSON

Chair of Governors

Date: