

COMPLAINTS POLICY

Introduction

The Blue Coat School has a duty under the Education Act 2002 to publicise the School's complaints procedure and in doing so we welcome suggestions and comments from parents, carers, students and the general public and take seriously complaints and concerns they may raise. This document lays out the School's complaints policy and procedure and how to use it if necessary.

A complaint will be treated as an expression of genuine dissatisfaction, which requires a response.

Aims and objectives

The Blue Coat School aims to ensure that:

- Anyone wishing to make a complaint knows how to do so because it is easily accessible, publicised and simple to understand
- The resolution of problems by informal means is encouraged wherever possible
- The School will respond to complaints within a reasonable time and in a courteous, efficient way
- Complaints will be dealt with in an impartial and confidential manner
- There must be a realisation by complainants that the School will listen and take complaints seriously
- There must be trust and confidence that the School will take action where appropriate and necessary

Complaints can be made by

- Anyone receiving a service from the School
- Anyone who has a need or a possible need for a service from the School
- A representative of either of the above e.g. parent, carer, solicitor, councillor or M.P.

Complaints can be made about most aspects of its functions including:

- Attitude/behaviour of staff
- Teaching and learning
- Application of behaviour management systems
- Bullying
- Provision of extra-curricular activities

Members of the general public may make complaints to the school if the school is directly responsible for the issue being complained about e.g.

- Behaviour of students during break times
- Disturbance to neighbours during school hours
- Health and Safety issues of premises
- Behaviour of staff

The complaints procedure

It is in everyone's best interests that complaints are resolved at the earliest possible stage. Anyone wishing to complain can therefore talk directly to a member of staff, write a letter, telephone or e-mail. It is important that communication is as clear as possible about the issue. Staff can then establish whether a person is asking a question, expressing an opinion or making a complaint.

If the complainant's first language is not English they can use an Interpreter to assist them.

(These procedures are not intended for use by employees, unless their complaint is regarding a service they receive. Employee concerns and complaints should be raised through grievance and/or Whistleblowing procedures.)

Any member of staff will be happy to help. It may be best to start with the person most closely concerned with the issue – for example, for an academic issue contact a Form Tutor. They may be able to sort things out quickly, with the minimum of fuss. However, a complainant may prefer to take the matter informally to a more senior member of staff, for example, the Head of Department, Deputy Headteacher or Headteacher.

'I don't want to complain as such, but there is something bothering me.'

The School is here for parents/carer and their children, and both needs and wants to hear any views or ideas. Contact a member of staff, as described above.

'I am not sure whether to complain or not.'

Anyone who has concerns is entitled to complain. If in doubt, contact the School office as staff are here to help.

1. Informal Complaints

If you raise something face-to-face or by telephone, it may be possible to resolve the matter immediately and to your satisfaction. This may involve:

- Reassessment of need
- Mediation and conciliation
- Arranging to discuss concerns at a forthcoming meeting
- Explaining policies or decisions

Staff may seek advice from their manager, Head of Year/Department, Deputy Headteacher or Headteacher if necessary and then in any event will record the enquiry/complaint. A note of what would be the desired outcome and any agreements made will also be recorded. Copies of this record will be forwarded to the Headteacher for information.

If the member of staff cannot resolve the concern, they will make a clear note of the date, name, contact address and telephone number and a brief note of the nature of the concern. It is also useful to identify and record what sort of outcome is being sought. The member of staff will then refer the matter to a Deputy Headteacher or the Headteacher to decide whether to deal with the concern by the complaints procedure or under other procedures e.g. child protection.

If the concern is about the Headteacher, the member of staff will provide the information to the Governing Body via the Administration Manager.

2. Formal Complaints

If you take the matter further and make a formal complaint in writing, the school will contact you within three working days to acknowledge receipt of the complaint and provide a summary of the complaints procedure and a target date for providing a response. Where possible this will be within 15 working days but if this date cannot be met we will write to you again giving our reasons for the delay.

In many circumstances, the person you contact will need to discuss the matter (as above) with a colleague and consider it further before responding. It may be that a Senior Leader or the Headteacher will investigate the complaint. They may speak to staff/students and check information to try to establish if policies and procedures have been followed and staff have acted appropriately. If students are interviewed another member of staff will be present or in some cases the parents.

If a detailed exploration of the issues is needed, a letter or report will be sent to you as quickly as possible or the Headteacher may wish to meet with you to discuss the concerns and find solutions. If this is the case you may bring a friend, family member or advocate to the meeting if you so wish and the Headteacher may invite another member or staff to be present to record the meeting.

In any event the outcome will be provided in writing and this will tell you of the school's response to your complaint. It will explain the conclusion, the reason for it, and any action taken or proposed.

If the complaint relates to the Headteacher or if you are not satisfied with the response provided then you should address your complaint to the Chair of Governors.

'What happens about confidentiality?'

Your complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be limited to the Senior Leader (if relevant), Deputy Headteacher/Headteacher and those directly involved. The Chair of Governors may also need to be informed. It is the School's policy that complaints made by parents should not rebound adversely on their children.

The School cannot entirely rule out the need to make third parties outside the School aware of the complaint and possibly also the identity of those involved. This would only be likely to happen where, for example, a child's safety was at risk or it became necessary to refer matters to the Police. You would be fully informed if this is the case.

While information relating to specific complaints will be kept confidential on file, the School wishes it to be noted that anonymous complaints may not be pursued.

'What if I am not satisfied with the outcome?'

The School hopes that you will feel satisfied with the outcome, or at least that your concerns have been fully and fairly considered.

If you are not satisfied, the Headteacher will offer to refer the matter to the Chair of Governors. Alternatively, you may wish to write directly to the Chair of Governors. As a matter of courtesy you should inform the Headteacher that you are doing so. The Clerk to the Governors will acknowledge receipt of the complaint and will request any further documents or information relevant to the complaint with a deadline date for submission of this. The Chair of Governors will call for a full report from the Headteacher, and will examine matters thoroughly before responding. This may result in a positive solution, but if it does not, the Chair will invite you to a meeting. You may wish to be supported by a friend, but legal representative would not be appropriate at this stage.

If this meeting does not bring about a resolution, a special committee will be convened comprising of two Governors excluded from the previous meetings along with a third person independent of the school. It is their task to look at the issues in an impartial and confidential manner. The Committee Convener will invite you to a meeting. You will be asked if there are any papers you would like to have circulated beforehand. As with the Chair's meeting, you will be invited to bring a friend with you, or you may bring a legal representative. The decision of this Committee will be considered final. You, as the complainant, the Headteacher, and where relevant the person complained about, will each be given a confidential copy of the findings and recommendations made by the panel hearing the complaint.

The meeting will

- Be held in private
- Be as informal as possible (particularly if the complainant is a child)
- Allow the complainant to explain their complaint and the Headteacher to explain the school's response
- Only be attended by witnesses for their part of the meeting
- Give the opportunity for the complainant and the Headteacher to ask questions of each other and witnesses
- Give the opportunity for the committee to ask questions of the complainant, Headteacher and witnesses.

- Ask for the complainant and Headteacher to summarise their position

Following the meeting a written response detailing decisions, recommendations and the basis for this, will be sent to the complainant within 15 working days and the school will retain a copy for their records. The decision could be

- To reject the complaint
- To uphold the complaint or
- To investigate the complaint further

If the complainant remains unsatisfied they have the right to raise their concerns with the Local Safeguarding Officer (LADO), OFSTED or the Secretary of State for Education and this will be identified to them in the written response from complaints committee.

Points of note

At each stage in the procedure we will remain mindful of ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate for one of the following:

- An apology
- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that the event complained of will not recur
- An explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review School policies in light of the complaint

Written records will be kept of all complaints, no matter which stage they get to.

Complaints may be withdrawn in writing at any time.

The School recognises and acknowledges your entitlement to complain and we hope to work with you in the best interests of the children and young people in our care.

Review of the procedure

The Governing Body will monitor the level and nature of complaints and review the outcomes on an annual basis to ensure the effectiveness of the procedure and make changes where necessary. Wherever possible, complaints information shared with the whole Governing Body will not name individuals unless it is necessary to do so.

The School is committed to on-going improvement. Therefore as well as addressing an individual's complaints, the process of listening to, and

resolving complaints will contribute to school improvement. When individual complaints are heard, we will identify any underlying issues that need to be addressed. The monitoring and review of complaints by the School and the Governing Body helps in evaluating the School's overall performance.

Dealing with unreasonable complaints

Complaints could be deemed unreasonable if the person making them

- Repeatedly makes the same complaint and refuses to accept the findings of the investigation into that complaint
- Seeks an unrealistic outcome
- Has a history of making unreasonable complaints
- Makes frequent, lengthy, complicated and stressful contact with staff regarding the complaint

Or, if they are done so

- Maliciously
- Aggressively
- Using threats, intimidation or violence
- Using abusive, offensive or discriminatory language
- Knowing it to be false

In these circumstances the Headteacher or the Chair of Governors will liaise with legal services before deciding on the action to be taken.

Services not covered by the Complaints Procedure

This procedure does not apply to proceedings where there is an existing appeals process e.g. SEN provision, allocation of school places, exclusions.

Quick Guide to How to Make a Complaint.

Complaints can be raised about many issues including:

- Teaching and learning
- Applications of behaviour management systems
- Bullying
- Provision of extra-curricular activities
- Behaviour of students during break times
- Disturbance to neighbours
- Health and Safety issues to premises
- Behaviour of staff

Complaints can be made **informally** to any member of staff, face to face, in writing, by telephone or by e-mail and staff will endeavour to resolve concerns at the earliest opportunity. However dependent upon the concerns raised, it may need to be referred to a Deputy Headteacher/Headteacher. It may not even be a complaint you have, it may be you want your views/ideas to be heard.

It may be that in order to resolve the concern; there is a need for:

- Reassessment of need
- Mediation and conciliation
- Arrangements to discuss concerns at a meeting
- An explanation of policies or decisions.

But if these do not resolve the matter or you wish your complaint to be raised as a formal complaint you should make a formal complaint in writing.

Following a **formal** complaint the school will write to you within 3 working days to acknowledge receipt of your complaint and the school will include a target date for your response (usually within 15 working days).

As part of the investigation we may speak to staff/students and gather information relevant to the matter. The school may also need a meeting with you as the complainant, to which you can bring a friend, family member or advocate.

You will then receive the outcome in writing.

If you are unhappy with the outcome you can refer the matter to the Chair of Governors who will ask for information from the complainant and from the Headteacher. (As a matter of courtesy you should also notify the Headteacher of the referral to the Chair of Governors). If a resolution is not found the Chair will meet with you and a friend if you so wish. If a resolution is still not found a complaints committee will be arranged.

At the complaints committee you will present your concerns, ask questions of the Headteacher and witnesses where appropriate and summarise your position. You will receive the final decision of the committee with 15 working days. If you remain unsatisfied you can raise your concerns with the LADO if the issue is a safeguarding matter, OFSTED or the Secretary of State for Education.

Quick Guide to How to Receive and Process a Complaint

If someone wants to make an **informal** complaint to you, deal with it as quickly as is reasonably possible by:

- Listening to what they have to say
- Finding out what they want to happen about it
- Making a written record of it
- Informing the Headteacher

Complainants cannot be made about SEN provision, allocation of school places or exclusions.

If you can resolve the matter yourself you should do so with the minimum disruption but must still inform the Headteacher. If you cannot resolve the matter you should take the written record to a Deputy Headteacher/the Headteacher for them to decide how to deal with the matter e.g. as a complaint or under another procedure. If the complaint is about the Headteacher the matter should be forwarded to the Governing Body via the Admin Manager.

If someone makes a **formal** complaint to you:

- The School must acknowledge receipt within 3 working days of receipt stating a target date for the response which must be at least within 15 working days.
- You need to discuss the matter with a Senior Leader or the Headteacher asap as an investigation may need to be held.
- If an investigation is to be held the school will speak to staff/students and gather information before holding a meeting with the complainant and then present the outcome in writing.
- If an investigation is not to be held and you are able to resolve the matter with the complainant, you will need to provide the complainant with the outcome in writing.

If the complainant remains unhappy the matter will be referred to the Chair of Governors. The Clerk to Governors will write to acknowledge receipt of the complaint asking for any further information and a deadline for submission.

The Chair of Governors will consider information from the Headteacher and the complainant and if a positive resolution is not found then the Chair of Governors will hold a meeting with the complainant and the Headteacher. If this meeting does not find a resolution then a special committee of 2 Governors and a third independent person will be convened.

The meeting will

- Be held in private
- Be as informal as possible (particularly if the complainant is a child)
- Allow the complainant to explain their complaint and the Headteacher to explain the school's response
- Only be attended by witnesses for their part of the meeting
- Give the opportunity for the complainant and the Headteacher to ask questions of each other and witnesses
- Give the opportunity for the committee to ask questions of the complainant, Headteacher and witnesses.
- Ask for the complainant and Headteacher to summarise their position

Following the meeting, Governors will inform the complainant in writing within 15 working days.

Useful Contacts

Children’s Services Complaints

ChildrensServices.Complaints@liverpool.gov.uk 0151 233 3225

Parent Partnership

Fairfield Centre, Sheil Road, Liverpool, L6 3AA 0151 233 2848

Citizen’s Advice Bureau

242 Picton Road, Wavertree, Liverpool, L15 4LP 08448 487700

15 High Park Street, Toxteth, Liverpool, L8 8DX 08448 487700

Secretary of State for Education

Department for Children Schools and Families,
Sanctuary Buildings, Great Smith Street,
London SW1P 3BT 0870 000 2288

LADO (Paul Fillis)

paul.fillis@liverpool.gov.uk 0151 233 2791

OFSTED

www.ofsted.gov.uk 08456 40 40 45

Children’s Commissioner

www.childrenscommissioner.org

Children’s Rights Director

www.rights4me.org

Every Child Matters

www.everychildmatters.gov.uk

Department for Children, Schools and Families

www.dcsf.gov.uk