



Stony Dean School

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Stony Dean School Complaints and Resolutions Policy

September 2022
Review Date September 2024



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Overview

Stony Dean School aims to get everything right first time and if not work tirelessly to ensure we do. On the rarest of occasions we don't this policy is a guideline for families on how they can access the right pathway to resolving any complaints. Stony Dean School while upholding the policy will ensure, that we will be impartial, non-adversarial, facilitate a full and fair investigation where necessary and address all the points raised in an effective and prompt manner. We will ensure that we communicate with families quickly and fairly and uphold strictest of confidentiality.

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

<https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019>

In all cases we will put the interests of the child above all other issues.

Our procedure is underpinned by the following **framework of principles**: -

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to use and understand
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- address all points of issue, providing an effective response and appropriate redress, where necessary
- provide information to the school's senior management team so that services can be improved.

Mediation may be useful in resolving a concern or complaint and may be offered at any point during the complaints procedure. Mediation will only be entered into with the agreement of all parties.



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Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Stony Dean School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

1) The difference between a concern and a complaint

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Stony Dean School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Stony Dean School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

2) How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so. Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint. 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 Stage 2 of the procedure.

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark them as Private and Confidential. Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential. Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Buckinghamshire Council via the school office. Please mark them as



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Private and Confidential. For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help 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

3) Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

4) Time scales

You must raise the complaint within one months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply. If a parent requests information from the school, this will be treated as a freedom of information request and will require at least 5 days' notice to allow the school to access and share the information required by the family.

5) Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

6) Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Stony Dean School, other than complaints that are dealt with under other statutory procedures, including those listed below.

7) Exceptions to the Policy

- ✓ Admissions to schools, Statutory assessments of Special Educational Needs, School re-organisation proposals Concerns about admissions, statutory assessments of Special Educational Needs.
- ✓ Matters likely to require a Child Protection Investigation Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.
- ✓ Exclusion of children from school- complaints about the application of the behaviour policy can be made through the school's complaints procedure



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- ✓ Further information about raising concerns about exclusion can be found at: www.gov.uk/schooldiscipline-exclusions/exclusions.
- ✓ Whistleblowing We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.
- ✓ Volunteer staff who have concerns about our school should complain through the school's complaints procedure.
- ✓ Staff grievances Complaints from staff will be dealt with under the school's internal grievance procedures.
- ✓ Staff conduct Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.

8) Resolving complaints

At each stage in the procedure, Stony Dean School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- ✓ an explanation
- ✓ an admission that the situation could have been handled differently or better
- ✓ an assurance that we will try to ensure the event complained of will not recur
- ✓ an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- ✓ an undertaking to review school policies in light of the complaint
- ✓ an apology
- ✓ The school will refer aspects of any complaint to areas of advice such as Human Resources, Local Authority Designated Officer and the School Improvement Service

9) Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing

10) Duplicate complaints

There may be some cases where at the end of the complaints procedure, the school receives a duplicate complaint from a complainant's spouse, partner, grandparent or child. Where the complaint is about the same subject, the new complainant will be informed that the school has already considered that complaint and that the local process has been completed. The new complainant will be advised to contact the DfE if they are dissatisfied with the school's handling of the original complaint. The school will take care not to overlook any



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new aspects to the complaint that may not have been previously considered. Any new elements of a complaint will be investigated and dealt with in line with the full complaints procedure.

11) Serial and persistent complaints

The school will act in a manner they believe to be appropriate when dealing with an individual who consistently makes the same complaints or who continuously asks the school to reconsider their position. If a complainant attempts to re-open an issue which has previously fully completed the complaints procedure, the chair of the governing board will inform the complainant that the matter is now closed.

If the complainant contacts the school regarding the same issue again, the complaint may be classed as 'serial' or 'persistent' and the school does not have an obligation to respond. The school must ensure that a complaint is not classed as 'serial' before they have fully completed the complaints procedure. The school will not take the decision to stop responding to an individual lightly. The school will ensure that:

- ✓ They have previously taken every reasonable step to address the problem.
- ✓ They have provided the complainant with a statement of their position.
- ✓ The complainant is contacting the school repeatedly with the same complaint.

If the school believes that the complainant is continuously contacting the school to cause disruption or inconvenience, or if the complainant is being abusive or threatening, the school has the right to not respond to the complainant. Once the school decides to no longer respond to a complainant, the individual will be informed of this decision in writing. If the school finds it difficult to deal with a complainant due to their unreasonable behaviour, then their complaint can be directed to Local Authority

Stage 1 – Formal Procedure

Most concerns are resolved informally, however if you remain dissatisfied and wish to take the matter further by making a formal complaint you can let us know in person, by telephone or in writing.

The complaint form (Appendix 1) attached to this procedure can be helpful to complete. The aim of the form is to give us as clear an understanding as possible of your complaint and includes a section on what actions you feel would resolve the problem. If you would like support in completing the form from someone unconnected with the complaint, please let us know and we would be happy to organise this for you.

If you are making your complaint in writing, it should be returned to the Headteacher (marked Private and Confidential) via the school office *unless*:

- The complaint is about the Headteacher. In this case it should be returned to the Chair of the Governing Board at the school address (marked Private and Confidential)



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- The complaint is about the Chair of the Board, an individual governor or the whole Governing Board. In this case it should be addressed to the Clerk to the Governing Board at the school address (marked Private and Confidential)

You will receive an acknowledgement of the receipt of your complaint within **5 school days**.

An investigation will be carried out into the complaint and the way it has been handled by the school. This will include a review of any relevant documentation and information and seeking the views of relevant people, where necessary.

If the investigation is to be carried out by the Headteacher, they may delegate this to another member of the school's senior leadership team but not the decision to be taken.

If the complaint is about the Headteacher or a member of the Governing Board (including the Chair of Vice-Chair) a suitably skilled governor will be appointed to complete the investigation.

If the complaint is about the Chair / Vice-Chair of Governors jointly, the whole Governing Board or the majority of the Governing Board, the investigation will be considered by an independent investigator appointed by the Governing Board (or Diocese if appropriate).

The person undertaking the investigation will normally write to you with the outcome of this process within **15 school days** of receiving the complaint. If they are unable to meet this deadline, they will provide you with an update and revised response date.

If, at any time, it becomes apparent that the complaint is a disciplinary or capability issue, the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, however, you are not entitled to know which procedure, or the final outcome, because of the right to confidentiality of the member of staff involved.

Stage 2 – Formal Procedure

Following the outcome of the investigation at Stage 1, if you feel your concern has not been resolved, you may choose to move to Stage 2 of the formal procedure. You must let the school know if you wish to do this within **[15 school days]** of the completion of Stage 1. Requests received out of this time frame will only be considered in exceptional circumstances.

At this stage the complaint will be considered by the Governing Boards' Complaints Committee. This will be made up of a panel of three governors, who will meet to consider the complaint and make a final decision about it on behalf of the Governing Board. Panel members will have no detailed prior knowledge of the complaint, or connection with you. The meeting will normally take place within **[15 school days]** of your request.



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If the complaint is:

- Jointly about the Chair and Vice Chair or
- The entire Governing Board or
- The majority of the Governing Board

The complaint will be heard by a panel of independent governors co-opted for this purpose.

The committee will decide whether to deal with the complaint by inviting all parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If you are invited to attend the meeting, you will be contacted by the school to inform you of the date, time and venue of the meeting. Any further written material to be submitted to the committee will also be requested. If you reject the offer of three proposed meeting dates, without good reason, the school will decide when to hold the meeting. It will then proceed in your absence on the basis of written submissions from all parties.

Any written material will be circulated to all parties at least [**5 school days**] before the date of the meeting. The committee will not normally accept as evidence recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

If you attend the meeting, you may bring someone along to provide support. This can be a relative or friend. Generally we do not encourage any party to bring legal representative to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and / or legal representation.

The meeting will be clerked by an independent clerk to the panel in the interests of all parties.

Appendix 2 outlines the process that will be followed at a panel meeting.

The committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint.

Outcome of the Panel Hearing

The committee will write to you with its conclusion within **5 school days** of the meeting, and its decision is final.

The committee can:

- Uphold your complaint in whole or in part
- Dismiss your complaint in whole or in part

If the complaint is upheld in whole or in part, the committee will:



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- Decide on the appropriate action to be taken to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

An explanation of the committee's decision and any actions or recommendations will be detailed in the letter to you communicating the outcome of the complaints panel.

Next Steps

If you are still not satisfied, you may wish to put your complaint to the Department for Education who can review whether the school has acted in accordance with the published complaints procedure and whether they have acted reasonably and lawfully.

The Department for Education can be contacted via: -

- National Helpline 0370 000 2288
- online at: www.education.gov.uk/contactus
- by writing to the Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD

Serial or Persistent Complaints

The school is committed to dealing with all complaints fairly and impartially. We will not normally limit the contact complainants have with our school. Unfortunately, in a small minority of cases, people pursue their complaints in a way which is unacceptable or which can impede the investigation of their complaint. This can have significant resource issues for the school.

The school defines unreasonable behaviour as that which hinders our consideration of complaints, such as if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure
- introduces trivial or irrelevant information and insists on it being taken into account and commented on



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- makes unjustified complaints about staff who are trying to deal with the issues
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been adhered to
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is already being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before considering behaviour to be unreasonable.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the school.

12) Monitoring and Review

The Governing Board monitors the complaints procedure, in order to ensure that all complaints are handled properly. The headteacher logs all formal complaints received by the school and records how they were resolved. Governors examine this log on a regular basis and consider the need for any changes to the procedure.



13) Lessons learnt

The governing body will review any underlying issues raised by complaints with the headteacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future

14) Record Keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel. This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection. Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and record retention schedule. The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point. Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint. Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

20) Other

- ✓ Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
- ✓ Complaints about services provided by other providers who may use school premises or facilities. Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
- ✓ If a covert recording has taken place without consent of those involved the recording will not be used in the complaints process.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.



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If a complainant commences legal action against Stony Dean School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded

21) Review

This policy will be reviewed in two years' time (earlier any legislative change).



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Complaints Procedure - Flowchart Summary

Concern Raised

Initial concern raised with a member of staff or the Headteacher



Resolved?



Yes. No further action



No - Stage 1 – Formal Complaints Procedure

You can let us know in person, by telephone or in writing if your concerns have not been resolved and you would like to move to the formal stage of the Complaints Procedure. Receipt of the complaint will be acknowledged in 5 school days



Investigation

- By the Headteacher, Member of the SLT or Chair of the Governing Board
- By a nominated Governor if the complaint is about the Headteacher or a governor
- By an independent investigator if the complaint is about the Chair / Vice Chair of the Governing Board jointly, the whole Governing Board or the majority of the Governing Board



Investigation Outcome

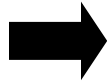
Communicated within 15 school days of receipt of the complaint.



Fax: 01494 765631



Resolved?



Yes. No further action



No - Stage 2 – Formal Complaints Procedure

If you wish to take your complaint to Stage 2 of the procedure you will be asked to confirm this within 15 school days of the completion of Stage 1.



Governing Board Complaints Committee Meeting

A panel of three governors will meet to consider your complaint within 15 school days. The committee meeting will be independently clerked.

If you wish to submit evidence to the panel you will be invited to do so in advance of the meeting.

You will / *may* also be invited to attend the panel meeting to explain the nature of your complaint



Complaints Committee Decision

The panel will make a final decision on behalf of the Governing Board and will write to you within 5 school days.

You will be told whether the complaint has been upheld or dismissed and whether the panel have agreed any actions or made any recommendations.



Resolved?



Yes. No further action





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No - You can contact the Department for Education if you feel the school has acted unreasonably or not followed the correct procedures.

[Appendix 1: Complaint Form](#)



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Please complete and return to (Headteacher/Clerk/complaints co-ordinator/designated governor) who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name (if relevant):

Your relationship to the pupil (if relevant):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give concise details of your complaint, including any relevant dates, names of witnesses etc, to allow the matter to be fully investigated

**What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to/write to and what was the response)?**

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.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:



Appendix 2: At the Panel Meeting

- After introductions, the complainant will be invited to explain their complaint, and be followed by their witnesses (if any).
- The Headteacher/Chair of Governors / Investigating Officer may question both the complainant and the witnesses after each has spoken.
- The Headteacher/Chair of Governors will then be invited to explain the school's actions and be followed by the school's witnesses (if any).
- The complainant may question both the Headteacher/Chair of Governors and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher/Chair of Governors is then invited to sum up the school's actions and respond to the complaint.
- The Chair of the panel explains that both parties will hear from the panel within five school days.
- Both parties leave together while the panel decides on the issues.
- The Clerk remains to support the panel.

Appendix 3: Areas Not Covered by These Procedures



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	Who to contact
<ul style="list-style-type: none">• Admissions to schools• Statutory assessments of Special Educational Needs• School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the Local Authority
<ul style="list-style-type: none">• Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under the child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p>
<ul style="list-style-type: none">• Exclusion of children from school*	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. <link to school behaviour policy>.</i></p>
<ul style="list-style-type: none">• Whistleblowing	<p>We have an internal whistle-blowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none">• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.



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<ul style="list-style-type: none">• Staff conduct	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none">• Complaints about services provided by other providers who may use school premises or facilities	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none">• National Curriculum - content	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>
<ul style="list-style-type: none">• Collective Worship	<p>Complaints about the content of the daily act of collective worship should be signposted to:</p> <ul style="list-style-type: none">- The Local Authority- The local Standing Advisory Council on Religious Education