



Complaints Policy

Date	Review Date	Coordinator	Nominated Governor
February 2023	February 2024	Amrit Dokal	Suvir Rai

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Local Government Act 1974
- Local Government Act 1988
- Education Act 1996
- Data Protection Act 2018
- School Standards and Framework Act 1998
- Freedom of Information Act 2000
- Education Act 2002 ▪ Education Act 2005
- Education and Skills Act 2008
- Apprenticeship, Skills, Children and Learning Act 2009
- Children, Schools and Families Act 2010
- Education (Admissions Appeals Arrangements) (England) (Amendment) Regulations 2008
- Education (Independent Schools Standards) Regulations 2010 ▪ Equality Act 2010
- Education (non-maintained Special Schools) Regulations 2011
- School Admissions (Appeals Arrangements) (England) Regulations 2012

The following documentation is also related to this policy:

- Complaints About Ofsted: Raising Concerns and Making a Complaint about Ofsted (Ofsted)
- School Admission Appeals Code (DfE)
- Equality Act 2010: Advice for Schools (DfE)
- Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website (Cabinet Office)

We are aware that the General Data Protection Regulations (GDPR) has entirely replaced the previous Data Protection Act (DPA) making changes to many existing data protection rules and regulations that schools, academies and other educational establishments adhered to under the DPA. The principal aim of the GDPR is to strengthen and unify the safety and security of all data held within an organisation.

We believe that this school provides an excellent education and that the Headteacher and school personnel work very hard to build positive relationships and have in place clear lines of communication with all parents and others. In so doing complaints are kept to a minimum.



However, we are aware that under section 29 of the Education Act 2002 we must have in place clear procedures to deal with any complaint made against the school or individuals connected with it. We take any complaint seriously and we deal with them professionally following set procedures.

We believe complaints need to be resolved as quickly as possible but in some cases we need to establish whether the issue brought to our attention is a complaint or an actual concern. In such cases 'many issues can be resolved informally without the need to invoke formal procedures'.

We agree with the definition that a concern is 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought.' While a complaint is best defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. By making this distinction between a concern and a complaint and taking all informal concerns seriously the number of concerns should be reduced before developing into formal complaints.

We must be aware that besides parents/carers of children who are registered at this school any member of the general public can make a complaint about 'any provision of facilities or services' that we provide at this school.

We are aware that under the Education Act 1996 parents have the right to complain directly to the local authority about any matter relating to the school's curriculum, any issue relating to the general education that we provide.

We have a duty to inform parents and the general public who may wish to make a complaint against an organisation using school facilities that they must lodge their complaint with that organisation and not the school.

We have a duty to publish the complaints policy in the school handbook and on the school website with hard copies available from the school office.

We understand that a complaint may be made in writing, by telephone or in person. However, we will endeavour to accommodate those complainants who may be disabled or have learning difficulties by having in place alternative methods of registering a complaint.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

Aims



- To deal with any complaint against the school or any individual connected with it by following the correct procedures.
- To deal with all complaints thoroughly and by being open, honest and fair when dealing with the complainant.
- To differentiate between a concern and a complaint.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body has:

- a duty to have in place a complaints procedure;
- responsibility to ensure that the complaints procedure complies with their obligation under the Equality Act 2010;
- delegated powers and responsibilities to the Headteacher to ensure all school personnel and visitors to the school are aware of and comply with this policy;
- responsibility to deal with any complaint made against the Headteacher;
- responsibility not to share complaints with the whole governing body in case an appeals panel has to convene;
- responsibility to arrange for an independent panel to hear a complaint if the whole governing body have been 'contaminated' by having full knowledge of the complaint;
- responsibility of annually discussing the concerns/complaints log with the Headteacher;
- in place a self-evaluation process to monitor the way complaints are dealt with and to consider what improvements can be made to the complaints procedures;
- responsibility of taking into account any local or national decisions that affect the complaints process, and will make any modifications necessary to this policy;
- responsibility for ensuring that the complaints procedure is publicised on the school website and in the school handbook, is concise, simple to understand and impartial;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents; ▪ nominated a link governor to:
 - visit the school regularly;
 - work closely with the Headteacher and the coordinator;
 - ensure this policy and other linked policies are up to date;



- ensure that everyone connected with the school is aware of this policy; attend training related to this policy;
- report to the Governing Body every term;
- annually report to the Governing Body on the success and development of this policy.

- make effective use of relevant research and information to improve this policy;
- responsibility for the effective implementation, monitoring and evaluation of this policy.

Role of the Headteacher

The Headteacher will:

- deal with all complaints impartially and in a non-adversarial manner;
- keep the complainant fully updated at all stages of the complaints procedure; ▪ keep records;
- not share third party information;
- seek an interpreter if the need arises;
- refer any complaint made against him/her to the Chair of Governors;
- ensure full and fair investigations are undertaken by an independent person where necessary;
- ensure confidentiality at all times;
- ensure all complaints are resolved as quickly as possible within realistic time limits;
- log all complaints received by the school and records how they were resolved;
- discuss the complaints log every year with the Governing Body;
- monitor and review complaints to see how they can contribute to school improvement;
- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- work closely with the link governor and coordinator; ▪ provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- make effective use of relevant research and information to improve this policy;
- monitor the effectiveness of this policy by speaking with school personnel, parents and governors;
- annually report to the Governing Body on the success and development of this policy.

Role of the Complainant

We ask the complainant to:

- cooperate with school to find a solution to the complaint as quickly as possible;
- provide enough information as possible;
- be respectful to everyone involved in the complaint procedure.

Complaint Procedures



Stage 1 (Informal Stage)

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the Headteacher as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

The school will acknowledge informal complaints within 5 working days, and investigate and provide a response within 5 working days. The informal stage will involve a meeting between the complainant and the Headteacher and/or the subject of the complaint as appropriate.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2 (Formal Stage)

2a) Inform the Headteacher in writing

This letter should provide the Headteacher with details of:

- the complaint;
- details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents;
- the complainant should also state what they feel would resolve the complaint;
- any staff they would prefer not to discuss the issue with;
- they must also list attempts that they have made to raise/resolve the complaint already.

If the complainant is not satisfied with this response, they must inform the School in writing, with details of their previous communication and the reason why they are still not satisfied.

The Headteacher (or designated member of the senior leadership team) will call a meeting to clarify concerns, and seek a resolution within 10 days of the complaint being lodged. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The Headteacher (or other person appointed by the Headteacher for this purpose) will then respond in writing to the complainant within 5 working days of a meeting being held. If the complainant wishes to proceed to the next stage of the procedure, they should inform the chair of governors in writing within 5 working day



2b) Inform the chair of governors in writing

- This letter should set out the details of the complaint including evidence as set out above. The complainant should also specify what they feel would resolve the complaint, and how they feel the previous stage of the procedure has not addressed their complaint sufficiently. The written conclusion of this investigation will be sent to the complainant within 10 days. If the complainant wishes to proceed to the next stage of the procedure, they should inform the chair of governors in writing within 5 working days. The governors will convene a complaints panel within 21 working days. The complaints panel appointed needs to consist of at least three people who were not directly involved in the matters detailed in the complaint.

Stage 3 (Formal Stage) review panel with an independent reviewer The independent reviewer will convene a review meeting with the complainant and representatives from the school, as appropriate. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered. The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the Headteacher.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.



The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and Headteacher.

The school will inform those involved of the decision in writing within five working days.

Complaints against the Headteacher and/or a Governor

Complaints made against Headteacher should be directed to the Chair of Governors in writing. The same process as above will apply with the Chair of Governors taking the role of the Headteacher in stages 1-3.

If a complainant wishes to make a complaint against a Governor or the Chair of Governors it must be made in writing to the Clerk of the Governing body.

Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the school was in breach of its funding agreement with the secretary of state
- Whether the school has failed to comply with any other legal obligation. If the school did not deal with the complaint properly, it will be asked to reinvestigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly. For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

Persistent complaints

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the chair of governors (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed. If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*



- The complainant is contacting the school repeatedly but making substantially the same points each time
- However, this list is not intended to be exhaustive.
- The school will be most likely to choose not to respond if:
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

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 under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Where the complaint is from a parent of the child at the school records of complaints will be kept until their child reaches the age of 18, whether they continue to attend Edison or not. Where the complaint is from someone other than a parent it will be kept for 3 years.

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.

Learning lessons

The Chair of Governors 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.

Complaints regarding the Curriculum and General Educational Provision

All curriculum and general educational provision complaints will be dealt with by the Trust in line with their set complaints procedures.

Raising Awareness of this Policy

We will raise awareness of this policy via:

- the School Prospectus
- the School website
- the Staff Handbook
- meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops
- school events
- meetings with school personnel
- communications with home such as weekly newsletters and of end of half term newsletters
- reports such annual report to parents and Headteacher reports to the Governing Body
- information displays in the main school entrance

Training

All school personnel:

- have equal chances of training, career development and promotion
- receive training on induction which specifically covers:
 - All aspects of this policy
 - Communication
 - Community Links
 - Community Cohesion
 - School Prospectus
 - School Website



- Home-School Agreement
- Equal opportunities
- Inclusion

- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications.

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement.

Linked Policies

- Home-School Agreement
- School Prospectus
- School Website

See Appendices Documents

- Frequency of Policy Monitoring
- Monitoring Implementation and Policy Effectiveness Action Plan

Headteacher:	Amrit Dokal	Date:	11/2/22
Chair of Governing Body:	Suvir Rai	Date:	11/2/22