



Policy Title: Complaints Procedure	Effective Date:	February 2024
SMT Member Responsible: Pete Lynch	Review Date:	February 2027
Governors' Committee Responsible: Staffing, Care and Guidance		

Principles

The school's complaints procedure aims to:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial;
- be non-adversarial;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the school's leadership team so that services can be improved.

Who Can Make a Complaint?

This complaints procedure is limited to Parents of registered pupils of the school, and Parents of pupils who were registered pupils of the school within the past three months. They will be referred to in this policy as the 'Complainant'.

The complaint must be about any provision of education, facilities or services that the school provides.

If anyone other than a Parent has a concern about a school's operation or site, they should raise this in writing to: complaints@sheldonschool.co.uk, setting out their concerns and the action sought. Any concerns raised will be investigated and responded to separately to the procedures outlined in this policy.

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 complaint's procedure. However, all concerns and complaints are dealt with in line with this policy. Care will be taken to ensure that they are not treated any differently, even if they may be labelled as.

How to Raise a Concern or Make a Complaint

A concern can be made in person, in writing or by telephone in accordance with the procedures set out in this policy. However, a complaint must be raised formally using the template below or online form.

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 a third-party organisation to help you.

If you decide not to use the provided complaint form, then you must include:

- full details of all matters complained about;
- the desired resolution/outcome;
- all relevant documents;
- full contact details.

In accordance with Equality Act (2010), we will make reasonable adjustments for disabled complainants and others involved in the process, to ensure full access and engagement with the complaints procedure. This may include, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous Complaints

We will not normally investigate anonymous complaints, unless the subject matter makes it appropriate to do so.

The procedure

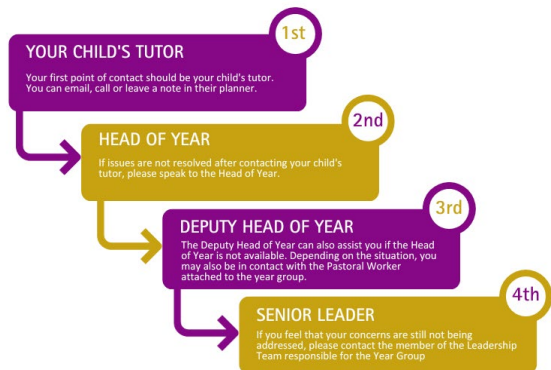
Stage 1 – Informal Resolution (Concerns)

Problems that arise do not usually start as complaints: they are, at first, **concerns**. Concerns ought to be handled, if at all possible, without the need for formal procedures. The school will take informal concerns seriously at the earliest stage and this will reduce the numbers that develop into formal complaints.

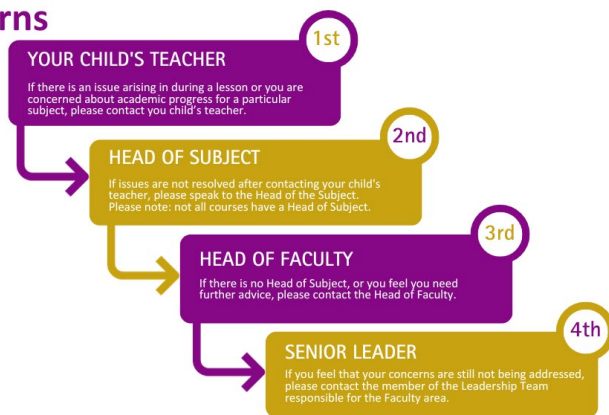
This complaints procedure does not in any way undermine our efforts to resolve concerns informally. In most cases parents should follow the communication process below. It is hoped that teachers and other staff are able to resolve such issues quickly, including apologising where necessary.



Who to contact Pastoral Concerns



Who to contact Academic Concerns



It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way. For example by parents following the communication flow diagrams above, before raising a formal complaint and moving to

stage 2. The Chair of Governors shall have discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

Where the matter is not resolved at the informal stage, the parent may elevate it to the formal stage.

Please note it is in the interests of all concerned that complaints at any stage are dealt with quickly and efficiently. The school may terminate a complaint at any time where the complainant has unduly delayed.

Stage 2 – Formal Resolution (Investigation by a nominated individual)

The complainant must put the complaint in writing, addressed to the headteacher, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations and what they would like the solution to be.

An investigation will be carried out by a nominated individual identified by the headteacher as appropriate – who may offer the complainant a meeting and speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.

The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of the meeting with the complainant and, if no meeting is to take place within 20 school days of the complaint being received.

Any complaint relating to the headteacher must be raised in the first instance with the Chair of Governors (or Vice-chair in the absence of the Chair) who will, if an informal resolution cannot be reached, nominate an individual, identified as appropriate, to investigate in the same way as in the first stage of the **formal** process outlined above.

Stage 3 – Formal Resolution (Panel Hearing)

If the complainant is not satisfied with the response of the investigator, she/he may request that the complaint be considered by the Complaints Panel of the Governing Body which will comprise at least three people who have not previously been directly involved in the matter including one person who is independent of the management and running of the school.

It is important to note that the request must be in writing, addressed to the Clerk to the Governors at the School, and received **within 10 school days** of the Stage 2 response being sent to the complainant. The request must set out briefly the reasons why the complainant is dissatisfied with the response.

If the request is lodged outside of 10 school days the school may terminate the process and the complaint will be deemed to have been concluded in accordance with the findings at Stage 2. Any further attempt to re-open the matter will be considered as falling under unreasonable complaint section.

The Clerk will invite the school to put in writing its response to the complainant's reasons. The school will do this within 15 school days of receiving the request and at the end of that period (whether or not the school has responded) the Clerk will convene a meeting of the Complaints Panel of the Governing Body. That meeting will be held on school premises as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the school and the members of the Panel. Whenever possible, the meeting will be held within 15 school days of the end of the school's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.

The meeting is not a court case and will be as informal as circumstances allow. The complainant will have the opportunity to put forward her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The school will have the opportunity to put its side of things and each side, as well as the Panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the Panel.

The Panel may make findings and recommendations and a copy of those findings and recommendations will be sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and made available for inspection on the school premises by the headteacher.

The Panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the Clerk to the Governors will notify all concerned.

Attendance at a Complaints Panel Hearing

The Complaints Panel will proceed irrespective of whether or not the complainant and/or their representative attend. Unless the complainant has provided compelling reasons in advance, in which case the panel may be adjourned to an alternative date, where the complainant and/or their representative fails to attend on the day, the complaints panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

Unreasonable requests or complaints

Sheldon is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Sheldon defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, 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 or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on

- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- 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 fully and properly implemented and completed including referral to the Department for Education
- 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 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.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

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 Sheldon 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 Sheldon School.

Record Keeping

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure on the template Annex E. Records will contain details of whether the complaint was resolved at Stage 2, or whether it proceeded to a Stage 3 panel hearing. The action taken by the school as a result of a complaint (regardless of whether they are upheld) will also be recorded.

Confidentiality

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 109 of the Education and Skills Act 2008 requests access to them.

Education and Skills Funding Agency (ESFA)

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a Stage 3 request within the time stated in the policy) the matter is closed. If the complainant is still not satisfied then they may contact the ESFA. There is an online procedure at www.gov.uk or the complainant may write to the ESFA at Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH

Annex A

Section 29 of the Education Act 2002 requires that:

- (1) The governing body of a maintained school (including a maintained nursery school) shall –

 establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and

 publicise the procedures so established.
- (2) In establishing or publicising procedures under subsection (1), the governing body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State.

Section 39 of the Education Act 2002 provides the following:

“maintained school” means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school;

“maintained nursery school” means a nursery school which is maintained by a local education authority and is not a special school;

Annex B

Role of the Chair of the Panel

The chair of the panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acts independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Annex C

Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain his/her complaint, and be followed by witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up his/her complaint.
- The Headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.



Annex D

COMPLAINT FORM

Please complete and return to the Headteacher's PA (complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.

<p>Your name:</p> <p>Pupil's name:</p> <p>Your relationship to the pupil:</p> <p>Address:</p> <p>Postcode:</p> <p>Day time telephone number:</p> <p>Evening telephone number:</p> <p>Please give details of your complaint (please be as specific as you can):</p> <p>What action have you already taken to try and resolve your complaint (whom did you speak to and what was the response)? If none, please refer to complaint procedure above</p>
<p>What actions do you feel might resolve the problem at this stage?</p> <p>What, for you, would constitute a satisfactory outcome from any hearing by a complaints panel?</p> <p>Are you attaching any paperwork? If so, please give details.</p> <p>Signature:</p>

Date:

Official use

Date acknowledgement sent:

By whom: Complaint referred to:

Date:

Annex E

Stage 2 Investigation

A member of the Leadership team will meet the complainant to discuss the complaint and ascertain the following information:

- The full details and specifics of the complaint
- The desired outcome, resolution or suggested changes
- All relevant documentation/ evidence

Investigation

The member of the LT team will read/view all the evidence and meet with the relevant people before making a decision. The findings will be recorded on the template below. Where possible the complaint will be broken down into each individual complaint. A copy of the investigation will be shared with the complainant to check for accuracy and the Headteacher (unless the investigation is about the Headteacher), before the complaint is concluded.

Complaint Investigation Details	
Name of Complainant(s)	
Report completed by	
Date	

Complaint 1	
Findings	
Conclusion	
Recommendations	

Complaint moved to Stage 3 Yes/No