



## Complaints Policy

Date approved:	Autumn 2024
Approved by:	New Generation Schools Trust Board
Review date:	Autumn 2025

**This policy should be used in conjunction with the DfE Guidance (Best practice guidance for academies complaints procedures 2021) and alongside Hope Community School's Home/School Agreement and the New Generation Schools Trust Grievance Policy as set out in the Trust's Employment Manual.**

## **1.0 Introduction**

At Hope Community School, our values of Adventure, Creativity, Openness and Excellence underpinned by our Christian Ethos are at the heart of all that we do. We pride ourselves on the outstanding quality of teaching and pastoral care provided to all our students. We recognise that parents and carers may from time to time, have concerns about the progress, achievement, behaviour or welfare of their child/children. Parents and carers are encouraged to make those concerns known to staff so that they can be addressed in partnership with the school.

This policy deals with complaints from parents/carers of current and former pupils, provided the complaint was initially raised when the pupil was still registered at the school. This policy does not deal with complaints from prospective parents.

A complaint can be any matter about which a parent/carer is unhappy and seeks action by the school. The school will take all concerns and complaints seriously and will make every effort to deal with complaints informally, at an early stage, in the spirit of continued respect and partnership.

This policy and procedure does not apply in relation to appeals against pupil exclusions, admissions and safeguarding concerns (which are managed under the school's Safeguarding Policy) and is distinct from formal staff disciplinary proceedings. Appeals regarding permanent exclusions are managed in accordance with the statutory DfE guidance on exclusions.

In most cases any concern or complaint, regardless of whose attention to whom it is initially brought, should be discussed informally (Stage 1) before being submitted at any of the following consecutive formal stages. However, complaints concerning the Principal may proceed directly to Stage 2 and be considered by the Chair of the Local Governing Body. A complaint against a member of the school leadership team may also proceed directly at Stage 2 and be considered by the Principal.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

## Policy Aims

The school aims to:

- Resolve all complaints in a timely manner and normally within the timescales set out in this policy. Where this is not possible, such as where a complaint is received during school holidays (which may cause a delay in collecting information, for example, owing to staff absence), the timescales set out in the policy may be extended and you will be informed of the reasons why and the new timescales. References to 'school days' means Monday to Friday (excluding bank holidays) when the school is open during term time. Parents/carers are in turn expected to proceed with their complaint in a timely and reasonable manner. It is expected that if parents/carers wish to escalate their complaint to the next stage of the procedure, they will generally do so within 15 school days of the conclusion of the current stage. Depending upon the circumstances, the school may, acting reasonably, treat a complaint as closed if a parent/carer has not proceeded within this timeframe;
- Ensure that complaints are managed, so far as reasonably possible, in line with the procedures set out in this document;
- Ensure that no-one, including a pupil, is penalised for concerns or complaints raised in good faith;
- Keep a written record, for at least 6 years, of all complaints, the action taken and at what stage they were resolved regardless of whether or not they were upheld;
- Record, in writing, whether each complaint was resolved following a formal procedure, or proceeded to a panel hearing, and the action taken by the school as a result of the complaint (regardless of whether they are upheld);
- Keep confidential all correspondence, statements and records relating to individual complaints except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them, or under other legal authority.

The school will keep records of formal complaints and panel hearings, as required by regulation. A record of formal complaints is kept by the school and held securely and is reviewed regularly by the Principal to identify whether review or change in practice is needed. Records are held in accordance with the school's Privacy Notice but in most cases for a period of at least 6 years.

Unless there are communication difficulties that require it, recording devices are not normally permitted during complaint meetings. Where it is necessary, all parties must agree in advance to being recorded. An unauthorised electronic recording of a conversation which has been obtained without the consent of all parties involved will not be accepted as evidence in a complaint meeting.

The school is fully committed to its obligations under the UK Equality Act (2010). Further details are available in the school's Equalities policy document listed on school's website.

The school seeks to implement this policy through adherence, whenever reasonably possible, to the procedures set out in the rest of this document.

In line with our Freedom of Information policy, this document is available to all interested parties on our website and on request from the main school office and should be read in conjunction with the following documents: Admissions Policy, Anti-Bullying Policy, Behaviour Policy, Safeguarding Policy, and SEND Policy.

This document is reviewed annually by the Trust Board or as events or legislation change requires. The next scheduled date for review is Autumn 2024.

## **Procedures**

### Stage 1: Informal Resolution

The school recognises that, almost invariably, the sooner concerns are raised the easier it is for an appropriate resolution to be found. The school requests that parents make their first contact with their child's class teacher.

That person will normally acknowledge the complaint within 5 school days of receipt. They will try to identify areas of agreement and clarify any misunderstandings that might have occurred. They will make a written record of your concern or complaint, the date on which it was received, and then try to resolve the matter themselves or refer you to the appropriate person.

Should the matter not be resolved within 15 school days or fail to reach a satisfactory resolution then you may proceed with your complaint in accordance with Stage 2 of this procedure. If so, you will be expected to do so within a reasonable timeframe, ordinarily within 15 school days of receiving the outcome of Stage 1. If the complaint concerns the Principal, contact the Chair of the Local Governing Body under Stage 2 of this process.

### Stage 2: Formal Resolution – Principal

If you wish to take your complaint to this stage, you should put your complaint in writing to the Principal. If the complaint is against the Principal, you should make your complaint directly to the Chair of the Local Governing Body. The Chair will review your complaint in accordance with this stage of the procedure.

The Principal will acknowledge your formal complaint normally within 5 school days, and will explain how we propose to proceed and set a date (not normally more than 15 school days from the date of receipt of the formal complaint under Stage 2) by which time a response will be provided. The Principal will decide, after considering the complaint, the appropriate course of action to take which may include carrying out further investigation. Further investigation may affect timescales and if so, the Principal will keep you informed of a date for a response. The Principal will also decide whether it would be helpful to meet with you to discuss your complaint.

Once the Principal is satisfied that, so far as is reasonably practicable, all the relevant facts have been established, a decision will be made, and you will be informed in writing. This will normally be within 15 school days of receipt of the formal complaint. The response will set out the Principal's conclusion, the reasons for it, and any action taken or proposed. The school hopes that you will be satisfied with the outcome and will understand that your concerns have been fully and fairly considered.

If parents/carers are still not satisfied with the decision, they should proceed to Stage Three of this procedure within 15 school days of the Stage Two decision being communicated. If parents/carers do not invoke Stage Three within this timeframe the school may, acting reasonably, deem the complaint closed.

### Stage 3: Formal Resolution – Local Governing Body Complaints Panel

The third stage of the complaints procedure is the Local Governing Body Complaints Panel. If you wish to take your complaint to this stage you are required to put your complaint in writing to the

Chair of the Local Governing Body, requesting the complaint be reviewed by a Complaints Panel. It is important that you set the matter out in sufficient detail as well as the outcome you are seeking. You should also ensure a copy of all relevant documents accompany your request wherever possible.

A Clerk will be appointed to organise the meeting and convene a Panel consisting of three persons not directly involved in the matter detailed in the complaint, one of whom shall be independent of the management and running of the school. Wherever possible, the Clerk will convene a date for the meeting within 15 school days of receiving the Stage Three request for a Panel meeting. If the request is received during school holidays, the process may be delayed owing to limited availability of personnel and the Clerk will inform you when the meeting will be scheduled.

If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the meeting. Copies of such further particulars shall be supplied to all parties, where possible, not later than four school days prior to the meeting.

You may attend the meeting in person and may be accompanied if you so wish by a friend, relative or colleague. If you wish to be accompanied, you are required to notify the Clerk of the name and occupation of such a person. Legal representation will not normally be appropriate. The Principal may also arrange for a colleague to attend the meeting.

The Panel meeting of Stage 3 will go ahead unless you later indicate that you are satisfied and do not wish to proceed further. A Panel meeting may proceed notwithstanding that you may subsequently decide not to attend, in which case, the Panel will consider your complaint in your absence and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion. The requirement for the Panel to proceed does not prevent the school from accommodating parental availability for dates or considering comments concerning Panel composition.

#### Communication of the Local Governing Body Complaints Panel Findings

After due consideration of all the facts the Panel considers relevant, the Panel will decide to do one or more of the following:

- 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 policies or procedures, where appropriate.

The Panel has no power to compel the school to take action.

The Chair of the Panel ensures that the Local Governing Body (where appropriate), the Principal, the complainant and, where relevant, the person complained about, are notified in writing of the panel's findings and recommendations within 15 school days of the hearing taking place.

#### **Complaints where procedures have been exhausted**

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the school may inform them in writing that the procedure has been exhausted and that the matter is now closed. The decision to stop responding to a complainant should never be taken lightly and the school will first ensure:

- The school has taken every reasonable step to address the complainant's needs;

- The complainant has been given a clear statement of the school's position and of their options (if any);
- The complainant is contacting the school repeatedly but making substantially the same points each time.

The school's case is stronger if it agrees with one or more of the following statements:

- It has reason to believe that the individual is contacting them with the intention of causing disruption or inconvenience;
- The complainant's communications are often or always abusive or aggressive; and/or
- The complainant makes insulting personal comments about or threats towards staff.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email. This decision is not taken lightly and will be made in discussion with the Chair of Governors. The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

### **Continuous complaints**

Whenever possible, the Principal will discuss any concerns with the complainant informally before determining that the procedures and policy have been followed in full but the complainant refuses to accept the outcome(s). If the behaviour continues, the Principal will write to the complainant explaining that his/her behaviour is inappropriate 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.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include barring an individual from the school site.

### **Vexatious and malicious complaints**

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant. However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns.

The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the school and directly or indirectly on the overall well-being of the children or staff in the school. In these circumstances, the school may deem the complaint to be vexatious. A vexatious complaint is one pursued, regardless of its merits, solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted.

In identifying vexatious complaints, school leaders must be careful to distinguish between complainants who are raising genuine concerns; and recognising when people are being difficult.

This can be achieved by recognising that complainants may often be aggrieved, frustrated or have other reasons for their behaviour; the focus must be on careful consideration of the merits of the case rather than the attitude of the complainant. However, a complainant may be regarded as vexatious where they:

- Persist in pursuing a complaint which has already been investigated by another or the same person and provides no new or material information.

- Seek to prolong contact by continually changing the substance of a complaint or by continually raising further concerns or questions whilst the complaint is being addressed.
- Fail to clearly identify the substance of a complaint, or the precise issues which may need to be investigated despite reasonable efforts to assist them.
- Complain solely about trivial matters to an extent which is out of proportion to their significance.
- Make excessive contact with the school or seek to impose unreasonable demands or expectations on resources, such as responses being provided more urgently than is reasonable or necessary.
- Operate a 'scatter-gun' approach by lodging the same complaint in parallel with several bodies for investigation.

A malicious complaint is one that is made with the intention of causing harm, for example:

- Deliberately seeking to defame somebody and raising a complaint with intent;
- Through lying or sensationalising an issue or incident in the knowledge that this will cause harm;
- Through knowingly basing a complaint on rumour and gossip with the intent of causing harm.

A malicious complaint is defined as one:

- That the investigation has shown to be without foundation; and/or
- Where the investigation evidence demonstrates that the complainant knowingly lied or misled the investigator and
- Where there is sufficient evidence to demonstrate this at a disciplinary hearing on the basis of the balance of probabilities.

For the purpose of this policy, harassment is the unreasonable pursuit of actions or complaints in such a way that they:

- Appear to be targeted over a significant period of time on one or more members of school staff;
- Cause ongoing distress to individual members of school staff;
- Have a significant adverse effect on the whole/parts of the school community;
- Are pursued in a manner which can be perceived as intimidating and oppressive by the recipient (this includes situations where persistent demands or criticism, whilst not particularly serious in isolation, have a cumulative effect of undermining confidence, health and well-being).

We will take every reasonable step to address a complainant's concern and we will maintain our role as objective arbiters throughout the process. However, if the complainant continues to contact the school in a vexatious manner, the school will inform the complainant in writing that their behaviour is now considered to be unreasonable by the school, and if not modified, action may be taken in accordance with the terms of this policy.

The following actions may be taken, as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the school community. The complainant may be:

- given a limit on the number of times they can make contact with the school, such as a fixed number per term;

- given a single point of contact for all communication with the school, except in emergencies, e.g. via a single email address;
- informed that all meetings with a member of staff will be conducted with a third person, nominated by the Chair of Governors, present and that notes of meetings may be taken in the interests of all parties;
- asked to engage a third party on their behalf;
- informed that they may only deal with the Principal or member of staff via a third party, to be identified by the Chair of Governors, who will investigate and determine whether the concern/complaint is reasonable or vexatious and advise the Principal accordingly.

The school reserves the right to cease responding to the complainant when:

- all reasonable steps have been taken to address the complainant's concerns;
- a clear statement of the school's position and options open to the complainant have been provided.

The complainant will be informed of the school's intention to stop responding to communications. Legitimate new complaints may still be considered, even if the person making them is, or has been, subject to this policy.

In response to any serious incident of verbal aggression or physical violence, the school will:

- immediately inform the police;
- consider taking advice on pursuing a case under anti-harassment legislation or request an Anti-Social Behaviour Order.

If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date, the school may resume the process identified above at an appropriate level.

This marks the end of the school's formal complaints process.

## **Further Options**

### **The Education and Skills Funding Agency (ESFA)**

If you are unhappy with the findings of the panel (stage 3), you may put your complaint to The Education and Skills Funding Agency (ESFA):

<https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy>



## 5.0 Appendix A:

### Complaint Form

Please complete and return to the School who will acknowledge receipt and explain what action will be taken.

Your name:	Child's name:
Your relationship to the child:	
Address:	Postcode:
Daytime telephone number:	Evening telephone number:

Please give details of your complaint.

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

What actions do you feel might resolve the problem at this stage? Are you attaching any paperwork? If so, please give details.

Signature:

Date:

<b>Official use:</b>	<b>Date acknowledgement sent:</b>
	<b>By whom:</b>
	<b>Complaint referred to:</b>
	<b>Date referral made:</b>

## **6.0 APPENDIX B: Contact Information**

You may contact the Chair of the Local Governing Body to make a complaint by writing to:

### ***Sidcup***

The Chair of the Local Governing Body  
Hope Community School, Sidcup  
167 Rectory Lane  
SIDCUP  
Kent  
DA14 5BU

***Email:*** [chair@hopecommunityschool.org](mailto:chair@hopecommunityschool.org)

### **Southampton**

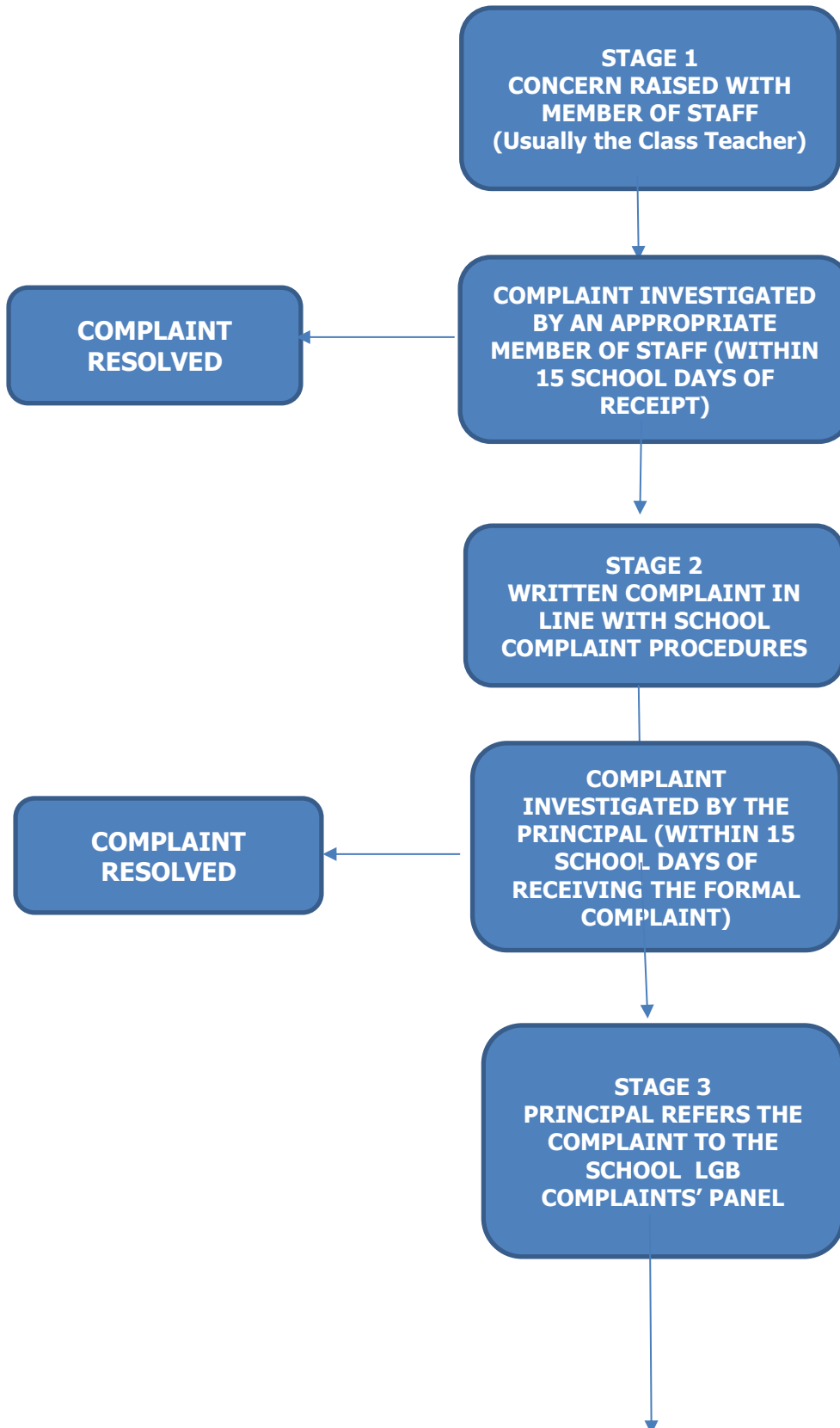
The Chair of the Local Governing Body  
Hope Community School, Southampton  
Central Hall  
St Mary Street  
SOUTHAMPTON  
SO14 1NF

***Email:*** *FAO the Chair of the Local Governing Body*  
[southampton@hopecommunityschool.org](mailto:southampton@hopecommunityschool.org)

## Appendix C

### Complaints Timeline

The complaint should be received within three months of the incident.  
However, in exceptional cases, this time limit can be extended.



**COMPLAINT  
RESOLVED**

**PANEL REVIEWS  
COMPLAINT AND  
ADVISES OF  
CONCLUSION WITHIN  
15 SCHOOL DAYS**

**END OF SCHOOL COMPLAINTS PROCESS**

**COMPLAINT RAISED  
WITH THE EDUCATION &  
SKILLS FUNDING AGENCY  
(ESFA)**

**END OF COMPLAINTS PROCESS**