



Parent and Carers Concerns & Complaints Policy

Approved by:	Governing Body	Date: May 2023
Last reviewed on:	January 2023	
Next review due by:	May 2024	



FAITH



HOPE



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GROWTH

Introduction

At St Augustine's Federated Schools, the staff team work hard to provide the best education possible for all of its students in an open and transparent environment and to build positive relationships with parents/carers and families.

Children learn best when they are happy and when parents and the school work together to support their development and learning. Despite the best intentions, problems may sometimes arise. These are often the result of misunderstandings which can be quickly addressed. It is vital that you share with us any concerns as soon as possible so that misunderstandings can be ironed out, issues can be addressed and the problem resolved as quickly and effectively as possible. The vast majority of concerns can be resolved by speaking with your child's Pastoral Year Coordinator – when parents/carers and teachers treat each other with mutual respect and support, this provides a very good role model for all our children.

We do recognise, however, that there may be rare and usually far more serious situations when a parent or carer may be unhappy with the way the Federation has dealt with a problem. When this point is reached and all other avenues have been explored this may become a formal complaint. There is a clear procedure for parents/carers and staff/governors to follow which is set out below.

Where concerns are raised the Federation intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without prejudice.

In order to do so the St Augustine's Federated Schools Governing Body has approved the Complaints Procedure which explains what you should do if you have any concerns about the Federation. All members of staff will be familiar with the procedure and will be able to assist you.

General Principles

- The vast majority of complaints are resolved by informal contact.
- This procedure is intended to allow you to raise a concern or complaint relating to the Federation, or the services that it provides.
- To allow for a proper investigation, concerns should be brought to the attention of the Federation as soon as possible. In general, any matter raised more than 3 months after the event will not be considered unless there are exceptional circumstances.
- Any anonymously submitted concerns will not be investigated under this procedure, unless there are exceptional circumstances.

Complaints not in the scope of this procedure

Sometimes, when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following list details specific topics of complaints, and the correct policy to refer to. You can access these policies on the school websites or ask for a copy from the school office:

- Admissions to school – please see the Federation admissions policy
- Statutory assessments of Special Educational Needs (SEN)
- School reorganisation proposals
- Matters likely to require a Child Protection Investigation
- Suspension of children from school – please see the Federation's behaviour policy
- Anonymous complaints – please refer to the Federation's whistleblowing policy
- Staff grievances and disciplinary procedures – these matters are addressed within the Federation's internal staffing procedures
- Complaints about services provided by other providers who use Federation premises or facilities. Complainants should contact the provider directly
- Subject Access Requests and Freedom of Information requests – please see the Federation's Data Protection and Freedom of Information policy.

The Process – Guidance for parents/carers

Raising concerns	Informal and immediate addressing of the issues by the relevant member of staff Where dissatisfied with outcomes, progress to stage 1	7 school working days
Complaint Stage 1	Informal investigation by the Head of School Where dissatisfied with outcomes, progress to stage 2	20 school working days total
Complaint Stage 2	Formal investigation by the Head of Federation Where dissatisfied with outcomes progress to stage 3	30 school working days total
Stage 3 Appeal	Formal appeal to a panel of Governors This is the final stage of the Federation's complaints procedure	30 school working days total

Raising concerns

Our experience shows that nearly all concerns or worries can be addressed informally without resorting to any of the aforementioned complaint stages.

Where you have a concern about any aspect of the Federation or your child's education or wellbeing at school, raise this with your child's teacher or pastoral year coordinator in person. They may be able to address your concerns on the spot or more likely will arrange a meeting with you to discuss the issue. During your meeting you should agree a timescale for when the problem can realistically be resolved. This may require a further meeting to discuss progress.

All concerns are dealt with confidentially, although the staff member may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 1998. However, such notes would be able to be used as evidence if further investigation was required, or if the concern became a formal complaint.

Stage 1: Informal Investigation by the Head of School

- 1 Most parents and carers' concerns can be resolved informally by the class teacher, or other designated member of staff by:
 - responding to the parent courteously
 - handling the complaint seriously
 - taking action quickly.
- 2 When a parent is making an informal complaint, it is not usually necessary for the complaint to be put in writing.
- 3 Those dealing with complaints should consider whether, or not, to invite any staff member named as involved in the matter, to an informal discussion.
- 4 In the case of an oral complaint to the Head of School, an assurance should be given that the matter will be investigated and a response to explain what action, if any, they intend to take, how they will be notified of any outcome and the timescale within which it will take place, will be given within a certain time, normally 7 school days. If a response cannot be given within the 7 school days, the complainant will be told.
- 5 If it becomes clear that the parent is not happy with the response to their complaint, or the member of staff or Head of School would like the protection of the formal procedure, the parent should be advised that they will need to complete and submit their complaint in writing using the Formal Complaint Form (Annex A). If a parent is reluctant to put their concerns in writing, because for example, English is not their first language, they may need assistance.

Stage 2 - Formal Investigation by Head of Federation:

- 1 You may submit a formal Complaint form to the Head of Federation (see Appendix A)
- 2 The Head of Federation will respond in writing, within 10 school working days of receipt, to acknowledge receipt of the complaint and explain what action will be taken, including clear timeframes
- 3 A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles
- 4 The Head of Federation will consider all relevant evidence; this may include but is not limited to:
 - A statement from you
 - Where relevant a statement from an individual who is the subject of the complaint and any witnesses
 - Any previous correspondence regarding the complaint
 - Any supporting documents in either case
 - An interview with anyone related to the complaint.
- 5 The Head of Federation may decide to have a meeting with you, and where relevant the subject of any complaint, if they consider it appropriate for the investigation
- 6 After considering the available evidence the Head of Federation can:
 - Uphold the complaint and direct that certain action be taken to resolve it
 - Reject the complaint and provide you with details of the stage 3 appeals process
 - Uphold the complaint in part, i.e. may find one aspect of the complaint to be valid but not another aspect. They may direct for certain action to be taken to resolve the aspect where the complaint is upheld.
- 7 The Head of Federation will inform you of their decision in writing, within 20 school working days of their acknowledgement of receipt of the complaint. They will explain clearly why they have come to their decision. They will detail any actions as a result of the complaint and will explain how to progress to stage 3 if you are not satisfied.

Stage 3 – Appeal, Review by a panel of the Governing Body

If you wish to appeal the decision of the Head Teacher at stage 2, or are not satisfied with the action taken in relation to the complaint you have the right to appeal this decision.

You must write to the Clerk (see contact details at the end of the procedure) as soon as possible after receiving notice of the Head of Federation's decision, outlining the content of the complaint and requesting that an appeals panel is convened. The Chair of Governors has sole discretion to agree to this form of meeting where they feel it would be helpful in resolving the complaint.

The purpose of this arrangement is to give your complaint a hearing in front of a panel of Governors who if at all possible have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.

The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the Federation and the parent/carer. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

The Clerk will fulfil the role of organising the time and date of the appeal hearing, inviting all the attendees, collating the relevant documentation and distributing these 5 days in advance of the meeting, recording the proceedings in the form of minutes, and circulating these and the outcome of the meeting.

You must request an appeal within 4 weeks (not including school holidays) of receiving the Head of Federation's decision or it will not be considered, except in exceptional circumstances. On receipt of this written notification the following steps will be followed:

- 1 The Clerk will write to you within 5 school working days to confirm receipt of the appeal request and detail further action to be taken
- 2 The Clerk will convene a panel of three Governors. To the extent possible, all three panel members will have no prior knowledge of the content of the complaint
- 3 The appeal hearing will take place within 30 school working days of receipt of the letter from the Clerk confirming the appeal
- 4 In addition to the panel, the following parties will be invited where applicable:
 - You as complainant
 - The person who dealt with the complaint at stage 2, usually the Head of Federation
 - Where the complaint regards a member of staff, the staff member who is the subject of the complaint.

You are able to bring a companion with you to the hearing if you wish. Where the subject of the complaint is a member of staff, that staff member is also able to bring a companion with them

The companion will be a friend or colleague. Neither party is able to bring legal representation

- 5 If the attendance of any pupil is required at a hearing, parental permission will be sought. Extra care must be taken to consider the vulnerability of children where they are present at an appeal hearing
- 6 Where the complaint is about a Governor, you may request that the appeal is heard by an entirely independent panel. This is at the sole discretion of the Governing Body who will notify the Clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the Federation sources appropriate individuals for the hearing
- 7 The panel can make the following decisions:
 - 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 Federation's systems or procedures to ensure that problems of a similar nature do not recur.
- 8 All those who attended the meeting will be informed in writing of the outcome of the appeal with 5 school working days.

This is the last stage at which the Federation will consider the complaint. If you remain dissatisfied and wish to take the matter further, please see the contact details at the end of this document. The Federation will not consider the complaint beyond this point.

Closure of Complaints

We will do all we can to help to resolve a complaint against the Federation but sometimes it is simply not possible to meet the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

If a complainant persists in making representations to the Federation – to the Head of School, Head of Federation, Chair of Governors, the Clerk or anyone else - this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care. For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint.

Closure may occur before a complaint has reached stage 3 of the procedures described in this document. This is because a complaints panel takes considerable time and effort to set up and we must be confident that it is likely to assist the process of investigating the complaint. The Chair of Governors may decide, therefore, in his sole discretion that every reasonable action has been undertaken to resolve the complaint and that a complaints review panel would not help to move things forward.

Complaints about the Head of School, Head of Federation or a Governor

Where a complaint is about the Head of School, you should first directly approach the Head of School in an attempt to resolve the issue informally. If you are not satisfied with the outcome of this approach you should notify the Head of Federation (see contact details later). The stage 2 process will begin.

Where a complaint is about the Head of Federation, you should first directly approach the Head of Federation in an attempt to resolve the issue informally. If you are not satisfied with the outcome of this approach you should notify the Clerk to the Governors (see contact details later). The stage 2 process will begin, but with the Chair of Governors as the individual responsible for the investigation rather than the Head of Federation.

Where a complaint regards a Governor, the same process applies as for the Head of Federation.

Where a complaint is about the Chair of Governors, you should contact the Clerk to the Governors. Informal resolution will be sought, but where this fails the complaints procedure at stage 3 will take immediate effect. The Vice Chair or at his sole discretion an independent investigator will mediate any proceedings.

Safeguarding

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the Federation is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the Federation's safeguarding policy, available on the school's website.

Social media

In order for complaints to be resolved as quickly and fairly as possible, St Augustine's Federated Schools expects that you do not discuss complaints publicly via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also. Should this not be the case this may impact on the ability of the Federation to continue with the complaints process.

Complaints that result in staff capability or disciplinary action

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceeding are necessary in order to resolve the issue, the details of this action will remain confidential to the Head of School and Head of Federation and/or the individual's Line Manager. You are entitled to be informed that action is being taken, but you are not entitled to participate in the proceedings or receive any detail about them.

Contact details for the Head of School and Head of Federation:

mail@stahigh.org

Contact details for external organisations if you are not satisfied with the complaint's procedure in full

- If you have any queries regarding any aspect of the complaints procedure, please direct these to the Clerk to the Governors by email to londongovernance@gmail.com
- If you feel that the governing body acted 'unreasonably' in the handling of your complaint you can complain to the Department of Education after the Federation's complaints procedure has been exhausted. Please note that unreasonable is used in a legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances. <https://www.gov.uk/complain-about-school>
- Ofsted will also consider complaints about schools <https://contact.ofsted.gov.uk/onlinecomplaints>.

Appendix A**St Augustine's Federated Schools – Complaints form**

Name	
Name of student, form and your relationship to them (where applicable)	
Contact address	
Contact telephone - day	
Contact telephone - mobile	
Details of the complaint	
Action taken so far (including staff member who has dealt with it so far)	
The reason this was not a satisfactory resolution for you	
What action you would like to be taken to resolve the problem	
Signed	
Date	

<i>Official use</i>	
Date received:	signed:
Referred to:	

APPENDIX B Policy for Unreasonable Complainants

St Augustine's Federated Schools are committed to dealing with all complaints fairly and impartially, and to provide a high-quality service to those who complain. We will not normally limit the contact that complainants have with the Federation. 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.

St Augustine's Federated Schools defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to cooperate with the complaints investigation process while still wishing their complaint to be resolved
- refuses to accept that certain issues are not within the scope of a complaint's procedure
- insists on the complaint being dealt with in ways that are incompatible with the adopted complaints procedure or good practice
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- raising unrelated and unsubstantiated claims during the complaints process in order to influence or deflect from the issue under investigation
- 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 Federation's complaints procedure has been fully and properly implemented including referral to the Department for Education.
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by e mail and by telephone while the complaint is being dealt with
- encourages parties outside of the complaints system to informally influence the procedures.

A complaint may also be considered unreasonable if the person making the complaint does so either face to face, by telephone, in writing or electronically:

- maliciously
- aggressively
- using derisive, derogatory or personally insulting language
- using threats, intimidation or violence
- using abusive, offensive or discriminatory language
- knowing it to be false
- using falsified information
- publishing unacceptable information in a variety of media such as social media, websites and newspapers

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (by letter, phone, email or text) as it could delay the outcome being reached.

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

If the behaviour continues the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact St Augustine's Federated Schools causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

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 banning an individual from St Augustine's Federated Schools.

