

## Complaints Policy and Procedure 2018

### Introduction

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. 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 generally defined as an 'expression of dissatisfaction however made, about actions taken or lack of action.'

Steiner Academy Bristol is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint the school will follow the school's formal complaints procedure agreed by staff and governors. For the school to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it will not be investigated.

The prime aim of Steiner Academy Bristol is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the school. The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

### Principles

At Steiner Academy Bristol our Complaints Procedure will:

- 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**;
- 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**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;

- provide **information** to the school's senior management team so that services can be improved.

### Investigating Complaints

At each stage, the person investigating the complaint will ensure that they:

- establish **what** has happened so far, and **who** has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

### Resolving Complaints

At each stage in the procedure Steiner Academy Bristol will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage.

It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Please note that:

An admission that the school could have handled the situation better is not the same as an admission of negligence.

## Time-Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. Steiner Academy Bristol's complaints procedure has realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

The following details outline the stages that can be used to resolve complaints.

Steiner Academy Bristol's Complaints Policy has four main stages

In summary they are as follows:

- Stage one: complaint heard by staff member (though not the subject of the complaint);
- Stage two: complaint heard by Principal;
- Stage three: complaint heard by Chair of Governors or a designated governor
- Stage four: complaint heard by Governing Body Complaints Appeal Panel.

### Stage 1 – Raising a concern

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. **The school requests that parents make their first contact with their child's Class Teacher.** Please write to your Class Teacher asking for a written response to your concern. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

On some occasions the concern raised may require investigation, or discussion with others, in which case the parent will receive an informal but informed response within a two school working days. The majority of concerns will be satisfactorily dealt with in this way.

However, if the complainant is not satisfied with the result at stage 1, they should write to the school within 10 school working days and state what they would like the school to do. The school will then look at the complaint at Stage 2.

### Stage 2 – Complaint heard by the Principal

Formal complaints should be put in writing and addressed to the Principal. This letter should provide 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. The complaint will be logged, including the date it was received. The school will normally acknowledge receipt of the complaint within 2 school working days of receiving it.

The Principal (or other person appointed by the Principal for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 10 working school days. In many cases this response will also report on the action the school has taken to resolve the issue. Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within 10 school working days. The aim will be to resolve the

matter as speedily as possible. This will be followed by a written email or letter setting out the outcome of the meeting, usually , within 2 school working days.

### **Stage 3 – Complaint heard by Chair of Governors or designated Governor.**

However, if the complainant is still not satisfied with the result at Stage 2 they should write to the Chair of Governors within 10 school working days of getting a response. This letter should set out how the complainant has tried to resolve the issue via the previous stages, and 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 Chair of Governors, or a designated Governor, will conduct an investigation and will normally give a written response within 20 school working days.

### **Stage 4 – Appeal to a Governors' Panel**

A complainant may appeal the outcome of stage 3 complaint. Requests to appeal should be made in writing to the Chair of Governors, and within 5 working days of any stage 3 decisions.

The aim of the Appeal Panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. The review panel will normally consists of members of the governing board. These individuals will have access to the existing record of the complaint's progress. The hearing will normally take place within 10 school working days of the receipt of the written request.

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.

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.

All parties will be notified of the Panel's decision in writing within three school working days after the date of the hearing.

### **Complaints against the Principal or a governor.**

In cases where the matter concerns the conduct of the Principal, the Principal and Chair of Governors will be informed of the complaint. The Chair will arrange for the matter to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint. Complaints against the Chair of Governors or any individual governor should be made in writing to the Clerk to 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 re-investigate 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.

Records of complaints will be kept for 6+ years.

## **Learning lessons**

The governing board will review any underlying issues raised by complaints with the Principal and senior leadership team, 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 information shared with the whole Governing Body will not name individuals

## **Monitoring arrangements**

The governing board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The governing board will track the number and nature of complaints, and review underlying issues as stated above.

The complaints records are logged and managed by the designated staff in the school office.

### **Publicising the Procedure**

There is a legal requirement for the Complaints Procedures to be publicised. At Steiner Academy Bristol the Governing Body have agreed to fulfil this requirement by including details in:

- the school website;
- any report/communication from the governors to parents;
- the information given to new parents when their children join the school;
- bulletins or newsletters;

**In line with DFE Best Practice Advice for School Complaints Procedures 2016**

### **Document Control**

<b>Designated Governor (role)</b>	Maureen Good
<b>Designated Staff member</b>	Principal – Joss Hayes
<b>Governor committee</b>	Finance and Resources Committee
<b>Date approved by Governors</b>	July 2018
<b>Review date</b>	July 2019

**Formal Complaint Form ( to be used in line with our Complaints Policy)**

Please complete this form and either send it to us via the Academy email **principal@steineracademybristol.org.uk**, put it in the post or hand it in to the main reception marked for the attention of the Principal. Make sure the paperwork is in a sealed envelope marked- 'Confidential Complaint- for the attention of the Principal only'.

**Section 1**

Your name:

Relationship with Academy [e.g. parent of a pupil]

Your Address:

Telephone number:

Email address:

**Section 2**

Please give concise details of your concern or complaint, [including dates, names of witnesses etc.], to allow the matter to be fully investigated.

You may continue on separate paper, or attach additional paperwork, if you wish but please indicate clearly which section the pages refer to. Number of Additional pages attached. = [... ]

**Section 3**

What action, if any, have you already taken to try to resolve your concern or complaint? [i.e. who have you spoken with or written to and what was the outcome?]

**Section 4**

What actions do you feel might resolve the problem at this stage?

Your signature:

Date: