

Complaints Policy and Procedure

Introduction

The Free School Norwich will endeavour to provide high quality teaching and pastoral care for its children. However, if parents/guardians do have a complaint, they can expect it to be treated by the school in accordance with this Procedure.

Access to complaints procedure

The Free School Norwich takes its obligations under the Equality Act 2010 very seriously. Therefore, the school will take account and align to any specific communication requirements of the complainant. For example, a complaint can be made in person or by telephone as well as in writing. As records of complaints are kept on file, where there are communication difficulties, the school may use recording devices to ensure the complainant is able to access and review the discussions at a later point.

Stage 1 – Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents/guardians have a complaint they should normally contact their child's class teacher. In many cases the matter will be resolved straightaway by this means to the parents/guardians' satisfaction, usually on the same day as the complaint is received, or certainly within three days. If the class teacher cannot resolve the matter alone, it may be necessary for him or her to consult the Principal or Vice Principal, in which case a response will be made within seven days of the original complaint.
- Complaints made directly to the Principal or Vice Principal will usually be referred to the relevant teacher unless deemed appropriate for him or her to deal with the matter personally. A response will be made within seven days of the complaint.
- The teacher will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within two weeks or in the event that the class teacher and the parents/guardians fail to reach a satisfactory resolution, then parents/guardians will be advised to proceed with their complaint in accordance with stage 2 of this Procedure.

Stage 2 – Formal Resolution

- If the complaint cannot be resolved on an informal basis, then the parents/guardians should put their complaint in writing, or in an appropriate alternative media to the Principal. The Principal will decide, after considering the complaint, the appropriate course of action to take.
- An acknowledgement of the complaint will be made within three days, to include an explanation of how the complaint will be dealt with.
- In most cases, the Principal will speak to the parties concerned, normally within 7 days of receiving the complaint, to discuss the matter.
- It may be necessary for the Principal to carry out further investigations.
- The Principal will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Principal is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents/guardians will be informed of this decision in writing, within two weeks of the commencement of stage 2 of this procedure. The Principal will also give reasons for his/her decision.
- If parents/guardians are still not satisfied with the decision, they may proceed to Stage 3 of this Procedure.

Stage 3 – Complaints Panel Hearing

- Stage 3 applies in situations where parents/guardians are not satisfied with the decision made by the Principal or Vice Principal in Stage 2.
- The Governing Board does not meet with parents/guardians to discuss individual concerns or complaints. If parents/guardians seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be required to put in writing the reasons why they are not satisfied with the decision / action taken in Stage 2, and will be referred to the Chair of Governors, who has been appointed by the Governors to call hearings of the Complaints Panel.
- The Complaints Panel will consist of three persons not directly involved in the matters detailed in the complaint. At least one member of this Panel will be independent of the management and running of the school. Each of the Complaints Panel members shall be appointed by the Board of Governors. The Chair of Governors, on behalf on the Complaints Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 14 days.

- If the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 2 days prior to the hearing.
- The parents/guardians may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- If possible, the Complaints Panel will resolve the parents/guardians' complaint immediately without the need for further investigation.
- Where further investigation is required, the Complaints Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Complaints Panel will reach a decision and may make recommendations, which it shall complete within 7 days of the Hearing. The Complaints Panel will inform parents/guardians of its decision and the reasons for it via the appropriate method in line with the Equality Act 2010. The decision of the Complaints Panel will be final. The Complaints Panel's findings and, if any, recommendations will be sent in writing to the parents/guardians, the Principal, the Governors and, where relevant, the person complained of.
- Written records will be kept of all complaints and outcomes, at whatever stage they were resolved.

Parents/guardians can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the school by paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

The Chair of Governors may be contacted via the School's address, marking any such correspondence 'for the attention of the Chair of Governors'.

If parents/guardians remain unhappy with the outcome from Stage 3 or any part of the process, they are able to contact the authorities detailed below:

1. OFSTED: Telephone: 08456-404040.
2. The Local Authority Designated Officer (for complaints against a member of staff which would need the intervention of an outside agency): Tel: 01603-223477.

Complaints Against the Leadership of the School

Complaints against the Principal are usually first dealt with by the Chair of Governors. Complaints against the Chair of Governors or any individual governor should be made by

writing to the Clerk to the Governing Body. In both cases, the complaint will be handled in line with Stage 3 of the above procedure.

The Complaints Panel investigating a complaint against the Principal will consist of members who are all independent of the management and running of the school. The Complaints Panel investigating a complaint into the Chair of Governors or any individual governor will consist of a combination of members of the school management team and other governors or/and Members.

Complaints from Children

If a child has a complaint, they should in the first instance speak to their class teacher. If the matter is not resolved to their satisfaction, the issue should then be raised through the following channels:

- Vice Principal
- Principal.

In many cases the matter will be resolved straightaway but if the matter is escalated then it is hoped it will be resolved within 7 days.

Complaints Not in Scope of this Procedure

The Free School complaints procedure covers all complaints about any provision of facilities or services that a school provides with the **exceptions** listed below, for which there are separate (statutory) procedures:

- Admissions to schools
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation
- Exclusion of children from school
- Whistleblowing
- Complaints about services provided by other providers who may use school premises or facilities

Unreasonable Complainants

The Free School 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 the 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.

The Free School defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school or the type language and tone used, 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 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 while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with 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;
- makes 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);
- 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 email and by telephone while the complaint is being dealt with.

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

- maliciously;
- aggressively;
- 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 in 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 (either by letter, phone, email or text) as it could delay the outcome being reached.

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

If the behaviour continues the Principal will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the Free 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 usually be reviewed after 6 months.

NB: At any stage, parents/guardians are able to ask for the number of complaints the school has received in any given period. Please contact the school secretary.

Principal: Tania Sidney-Roberts

Responsible Governor: Andy Skeggs

Responsible staff member: Tania Sidney-Roberts

Policy approved by: Governing Body – March 2018

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