



# Lady Margaret School

## Complaints Resolution Policy

Reviewed: 19<sup>th</sup> October 2021

Next Review: October 2024

### 1 **Resolving parents' concerns, problems and complaints**

This document sets out the approach taken by Lady Margaret School ("the School") to the resolution of concerns, problems and complaints raised by parents, carers and members of the public – jointly called "Parent" in this policy.

2 We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

### 3 **Stage One – Concerns and problems - informal approach**

From time to time, a Parent may be worried or concerned about their daughter's progress at the School, whether academic (to do with school work) or pastoral (to do with their daughter's behaviour or the behaviour of other students or staff members in the School) or unsure about the School's rules or policies. When this happens, they should first raise their concern informally with the student's form teacher or Head of Year either by email, letter or telephone or by asking for a meeting. The staff member contacted by the Parent may need to speak to other staff members before replying or meeting with the Parent.

4 Parents should not delay in raising concerns, as it may be difficult to deal with an incident or problem which is more than a day or two old. Parents should not be afraid that the School will treat them or their daughter with any less care or respect because they raise any concern or complaint.

5 The School encourages Parents and staff members to work together to reach a solution which deals with the Parent's concern in a way they are happy with. As this stage is informal it may need more than one reply or meeting to reach a satisfactory solution. Most Parents' concerns can be dealt with in this way.

### 6 **Stage Two – Formal Review or Complaint**

If the Parent's concern cannot be dealt with informally or if they are unhappy with the outcome of the informal stage, the Parent may either make a formal complaint or ask the Headteacher to formally review the School's response. In either case, the Parent should write to the Clerk to the Governing Body within 10 days of receiving the School's last response in Stage One to briefly explain their concern or complaint and say how they would like the School to put it right. Parents are encouraged to use the complaint form in Appendix 1.

7 If a Parent wishes to complain about the Headteacher, they should write to the Chair of Governors ("the Chair").

- 8 If a Parent cannot write they, or another person on their behalf, should telephone the School to explain their concern briefly to the school secretary who will pass it on to the Headteacher or to the Chair if it concerns the Headteacher.
- 9 The Headteacher or Chair will consider the concern or complaint and discuss it with any staff members involved before formally replying in writing or arranging a meeting with the Parent. After the meeting (if any) the Headteacher or Chair may make further inquiries before giving the School's formal written reply to the Parent's concern or complaint. The Headteacher (but not the Chair) may ask one of the School's Senior Leadership Team to reply or meet with the Parent instead.
- 10 The School's formal reply will give the result of its review and its decision on the facts relevant to the concern or complaint and will either uphold all or part of any complaint, or dismiss it entirely.
- 11 **Stage Three – Formal Hearing**  
If a Parent is not satisfied with the School's formal Stage Two reply, they may within 10 days after receiving it write to the Clerk to the Governors ("the Clerk") at the School to request a formal hearing to consider their complaint. The Clerk will arrange for a hearing panel which will consist of three members selected from the Governors' Complaints Panel with no prior involvement in the complaint, at least one of whom will be independent of the running and management of the School ("the Panel"). This independent person will not be a governor, employee, volunteer or member of the Academy Trust that runs the School and may be a governor of another school.
- 12 At the hearing the Panel will consider all facts and matters relevant to the complaint and hear, in person or in writing, from the Parent, the Headteacher and any others involved. The Parent may attend in person and be accompanied by another person to help them at the hearing if they wish. The Chair of the Panel will give the Panel's decision in writing to the Headteacher, the Parent and any person complained about. The Panel's decision will be the School's final response in the matter.
- 13 The Clerk will make a copy of the Panel's decision available for inspection at the School by the Headteacher and Governors.
- 14 **Stages Two and Three – Remedies**  
If all or part of any complaint is upheld, the Headteacher, Chair or Panel will decide the appropriate remedy, which may include but is not limited to one or more of the following:
- (1) an explanation;
  - (2) an apology;
  - (3) an assurance that the School has taken steps to stop the events which led to the complaint happening again;
  - (4) an assurance that the School will review its policies and procedures in the light of the complaint.
- 15 **Further Steps**  
If, after completing all stages of this complaint resolution policy, the Parent believes that this policy does not comply with the School's legal obligations or that it has not been correctly applied, they may notify the Education and Skills Funding Agency ("ESFA") by completing an online form. The ESFA will not normally investigate the complaint itself or interfere with the Panel's findings.
- 16 **Time limits for response**  
At each stage, the School will acknowledge receipt of a letter or email from a Parent within three school days.
- 17 If a Parent requests a meeting, the School will arrange it within ten school days after request and

give the Parent a written note of the meeting within ten school days after the meeting.

- 18 If a Parent asks for a written reply, the School will provide it within ten school days after request.
- 19 If, after completing the other stages of the complaint resolution policy, the Parent requests a formal hearing, the School will arrange it within twenty-five school days of request giving not less than ten school days' notice of the hearing and circulating the agenda and any documents for the hearing not less than five school days before the hearing. The Panel's decision will be given in writing within ten school days of the hearing.
- 20 If the School needs more time to investigate, gather information, or make arrangements, it will tell the Parent within the time limits set out here, with an estimate of when the Parent may expect further progress.
- 21 We will consider complaints made outside of term time to have been received on the first school day after the holiday period.
- 22 **General matters**  
At each stage the member of staff dealing with the matter will keep a written note of the important points of any meeting or conversation which will be given to the Parent on request.
- 23 At all stages the School will 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 109 of the 2008 Education and Skills Act requests access to them.
- 24 The School will keep a central written record of all formal complaints made in accordance with Stage Two in this Policy recording:
- (1) whether they are resolved following a formal procedure, or proceed to a panel hearing; and
  - (2) any action taken by the school as a result of those complaints (regardless of whether they are upheld).

The School reserves the right to refuse to consider a concern or complaint where the Parent is rude, insulting, abusive, threatening, intimidating or violent or where a parent makes repeated complaints about the same or related matters despite the school having responded. The School's policy about serial and unreasonable complaints is set out in Appendix 2.

- 25 This policy does not cover
- (1) Student admissions - Parents may appeal to an independent Committee set up by the Governors.
  - (2) Student exclusions - Parents may appeal to a Committee of the Governors and ultimately to an independent Committee set up by the local authority.
  - (3) Special Education provision - Parents may appeal to an independent Committee against the Local Authority's Statement of a child's Special Educational Needs or Education, Health and Care (EHC) plan. The procedures set out in this Policy apply to other complaints concerning special educational needs.
  - (4) Curriculum matters - Parents may complain about school curriculum and related matters according to arrangements established by the Governors.
  - (5) Religious education and collective worship - Parents of children attending a Church of England school may complain to the Diocesan Board which acts on behalf of the Bishop of London.
  - (6) Complaints by staff or prospective staff - there are already grievance, discipline and whistleblowing procedures attached to Employees' Contracts.

- (7) Complaints against a third party who hires or uses the School's premises or facilities.
- (8) Compulsory competitive tendering arrangements.

## Appendix 1

### Complaint Form

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

<b>Your name:</b>
<b>Student's name (if relevant):</b>
<b>Your relationship to the student (if relevant):</b>
<b>Address:</b> <b>Postcode:</b> <b>Day time telephone number:</b> <b>Evening telephone number:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>

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

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**

## Appendix 2

### The School's policy for managing serial and unreasonable complaints

Lady Margaret 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 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.

Lady Margaret School 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 Lady Margaret 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 Lady Margaret School.