

Complaints Policy and Procedures

The Folkestone School for Girls Academy Trust is known as “the school” in this policy.

Introduction

At the Folkestone School for Girls, the staff are dedicated to providing all the students with the best possible education and will aim to care properly for their health, safety and welfare at all times. We are committed to working closely with parents and believe that the school and parents should work in partnership, each carrying out their particular responsibilities, to help the students gain the most from their time at the school.

If you feel that something is not occurring quite as you would like, or we are doing something that you are unhappy about, or not doing something that you feel we should, please tell us about it.

Please note: - any complaint of a sexual nature or in regard to alleged child abuse should be passed immediately to the school’s Designated Safeguarding Lead (DSL) and to the Principal.

Complaints directly regarding members of the Senior Leadership Team should be sent to the Principal of the school.

Complaints directly regarding the Principal should be sent to the Clerk to the Trustees to forward to the appropriate member of the Board of Trustees.

Principles

If you have a concern, you should in the first instance contact the Vice Principal who has the role of complaints coordinator. The Vice Principal will record your concern and will arrange for an appropriate member of staff to look into your concern and respond.

If the member of staff is unable to resolve the concern/complaint, then it should be directed back to the complaint’s coordinator, who will fully review what has been done and may invite you to a meeting to discuss the matter further.

If, after these two processes, you continue to remain dissatisfied, you can refer your complaint to the Principal. The Principal will arrange for a separate investigation into the circumstances of your complaint to be completed and a response to be sent to you within 10 school working days.

If, after this process, you are still not satisfied with our actions or decisions, you can send a formal complaint to the Chair of Trustees, via the Clerk at the School.

At this point, your formal letter should briefly set out the main circumstances and reasons for your complaint, together with the reasons you remain dissatisfied by earlier discussions and attempts to resolve the matter. If the issue is still not satisfactorily resolved, you can write to the EFA.

Procedures

Stage One: Complaint heard by the person identified by the Complaints Coordinator, probably a Student Development Leader, a Director of Learning or a Key Stage Leader.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many can be resolved quickly and informally to the satisfaction of all parties and wherever possible this is what we endeavour to do. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, staff are made aware of the procedure, so that they know what to do when they receive a complaint.

The school respects the views of a complainant who indicates that they would have difficulty discussing a complaint with a particular member of staff. In this case, the complaints coordinator will refer the complainant to another appropriate staff member. Where the complaint concerns the Vice Principal, the complaint should be referred to the Principal; where the complaint concerns the Principal the complaints coordinator will refer the complaint to the Chair of Trustees, via the Clerk. Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, they will ask the complaints coordinator to refer the complainant to another appropriate staff member. The ability to consider any complaint objectively and impartially is crucial.

The role of the complaint's coordinator is to ensure fair & impartial consideration of all complaints and to ensure that complainants are provided with a well considered response to their concerns within the appropriate timescales. Complainants can contact the complaints coordinator to discuss the progress of their complaint or to indicate they wish their complaint to be considered further at the next stage. The complaints coordinator will maintain a record of all written complaints which are referred to them and ensure that all correspondence, statements and records of any such complaints are kept confidential. Upon receipt of a complaint, a response will be sent to the complainant within 10 school working days, wherever possible.

Where the first approach is made to a Trustee, the Trustee (via the Clerk), will refer the complaint to the Vice Principal so that an appropriate member of staff can be identified to consider the complaint. In normal circumstances, neither the Principal nor Trustees will be involved at the early stages of a complaint, as they may need to sit on a complaints panel or be involved at a later stage of the procedure.

Stage Two: Complaint heard by member of the Senior Leadership Team responsible for complaints.

If the complainant is dissatisfied with the way the complaint was handled at Stage 1, they should refer their complaint directly to the Vice Principal who will investigate the issue and pursue their initial complaint. The Vice Principal may delegate the task of undertaking a further investigation, or of collating all the relevant information to another staff member, but not the decision on the action to be taken. Upon receipt of any complaint sent directly to the Vice Principal, a response will be sent within 10 school working days wherever possible.

Stage Three: Complaint heard by the Principal.

An investigation will be held, and a response prepared. The Principal may delegate the task of undertaking a further investigation, or of collating all the relevant information to another staff member, but not the decision on the action to be taken. Upon reference of any complaint to the Principal, a response will be sent to the complainant within 10 school working days wherever possible.

Stage Four: Complaint heard by the Board of Trustees Complaints Appeal Panel

If still dissatisfied after Stages 1-3, the complainant will be advised of their right to make a formal complaint, in writing, to the Chair of Trustees. This letter should set out details of the complaint, together with reasons for the complainants continued dissatisfaction.

Upon receipt of a formal complaint, the Chair of Trustees, or a nominated Trustee, will arrange for all information on the complaint to be collated and will convene a complaints panel (of at least 3 people) within 20 school working days.

None of the members of the complaints panel will have been directly involved in any previous consideration of the complaint and at least one member of the panel will be wholly independent of the management and running of the school.

The appeal hearing by the complaints panel is the last school-based stage of the process and will review the earlier stages, together with any additional information.

Individual complaints are not heard by the full board of trustees at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing, against a member of staff following a serious complaint.

The complainant will be invited to the appeal hearing and will be given at least 7 days' notice in writing of the time and venue of the hearing. Complainants will also be advised that, if they wish, they may be accompanied to the appeal hearing by an appropriate relative or friend. However, as per DfE recommendation, neither the complainant, nor the school, would normally bring legal representation to such panels as they are not legal proceedings.

The Aim & Remit of The Complaints Appeal Panel

The aim of the panel hearing should be:

- reconciliation
- to put right things that may have gone wrong.

The Trustees complaints panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- recommend the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that similar problems do not recur.

Trustees or any independent members of the appeals panel will keep certain points clearly in mind:

- a. it is important that the appeal hearing is independent and impartial and that it is seen to be so. No Trustee may sit on the complaints panel if they have had a prior involvement with the complaint in question or in the circumstances surrounding it. Members of the complaints panel who feel their independence might be compromised in this or any other way must draw this to the attention of the Chair of Trustees. In deciding the make-up of the panel, Trustees need to try to ensure that it is a cross-section of the board and sensitive to the issues of race, gender and religious affiliation;

- b. the aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it is recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. In some cases it may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously;
- c. The Trustees sitting on the panel need to be fully aware of this complaint's procedure.

Roles and Responsibilities

The role of the Clerk to the Trustees

The Clerk is the contact point for the complainant at Stage 4 and required to:

- set the date, time and venue of the hearing, ensuring where possible that the dates are convenient to all parties and that the venue and proceedings are accessible;
- ensure that the complaints panel is convened within 20 school working days of the notice of formal complaint being received unless all parties agree to any further deferral;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings and outcomes of the hearing;
- notify all parties in writing of the panel's decision and any recommendations within 20 school working days of the hearing;
- ensure that copies of all the written records of the hearing are included on the Complaints Coordinators confidential file and record of complaints.

The role of the Chair or the Nominated Trustee

This role is required to:

- check that the correct procedure has been followed;
- notify the clerk to arrange a panel if a hearing is required.

The role of the Chair of the Panel

The Chair of the complaints panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- any friend or adviser accompanying the parent/complainant is advised of their role and how the panel will arrange for their contribution to proceedings;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises, it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The Chair of the Panel needs to ensure (via the Clerk) that the complainant is notified of the panel's decision and any recommendations, in writing, within 20 school working days.

The response will explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Complaints about staff are dealt with under the school's or trust's internal disciplinary procedures, if appropriate and whilst a parent may raise a complaint about a staff member directly or indirectly, complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, complainants would be assured that the matter is being addressed and allowed to progress through the school's complaints procedure if they remain unsatisfied.

The order of proceedings for the Panel

Where the complainant chooses to attend in person the order of proceedings will be as follows:-

- i) the Chairman will welcome the complainant and introduce those present;
- ii) the Complainant may re-state the nature of the complaint if they choose;
- iii) the Complainant may be asked questions by the panel and by the Principal;
- iv) the Principal may be asked to make a statement to the panel regarding the complaint and may be asked questions by the panel or the complainant;
- v) both parties may summarise the complaint, if appropriate;
- vi) the Principal, complainant and any accompanying relative or friend will be asked to leave.

After the withdrawal of the Principal, the complainant and any accompanying relative or friend, the panel shall consider the complaint and any relevant information. The panel will decide whether to:-

- i) reject the complaint;
- ii) uphold the complaint; or
- iii) investigate the complaint further.

The Clerk will inform the complainant and the Principal in writing within 20 school working days;

- i) of the decision reached by the panel and the reasons for the decision;
- ii) if the complaint was upheld, of any action taken or proposed, including details of any request to those complained against to take particular actions to resolve the complaint;
- iii) of any further rights of appeal and if so to whom they need to be addressed.

Where the panel decides to investigate the complaint further, the Clerk shall inform the complainant of the steps to be taken and the progress made. Any subsequent meeting of the panel shall be subject to the provisions described above in so far as they are relevant.

Serial or Persistent Complainants

If a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaint's procedure, the Chair of Trustees may write to the complainant to inform them that the procedure has been exhausted and the matter closed.

Also that continued correspondence is vexatious and that the school will not respond to any further correspondence on this issue or a closely related issue.

Managing serial and persistent complaints - as per DFE Guidance

We will always do our best to be helpful to people who contact us with:

- a complaint or concern
- a request for information

However, there will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue, we will inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts us again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and we may choose not to respond. We will **not** mark a complaint as 'serial' before the complainant has completed the complaints procedure.

The characteristics of a 'frivolous' or 'vexatious' complaint are:

- complaints which are obsessive, persistent, harassing, prolific or repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
- insistence upon pursuing meritorious complaints in an unreasonable manner.
- complaints which are designed to cause disruption or annoyance.
- demands for redress that lack any serious purpose or value.

We will never refuse to accept further correspondence or complaints from an individual that we feel we have had repeat or excessive contact with. The application of a 'serial or persistent' marking will be against the subject or complaint itself rather than the complainant.

We will stop responding, on an issue when;

- we have taken every reasonable step to address the complainant's concerns.
- the complainant has been given a clear statement of our position and their options.
- the complainant contacts us repeatedly, making substantially the same points each time.
- letters, emails, or telephone calls are often or always abusive or aggressive.
- insulting personal comments about or threats towards staff are made.
- we have reason to believe the individual is contacting us solely with the intention of causing disruption or inconvenience.

Communication strategy for persistent correspondents

If an individual's behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, academies can implement a tailored communication strategy. At FSG we may:

- restrict the individual to a single point of contact via an email address.
- limit the number of times they can make contact, such as a fixed number of contacts per week or per term.

Regardless of the application of any communication strategy, the school will still provide parents and carers with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005, within the statutory time frame.

We will always act reasonably and consider any new complaint. Anyone has the right to raise a new complaint at any time. Nonetheless the school will act if we consider complaints frivolous or vexatious or if the new complaint makes substantially the same points each time. Once that point has been reached the school will inform the complainant that there will be no further communication or response on this issue.

If an individual persists to the point that may constitute harassment, the school will seek legal advice. In some cases, injunctions and other court orders have been issued to individuals preventing them from contacting academies directly. Although fulfilling a public function, academies are private places. The public has no automatic right of entry and schools therefore need to act to ensure they remain a safe place for students, staff and other members of their community. If an individual's behaviour is a cause for concern, the Principal can ask them to leave the school premises or even bar them from entering the school premises. We have never reached that point at FSG but it remains, as per DfE guidance, an option in the most extreme circumstances.

If you have any questions about the procedures described above, you may write to the Clerk to the Board of Trustees who will be able to advise you further.