
Queen Elizabeth's School

COMPLAINTS POLICY

Introduction

The Governors are proud of the quality of education the School provides and hope that there will rarely be cause for concern or complaint. However, the School values feedback from parents and recognises that, although the School pursues best practice, parents may wish to raise a concern or even, in exceptional circumstances, make a complaint relevant to their sons' education and welfare. In these circumstances the School's Complaints Policy should be followed.

While the requirements of a Complaints Policy are based upon Part 7 of the Education (Independent School Standards) Regulations 2014, and therefore only apply in relation to complaints raised by parents or carers of pupils, this policy also sets out how the School will aim to manage complaints from any other person, including members of the public. For the avoidance of doubt, the School is able to deviate from this policy with respect to complaints from those who are not parents of a pupil at the School, where it feels this is appropriate, while aiming to deal with such complaints respectfully and expeditiously.

There are very rare occasions where complainants treat staff in a way which is unacceptable and interferes with the smooth running of the School, or the education and safety of the pupils. Whilst the School understands that some complaints may relate to serious issues, the School will not accept threatening, disruptive or harassing behaviour under any circumstances.

This Policy sets out the School's complaints procedure, which includes the School's procedure for dealing with persistent complaints and harassment.

Concern or complaint

In this document:

"a concern" means an expression of worry or doubt over an issue considered to be important for which reassurances are sought; and

"a complaint" means a clear expression of dissatisfaction about actions taken, or a lack of action.

A concern can be expressed by a pupil, parent or a member of the public (including but not limited to local residents, visitors to the School, employees of transport companies and staff of other schools). Concerns will be handled informally through established channels of communication, with an attempt to resolve the matter at the earliest possible stage. Forms of communication include pupils talking to members of staff, e.g. in bespoke tutorials, or pastoral checks; parents emailing the School or speaking to their son's teacher by telephone, or discussing concerns at parent review or consultation evenings; or members of the public contacting the School by phone or in writing.

The Governors are firm in the philosophy that the education of the pupils is a partnership between the School and parents. The success of a partnership is dependent on the willingness of both parties to communicate, to solve problems and to resolve difficulties in a spirit of co-operation rather than conflict.

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The School aims, in the first instance, to resolve any concerns or complaints quickly and informally. From our experience, the vast majority of concerns can be resolved satisfactorily by this means and there is every intention that this shall continue to be the case.

Concerns by pupils and parents

Informal resolution

Stage One

Many problems can be resolved by a pupil himself by approaching his Form Tutor or Year Head. However, the School understands that a pupil may want to involve his parents for the matter to be taken further.

If parents wish to discuss a concern they should first contact the Form Tutor or Year Head. Concerns regarding academic matters should be directed to the Head of the relevant department.

The formal complaints procedure is set out below and will only be invoked when informal resolution has not been impossible.

Formal resolution

Stage Two

Complaints by parents

- If the concern cannot be resolved on an informal basis, parents are invited to put their complaint in writing clearly stating that they wish to make a formal complaint and address it to the Year Head or to the Senior Manager of the relevant department if it is an academic matter. If the complaint relates to the Year Head or the Senior Manager, then the complaint should be directed to the Headmaster.
- Parents who attempt to escalate their complaint at a later stage of the procedure will be directed to follow the procedure from the correct stage.
- In most cases, the Year Head or Senior Manager will contact the parents within five working days of receiving the formal complaint by telephone or in writing. Parents may be required to attend a meeting to discuss the matter further if necessary. It is possible that a resolution may be reached at this stage.
- If a resolution has still not been reached it may be necessary for the Year Head or Senior Manager to undertake further investigations after which, a response to the formal complaint will be provided in writing, usually within a further ten working days.

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- If parents are dissatisfied with the decision reached by the Year Head or Senior Manager, parents are invited to pursue their complaint in writing to the Headmaster. If the complaint relates to the Headmaster, then the complaint should be directed to the Chairman of Governors. The Headmaster will carry out an investigation and will usually respond within five working days. Parents may be required to attend a meeting with the Headmaster to discuss the matter further.
- If the complaint relates to the conduct of an individual governor, the matter should be raised with the Clerk to the Governing Body, who will arrange for the complaint to be heard by the Chairman of Governors.
- If the complaint related to the conduct of the Chairman of Governors, or the entire Governing Body, the matter should be raised with the Clerk to the Governing Body, who will determine the most appropriate course of action.
- Following an investigation by the appropriate designated person, a written response will be provided, explaining the findings and indicating whether the complaint has been wholly or partially upheld, or whether it has been dismissed. If it has been wholly or partially upheld, the School will explain what actions it plans to take to resolve the situation and to learn lessons to reduce the likelihood of similar issues arising in the future.

Stage Three

Governor review and panel hearing

- If parents are dissatisfied with the decision made having exhausted Stage Two, parents may make a formal written complaint to the Chairman of Governors (Chairman) at the School address stating their grounds of complaint in full, together with the reasons why they are dissatisfied with previous decisions.
- The Chairman of Governors will review the complaint and its handling at Stage Two and may provide a further written response.
- Where the complaint remains unresolved and the parent wishes to pursue it further, the Chairman will convene a panel of at least three people who have had no prior involvement with the handling of the complaint to consider the formal written complaint and provide a written response detailing their decision, usually within 10 working days. The panel will be independent of those who have investigated the complaint, or about whom the complaint has been made. The panel may include governors, but there will be at least one member who is totally independent of the School.
- The Chairman will, in all appropriate circumstances, offer the complainant an opportunity to present their complaint, in person, to the panel and, if so, a meeting will be arranged as soon as reasonably practicable. The complainant may be accompanied at the meeting, but it is recommended that neither the complainant nor the School has legal representation, as the panel is not a form of legal proceeding. The panel will aim to provide a written response detailing their decision within 10 working days of the meeting.

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- The panel may request further particulars of the complaint from the complainant before reaching a decision or, if appropriate, in advance of any meeting and will request such information at the earliest opportunity.
- A written response will be provided, explaining the findings and indicating whether the complaint has been wholly or partially upheld, or whether it has been dismissed. If it has been wholly or partially upheld, the panel will make recommendations to resolve the complaint and/or changes to the School's procedures to reduce the likelihood of similar issues arising in the future.

The School's internal complaints procedure is exhausted after Stage Three and there is no further right of appeal under this Policy. Parents dissatisfied with the handling of their complaint would need to contact the Education and Skills Funding Agency (ESFA).

Complaints by members of staff

- Please refer to the Staff Grievance Procedure. Staff may also raise concerns through the School's Whistleblowing Policy. Low level concerns should also be raised as a matter of routine, as per the School's Safeguarding Policy and the Code of Conduct for Staff and Governors.

Complaints by members of the public

- Members of the public should raise their concerns or complaints by telephone or in writing to the Headmaster. Concerns and straightforward complaints may be able to be responded to quickly, in writing or by telephone, by the Headmaster's Office, or another relevant member of staff.
- Where there is a more complex complaint, the Headmaster will appoint an appropriate person to deal with the complaint. The Headmaster will contact the member of public, usually within five working days with the name of the person who will deal with the complaint (designated person).
- The designated person will investigate the complaint and will usually provide a response in writing within a further ten working days. The Headmaster must approve the response and retain a copy of it for the School's records.
- The Headmaster will log the date and nature of the concern in the Central Register and is responsible for tracking its progress until resolution is achieved.
- As part of this process, personal information such as the name and contact details of the complainant will need to be collected and stored – in order that the School can fulfil its requirements as set out in this policy. Such personal data will be processed in compliance with the School's Data Protection Policy, meaning that it will be stored securely, only processed for reasons relating to the complaint, and will be disposed of after the School has no further reason or requirement to retain it. Complainants will be able to exercise their rights under data protection law, in accordance with the School's policy.

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Timescales, tracking and data protection

Complaints must be raised within three months of the incident (action or lack of action with which the complainant is dissatisfied) or, where a series of associated incidents have occurred, within three months of the last of these incidents. The School will consider complaints made outside of this time frame only if exceptional circumstances apply. This three-month period is included in guidance from the Department for Education as a reasonable timescale.

For parental complaints, the pupil's Year Head will log the date and nature of the original complaint in the central register held by the Headmaster's Office and is responsible for tracking its progress until resolution is achieved. The tracking and recording of complaints made by others, or escalated to the Headmaster or governors, will then be managed by the Headmaster's Office.

The central register will include an overview of the nature of the complaint, how it was handled and include details of the outcome.

The timings for investigations and outcomes listed in the procedures above are provided as guidelines only and are not intended to be fixed. Timescales may be varied depending on the nature of the complaint and the level of investigation required. Complainants will be kept updated where there is reason to extend the timescales. Complaints received during the School's scheduled holiday periods will be dealt with as soon as reasonably practicable and will not follow the timescales above. In most circumstances they will be treated as if they were received on the first full day after the holidays.

Should legal proceedings be brought against the School, the consideration of the complaint may be paused until such proceedings have concluded. Similarly, should other agencies, such as the police or local authority be investigating aspects of a complaint, the timescales set out may need to be altered.

All complaints will be dealt with in a professional manner and will be treated seriously and confidentially.

As part of these processes, personal information such as the name and contact details of the complainant will need to be collected and stored – in order that the School can fulfil its requirements as set out in this policy. Such personal data will be processed in compliance with the School's Data Protection Policy, meaning that it will be stored securely, only processed for reasons relating to the complaint, and will be disposed of after the School has no further reason or requirement to retain it. Complainants will be able to exercise their rights under data protection law, in accordance with the School's policy.

Meetings and panel hearings may not be recorded (audio or visual), unless there is a recognised need for a reasonable adjustment and consented to by all parties. Recorded evidence, where not consented to, will not ordinarily be permissible.

Anonymous Complaints

The School will not investigate complaints made anonymously unless there are exceptional circumstances. Such circumstances could be that a complaint relates to matters of safeguarding and

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child protection, issues covered in the School's Whistleblowing Policy, or alleges that a criminal offence has been committed.

If complainants do not leave the School with a name and a means of contacting them, then the School cannot be expected to update them on the progress or outcome of any investigation.

Mass complaint campaign, including petitions, where the issues and wording are identical or very similar, may be responded to with a template response, or a single response published in the public domain.

Persistent complainants and harassment

For the purposes of this Policy, a persistent complainant is a person (e.g. a parent or member of the public) who engages in unreasonable behaviour when raising a concern and/or complaint. Examples of unreasonable behaviour include (but are not limited to):

- Refusing to co-operate with the School's complaints procedure as set out in this Policy whilst still wishing their concern or complaint to be resolved;
- Actions which are out of proportion to the nature of the concern and/or complaint;
- Actions which are obsessive, persistent or repetitious, particularly when the School's complaints procedure has been exhausted;
- Prolific correspondence or excessive email or telephone contact about a concern or complaint;
- Insistence on pursuing unjustified or unmeritorious complaints and/or unrealistic outcomes to justified complaints;
- Actions which are pursued in an unjustifiable manner – for example, using abusive or threatening language, making complaints in public, refusing to attend appointments to discuss the complaint; and
- Actions which have a significant and disproportionate adverse effect on the smooth running of the School, the education and welfare of the pupils, or the harmonious and respectful ethos which staff and pupils work hard to maintain.

Harassment is the unreasonable pursuit of concerns and/or complaints, especially if the matter is pursued in a way intended to cause distress or disruption rather than achieve resolution. Examples of harassment include (but are not limited to):

- Behaviour which is deliberately targeted towards one or more members of staff;
- The manner in which the concern and/or complaint is pursued causes on-going distress to members of staff;
- When concerns and/or complaints are pursued aggressively.

The School is committed to finding a successful resolution to concerns and/or complaints whether raised formally or informally. In doing so, the School will follow the procedures described in this Policy which is available from the School and published in the prospectus on the School's website.

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What does the School expect of parents and members of the public?

The School expects anyone who wishes to raise a concern and/or complaint to:

- Treat all staff with courtesy and respect;
- Respect the needs of pupils and staff within the School;
- Not pursue any complaint or concern with a member of staff either off the School premises, outside the context of School or in any private capacity;
- Avoid violence or threats of violence towards people or property;
- Recognise the constraints under which staff work and allow the School a reasonable time to respond to a complaint;
- Recognise that investigating and resolving a specific problem can sometimes take some time;
- Follow the Complaints Policy in full and abide by decisions arrived at by that procedure.

Persistent complainants or harassment procedure

Stage One

Inform the complainant informally that his/her behaviour is now considered to be unreasonable or unacceptable, and request that they desist or change their approach.

Stage Two

Inform the complainant in writing that his/her behaviour is now considered to fall under the terms of the persistent complainants and harassment procedure and detail the restrictions which will apply, which may include (but are not limited to):

- All future meetings being conducted with a second member of staff present;
- Notes of meetings may be taken;
- The School will respond only to written communications (except in cases of emergency);
- Access to any individual employee or all members of staff being denied.

Verbal or physical aggression

The School will not tolerate any form of verbal or physical aggression towards staff. If such aggression occurs, the School's response will be to:

- Immediately ban the individual from entering the School site;
- Request an anti-social behaviour order (ASBO);
- Prosecute under Anti-Harassment legislation.

The School will always consider legitimate new complaints, even if the person making them is or has been subject to the persistent complaints and harassment procedure. The School nevertheless reserves

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the right not to respond to communications from individuals subject to such procedure if it considers appropriate.

*LINKED
POLICIES*

- Data Protection Policy
- Equal Opportunities Policy
- Staff Grievance Procedure
- Whistleblowing Policy

REFERENCES

- Best practice guidance for academies complaints procedures, ESFA 2021
 - Education (Independent School Standards (England) Regulations 2014
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Approved by the Governing Body on 22 February 2024

Signed

A.N. Gaskell, Chairman of the Governing Body