



WANSTEAD HIGH SCHOOL

Complaints Procedure

Reviewed and re-drafted January 2018

1. Introduction

1.1. Our aims and objective of the policy

Wanstead High School is committed to providing a friendly and safe environment in which our students will be helped to achieve their full potential, both academically and socially. We recognise that this requires good relationships with parents, carers and members of the local community. However, we are aware that sometimes things go wrong and parents, carers or members of the local community may need to raise concerns that they have or make a complaint against the school. We at the school respect the individual's right to make complaints as this provides us with the opportunity to seek to restore the complainant's confidence in the school and / or allows us to improve our policy and practice to better serve our students and local community.

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Our school 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. Therefore our policy aims to:-

- Encourage the resolution of problems by informal means wherever possible;
- Ensure that concerns are dealt with quickly, fully and fairly and within clearly defined time limits;
- Provide effective responses and appropriate redress;
- Maintain good working relationships between all people involved with the school.

In the event that you wish to make a complaint you will be asked to follow the school's complaint procedures as shown in section 3 below.

1.2. What is a complaint?

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 a lack of action'.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. We will take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

1.3. Who is allowed to complain?

This policy may be used by anyone who has a concern or complaint about any aspect of the school. In the main this will mean the parents and carers of the school's pupils, but may include neighbours of the school, or any other members of the local community.

Complaints from staff about matters relating to their duties or employment at the school, or for complaints they may have about parents or carers should be dealt with through the school's staffing procedures and policies.

1.4. Legal requirement and scope

All governing bodies are required to have in place a school's complaints procedure. The procedure must be publicised to parents and the procedure must be readily available to anyone requesting a copy.

2. Points for consideration when using this procedure

2.1. Issues related to admission to the school, student exclusion, child protection, criminal investigations and employee grievances must also all be handled separately from this policy.

2.2. Full list of exceptions in Appendix B

2.3. Redbridge Council as the Local Authority (LA) does not have any power to investigate most of the concerns raised by parents nor carers wishing to complain neither do they have the power to require school staff or governing bodies to take any particular action in the majority of cases raised through complaints. (The main exceptions to this are child protection and health and safety where the LA does still have the powers to investigate and intervene). Therefore in the majority of cases any complainant who approaches the LA (except in such cases as specified above) will be referred back to the head teacher or the Chair of the Governing Body.

2.4. Before the Headteacher (or senior member of staff investigating) interviews a member/s of staff, they must be informed that they can be accompanied by a colleague or representative of a recognised union or professional association.

2.5. Confidentiality is vital. All conversations and correspondence will be treated with discretion. Complainants have the right to know what use will be made of personal information and, accordingly, personal information will only be shared between staff and governors on a 'need to know' basis.

2.6. Complaints should not be shared with the whole governing body, except in very general terms, in case an appeal panel needs to be organised;

2.7. If the whole governing body is aware of the substance of a complaint before the final stage has been completed, we will arrange for an independent panel to hear the complaint. We may approach a different school to ask for help or the local Governor Services team at the London Borough of Redbridge.

3. Complaints Procedure

Wanstead High School Complaints Policy has 3 main stages.

3.1. Stage 1 – Raising a concern – local resolution of the problem (Informal Stage)

Concerns can be raised with the school at any time and in most instances should generate a response within 24 hours, which will resolve the concern. The school requests that parents make their first contact to the appropriate member of staff, e.g. child's Class Teacher, Curriculum Team Leader, or the Head of Year – contact can be either by telephone, email or by letter. The email contact details can be found on the school's website. Parents or the member of staff may consider making an appointment to discuss the concern or issue.

Members of the public / community should address their complaint to the Headteacher who will arrange for the appropriate member of staff to deal with the concern or complaint.

Monitoring and Response Timescales

There is no requirement to record or monitor complaints at this stage.

Parents can expect to receive a response to their concern within 2 working days. On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within 5 working days.

The majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at Stage 1, please address your complaint to the Headteacher within 10 school working days and state what you would like the school to do. The school will then look at your complaint at the next stage.

3.2. Stage 2 – The formal stage – Referral to the Headteacher

3.2.1. If the matter has not been resolved, at Stage 2 the Headteacher will arrange further investigation. You are required to state in your written complaint what your desired outcome would be. When writing to the Headteacher the complainant should seek to include details that might assist the investigation, such as witnesses, dates and times of events and copies of relevant documents. A complaints form is available for use at this stage– it is entirely optional whether the form is used (see Appendix A).

3.2.2. The Headteacher should write to the complainant within 5 school days of receipt of their complaint setting out who is conducting the investigation.

If you are complaining about the Headteacher then Section 3.3 of this procedure applies.

3.2.3. **What happens at this stage?**

The Headteacher will be responsible for carrying out an investigation. The Headteacher will usually appoint another member of staff to act as the investigating officer. The investigating officer will carry out an investigation and report back to the Headteacher who will then reach a conclusion based on the investigation. The investigating officer may consider it necessary to conduct interviews and meet up with the complainant.

At all formal stages of the complaints procedure, the following information should be recorded:

- The name of the complainant;
- The date and time at which complaint was made;
- The details of the complaint;
- The desired outcome of the complainant;
- How the complaint is to be investigated (including written records of interviews held);
- Results and conclusions of investigations;
- Any action taken;
- The complainant's response (satisfaction or further pursuit of complaint).

Where another student is interviewed – the student's name will not appear on any public document. Any statement that may be provided should be dated.

Once satisfied that the investigation has been concluded and they have reached a decision on the complaint the Headteacher will notify the complainant in writing within a further 20 school days setting out the actions taken to investigate the complaint and their findings (that is in total 25 school days from the date the complaint letter was received). The Headteacher will inform the complainant of their conclusions and any actions that will be taken as a result of the complaint (except where this would involve taking any formal action against individual members of staff which would remain confidential).

3.2.4. **The outcome of Stage 2**

The outcome of the investigation would usually be one of the following but not limited to:

- The evidence indicates that the complaint was substantiated and therefore upheld;
- The complaint was substantiated in part or in full (some details would be given of the actions the school will take in response to the complaint except where they may be of a disciplinary or other such nature relating to an individual member of staff);

- There is insufficient evidence to reach a conclusion so the complaint is inconclusive;
- The complaint is not substantiated by the evidence and therefore not upheld.

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 admission that the school could have handled the situation differently is not the same as an admission of negligence);
- 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.

At this stage the complainant will be told that consideration of the complaint by the Headteacher is now concluded. The complainant will also be informed that if they are not satisfied with the manner in which the process has been followed, they may request that the Governors Complaints Review Panel (Stage 3) review the process followed by the head teacher in handling the complaint.

This stage is set out below in Section 3.4.

This request must be made to the clerk to the governing body within 10 school days of receiving the outcome from the Headteacher and must include a statement specifying reasons for the request for the review and any perceived failures arising from the investigation process followed.

3.3. Where the complaint is about the actions of the Headteacher

3.3.1 Stage 1 – Local resolution of the problem (the informal stage)

In the vast majority of cases a problem can and should be resolved by speaking to the Headteacher directly in an effort to resolve the problem or concern. The initial communication with the Headteacher may be by letter, telephone conversation, in person by appointment. Where this action does not lead to the problem being resolved then the complaint should be dealt with through the formal stage of this procedure.

3.3.2 **Stage 2 – The formal stage (where the complaint is about the actions of the Headteacher)**

If the complainant is not satisfied with the response from the Headteacher at Stage 1 they should be advised that the next stage is to put their complaint in writing to the Chair of Governors.

The Chair of Governors will be responsible for carrying out an investigation or appointing another governor to carry out the investigation and report their findings to the Chair of Governors who will then reach a conclusion based on the investigation.

The Chair of Governors should write to the complainant within 5 school days of receipt of their letter setting out who is conducting the investigation.

3.3.3 **What happens at this stage?**

The Chair of Governors will be responsible for carrying out an investigation. The Chair may appoint another member of the governing body (not a member of the school staff) to act as the investigating officer. The investigating officer will carry out an investigation and report back to the Chair of Governors who will then reach a conclusion based on the investigation. The investigating officer may consider it necessary to conduct interviews and meet up with the complainant.

At all formal stages of the complaints procedure, the following information should be recorded:

- The name of the complainant;
- The date and time at which complaint was made;
- The details of the complaint;
- The desired outcome of the complainant;
- How the complaint is investigated (including written records of interviews held);
- Results and conclusions of investigations;
- Any action taken;
- The complainant's response (satisfaction or further pursuit of complaint).

Once satisfied that the investigation has been concluded and they have reached a decision on the complaint the Chair of Governors will notify the complainant in writing within a further 20 school days setting out the actions taken to investigate the complaint and their findings (that is in total 25 school days from the date the complaint letter was received). The Chair of Governors will inform the complainant of their conclusions and any actions that will be taken as a result of the complaint (except where this would involve taking any formal action against individual members of staff which would remain confidential).

3.3.4 **The outcome of Stage 2 (Where the complaint is about the actions of the Headteacher)**

The outcome of the investigation would usually be one of the following but not limited to:

- The evidence indicates that the complaint was substantiated and therefore upheld;
- The complaint was substantiated in part or in full (some details would be given of the actions the school will take in response to the complaint except where they may be of a disciplinary or other such nature relating to an individual member of staff);
- There is insufficient evidence to reach a conclusion so the complaint is inconclusive;
- The complaint is not substantiated by the evidence and therefore not upheld

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 admission that the school could have handled the situation differently is not the same as an admission of negligence);
- 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.

At this stage the complainant will be told that consideration of the complaint by Chair of Governors is now concluded. The complainant will also be informed that if they are not satisfied with the manner in which the process has been followed, they may request that the Governors Complaints Review Panel (Stage 3) review the process followed by the Chair of Governors in handling the complaint.

This stage is set out below in Section 3.4.

This request must be made in writing to the clerk to the governing body within 10 school days of receiving the outcome from the Chair of Governors and must include a statement specifying reasons for the request for the review and any perceived failures arising from the investigation process followed.

3.4 **Stage 3 – The Governors Review Panel**

3.4.1 Review Panels are convened to review the school's response to a complaint (Stage 2). If the complaint has not been settled at the formal

Stage 2 and the person making the complaint is not satisfied with the outcome or the way it was dealt with, they can ask for the process to be reviewed by the review panel – the next stage in the process.

- 3.4.2 The Review Panel's purpose, in each case, is to reconsider (not to re-investigate) the original complaint and the school's response to it, including its investigation and to make recommendations with reason to all those involved. The Review Panel's role is not to undertake a re-investigation of the case, nor to extend its reference beyond the above matters.
- 3.4.3 The role of the Stage 3 Review Panel is to review the actions and supporting evidence of the Stage 2 investigation. The Panel is not permitted to do the following:
- To re-investigate the complaint;
 - To reach a definite view on a point of law;
 - To criticise the complainant for any "contributory negligence" that may have contributed to the difficulties;
 - To be an alternative to a disciplinary hearing, as far as staff are concerned;
 - To hear any new complaints (except if it relates to the length of time taken to deal with the substantive complaint).
- 3.4.4 Any review of the process followed by the Headteacher, Chair of Governors or the investigating governor shall be by a panel of at least three members of the governing body appointed to be the Review Panel.
- 3.4.5 The review will normally be conducted through a consideration of written evidence but any requests received from the complainant to make an oral representation should be considered sympathetically. The panel will consider the letter from the complainant and if needed request that the complainant submit in writing (within a reasonable timescale) any further information needed by them relating to their reasons for requesting a review and any perceived failures arising from the investigation process followed. The Headteacher or investigating governor will be required to make a written response to the complainant's submissions.
- 3.4.6 The panel should have access to all records, notes or information considered during the investigation (unless prevented from doing so for reasons such as data protection).
- 3.4.7 The outcome of the investigation may be one of the following but not limited to:

- The evidence indicates that the complaint was substantiated and therefore upheld;
- The complaint was substantiated in part or in full (some details would be given of the actions the school will take in response to the complaint except where they may be of a disciplinary or other such nature relating to an individual member of staff);
- There is insufficient evidence to reach a conclusion so the complaint is inconclusive;
- The complaint is not substantiated by the evidence and therefore not upheld;

The panel should communicate its findings to the complainant, Headteacher and Chair of Governors within 25 school days of receipt by the clerk of the complainant's letter requesting a review.

4. Appeals

4.1. If the complainant is still not happy at this stage they should be informed that they can appeal to the Secretary of State for Education (or any other relevant body appointed to hear parental complaints against schools as set out in Regulations or Acts of Parliament) on the following grounds:

4.1.1 The governing body is acting or proposing to act unreasonably;

4.1.2 The governing body has failed to discharge its legal duties as set out in Regulations or Acts of Parliament.

4.1.3 The governing body notes that the Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so. The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State.

4.1.4 Information about the SCU can be obtained by calling Tel. 0370 000 2288 or by writing to:

Department for Education
 School Complaints Unit 2nd Floor
 Piccadilly Gate Store Street
 Manchester M1 2WD

5. Serial and Persistent Complainants

5.1 Wanstead High 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.

5.2 Wanstead High School defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

5.3 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 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, 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.
- 5.4 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 Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking against the complaint.
- 5.5 If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Wanstead High 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.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include barring an individual from Wanstead High School.

Complainants who behave in an unacceptable way

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Wanstead High School will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, we will ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. We will always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar will then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place. Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors.

6. Monitoring and Review of Complaints Procedures

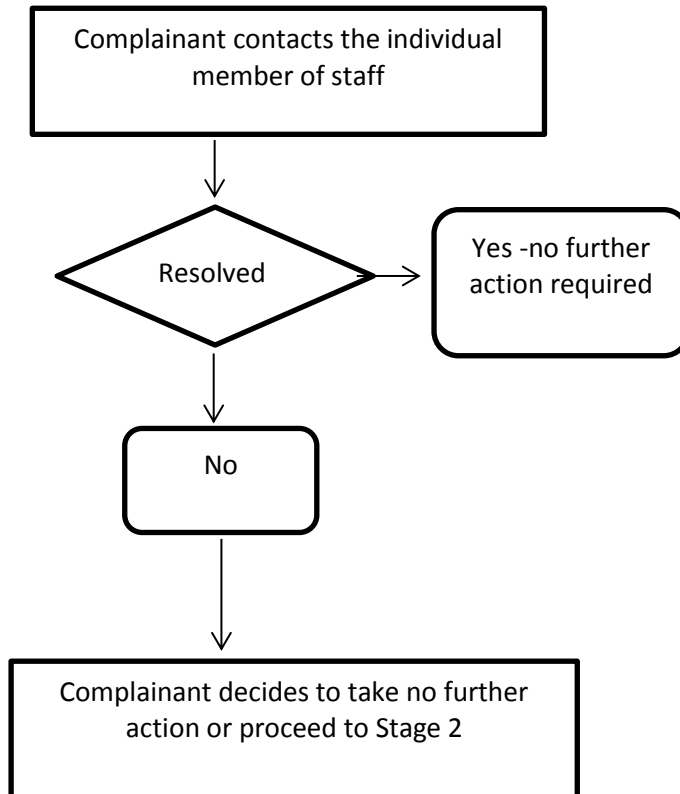
The governing body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole GB will not name individuals. The governing body will review its complaint procedure at least once every two years.

7. Complaints about the Governing Body or members of the Governing Body

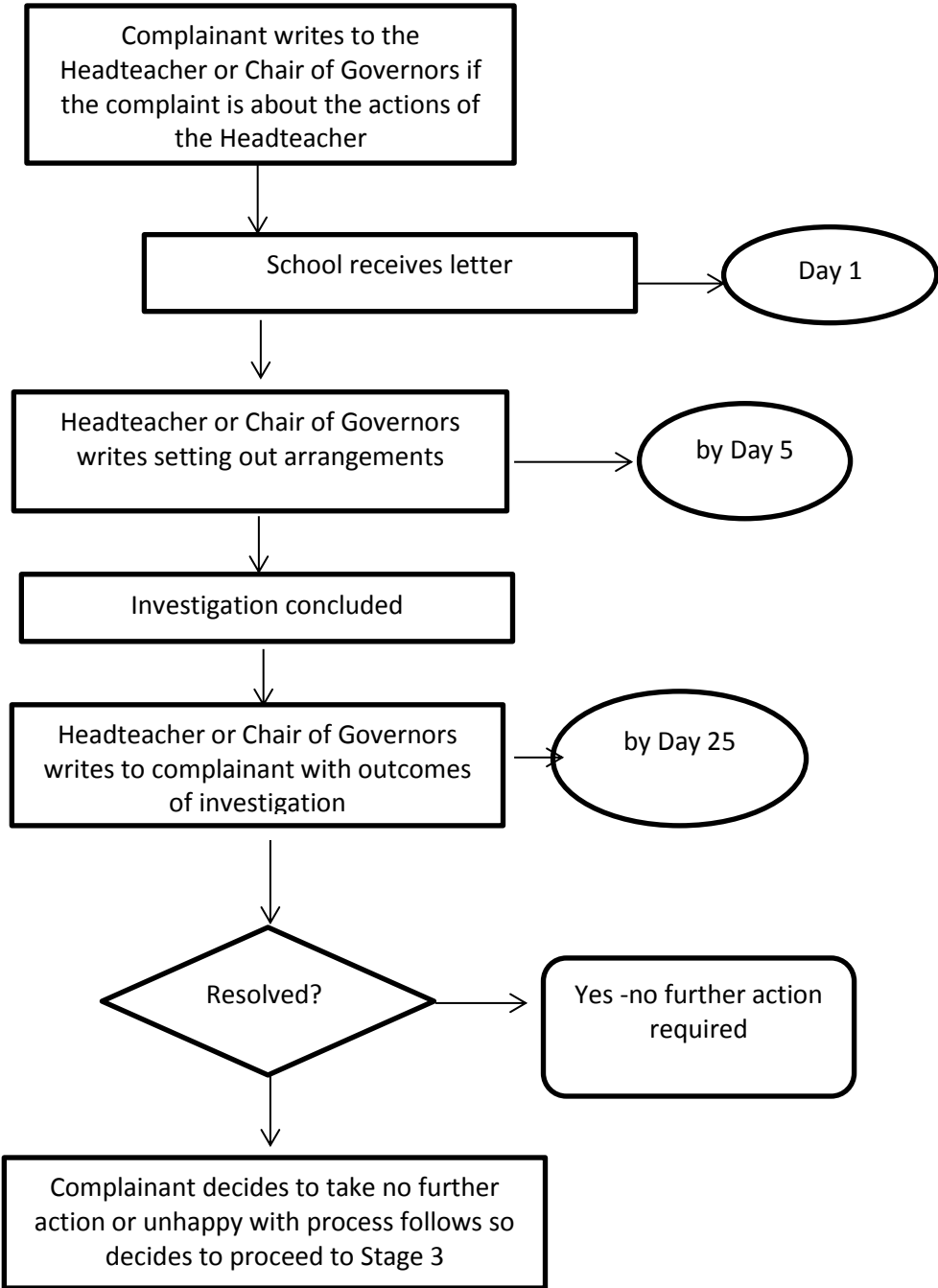
If a complaint is about a member of the governing body (but the complaint has not been dealt with previously in this policy, i.e an appeal about the governing body's dealing with a complaint) then in the first instance the complaint should be directed to the clerk to the governing body. The clerk to the governing body will inform the Redbridge Governor Services. If the complaint is of a safeguarding nature, the clerk will inform the Headteacher.

COMPLAINTS PROCEDURE - FLOWCHART

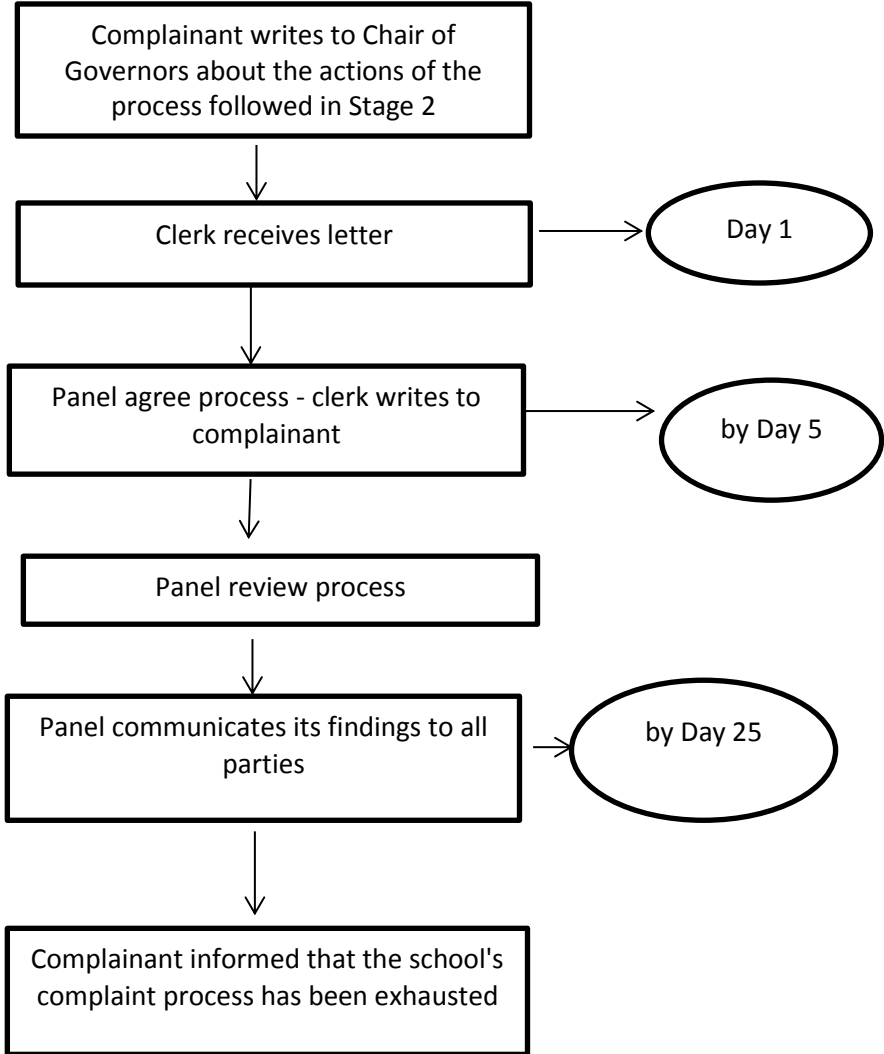
Stage 1 - Informal Stage



Stage 2 Formal Stage



Stage 3 Formal Stage



Example of a Complaint Form (to be used for Stage 2 or 3 complaints)

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

Your name:

Student's name (parents and carers with students attending the school):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint:

**What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?**

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

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

Signature:

Date:

School use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

If you would like assistance in completing this form, the local Citizen's Advice Bureau may be able to help. They can be contacted at: Broadway Chambers, 1 Cranbrook Road, ILFORD, Essex, IG1 4DU. www.citizensadvice.org.uk/redbridgecab

London Borough of Redbridge can provide translation and interpretation service upon request. If you require this service please contact: Customer Contact Centre 020 8554 5000 Monday to Friday 8.30am to 6.30pm. Or in person at: **One Stop Shop**, Lynton House, 255 - 259 High Road, Ilford, Essex, IG1 1NN. Monday to Friday from 8.45am to 4.30pm except Wednesdays when they open at 9.30am.

Exceptions to this policy and how to complain

Exceptions

- 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

- Staff grievances and disciplinary procedures

- Complaints about services provided by other providers who may use school premises or facilities.

Who to contact

Concerns should be raised direct London Borough of Redbridge who are the admissions authority for this school. Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.

Details of how to appeal about exclusions are detailed on individual exclusion letters. Further information about raising concerns about exclusion can be found at:

www.gov.uk/school-discipline-exclusions/exclusions

We have an internal whistleblowing procedure for employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.

These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.

Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.