Complaints Policy & Procedures

The Vyne Community School

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1. Introduction

The Vyne Community School is committed to providing the best possible education and support for its pupils. This means having a clear, fair and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

This policy explains the procedure that will be followed regarding all complaints about any provision of community facilities or services by The Vyne Community School, other than complaints that are dealt with under other statutory procedures, including those listed below.

2. Scope of this Complaints Procedure

Exceptions	**Who to contact**
- Admissions to schools - Statutory assessments of Special Educational Needs - School reorganisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school reorganisation proposals should be raised with www.hants.gov.uk/admissions
- Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). LADO - 01962 876364 or child.protection@hants.gov.uk MASH - 0300 555 1384 during office hours, or out of hours 0300 555 1373 to contact the Out of Hours service.
- Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy, found on the school's website, can be made through the school's complaints procedure.*

- Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain directly to the LA or the Department for Education (see link above), depending on the substance of your complaint.
- Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
- Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
- Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.
- National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus
- Data protection matters	These matters are dealt with under the school Data Protection Policy and the Data protection complaints procedure guidance for school (19/06/26)
- Freedom of information.	These matters are dealt with under the school Data Protection Policy and the Data protection complaints procedure guidance for school (19/06/26)

The difference between a concern and 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 defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The Vyne Community School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, The Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, The Headteacher may refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important. We understand however, that there are occasions when people would like to raise their concerns formally. In this case, The Vyne Community School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure as quickly as possible.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to The Vyne Community School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure. If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If a complainant commences legal action against The Vyne Community School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

The school will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation. However, the Headteacher and / or Chair of Governors will consider whether the issue and fear of identification are genuine or the issue is one of child protection.For more information on our school's provision for protecting our pupils, please refer to our **Child Protection and Safeguarding Policy** (available on our website) and our **Allegations of Abuse Against Staff** process (adopted from the Manual of Personnel Practice).

Complaint campaigns

If we receive large volumes of complaints:

- all based on the same subject
- from complainants unconnected with the school

We may, if this is appropriate, send a template response to all complainants or publish a single response on our school website.

Timescales

The complaint must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

3. When an Issue or Concern Arises

Resolving complaints

At each stage in the procedure, The Vyne Community School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation.
- an admission that the situation could have been handled differently or better.
- an assurance that we will try to ensure the event complained of will not recur.
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made.
- an undertaking to review school policies in light of the complaint.
- an apology.

Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

4. How to Raise a Concern or Make a Complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as the school has received written consent to enable them to communicate with the third party. Concerns should be raised with either the class teacher/ tutor, year leader or headteacher. If the issue remains unresolved, the next step is to make a formal complaint. Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and

it may also prevent them from considering complaints at Stage 2 of the procedure. Complaints against school staff (except The Headteacher) should be made in the first instance, to The Headteacher via the school office**.** Please mark them as Private and Confidential.Complaints that involve or are about The Headteacher should be addressed to the Chair of Governors), via the school office. Please mark them as Private and Confidential.Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential. governor.clerk@vyne.hants.sch.uk.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Stage 1– Complaint heard by The Headteacher

If you feel that your concern has not been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint to The Headteacher (unless they are about The Headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form available at the end of this policy), or by telephone.

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. Within this response, The Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the Headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response within 20 school days of the date of receipt of the complaint. If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions The Vyne Community School will take to resolve the complaint. The Headteacher will advise the complainant of how to escalate their complaint should they remain

dissatisfied with the outcome of Stage 1.

If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the Headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2 – Complaint heard by Governing Body's Complaints Committee

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 1 response. Explaining your concern and the steps that have resulted in you taking this course of action.The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. Email governor.clerk@vyne.hants.sch.uk. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties. The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from The Vyne Community School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs. If

the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part.
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint.
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and The Vyne Community School with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days. The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by The Vyne Community School.

If the complaint is:

- jointly about the Chair and Vice Chair or

- the entire governing body or
- the majority of the governing body

Stage 2 will be heard by a committee of independent, co-opted governors.The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions The Vyne Community School will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

5. Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2. The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by The Vyne Community School. They will consider whether The Vyne Community School has adhered to education legislation and any statutory policies connected with the complaint. The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

6. Governing Body Review and Monitoring of Complaints

The Headteacher will report annually to the governing body on the number of formal complaints received and the levels at which they have been resolved. No details identifying the complaint or any member of staff will be published.

The governing body will review and evaluate all complaints no matter how far they are taken or what the outcome is to ensure that similar problems are avoided in the future or to see if they could have been managed any more efficiently.

7. Staff Complaints

Staff who have a concern about a colleague or volunteer in school should refer to the Staff Code of Conduct Policy which includes details on **whistleblowing** and can be found in the Staff Handbook.

The procedure for dealing with any other staff complaint or employment grievance is set out in the school's **staff discipline, conduct and grievance** policies (adopted by the MOPP) which are also available in the staff handbook.

8. Duplicate Complaints

After closing a complaint at the end of the complaints procedure, a duplicate may come through from

- a spouse
- a partner
- a grandparent
- a child

If the complaint is about the same subject, the school will inform the complainant that the local process is complete. If the complainant is unhappy with the school's original handling of the complaint please see Section 4. Next Steps.

Serial or Persistent Complaints

If the stages of the complaint procedure have been followed, and the complainant remains dissatisfied and tries to re-open the same issue, the school will inform you that the procedure has been completed and that the matter is now closed. If the complainant continues to contact the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and the school has the right to choose not to respond.

Vexatious Complaints

The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, 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

The Vyne 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.

The Vyne 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 cooperate 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 The Vyne or its staff 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 The Vyne.

9. Complaints Policy Review

The governing body of The Vyne Community School will review this policy annually, or sooner if there are any legislative changes. The governing body of The Vyne Community School will also review this policy following a complaint panel meeting to ensure that it met the requirement to provide a clear, fair and efficient complaints procedure.

Appendix 1

The Vyne Community School Complaints Form

Please complete and return to the Headteacher or the Clerk of Governors governor.clerk@vyne.hants.sch.uk who will acknowledge receipt and explain what action will be taken.

Name of complainant:	
Pupils Name (if relevant)	
Your relationship to Pupil (if relevant)	
Contact details:	**Address:**
	Telephone:
	Email:
Outline of your complaint and how it has affected you (the complainant) / pupil:	
Are you attaching any paperwork? ***If so, please list this.***	

Have you discussed the matter already with a member of staff, if so, who? What was the outcome?	
What actions do you feel might resolve the problem at this stage	
What would you like to happen as a result of your complaint?	
Signature:	
Date:	

For school use:

Date received:	
Date acknowledged and by whom:	

Summary of action taken:	

Appendix 2 - Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible.
- co-operate with the school in seeking a solution to the complaint.
- respond promptly to requests for information or meetings or in agreeing the details of the complaint.
- ask for assistance as needed.
- treat all those involved in the complaint with respect.
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
    - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved.
    - interviewing staff and children/young people and other people relevant to the complaint
    - consideration of records and other relevant information.
    - analysing information.
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

  The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR).
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible.
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale.
- record the proceedings.
- circulate the minutes of the meeting.
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting.
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy.
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person.
- the remit of the committee is explained to the complainant.
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting.
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so.No governor may sit on the committee if they have had prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The committee should respect the views of the child/young person and give them equal consideration to those of adults. If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests, the welfare of the child/young person is paramount.