



## Policy for Complaints procedure

**Policy written April 2018 – Review date April 2022**

### 1.0 **Statement**

- 1.1 Bradford Christian School operates as a partnership between home and school and seeks to serve parents in the educating of their children. One crucial factor in this partnership is clear, effective and open communication between parents, the school and governors. The more active and involved parents are in the life of the school, the more effective we are in communicating and fulfilling the aims of the school. Nevertheless, it is still recognised that there may be times when parents have concerns which require further action.
- 1.2 It is important to be clear about the difference between a concern and a complaint. The DfE guidance explains the difference between a concern and a complaint:
- A concern is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
  - A complaint is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”
- Taking information about concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.
- 1.3 The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a Complaints Procedure need not in any way undermine efforts to resolve the concern informally. It would be helpful if staff were able to resolve issues on the spot. However, clearly if the concern is serious, or has potentially serious implications, then this should be referred to senior staff.
- 1.4 Details of the complaints procedure will be included on the school website in order to meet our statutory responsibility and a flow chart of the procedure is available at Appendix 2.
- 1.5 This policy is written with reference to The Education (Independent School Standards) Regulations 2014.

### 2.0 **Key principles and aims**

- 2.1 Parents can and do have issues that need resolving with the school
- Where possible concerns are dealt with informally.
  - Concerns will be dealt with impartially, promptly and sensitively and be non-adversarial.
  - Formal complaints will be dealt with according to this policy.
  - The complaints system will be simple to understand and use.
  - The complaints system will respect people’s desire for confidentiality.
  - The complaints system will address all points at issue and provide a response and where appropriate ensure that systems are changed and improved.
  - We will seek to solve all issues and restore relationship at the very earliest opportunity.
  - We will keep complainants informed of the progress of the complaint within the process.
  - We will facilitate a full and fair investigation by an independent person or panel where necessary.
  - We will ensure that any decisions made are lawful, rational, reasonable, rational and proportionate and are in line with the principles and administration of law.
  - Throughout the process we will be sensitive to the needs of all the parties involved and make any reasonable adjustments needed to accommodate individuals.
  - As a school we will ensure that all children have the right to attend school in a safe and caring environment.
  - All complaints will be recorded in a complaints log maintained by the school business manager which can be made available for inspection to the Headteacher. A copy of all documents and any decisions made will be annexed to the log and kept securely.

### 3.0 **Complaints Procedure**

- 3.1 The formal procedure will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied or requests a more formal procedure.
- 3.2 The complainant must raise any complaint within 3 months of the incident occurring.

3.3 Bradford Christian School has nominated staff to have responsibility for the operation and management of the School Complaints procedure. See 4.2 for details

3.4 At each stage the member of staff investigating the complaint will:

- Contact the member of staff immediately responsible for the child at the time, or the member of staff who is directly connected with the incident and establish what happened and who was involved.
- Clarify the nature of the complaint and what remains unresolved.
- Clarify the facts and complete a full account of events.
- Acknowledge the complaint and respond with an outcome to the complaint:
- It is assumed that almost all issues can be resolved and relationships restored at this point.

#### 4.0 **The Stages**

4.1 If the school has been unable to resolve the matter informally, these are the three defined stages to the formal Complaints Procedure. At each stage it is helpful to clarify exactly who will be involved and what will happen.

4.2 There are three school-based stages:

- **Stage One (Informal):** The complainant should submit the complaint form Annex 1 (the school will also accept a letter or email). The complaint is investigated & resolved by staff member who is not the subject of the complaint.

Department Leads -                Mrs Jane Prothero for Primary  
   Mr Phill Moon for Middle  
   Mr Mark Prothero for Upper  
   Mrs Sharon Horton for the DSP

It is in everyone's interest that complaints are resolved at the earliest possible stage. The school will respect the views of a complainant who indicates that they would have difficulty discussing a complaint with a particular member of staff. In these cases, the Headteacher can refer the complaint to another staff member. Where the complaint concerns the Headteacher, the complaint will be referred to the Chair of Governors. The ability to consider the complaint objectively and impartially is crucial. Complaints will be dealt with at Stage One as soon as practicable and within 14 days of receipt of the Complaint Form.

- **Stage Two (Formal):** Complaint investigated and then heard by the Headteacher.  
At this point, the complainant may be dissatisfied with the way the complaint was handled at Stage One, as well as pursuing their initial complaint and should communicate this in writing to the Headteacher. The Headteacher will follow the complaints procedure as described in 3.3. Complaints will be dealt with at Stage Two as soon as practicable and within 14 days of receipt of a request to proceed to Stage Two.
- **Stage Three:** Complaint is heard at a formal complaints Appeal Panel chaired by the Chair of the governing body. An Appeal Panel will be convened as soon as practicable and within 14 days of receipt of a request for an Appeal Panel hearing by the Complainant in writing.

The Chair of governors will nominate members of the complaints panel and may consist of three or five members and will be made up of a combination of the following:

- The chair of governors as chair of the complaints appeal panel
- At least three people who were not directly involved in the matters detailed in the complaint, including one person independent of the running of the school nominated by the chair of governors
- A member of the school's governing body
- The Headteacher or a member of the SLT

4.3 Where the complaint involves the Headteacher it may be appropriate to go straight to stage 3.

4.4 Regardless of which stage the complaint has reached, an unsatisfied complainant can always take a complaint to the next stage. For Example If parents feel that their complaint has not been resolved at stage one, the Headteacher will, if appropriate call for a brief meeting to discuss the main issues with the people involved, either separately or all together. Again we seek to resolve issues and restore relationships as soon as we can. If after speaking to the Headteacher, parents still feel that the issue has not been resolved satisfactorily and that it needs further action, then they should write to the Chair of Governors at the school who will then follow this policy as a next course of action.

4.5 **The Remit of The Complaints Appeal Panel:** The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;

- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The conclusions, findings and recommendations of the panel will be kept confidential but will be distributed to the complainant, person complained against and made available to the Headteacher.

If the complainant refers to an accessibility issue for disabled pupils of the family should arrange a meeting with the Headteacher and the Chair of Governors in the first instance to discuss their issues and concerns. If they still feel that the matter has not been resolved satisfactorily, then they should put the complaint in writing to the Chair of the Governors at the school and a panel hearing will be arranged.

#### 4.6 **The Hearing –**

- A hearing to listen to the complaint must be convened within 1 month of the complaint being made.
- The school will appoint a clerk to deal with the administration of the hearing.
- The panel hearing allows for the parent (complainant) to attend the hearing and be accompanied if they wish by a representative from the family's home fellowship or another independent person
- If it is judged to be appropriate, the child concerned (if a pupil is involved) may be invited to attend the panel
- All involved must be given 48 hours notification of the meeting.

#### 5.0 **Roles and Responsibilities**

5.1 The Chair of Governors ultimately has the responsibility of ensuring that any formal complaints made against the school are dealt with and solution sought.

5.2 The headteacher also has a responsibility to ensure that the school deals with issues effectively and makes changes to procedures in the school when the need arises to ensure that problems do not reoccur.

5.3 **The Complainant** - The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:-

- co-operates with the school in seeking a solution to the complaint;
- expresses the complaint in full as early as possible;
- responds promptly to requests for information or meetings or in agreeing the details of the complaint;
- asks for assistance as needed;
- treats all those involved in the complaint with respect.

5.4 **The Investigator** - The Investigator is the person involved in Stages 1 and 2 of the procedure. The Investigator's role can include:-

- 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;
  - consideration of records and other relevant information;
  - interviewing staff and children/young people and other people relevant to the complaint;
  - analysing information;
  - effectively liaising with the complainant as appropriate to clarify what the complainant feels would put things right;
  - identifying solutions and recommending courses of action to resolve problems;
  - being mindful of the timescales to respond; and responding to the complainant in plain and clear language.
- The person investigating the complaint should make sure that they:
  - 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.

5.5 **The Panel Clerk** (this would normally be the Clerk to the Governors) The Clerk is the contact point for the complainant for the panel meeting and is expected to:-

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- 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;
- circulate the minutes of the panel hearing;

- notify all parties of the panel's decision;

5.6 **The Panel Chair** The Panel Chair has a key role in ensuring that:-

- the meeting is minuted;
- the remit of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents/carers and others who may not be used to speaking at such a hearing are put at ease – this is particularly important if the complainant is a child/young person;
- the hearing is conducted in an informal manner with everyone treated with respect & courtesy;
- the layout of the room will set the tone – care is needed to ensure the setting is informal and not adversarial;
- the panel is open-minded and acts independently;
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- both the complainant and the school are given the opportunity to state their case & seek clarity;
- written material is seen by everyone in attendance – 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 hearing;
- liaise with the Clerk

5.7 **Panel Member** - Panellists will need to be aware that:-

- it is important that the review panel hearing is independent and impartial, and that it is seen to be so; no governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- 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 must be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. 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.
- many complainants will feel nervous and inhibited in a formal setting; Parents/carers often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing; Careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated. The panel 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 panel 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 panel should give the parent the opportunity to say which parts of the hearing, if any, the child/young person needs to attend. The parent should be advised however that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting which the panel considers not to be in the child/young person's best interests.
- The welfare of the child/young person is paramount.
- Needs to be aware of the school's complaint procedures.

6.0 **Unreasonable Complainants**

6.1 Bradford Christian 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.

6.2 Bradford Christian 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'. 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
- 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.

6.3 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.

6.4 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.

6.5 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 asking them to change it. For complainants who excessively contact Bradford Christian 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.

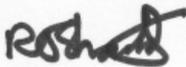
6.6 In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Bradford Christian School

7.0 **Review**

7.1 This policy was written taking into account the following legislation:

- The Education (Independent School Standards) Regulations 2014
- DfE Best practice guidance for school complaints procedures 2020

7.2 This policy will be reviewed on an annual basis by SLT and the Governing Body. This latest review was completed in May 2021.

Formally agreed through Governors compliance:	8 <sup>th</sup> July 2021
Signed Richard Shackleton – Chair of Governors	

Signed Jane Prothero – Head Teacher	
Review Date:	<b>April 2022</b>

Please complete and return to Heather Thomson (complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.



**Formal Complaint Against the School**

<b>Your name:</b>
<b>Pupil's name:</b>
<b>Your relationship to the pupil:</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>
<b>Please give details of your complaint.</b>
<b>What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response)?</b>
<b>What actions do you feel might resolve the problem at this stage?</b>

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

**Signature:**

**Date:**

**Official use**

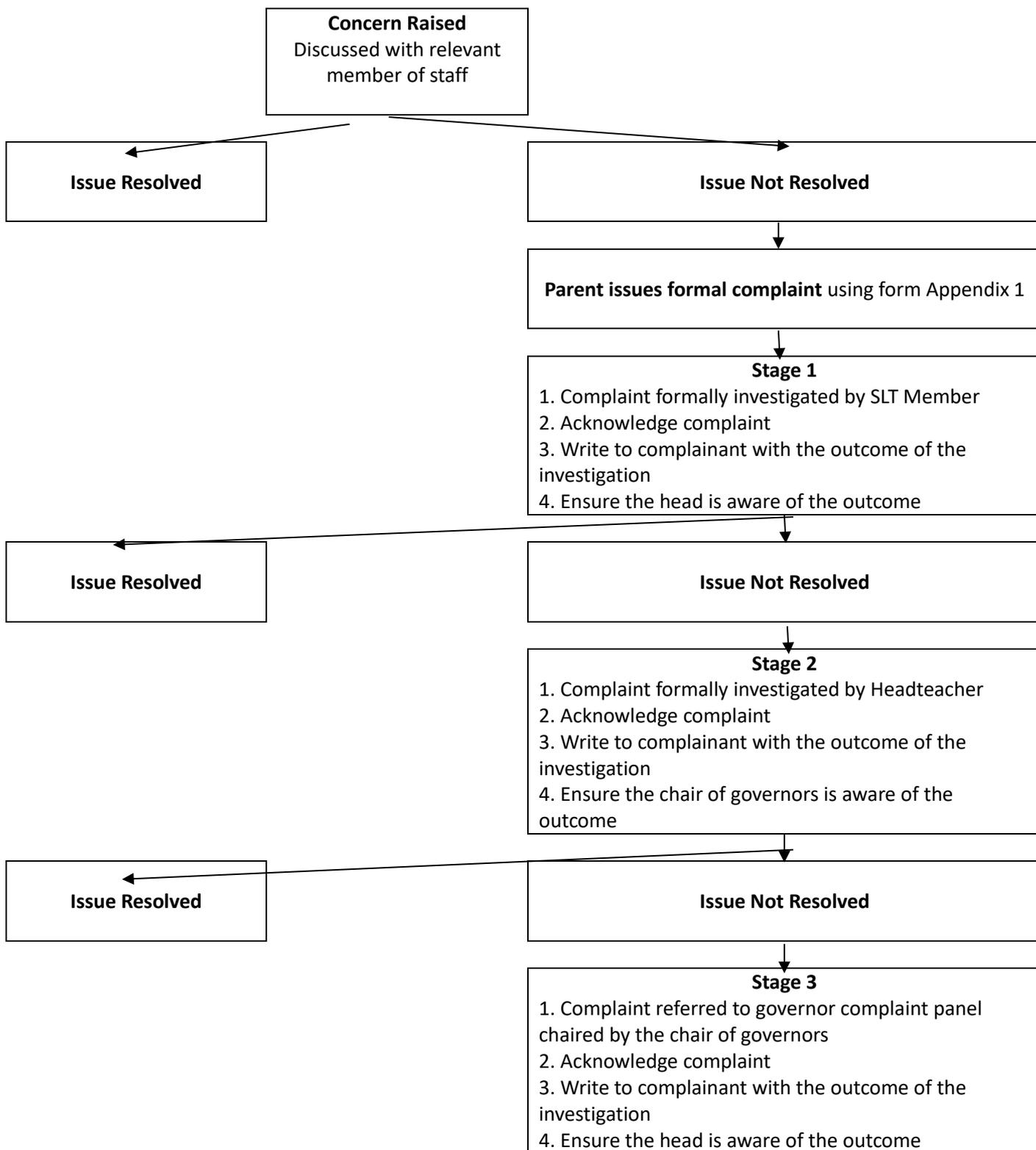
**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**

Complaints Flow Chart



**Appendix 3**  
**Interviewing Best Practice Tips**

**Children/young people**

- Children/young people should be interviewed in the presence of another member of staff, or in the case of serious complaints (e.g. where the possibility of criminal investigation exists) in the presence of their parents/carers. However, it might not always be possible to conduct an interview in case it prejudices a LADO or police investigation.
- Care should be taken in these circumstances not to create an intimidating atmosphere.
- Children/young people should be told what the interview is about and that they can have someone with them.

**Staff/Witnesses**

- Explain the complaint and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it.
- Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.
- Use open, not leading questions.
- Do not express opinions in words or attitude.
- Ask single not multiple questions, i.e. one question at a time.
- Try to separate 'hearsay' evidence from fact by asking interviewees how they know a particular fact.
- Persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.
- Deal with conflicting evidence by seeking corroborative evidence. If this is not available, discuss with the headteacher/ Chair of Governors the option of a meeting between the conflicting witnesses.
- Make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if s/he has anything to add, and to sign the record as accurate.

**Checklist for a Panel Hearing**

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

