Robert Blair School
Complaints Policy and Procedures

Chair of Governors – Paul Convery

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COMPLAINTS POLICY

i. INTRODUCTION

Robert Blair values feedback from parents, carers and members of the local community about services relating to the school, including complaints. Dealing with complaints can help the school and the governing board to improve services. The procedures below set out how we will consider complaints fairly and in a timely manner.

Taking informal concerns seriously can help to resolve issues on the spot and reduce the number of concerns that turn into complaints. If this is not possible, we aim for complaints to be dealt with before they become serious.

At all stages our goal is achieving reconciliation – to establish with you what you would see as a satisfactory outcome for you and to deliver that outcome or explore what alternative outcomes are possible.

ii. LEGAL CONTEXT

We are required to establish procedures for dealing with all complaints relating to the school including the provision of facilities or services by the school. We have to have regard to the guidance produced by the Secretary of State.

We must make sure that any **third-party providers** offering services through the school premises, or using school facilities, have their own complaints procedure in place, for example an external provider of after school services.

We are required to publish the policy and procedures on the school's website.

iii. GOVERNING BOARD REPORTING AND REVIEW

Scheduled Review and Updated Guidance from the DfE

The policy and procedures will be reviewed every three years but any governor with concerns about its operation can request that it is reviewed at any time.

The policy and procedures will also be reviewed if and when new guidance or legislative changes are introduced by the Department for Education.

Governing Board Monitoring

The level and nature of complaints will be reported to the governing board as part of the governing board's role in overseeing the operation of the school.

Details of complaints will not be shared with the whole governing body at any stage while they are still being considered, in case a complaints committee needs to be organised.

The exception to this is when a complaint is made against the whole governing body and they need to be aware of the allegations made against them, to respond to any independent investigation.

If the whole governing body is aware of the significant detail of a complaint (that is not collectively against them) before the final stage has been completed, the school will arrange an independent committee to hear the complaint.

Governing Board Reporting and Review

The outcomes of complaints will be reported to the governing board for review so that the governing board can:

- examine the effectiveness of the Complaints Policy and Procedures and consider any improvements; and
- identify any issues that need to be addressed and consider any improvements to school policies or procedures.

Local Authority (LA) Reporting

The school may be requested to provide statistics on complaints so that overall monitoring can be carried out to advise all schools and the authority on improvements to practice.

The LA may also require details of any complaint and its consideration in order to answer formal enquiries from the Department for Education or others. The school will be consulted before any response to such enquiry is made.

COMPLAINTS PROCEDURES

A. Summary

Informal: concerns or complaints raised directly with staff / Headteacher.
If not resolved, move to formal procedures

Formal:

Stage 1: investigation – decision on whether or not to uphold complaint.

Stage 2: complainant can appeal if dissatisfied with outcome of Stage 1 – usually a committee of governors will consider the appeal.

See Table A below summarising who will manage Stage 1 and Stage 2 depending on the subject of a complaint.

B. Who can make a complaint?

As well as parents or carers of pupils registered at the school, anyone, including members of the public, can make a complaint about any provision of facilities or services that we provide.

C. 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 is generally recognised as 'an expression or statement of dissatisfaction about actions taken or a lack of action'.

D. How to raise a concern or complaint (informal stage)

Concerns and complaints can be raised in person, in writing or by telephone.

If you have a concern or complaint, in the first instance please raise it directly with the member of staff concerned (eg class teacher). If you have difficulty discussing a concern or complaint with a particular member of staff, you should let the Headteacher or school business manager know, and they will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern or complaint, the Headteacher/school business manager will 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 is more important.

E. How to make a formal complaint

If you feel that your concern or complaint (at Informal Stage) has not been resolved and you wish to take it further, you can make a complaint in person, in writing or by telephone, although if you do not make your complaint in writing, you will need to

agree to the wording of the record of your verbal complaint by the complaint's administrator / school office. This is to allow your complaint to be heard fairly and openly and within appropriate timescales. Complaints can also be made by a third party acting on your behalf, as long as they have appropriate consent to do so.

For submitting the complaint in writing, please use the **template complaint form which is included as Appendix F**. If you need help in completing the form, please contact the school office. You can also ask third party/external organisations like the Citizens Advice Bureau to help you.

Please do 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. It could also produce a conflict of interest, for example for governors who are also local councillors.

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

See Section M, page 6 for more details on how to make a formal complaint.

F. Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or chair of governors, if appropriate, will decide whether the complaint should be investigated.

G. Data Protection

All people involved in the complaints process must respect your right to confidentiality. For the purposes of the prevention, investigation, and detection of safeguarding issues and of crime and fraud, the right to confidentiality may be waived in some circumstances.

All data will be held securely and processed in accordance with the school's Privacy Notice which enables the school to comply with the Schools' Data Protection Policy (including Data Protection legislation). If you escalate your complaint to the Department for Education, we may share information with them, however this will always be limited to what is required for the investigation.

H. Timescales, including impact of school holidays

Complaints must be made 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.

A complaint made outside of term time will be considered to have been made on the first school day after the holiday period. Similarly, the time frames within the formal

procedures will relate to 'school days', so excluding school holidays, weekends and bank holidays.

I. What you can complain about

You may make a complaint about most areas of the school including any community facilities or services the school provides. This can be in relation to the head teacher or other member of staff, individual governors, a number of the governors or the whole governing board.

However, there are separate procedures that need to be followed for the following areas (see Appendix D for more details on how to follow those separate procedures):

- Admissions
- Statutory assessments of Special Educational Needs
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievances
- Staff conduct
- Complaints about services provided by other providers who may use school premises or facilities
- National Curriculum – content.

If other organisations such as the police, local authority (LA) safeguarding teams or tribunals are investigating aspects of your complaint, this may impact on our ability to meet the timescales within the procedure or result in the procedure being suspended until those public bodies have completed their investigation.

You may complain to Ofsted if you think a school is not run properly. But you must have already followed the school's complaints procedure before you can do this.

J. Serial and persistent complaints

Please see Appendix E - Policy of Robert Blair School in relation to serial and persistent complaints – to see how we will manage such complaints.

K. Duplicate complaints

After closing a complaint at the end of the complaint's procedure, if we receive a duplicate complaint about the same subject, we will inform the new complainant that the school has already considered that complaint and the local process is complete.

We will give the new complainant the reason for the outcome of the decision and provide minutes (redacted as necessary). The new complainant can complain to the Department for Education if they feel the complaints procedures have not been followed correctly – see Section O.

L. Resolving complaints

At each stage in the procedure, Robert Blair 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.

M. Withdrawal of a complaint

If you wish to withdraw your complaint, we will ask you to confirm this in writing.

N. Stages of processing a formal complaint

Stage 1 usually entails an investigation by an appropriate person and a decision as to whether or not to uphold a complaint and/or to offer the other outcomes as listed above.

Stage 2 usually entails a committee hearing of governors from the school or from another school with no previous involvement or if against the governors a committee hearing of governors from another school, to consider an appeal against the outcome/s of Stage 1.

Table A – Summary of who usually deals with Formal Complaint Stages 1 and 2

Stages	Against staff	Against Headteacher	Against one governor	Against all governors
Stage 1	Headteacher	Suitably skilled governor*	Suitably skilled governor*	Independent investigation
Stage 2	Governors' Committee	Governors' Committee	Governors' Committee	Governors from another school

**See 1.12. below in relation to independent investigation instead of governor dealing with Stage 1*

Stage 1

Complaint against member of staff (not including the head teacher)

1.1. Please make a formal complaint to the head teacher via the school office. Ideally do this in writing (on the Complaint Form, Appendix F). Please mark as Private and Confidential. You can make your complaint in person or by telephone to the School Office / Complaints Administrator, but you will need to agree to the wording of your complaint that they record in the Complaints Form on your behalf.

1.2. You should be provided with a copy of the Complaints Policy and Procedure and the procedure should be explained to you.

1.3. The head teacher will record the date they receive your complaint and will acknowledge receipt of your complaint in writing (either by letter or email) within five (5) school days.

1.4. Within this response, the head teacher will try to clarify the nature of the complaint, ask what remains unresolved and what outcome you would like to see. The head teacher can consider if a face-to-face meeting is the best way of doing this.
Note: The head teacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

1.5. During the investigation, the head teacher (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.

1.6. At the conclusion of their investigation, the head teacher will provide a formal written response within fifteen (15) school days of the date of receipt of the complaint. If the head teacher is unable to meet this deadline, they will provide the you with an update and revised response date.

1.7. 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 Robert Blair will take to resolve the complaint.

1.8. The Headteacher may offer to meet you to discuss the findings of the investigation with the aim of achieving reconciliation between the school and yourself using the Resolution Principles set out on Appendix B.

1.9. The Headteacher will advise you of how to escalate your complaint if you remain dissatisfied with the outcome of Stage 1.

Complaint against Headteacher or a member of the governing board

1.10. Please make a formal complaint about the Headteacher or a member of the governing board (including the chair or vice-chair) to the Clerk to Governors via the school office, ideally using the Complaints Form (Appendix F). Please mark as Private and Confidential. You can make your complaint in person or by telephone to the School Office / Complaints Administrator, but you will need to agree to the wording of your complaint that they record in the Complaints Form on your behalf.

1.11. The clerk will record the date they receive the complaint and will acknowledge receipt of your complaint in writing (either by letter or email) within five (5) school days.

1.12. A suitably skilled governor will be appointed to carry out an investigation at Stage 1. If there is no suitably skilled governor available, the GB can consider appointing an independent investigator to carry out the investigation. A professionally conducted investigation by someone with no involvement in the school can help to resolve the complaint and avoid escalation. LBI Governor Support Service may be able to offer assistance with this.

1.13. At the conclusion of their investigation, the investigator (governor or independent investigator) will provide a formal written response within fifteen (15) school days of the date of receipt of the complaint.

1.14. The investigator may offer to meet you to discuss the findings of the investigation with the aim of achieving reconciliation between the school and yourself using the Resolution Principles set out on Appendix B.

1.15. The investigator will advise you of how to escalate your complaint if you are dissatisfied with the outcome of Stage 1.

Complaint against chair and vice-chair, number of governors or entire governing board

1.16. Please make a formal complaint about the chair and vice-chair, a number of governors or the entire governing board (including the chair or vice-chair) to the Clerk to Governors via the school office, ideally using the Complaints Form (Appendix F). Please mark as Private and Confidential. You can make your complaint in person or by telephone to the School Office / Complaints

Administrator, but you will need to agree to the wording of your complaint that they record in the Complaints Form on your behalf.

1.17. The clerk will record the date they receive the complaint and will acknowledge receipt of your complaint in writing (either by letter or email) within five (5) school days.

1.18. Stage 1 will be considered by an independent investigator appointed by the governing board or local authority.

1.19. At the conclusion of their investigation, the investigator (governor or independent investigator) will provide a formal written response within fifteen (15) school days of the date of receipt of the complaint.

1.20. The investigator may offer to meet you to discuss the findings of the investigation with the aim of achieving reconciliation between the school and yourself using the Resolution Principles set out on Appendix B.

1.21. The investigator will advise you of how to escalate your complaint if you are dissatisfied with the outcome of Stage 1

Stage 2

2.1. You will need to make a written request to escalate to Stage 2 to the Clerk to Governors, via the school office, within twenty (20) school days of receipt of the Stage 1 response.

2.2. The clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email).

Governors' Complaints Committee Hearing

2.3. Stage 2 generally involves a hearing of the complaint with members of the governing board's complaints committee to which you, as complainant, the subject of the complaint and the investigator will be invited. See para 2.22 in relation to the Governors' Committee holding a meeting looking at written submissions rather than a hearing.

2.4. The complaints committee will be formed of the first three, impartial, governors available. If there are fewer than three governors from Robert Blair available, the clerk will source additional, independent governors through another local school or through Islington Council's Governor Services team, in order to make up the committee.

2.5. If the complaint is jointly about the chair and vice-chair, the majority of or the entire governing board, Stage 2 will be heard by a committee of independent governors.

2.6. Prior to the hearing, they will decide amongst themselves who will act as the chair of the complaints committee

2.7. The clerk will aim to hold the hearing within twenty (20) school days of the clerk being notified of your request for the complaint to go to Stage 2, and to give you at least ten (10) school days' notice of the hearing. The clerk will advise you if this is not possible and liaise with you about the date.

2.8. The date, time and venue of the hearing will need to be convenient to all parties and the venue and proceedings will need to be accessible

2.9. If you do not accept the offer of three proposed dates without good reason, the clerk may decide when to hold the hearing. You will be invited to that meeting but if necessary it will take place in your absence on the basis of written submissions from both parties.

2.10. The clerk will request that you and the person or people against whom you are complaining provide any further written material to be submitted to them at least seven (7) school days before the meeting.

2.11. Any further written material will be circulated to all parties at least five (5) school days before the date of the meeting.

2.12. 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.

2.13. 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.

Witnesses

2.14. If you are invited to attend the meeting, you may bring someone along to provide support. This can be a relative or friend. Generally, the Department for Education does 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.

2.15. The names of any witnesses to be called by you or by the person or people against whom you are complaining should be notified to:

- the clerk – seven (7) school days before the meeting; and
- the committee, yourself (the complainant) and the Headteacher – at least five (5) school days before the meeting – the clerk will inform everyone.

2.16. The Governors' Committee will usually decide whether or not it is appropriate for the child or children of the complainant to be present, particularly in the case of primary age children. If children or young people are to be present, please see Appendix A Roles and Responsibilities – Committee Member

2.17. Representatives from the media are not permitted to attend.

2.18. 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 obtained before meetings or conversations take place. Consent will be recorded in any minutes taken.

2.19. At the hearing, the governors will consider the outcome of Stage 1, along with any new documentation and verbal representations and decide:

2.19.i. to uphold or not uphold, in part or in whole, the outcome of Stage 1, OR

2.19.ii. that further investigation is needed and so to **adjourn** the hearing – to reconvene once further investigation is completed. This may happen where previously undisclosed evidence or witnesses have been introduced so adjournment is necessary for the other side to have time to consider the situation. It may also happen when complaints are complex, involve voluminous material or take a long time to hear.

2.20. When the committee reaches a decision, the chair of the committee will write to inform you, within five (5) school days of the hearing:

- of the decision to uphold or dismiss the complaint in whole or in part;
- of the reasons for the decision;
- of any key findings of fact;
- of any action taken or proposed to be taken to resolve the complaint;
- of any recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not recur;
- that the decision of the committee is the final school-based stage in the complaints procedures and that no further consideration of the substance of the complaint is possible; and
- that you can appeal to the Secretary of State – see below.

2.21. For complaints that are complex or involve voluminous material, the timescale for informing you of the committee's decision can be extended by notifying you in writing of the extension.

See Appendix C for more details of how the hearing will be conducted

Governors' Committee Meeting rather than Hearing

2.22. Complainants can opt for Stage 2 to comprise a complaints committee of governors making a decision based simply on considering written submissions. You and the subject of the complaint would still be invited to submit further documents and to have sight of all documents ahead of the committee meeting: you or the other party would have the opportunity to comment in writing on the documents ahead of the meeting.

2.23. In exceptional circumstances, the complaints committee of governors may make the decision to consider the complaint at Stage 2 by only receiving written submissions rather than holding hearing. This is likely to be where there has already been a detailed investigation with all parties concerned, including you the complainant, having been interviewed and given ample opportunity to

present their view points, so that the committee does not feel that a hearing with verbal representations is necessary/would shed new light on the matter.

2.23. The aim will be to hold the committee meeting within twenty (20) school days of the clerk being notified of your request for the complaint to go to Stage 2.

2.24. The clerk will invite you as the complainant, the subject of the complaint and the investigator to submit any further documentation you would like the governors to consider – to be sent to the clerk at least ten (10) school days before the committee meeting. These documents will be sent to the governors at least five (5) school days before the committee meeting.

2.25. The papers will also be sent to you, the subject of the complaint and the investigator, at least five (5) school days before the meeting. You and the other parties will need to submit any comments on the papers to the clerk at least two (2) school days before the meeting and the clerk will share your comments with the governors' committee at the meeting.

2.26. 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.

2.27. 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.

2.28. At the hearing, the governors will consider the outcome of Stage 1, along with any new documentation and comments on the documentation and decide:

2.28.i. to uphold or not uphold, in part or in whole, the outcome of Stage 1, OR
2.28.ii. that further investigation is needed and so to **adjourn** the hearing – to reconvene once further investigation is completed, OR
2.28.iii. that a hearing is needed, at which you as complainant, the subject of the complaint and the investigator from Stage 1 will be invited to speak, with or without further investigation. The clerk will aim to arrange the hearing within twenty (20) school days of the committee meeting – see paragraphs 2.3. to 2.21. for how the hearing will be managed.

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

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

2.30. The chair of the committee will write within five (5) business days of the end of the meeting to inform you:

- of the decision to uphold or dismiss the complaint in whole or in part;
- of the reasons for the decision;
- of any key findings of fact;
- of any action taken or proposed to be taken to resolve the complaint;
- of any recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not recur;

- that the decision of the committee is the final school-based stage in the complaints procedures and that no further consideration of the substance of the complaint is possible; and
- that you can appeal to the Secretary of State – see below.

2.31. For complaints that are complex or involve voluminous material, the timescale for informing you of the committee's decision can be extended by notifying you in writing of the extension.

Record of the Hearing or Meeting

2.32. The committee clerk will be responsible for recording the minutes of the hearing or meeting and will send the draft minutes to all parties within twenty (20) school days after the meeting to provide the parties with the opportunity to agree the minutes or challenge any part of the minutes.

2.33. The school/complaints officer will ensure that all records of the matter are stored at the school and that the outcome of the complaint and any changes to the school's systems or procedures are communicated to the governing board, in liaison with the clerk to governors.

O. NEXT STEPS

3.1. If you believe the school did not handle your complaint in accordance with the published complaints procedure or we acted unlawfully or unreasonably in the exercise of our duties under education law, you can contact the Department for Education after Stage 2 is completed.

3.2. The Department for Education will not normally reinvestigate the substance of the complaint. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

3.3. You can refer your 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.

Appendix A - Roles and Responsibilities

Complainant

You will receive a more effective response to the complaint if you:

- 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 your 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.

Complaints Co-coordinator (the school business manager)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, chair of governors, clerk and local authority (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing board

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

- ensure that all people involved in the complaints procedures 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 or hearing, 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 hearing or meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the hearing or meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint hearing or 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 or hearing
- the hearing 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 hearing 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 hearing

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the hearing/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 hearing / 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/hearing must be independent and impartial, and should be seen to be so

No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting/hearing 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/hearing 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 hearing, 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 hearing that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.

Appendix B - Resolution Principles

- Identify areas of agreement
- Clarify any misunderstandings
- Encourage complainants to state what actions they feel might resolve the problem at any stage
- Offering one or more of the following may result in a resolution of the matter:
    - an acknowledgment that the complaint is valid in whole or in part;
    - an apology;
    - an explanation;
    - an admission that the situation could have been handled differently or better (this 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.

Appendix C - Procedures for Conduct of the Hearing

Set out below is a procedure that the committee can follow for the conduct of the hearing:

a) Prior to the hearing, the committee will:
- nominate a committee chair
- consider whether the setting is sufficiently informal and whether every effort has been made to put complainants and witnesses at ease; and
- consider any issues with children being involved in the proceedings.

b) At the beginning of the hearing the committee chair will:
- welcome the parties to the hearing;
- confirm that no committee member has had any previous involvement in the matter;
- explain the remit of the committee to the parties;
- explain that the aim of the hearing is to resolve the complaint and achieve reconciliation between the school and the complainant;
- explain that Stage 2 is the final school based stage of the procedure and no further consideration of the substance of the complaint will be possible; and
- ensure that all written material has been received and seen by all parties.

c) The complainant shall explain the nature of her/his complaint and may submit a written statement to the hearing (in advance of the hearing).

d) The subject of the complaint (Headteacher or governors) and the committee may question the complainant about the complaint and why it has been made. The subject of the complaint and the committee should bear in mind the Resolution Principles in **Appendix B** and in particular the consideration of which actions the complainant feels may resolve the complaint.

e) If any investigation report has been produced by the subject of the complaint (or another person) it will be considered. If the report is produced by a person other than the subject of the complaint, the person may be present at the hearing and answer questions of clarification for the complainant, the subject of the complaint and committee. Otherwise the subject of the complaint will respond to the complaint.

f) The complainant and the committee may question the subject of the complaint about her/his response to the complaint.

g) The committee, the subject of the complaint and the complainant shall have the right to call witnesses where there are disputes as to the fact. Witnesses are only required to attend for the part of the hearing in which they give their evidence.

h) The committee, the subject of the complaint and the complainant shall have the right to question any such witnesses.

i) If a new issue arises the committee chair should ensure that all parties are given the opportunity to consider and comment on it. If new evidence or witnesses are introduced at the hearing that had not been disclosed before the hearing, or if the complaints are very complex, involving voluminous material, the committee can adjourn the hearing and reconvene at a later date or dates

j) The complainant may make a final statement.

k) The subject of the complaint may make a final statement.

l) The chair of the committee shall explain that the complaint will now be considered and a decision reached which will be notified to the complainant and the subject of the complaint in writing.

m) The complainant and the subject of the complaint will then leave the hearing.

n) The committee will consider the complaint and the cases made by the complainant and subject of the complaint and:

- decide whether to uphold or dismiss the complaint in whole or in part and the reasons for that decision ensuring that all issues are addressed;
- make any key findings of fact;
- decide on any appropriate action to be taken to resolve the complaint; and
- recommend any changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

o) Notification of the decision will be sent to the complainant and to the subject of the complaint in writing.

p) The letter sent to the complainant informing her/him of the decision concludes this stage of the procedure.

Appendix D – Issues not covered by Complaints Procedures

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Pupil Services – pupilservices@islington.gov.uk
• 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@islington.gov.uk
• 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 can be made through the school's complaints procedure. <link to school behaviour policy>.*
• 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 whistle-blowers 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 direct 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

Appendix E – Policy of Robert Blair School in relation to Managing Serial and Persistent Complaints

Robert Blair 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.

Robert Blair 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 co-operate with the complaint's investigation process
- refuses to accept that certain issues are not within the scope of the complaint's procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaint's 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 and the Headteacher and chair of governors decide the complaint is 'unreasonable', the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Robert Blair 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 Robert Blair.

Appendix F - Complaints Form – Robert Blair

You can make a formal complaint in writing, in person or on the phone.

It would be helpful if you could put the complaint in writing so we have a written record in your own words of what your complaint is and what would resolve it for you. If you need help with this, you could ask a friend or family member or advice organisations such as the Citizen's Advice Bureau. You might also be able to get help by asking in the school office – there may be a school-home liaison person or some other member of staff who could help you.

If you make a formal complaint in person or on the phone, your complaint will be recorded on this form on your behalf and you will need to sign at the bottom to confirm the details in the form are correct. This will be used as the basis for your complaint to be considered.

This form should be returned to Jamie Lucas, School Business Manager, who will acknowledge receipt and explain what action will be taken.

FORMAL COMPLAINTS FORM
Your name (PLEASE COMPLETE IN BLOCK CAPITALS):
Name of pupil/s (if relevant) (PLEASE COMPLETE IN BLOCK CAPITALS):
Your relationship to the pupil/s (if relevant):
Address: **Postcode:** **Day time telephone number:** **Evening telephone number:**

Please give details of your complaint, including whether you have spoken to anybody at the school about it.
What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
If you have made the complaint on the phone or in person: **Name and job/role title of person completing the form ((PLEASE COMPLETE IN BLOCK CAPITALS):**
I confirm that I agree to the wording in the form putting my verbal complaint into writing: **Name (in BLOCK CAPITALS of complainant)** **_____** **Signature of complainant** **_____** **Date:** **_____**
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Date:

Appendix G – Key Contacts

Position	Name	Contact details
Executive Headteacher	Lisa Horton	0207 607 4115
Head of School	Sara Liney	0207 607 4115
School Business Manager (Complaints Co-ordinator)	Jamie Lucas	0207 607 4115
Clerk to Governors*		

* For schools buying in to the Islington Council Governor Support Service, please direct formal complaints addressed to the Clerk to Governors to:

Debbie Stevenson
Assistant Director School Support Service
222 Upper Street
London N1 1XR
governor.services@islington.gov.uk

Please mark as Private and Confidential.

Debbie Stevenson/Governor Services will act as interim clerk in terms of the organisation of the complaints hearing. The school's usual clerk will clerk the actual meeting whenever possible.