

Complaints Policy & Procedure

Reviewed by:	Resource Committee
Signed (Governor Board):	
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1. Introduction

Turton School endeavours to provide the best education possible for all of its pupils in an open and transparent environment. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised, the school intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without Prejudice

In order to do so, the Governing Board of Turton School has approved the following policy & procedure which explains what you should do if you have any concerns about the school. All members of staff will be familiar with the procedure and will be able to assist you.

2. Which procedure do I need?

Sometimes, when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following table details specific topics of complaints, and the correct policy to refer to. You can access these policies on the school website [Policies • Turton School](#) or ask for a copy from the main school reception.

Topic of Complaint	Policy available
Pupil admissions	Admissions Policy or contact Bolton Council's admissions on 01204 332137
Pupil exclusions	Behaviour Policy & Pastoral Handbook
Anonymous complaint	Whistleblowing policy
Subject Access Requests & Freedom of Information Requests	Data Protection and Freedom of Information policy
Third Party complaint	Please contact the third party directly
Staff grievance, capability or disciplinary	These are covered by the school's internal procedures

3. Raising concerns

The majority of concerns can be dealt with without resorting to the procedure. Where you have a concern about any aspect of the school or your child's education or wellbeing, raise this with your child's form tutor, head of year or relevant subject teacher via the phone, email or in person. Ideally,

they will be able to address your concerns on the spot, or can arrange a meeting with you to discuss the issue.

All concerns will be dealt with confidentially, although the staff member may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 2018. However, such notes would be able to be used as evidence, if further investigation was required, or if the concern became a formal complaint.

4. Safeguarding

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the Local Authority. Any action taken will be in accordance with the school's Safeguarding policy.

5. Social Media

In order for complaints to be resolved as quickly and fairly as possible, Turton School requests that complainants do not discuss complaints in public via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

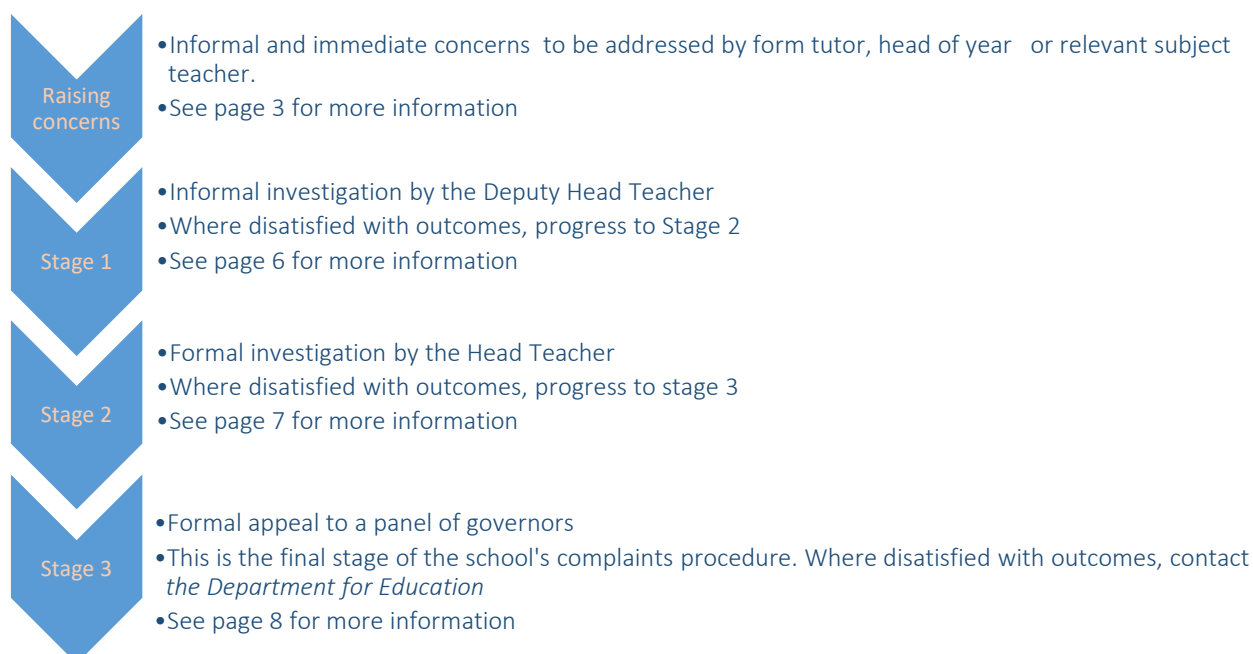
6. Complaints that result in staff capability or disciplinary

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Head Teacher and/or the individual's line manager. The complainant is not entitled to participate in the proceedings or receive any detail about them.

7. Complaints Procedure

If you need to raise an issue in the first instance, please do so with the relevant member of staff who will be happy to talk to you and seek to establish a solution. If you are not satisfied with this response and believe the issue has not been resolved, please use the following procedure as detailed below.

8. Timeline



Turton School will endeavour to abide by timelines, provided within this procedure, but acknowledges that in some circumstances, this is not always possible due to the complexity of information needed to review a complaint or difficulties regarding individual's availability to deal with the complaint.

If it becomes apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the individual responsible for handling the complaint will contact the complainant as soon as possible and come to an agreed timeframe that works for all parties involved.

Turton School reserves the right not to investigate complaints that have been made **six months** after the subject of the complaint took place, except in exceptional circumstances.

What is meant by exceptional circumstances is where new evidence has come to light, where the complaint is of an especially serious matter or where there is reasonable justification for why the complainant has been unable to raise the complaint before this time. The Head Teacher will review the situation and decide whether or not to enact the complaints procedure, informing the Chair of Governors of the decision.

9. Who should I approach?

Educational matters	Form Tutor / Head of Year / relevant Subject Teacher
Pastoral matters	Natalie Parry (Assistant Head Teacher) or Head of Year
Conduct of a staff member	Line Manager
Financial & business matters	Leonie Hathaway (Business & HR Manager)

10. Complaint about the Head Teacher

Where a complaint regards the Head Teacher, the complainant should first directly approach the Head Teacher in an attempt to resolve the issue informally. If the complainant is not satisfied with this outcome they should notify the Clerk to Governors, Miss A Platt (using contact details on page 10). The Stage 2 process will then commence, but with the Chair of Governors as the individual responsible for the investigation, rather than the Head Teacher.

11. Complaint about the Governors

Where a complaint regards a governor, the same process applies as for the Head Teacher. Where a complaint concerns the Chair of Governors, the individual should contact the Clerk to the Governors. Informal resolution will be sought, but where this fails, the complaints procedure at Stage 3 will take immediate effect. The Vice Chair will mediate any proceedings.

Stages of the Complaint

12. Stage 1 – Informal investigation by the Deputy Head Teacher

Where as a result of raising a concern, the complainant still feels that the issue has not been addressed, or where the outcome has been that the complaint needs further investigation than can be resolved briefly, they may progress by making an informal complaint. In doing so, the following steps will be followed:

- 12.1. Complainant contacts the Deputy Head Teacher, using the contact details available on page 10. Depending on the nature of the complaint, the Deputy Head Teacher may delegate the complaint to an Assistant Head Teacher.
- 12.2. The complainant must explain in writing the following:
 - An overview of the complaint so far
 - Who has been involved
 - Why the complaint remains unresolved
 - Action they would like to be taken to put things right.
- 12.3 The Deputy Head Teacher will respond in writing within **5 working days** from the date the complaint was received (excluding those that fall in the school holidays), to acknowledge receipt of the complaint and what action will be taken, giving clear timeframes.
- 12.4 Where the complaint is about a member of staff or a school governor, the Deputy Head Teacher will arrange an informal mediation meeting between the two parties to see if a resolution can be reached.
- 12.5 The Deputy Head Teacher will provide written confirmation of the outcome of their investigation within **20 working days** (excluding those which fall in the school holidays) of having issued written acknowledgement of the receipt of the complaint. Where the complainant is not satisfied with the outcome, they are able to progress to stage 2 of the complaints process, and launch a formal written complaint, **within 4 weeks of receipt of the written outcome.**
- 12.6 The Deputy Head Teacher will make a record of the concern and the outcomes of the discussion which will be held centrally for twelve months, in line with the principles of the Data Protection Act 2018.

13. Stage 2 – Formal investigation by the Head Teacher

The complainant may submit a formal complaints form to the Head Teacher. Please see page 10 for the Head Teacher's contact details and for a copy of this form. The following steps will be followed:

- 13.1 The Head Teacher will respond in writing within **5 working days** from the date the complaint was received (excluding those that fall in the school holidays), to acknowledge receipt of the complaint and what action will be taken, giving clear timeframes.
- 13.2 A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles.
- 13.3 The Head Teacher will consider all relevant evidence; this may include but is not limited to:
 - A statement from the complainant
 - Where relevant a statement from an individual who is the subject of the complaint
 - Any previous correspondence regarding the complaint
 - Any supporting documents in either case
 - Interview with anyone related to the complaint.
- 13.4 The Head Teacher may decide to have a meeting with the complainant (and where relevant, the subject of the complaint) if they feel that it would be appropriate for the investigation.
- 13.5 After considering the available evidence, the Head Teacher can:
 - a) Uphold the complaint and direct that certain action be taken to resolve it
 - b) Reject the complaint and provide the complainant with details of the stage 3 appeals process
 - c) Uphold the complaint in part: in other words, the Deputy Head Teacher may find one aspect of the complaint to be valid, but not another aspect. They may direct for certain action to be taken to resolve the aspect that they find in favour of the complainant.
- 13.6 The Head Teacher must inform the complainant of their decision in writing within **20 working days** (excluding those that fall in the school holidays) of having issued written acknowledgement of the receipt of the complaint.

They must explain clearly why they have come to the decision that they made. They must detail any agreed actions as a result of the complaint. Finally, they must provide the complainant with details of how to progress the complaint to stage 3 if they are not satisfied, providing them with the contact details of the Clerk to the Governors (see page 10 for contact details).

14. Stage 3 – Appeal

If the complainant wishes to appeal a decision by the Head Teacher at stage 2 of the procedure, or they are not satisfied with the action that the Head Teacher took in relation to the complaint, the complainant is able to appeal this decision, and request that a complaints appeal panel of the Governing Board is convened. The following steps will be followed:

14.1 The complainant must request an appeal panel within **4 weeks** of receiving the Head Teacher's decision or it will not be considered, except for in exceptional circumstances. The complainant must write to the Clerk to the Governors (see page 10 for contact details), clearly citing grounds for the appeal, giving one of the following reasons:

- a) Procedural irregularity in the complaints process
- b) The emergence of new and relevant evidence
- c) Unreasonable complaint outcome due to a specific rationale and evidence

14.2 On receipt of this written notification, the following steps will be followed:

- a) The clerk will write to the complainant within **5 working days** (not including the school holidays) to confirm receipt of the appeal request and detail further action to be taken.
- b) The clerk will convene a panel of two school governors and one independent member, or three school governors. All three panel members will have no prior knowledge of the content of the complaint.
- c) The appeal hearing will take place within **20 working days** (excluding those which fall in the school holidays) of receipt of the date of the confirmation letter from the clerk to the complainant, confirming the appeal.
- d) The clerk will fulfil the role of organising the time and date of the appeal hearing, inviting all the attendees, collating all the relevant documentation and distributing **5 working days** in advance of the meeting, recording the proceedings in the form of minutes, and circulating these and the outcome of the meeting.
- e) In addition to the panel, the following parties will be invited, where applicable:
 - Complainant
 - Head Teacher who dealt with the complaint at Stage 2
 - Staff member who is the subject of the complaint, if applicable

The complainant is able to bring 1 representative with them to the hearing if they wish. Where the subject of the complaint is a member of staff, that staff member is also able to bring a representative with them.

The representative will be a friend or a colleague. Neither party is able to bring legal representation with them. If after the hearing any party feels that legal action is necessary, please see the contact details at the end of the procedure.

If the complainant wants their representative to speak on their behalf, they should be aware that only 1 person is allowed to speak in the meeting, and the 2nd person can support silently.

- 14.3 If the attendance of any pupils is required at the hearing, parental permission will be sought if they are under the age of 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.
- 14.4 Where the complaint is about a governor, the complainant may request that the appeal is heard by an entirely independent panel. It is at the discretion of the Governing Board who will notify the clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school source appropriate individuals for the review.
- 14.5 The panel can make the following decisions:
- 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.
- 14.7 All parties who attended the meeting will be informed in writing of the outcome of the appeal within **5 working days** (excluding those which fall in the school holidays).

This is the final stage at which the school will consider the complaint. If the complainant remains dissatisfied and wishes to take the complaint further, please see the contact details at the end of the document. The school will not consider the complaint beyond this.

15. Unreasonable and persistent complaints – See Appendix A

- 15.1 Unreasonable complaints include the following scenarios:
- The complainant refuses to co-operate with the school's relevant procedures.
 - The complainant changes the basis of the complaint as the complaint progresses.
 - The complainant seeks an unrealistic outcome.
 - Excessive demands are made on the time of staff and school governors and it is clearly intended to aggravate.
 - The complainant acts in a way that is abusive or offensive.

The Head Teacher will use their discretion to choose not to investigate these complaints. Where they decide to take this course of action, they must inform the Chair of Governors that they have done so, explaining the nature of the complaint and why they have chosen not to investigate. If the chair deems it appropriate to, they can redirect the Head Teacher to investigate the complaint. The full complaints procedure will commence from stage one on this direction.

15.2 Unreasonably persistent complaints

Where a complainant raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the school will not re-investigate the complaint except in exceptional circumstances, for example where new evidence has come to light.

If a complainant persists in raising the same issue, the Head Teacher will write to them explaining that the matter has been dealt with fully, in line with the school complaints procedure, and therefore the case is now closed.

If the Chair of Governors upholds the Head Teacher's decision not to look into the complaint and the complainant deems this decision to be so unreasonable that no other rational body in the same position would have made that decision, then the complainant may write to the Department for Education's Complaints Unit.

Please note that unreasonable is used in a legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances.

16. Queries or dissatisfied with the outcome

If you have any queries regarding any aspect of the complaints procedure, please direct these to the Clerk to the Governors, Miss A Platt.

If the complainant remains dissatisfied with the outcome of the complaints procedure, they can complain to the Department for Education after the complaints procedure has been exhausted, using the following contact details:

Online: www.education.gov.uk/contactus

Telephone: 0370 000 32288

Address: Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD

<https://www.gov.uk/complain-about-school>

17. School contact details

Deputy Head Teacher	Cathy Bach	bachc@turton.uk.com
Deputy Head Teacher	Carole Baily	bailyc@turton.uk.com
Assistant Head Teacher	Natalie Parry	parryn@turton.uk.com
Business & HR Manager	Leonie Hathaway	hathawayl@turton.uk.com

Head Teacher	Sam Gorse	gorses@turton.uk.com
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Clerk to the Governors	Amy Platt	platta@tuton.uk.com
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Main school telephone number: 01204 333233

18. Relevant legislation and guidance

The Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/contents>

The Data Protection Act 2018 [Data Protection Act 2018 \(legislation.gov.uk\)](http://www.legislation.gov.uk/data-protection-act-2018/contents)

The Education (Independent School Standards) Regulations 2014

<http://www.legislation.gov.uk/uksi/2014/3283/contents/made>

Education Act 2002 <http://www.legislation.gov.uk/ukpga/2002/32/contents>

The Department for Education *Best Practice advice for school complaints procedures*

<https://www.gov.uk/government/publications/school-complaints-procedures>

Appendix A

Appendix for managing unreasonable and persistent complaints

Turton 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 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.

Turton School 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 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 Turton 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 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 Turton School.

Appendix B

Turton School Formal – Stage 2 Complaints Form

Name	
Name of pupil, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint	
Action taken so far (including staff member who has dealt with it so far) or solutions offered	
The reason that this was not a satisfactory resolution for you	
What action would you like to be taken to resolve the problem?	

Signed:	
Dated:	

<i>Official use</i> Date received: Signed:
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Appendix C

Complaints Procedure Flow Chart

Raising Concerns

The majority of concerns can be dealt with without resorting to the procedure. Where you have a concern about any aspect of the school or your child's education or wellbeing, raise this with your child's form tutor, head of year or relevant subject teacher via the phone, email or in person.

