

Friern Barnet School

Complaints Policy



Last Reviewed:	March 2023	Next Review:	March 2024
Approved By:	Finance Committee	Date:	17 March 2023

Rationale

Friern Barnet School is a large and complex organisation. We have many teachers and other adults on our staff and over 800 students being educated here. We strive constantly to fulfil our strategic commitment, purpose and intent, our school motto of Enjoy and Excel and do our best for all the young people in our care and for the adults on our staff.

In the course of every day there are thousands of interactions between staff and students, staff and parents and carers and between students. We always try to communicate effectively and implement all processes and procedures fairly – but, as with any human organisation, sometimes things go wrong, communication fails, or we make a mistake.

In these circumstances we are very willing to listen to criticism and challenge and we hope to respond in a positive spirit in order to bring about improvement or redress.

Aims

The aims of our complaints procedure are:

- to enable complainants to express their dissatisfaction
- to ensure that anyone making a complaint about the school, or between persons within or connected with the school, is dealt with sympathetically and courteously. (Students will be dealt with in accordance with the Positive Behaviour for Learning Policy)
- to take complaints seriously and investigate them fairly and thoroughly
- to ensure that where errors or faults on our part are demonstrated, they are remedied as far as is possible, to the satisfaction of the complainant
- to learn from complaints so as to make improvements to our practice and procedure

At each stage in the procedure the school will want to keep in mind ways in which the complaint might be positively resolved through:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an explanation of the steps that have been taken to ensure that every effort will be made to prevent a similar situation arising
- an undertaking to review school policies in the light of the complaint

The Complaints Policy will be available at the school and published on the school website.

Practice

1. How do you make a complaint against the school?

What can you do?

Think clearly about the complaint you wish to make and what you want to achieve. If your complaint concerns an incident, please be ready to tell the school where, when and how you think it happened and who was involved. Your complaint might be about a difference of opinion, a matter of school policy or practice or a matter that needs clarifying. The outcome you wish may be an apology, an explanation or a review of practice or policy in the school (as outlined above). Section 4 of this policy details the scope of the policy, showing how complaints not in scope should be addressed.

How do I complain?

A complaint can be made in person, in writing or by telephone. The school staff with designated responsibilities, the Headteacher and the Governing Body are variously responsible for handling complaints about the school. In most cases you must take your complaint straight to the school via the school office.

Complaints that involve or are about the head teacher should be addressed to the Chair of Governors via the school office. Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body so that they can be considered by the local authority.

Complaints can pass through several stages, described as follows. If you are unsure who is the most appropriate person to take your complaint to, contact the school and ask – giving an indication of the nature of your complaint.

You must raise the complaint within three months of the incident. We will consider complaints made outside of this time frame if exceptional circumstances apply. We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

We will not normally investigate anonymous complaints. However, the head teacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

We recommend an informal resolution before using the formal procedures, if appropriate. However, if you wish to raise a formal complaint, we do not insist on informal resolution first.

Informal Stage

1. In the first instance, contact the school and find out who would be the most appropriate person to talk to.
2. Arrange to speak to that person, either on the phone or by making an appointment to speak to them in person or fax, e-mail or write to them at the school.
3. Their response will be by phone, e-mail or in writing within 15 working days

Most complaints are resolved satisfactorily at this stage. This will be confirmed in writing. If you are not satisfied your complaint moves on to Formal Stage 1. If you wish to withdraw a complaint, we ask that you confirm this in writing.

Formal Stage 1

- Contact the Headteacher in writing (letter or email), in person or by telephone, describing your complaint and/or the reason you remain dissatisfied with the school's response.

It would be most helpful if you could state what you wish to achieve – an apology, an explanation, a change to school practice etc. Please do not forget to give your full name and contact details and, where applicable, the student's name, year and form group.

The Headteacher or designated member of staff will investigate the matter and will let you know in writing the outcome and any action to be taken. Please note that it can take some time for a school to complete an investigation. Teachers spend most of their time teaching and the Headteacher has many planned commitments. Therefore it can take time to discuss matters with all those who may be involved. The school will respond to you within 15 working days.

If you still remain dissatisfied with the way in which your complaint has been treated, you can ask for it to be considered by the Complaints Panel of the School's Governing Body, consisting of a panel of 3 Governors who have no prior knowledge of the complaint. This must be done in writing to the school within 15 working days of the completion of Stage 1. This moves the complaint to Formal Stage 2.

Formal Stage 2

At this stage, the Complaints Panel will meet, usually within 15 school days of your request, to consider the process to date and the outstanding concerns and dissatisfactions.

- The Governors will ask you and the Headteacher to submit a written statement
- A date and time will be set for the panel to meet. You will be invited to attend so that you may present your views in person. If you wish, you may be accompanied by a friend or representative who can also speak for you
- The Panel will consider the views of both sides. They will reach a conclusion or a decision. This will be communicated in writing to both parties within 5 working days

The decision of the panel is final. If you still feel that the school has acted unreasonably or unlawfully or not followed the correct procedures, you can contact the Department for Education after completion of stage 2. This can be done 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.

This is not a further stage in the complaints procedures; the department will usually only consider the school's handling of a complaint and whether the school has adhered to education legislation and statutory policies connected with the complaint.

The Complaints File

This is kept by the Headteacher. The file records complaints made by parents and complaints made by members of staff about parents.

Each entry should record:

- a) the name of the person making the complaint
- b) the date of the complaint
- c) the category of the complaint
- d) if the complaint was resolved and how
- e) if it was not resolved, to whom it was referred and why
- f) the report of the incident will have attached any supporting witness statements or other evidence

The Headteacher will review the complaints file on a regular basis. The record of complaints made against staff and against parents will be reported on a half termly basis to the full governing body.

2. Complaints against parents

Friern Barnet School will operate the complaints procedure against the school and its staff alongside a procedure that allows staff to register complaints against parental behaviour. As with the parents' complaints procedure it is assumed that procedures to protect staff against inappropriate parental behaviour should be systematic and transparent. The school will, as with parental complaints, aim to deal with most complaints before they reach the formal stages of the procedure outlined below.

Formal staff complaints procedure

When a member of staff feels that they have been subjected to inappropriate behaviour or language from a parent they should report this in writing to a senior member of staff, with a copy to their immediate line manager. Such incident reports will be recorded in the complaints file kept by the Headteacher.

Stage 1

Following discussion between the member of staff, their line manager and the senior member of staff, an appropriate course of action will be decided upon. The parent will be contacted by the member of staff concerned, the line manager or the senior member of staff. In most cases the matter will be satisfactorily resolved at this stage and no further action need to be taken.

Stage 2

If the matter is considered to be too serious to be dealt with under Stage One then the Headteacher (or in his absence the Deputy Headteacher), will decide on a further appropriate response. If more formal action is required, the Headteacher will consult with the Chair of Governors.

3. Complaints between persons within the school

Friern Barnet School will operate the complaints procedure for complaints between adults within the school.

As with complaints outlined previously, it is assumed that procedures should be systematic and transparent. The school will aim to deal with most complaints before they reach the formal stages of the procedure outlined below.

Formal staff complaints procedure

When a member of staff feels that they have been subjected to inappropriate behaviour or language from an adult within the school they should report this in writing to the senior member of staff, with a copy to their immediate line manager. Such incident reports will be recorded in the complaints file kept by the Headteacher. Complaints involving staff grievances will be dealt with under the school's grievance procedures (see section 4).

Stage 1

Following discussion between the member of staff, their line manager and the senior member of staff, an appropriate course of action will be decided on. The other party will be contacted by the member of staff concerned, the line manager or the senior member of staff. In most cases the matter will be satisfactorily resolved at this stage and no further action need to be taken.

Stage 2

If the matter is considered to be too serious to be dealt with under Stage One then the Headteacher (or in his absence the Deputy Headteacher), will decide on a further response, following all relevant school policies as appropriate.

If more formal action is required, the Headteacher will consult with Chair of the Finance and Resources Committee and the Chair of Governors.

4. Scope of the complaints policy

This policy covers all complaints about Friern Barnt School other than complaints that are dealt with under other statutory procedures, including those listed below:

School admissions; statutory assessments of Special Educational Needs; school re-organisation proposals	Raised with London Borough of Barnet https://www.barnet.gov.uk/your-council/contact-council/compliments-and-complaints
Matters likely to require a Child Protection investigation	Handled under our child protection and safeguarding policy. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) https://www.barnet.gov.uk/your-council/policies-plans-and-performance/privacy-notice/children-and-families-privacy-10#:~:text=Barnet%20Council%20employs%20a%20Local%20Authority%20Designated%20Officer,trust%20with%20children%20in%20any%20setting%20a%20cross%20Barnet.
Exclusion of children from school	Information can be found at www.gov.uk/school-discipline-exclusions/exclusions
Whistleblowing	We have a whistle blowing policy for all employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person if you do not want to raise a matter directly with your employer. This can be done using www.education.gov.uk/contactus
Staff grievances	Grievance procedures
Staff conduct	Dealt with under the disciplinary procedures, if appropriate. Complainants will be notified that the matter is being addressed but will not be informed of any disciplinary action taken against a member of staff.
Complaints about services provided by other providers who may use school premises or facilities	Contact the providers directly.
National Curriculum content	Department for Education at: www.education.gov.uk/contactus

Appendix 1: Establishing a Complaints Panel

The Governing Body will convene a complaints panel when necessary with a minimum of three governors. There are several points which any governor sitting on a complaints panel needs to remember:

- It is important that the 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. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised 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.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults.
- The governors sitting on the panel need to be aware of the complaints procedure.

Remit of the Complaints Panel

The panel needs to consider whether the complaint:

- relates to a decision taken by the Headteacher, member of staff or the Governing Body
- is about the way a complaint or concern was handled.

If the complaint was in relation to a decision taken by the Headteacher or member of staff, the panel will need to consider whether:

A it was a decision within the Headteacher's responsibility or
B an area where the Governing Body have responsibility, or share responsibility but have delegated this to the Headteacher.

If the complaint relates to A, the panel can:

- consider the manner in which the complaint was addressed but not consider an alternative outcome.
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

If the complaint relates to B, the panel can:

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

Appendix 2: Roles and Responsibilities

The Role of the Clerk

Any panel or group of governors considering complaints should be clerked. The clerk would be the contact point for the complainant and be required 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.
- notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor

The Chair of the Governing Body or nominated governor should:

- check that the correct procedure has been followed.
- if a hearing is appropriate, notify the clerk to arrange the panel.

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption.
- the issues are addressed.
- key findings of fact are made.
- parents and others who may not be used to speaking at such a hearing are put at ease.
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy.
- the panel is open minded and acts independently.
- each side is given the opportunity to state their case and ask questions.
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, within 5 working days with the panel's response.

