



Complaints Policy

Overview

Under Section 29 of the Education Act 2002, (<http://www.legislation.gov.uk/ukpga/2002/32/section29>) schools must have a complaints procedure in place to deal with complaints relating to the school and to any community facilities or services that the school provides. Following changes to the School Information (England) regulations 2008, since 1 September 2016 maintained schools must publish their complaints procedures on their websites.

Anonymous Complaints

These will not normally be investigated. However, the Principal or Board of Directors, if appropriate, will determine whether the complaint warrants an investigation.

Complaint Campaigns

where the school is the focus of a campaign and receive a large volume of complaints

- All based on the same subject
- From complainants unconnected with the school.

The school may choose to respond by sending a template response to all complainants or publish a single response on the school's website.

Time Scales

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

Complaints received outside of term time

Complaints received outside of term time will be considered on the first school day after the holiday period.

There are certain complaints, which fall outside the remit of the governing body's complaints procedure, for example, staff grievances or disciplinary procedures. Separate procedures are in place for dealing with these cases.

In addition, it is recommended that the governing body ensure that any third party providers offering community facilities or services through the school premises, or using school facilities, should have their own complaints procedure in place.

It should also be noted that the majority of issues raised by parents, the community or students, are concerns rather than complaints. However the governing body and school is committed to taking concerns seriously, at the earliest stage to resolve any issues which is always in the best interest of children and parents/carers.

Any formal complaints made will be dealt with fairly and as speedily as possible, in a sensitive, impartial and confidential manner.

Key messages



PART 1: Purpose of the Complaints Policy/Procedure

This procedure aims to reassure parents and others with an interest in the school that:

- Any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution: and
- The school recognises that a willingness to listen to concerns/criticism and to respond positively, can lead to improvements in school practices and provision for students.

General Principles of Complaints

In summary there are four stages:

- Stage 1 (informal): concern heard by an appropriate staff member
- Stage 2 (formal): complaint heard by Senior teacher;
- Stage 3 (formal): complaint heard by Principal and Deputy Principal
- Stage 4 (formal): complaint heard by Board of directors.

Stage 1 - Informal Stage

On occasions, a parent may raise a concern directly with school staff without any formality. At this stage, it may be unclear whether the parent is making a complaint, seeking information or has misunderstood a situation. Schools need to be clear about the difference between a concern and a complaint. It would be helpful if staff were able to resolve issues on the spot, including offering an apology where necessary. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

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 policy/procedure need not in any way undermine efforts to resolve the concern informally.

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. The school requests that parents make their first contact with their child's class teacher. On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. The vast majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please write to or call the school within 10 school working days. The school will then look at your complaint at the next stage.

Stage 2 Complaint heard by Senior teacher

If the concern is not resolved immediately and the parent confirms a complaint, the opportunity to discuss the matter with an appropriate member of staff will be given e.g. Senior teacher, Key Stage Coordinator. In the case of the complaint being against those staff, this stage will always be heard directly by the Board of Directors.

The Senior teacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken. The Senior teacher will arrange for the complaint to be acknowledged within 5 school working days of receiving it and a meeting may be convened to discuss the matter further. Following the investigation the Senior teacher will aim to provide a written response within 10 school working days of sending the acknowledgement. However if a complaint is more complex to review this can be extended to a maximum of 20 school working days. The school will provide you details of the new deadline and an explanation on the delay. If you are not satisfied with



the result at stage 2 please write to or call the school within 10 school working days of getting our response. The school will then look at your complaint at the next stage.

Stage 3 – Complaint heard by Principal or deputy Principal

If the matter has not been resolved at Stage 2 or the complaint is about the Senior teacher, then you will need to write to the Principal or deputy principal of the school. They will arrange for the complaint to be acknowledged within 5 school working days of receiving it and a meeting may be convened to discuss the matter further. Following an investigation, they will aim to provide a written response within 10 school working days of sending out the acknowledgement. However, if a complaint is more complex to review this can be extended to 20 school working days. The school will provide you details of the new deadline and an explanation on the delay. If you are dissatisfied with the result at stage 3, you will need to let the school know within 10 school working days of getting the response. The school will then look at your complaint at the next stage.

Stage 4 – Complaint Heard by Governing Body’s Complaints Committee

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Schools might wish to nominate a member of staff to have responsibility for the co-ordination and management of the school complaints procedure. If the matter has still not been resolved at Stage 3, then you will need to write to the Board of Directors giving details of the complaint and asking that it is put before the appeal panel. The complaint will be acknowledged within 5 school working days of receiving it. The hearing will normally take place within 20 school working days of sending the acknowledgment.

The aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the Panel’s decision in writing within 5 school working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

An effective procedure will specify how a complaint will be dealt with and resolve the situation satisfactorily.

Governors Complaints Committee (GCC) Procedure for Hearing the Complaint

Introduction

The aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the parent. The Chair of the GCC will ensure that the meeting is properly minuted. Although the meeting will follow the structured order below, given potential sensitivities and anxieties, the Chair will endeavour to ensure that the proceedings are as informal as possible and that all parties are put at their ease.

The introduction of new information or witnesses, previously not notified to all parties, would be reason to adjourn the meeting so that everyone has time to consider and respond to the new information.

Order of Meeting

1. The Chair welcomes the parent and his/her companion and introduces everyone present.



2. The Chair explains the purpose of the meeting, the procedure, and that all written evidence has been made available to all parties.
3. The parent/companion explains the complaint, calling in witnesses if appropriate.
4. The GCC and Principal may question the complainant and witnesses.
5. The Principal/Chair of Governors are then invited to present a response to the complaint, including action taken to address the complaint at stage 1 and 2 of the procedure and calling witnesses, if appropriate.
6. The GCC and parent may question the Principal/Chair of Governors.
7. The GCC may ask questions at any point.
8. The parent summarises their case, highlighting evidence, including anything that has emerged in the questioning.
9. The Principal summarises the school's position, highlighting evidence, including anything that has emerged in the questioning. N.B. No new points to be added at stages 8 or 9.
10. The Chair of the Committee checks that all parties feel that they have had a fair hearing and reminds everyone of the confidentiality of the case.
11. Either party may request an adjournment of the hearing at any stage and this may be allowed on the grounds that further inquiries are necessary, but it should also be borne in mind that a speedy resolution of the complaint is usually desirable and advantageous.
12. The Chair of the Committee thanks both parties for attending and gives an indication of when they can expect to hear the outcome. All parties then leave the room together.
13. The GCC considers the complaint and reaches a unanimous or majority decision. The GCC also decides what action (if any) to take to resolve the complaint and, if appropriate, recommends changes to ensure similar complaints are not made in future.
14. When a decision has been made, the Chair informs both parties both verbally and in writing of the outcome of the complaint. This will usually be within 5 school days, unless there are exceptional circumstances which prevent this, in which case the Complainant will be notified of this and the reason for the delay.

PART 2: Framework of procedures

An effective Complaints Procedure will:

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to understand and use
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality
- address all the points at issue and provide an effective response and appropriate redress, where necessary
- provide information to the school's senior management team so that services can be improved
- It is not expected that either the school or the complainant bring legal representation to a complaints committee. The committee meeting is not a form of legal proceedings and aims to ensure there is reconciliation or things are put right that may have gone wrong. However a school employee who is a witness in a complaint, may be entitled to bring union or legal representation if appropriate.



- If a complainant commences legal action against the school in relation to their complaint, the school may suspend the complaints procedures, until those legal proceedings have concluded.

Investigating Complaints

It is suggested that at each stage, the person investigating the complaint makes sure that they:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview

Resolving Complaints

At each stage in the procedure schools will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- 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

It would be useful if complainants were encouraged to state what actions/outcome they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Unreasonably Persistent Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Board of Directors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Withdrawing a Complaint

If a complainant wishes to withdraw their complaint, they will be asked to confirm this in writing.



PART 3: Managing and Recording Complaints

Recording Complaints

It would be useful for schools to record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, in writing (e-mail). An example of a complaint form can be found in Appendix. At the end of a meeting or telephone call, it would be helpful if the member of staff ensured that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record. All notes will be kept securely and encrypted where appropriate.

Where there are communication difficulties, consideration will be given to using a recording device. All parties should agree in advance to being recorded. The school as the data controller have discretion via policy to decide whether to allow complainants to record meetings, if it's not required for the purposes of a reasonable adjustment. Before agreement is given to record meetings the school will consider the following:

- How any decision to allow recording may affect any third parties called to act as witnesses
- The impact and consequences on the individuals involved in the complaint in the event recordings are lost or leaked.

Governing Body Review of Complaints

The governing body should monitor the level and nature of complaints a school receives and review the outcome on a regular basis to ensure the procedure is operating effectively and make any amendments where necessary. Complaints information shared with the governing body should not name individuals.

As well as addressing the individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, schools may identify underlying issues that need to be addressed.

In line with GDPR the school will retain records relating to complaints for a period of six years.

Publicising the Policy/Procedure

There is a legal requirement for the complaints procedures to be publicised. It is up to the governing body to decide how to fulfil this requirement but details of the procedures could be included in:

- School prospectus
- Information given to new parents when their children join the school
- Information given to the children themselves
- Home school bulletins or newsletters
- School website

Policy Review

This policy is reviewed annually.
Reviewed July 2019



Complaint Form

British International School Formal Complaint for Reporting Violations of the BIS' Policies		
Name of aggrieved person (Mr., Mrs., Miss, Ms.)	Home phone	Mobile phone
Street Address (city, and zip code)	If you wish to file a confidential complaint, please indicate so by marking here: <input type="checkbox"/> Yes, this complaint is confidential. <input type="checkbox"/> No, this complaint is NOT confidential.	
Against whom is this complaint being filed? Name (last name, first name)		
School where this individual works		
Name and place of employment of other individuals (if any) you believe violated the policies in this case:		
What did the person(s) against whom the complaint was filed do? Additional details may be submitted on an attachment.		
When did these acts occur? Please give the most recent date first if several dates are involved.		
Who witnessed these acts?		
Where did these acts occur?		
Signature:	Date:	