Torquay Girls Grammar School
Complaints Procedure Policy

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1. Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to TGGS about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

2. 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 may be defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. TGGS takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher 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 and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, TGGS will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

3. How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone.

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher, either by email or on paper, marked as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Trustees, via the Governance Professional, either by email or on paper, marked as Private and Confidential.

Complaints about the Chair of Trustees, any individual trustees or the whole Trust Board should be addressed to the Headteacher either by email or on paper, marked as Private and Confidential.

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

Complaints relating to our SEND provision

If your concern or complaint is specific to SEND, you should communicate with the school by either calling the main school number 01803 613215 and requesting to speak to a member of the SEND team or alternatively, email the SEND team at sendadmin@tggsacademy.org.

We would always seek to resolve any issues before they reach the stage of a complaint being raised and we actively encourage parents to discuss any concerns that they may have.

If the matter is unresolved after discussion with the SEND team, please follow the complaints procedure highlighted in Section 3 of this policy.

4. Anonymous complaints

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

5. Time scales

You must raise the complaint 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.

6. Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

7. Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by TGGS, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
• Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our Safeguarding and Child Protection policy, and our Allegations Against Adults policy, and in accordance with relevant statutory guidance. The Headteacher will work with the Local Authority Designated Officer (LADO) to manage such complaints.
• Suspension of children from school*	Further information about raising concerns about suspensions 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.
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. Please see the school's Whistleblowing policy.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures. Please see the school's Grievance policy.
• 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.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against TGGS in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

8. Resolving complaints

At each stage in the procedure, TGGS 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.

9. Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

10. Stage 1 – Informal complaints

It is to be hoped that most concerns can be expressed and resolved on an informal basis.

Concerns should be raised with either the class teacher, year head/subject head or Headteacher. Complainants should not approach individual trustees 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 3 of the procedure.

If the issue remains unresolved, the next step is to make a formal complaint.

11. Stage 2 – Formal complaints

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), either by email or on paper, marked as Private and Confidential.

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the Headteacher (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.

At the conclusion of their investigation, the Headteacher will provide a formal written response within 15 school days of the date of receipt of the complaint.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 TGGS will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Headteacher, or a member of the Trust Board (including the Chair or Vice-Chair), a suitably skilled trustee or an independent investigator will be appointed to complete all the actions at Stage 2.

Complaints about the Headteacher or member of the Trust Board must be made to the Governance Professional, either by email or on paper, marked as Private and Confidential.

If the complaint is jointly about the Chair and Vice Chair or the entire Trust Board or the majority of the Trust Board, Stage 2 will be considered by an independent investigator appointed by the Trust Board. At the conclusion of their investigation, the independent investigator will provide a formal written response.

12. Stage 3 – Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least one trustee who was not directly involved in the matters detailed in the complaint and who is independent of the management and running of the school. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Governance Professional, via the school office, within 5 school days of receipt of the Stage 2 response.

The Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Governance Professional will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 2 request. If this is not possible, the Governance Professional will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Governance Professional will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Trust Board or
- the majority of the Trust Board

Stage 3 will be heard by a completely independent committee panel.

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.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Governance Professional will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

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

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.

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

The committee will consider the complaint and all the evidence presented. The committee can:

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

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

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

The Chair of the Committee will provide the complainant and TGGS with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by TGGS.

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 TGGS will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the Headteacher.

A record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

13. Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by TGGS. They will consider whether TGGS has adhered to education legislation and any statutory

policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT