

Complaints Policy



1) Aims:

Anglo European School is dedicated to providing the best possible education and support for all its students. This means having a clear, fair and efficient procedure for dealing with complaints so that any issues arising can be dealt with swiftly and effectively. The policy particularly applies to parents/carers of registered students.

The school will review this document every two years and make all staff aware of its content so they can be of assistance when a parent/carer brings a matter to their attention. By maintaining open lines of communication and working in partnership with parents/carers, we aim to minimise the need for parents or other stakeholders to lodge complaints. A valid complaint involves an issue where the school has not followed its own procedures or policies to the detriment of an individual student.

The school aims to be impartial and non-adversarial, to facilitate a full and fair investigation, to address all points at issue and provide an effective response, respect all parties' need for confidentiality, treat all parties with courtesy and respect and ensure the procedure is conducted lawfully, reasonably and proportionately.

2) The difference between a concern and a complaint:

A concern is a worry or doubt over an issue for which reassurances are sought. Concerns arise because a parent, student or other stakeholder is personally dissatisfied with an aspect of school practice or policy. Concerns are usually expressed prior to a complaint and usually require nothing more than an explanation. Many concerns can be resolved informally without the need to use the formal complaints procedure. Anglo European takes the concerns of parents and carers very seriously and will make an effort to resolve the matter as quickly as possible via a member of senior staff who can view the concern objectively and impartially. However, if a person wishes to raise their complaint more formally, or the concern raised informally has not been properly dealt with in the view of the complainant they should follow the procedure outlined below.

For day-to-day concerns, please contact the tutor, pastoral manager subject teacher via enquiries@aesessex.co.uk.

For more serious concerns, you may address the correspondence to the Year Leader or Head of Department.

For concerns regarding safeguarding and Personal Development, please address the correspondence for the attention of our Designated Safeguarding Lead, Mrs Wootton.

For serious concerns regarding the curriculum, please address your correspondence to Mr Seager, Deputy Headteacher.

For concerns regarding behaviour or attendance matters, please mark correspondence for the attention of Mr Marshall, Assistant Headteacher.

For matters regarding finance, catering or non-academic service, please address concerns to Mrs Miller, Business Manager.

A complaint can be defined as an expression of dissatisfaction about actions taken or a lack of action taken. Academies must ensure their own complaints procedure is compliant with *The Education (Independent School Standards) Regulations 2014*. The relevant requirements are set out under section 7 of the regulations. Under these regulations, an academy's complaints procedure must contain at least three stages, progressing from informal stage to a formal meeting with a panel of governors.

At all stages, we aim to communicate effectively and will consider how the outcomes may further inform school improvement or an evaluation of processes and procedures.

3) How to raise a complaint:

The school will record and deal with all complaints. The school expects complainants to present their case in writing to the Headteacher via enquiries @aessex.co.uk, titles Formal Complaint FAO the Headteacher. Complaints should be expressed in a polite and constructive manner, refraining initially at least from making judgments or assumptions. Complainants should leave open the possibility that their complaint is ill-founded and based on inaccurate or misleading information.

Complaints about third parties such as public transport providers or other suppliers will be noted. The school will not be able to manage the complaint directly but may advise on possible courses of action.

Complaints against members of staff (except the Headteacher) should be addressed directly to the Headteacher. Complaints against the Headteacher should be addressed to the Chair of Governors and Complaints against the Chair of Governors should be addressed to the Clerk of the Governing Body. All should be marked "Private and Confidential" and will be referred to another relevant governor.

Complaints about students when out of school hours will be taken seriously and noted but the school will only act if it impacts on the well-being of students in the school or brings the school into disrepute, such as cyber bullying or misbehaviour in the village and on public transport.

All complaints must follow this procedure. Failure to follow this procedure may result in delay or an incomplete investigation. The Headteacher reserves the right to return any

complaint if this procedure has not been followed to ensure the complaint is properly heard.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and this may compromise their ability to consider the complaint at Stage 2 or Stage 3 of the procedure.

Complainants should complete the form at the end of this policy and attach any accompanying documentation or evidence when submitting it to the school. Should you need help completing the form, you may contact the school office for assistance or a third party such as Citizens Advice should be able to help. In accordance with the Equality Law, we will consider making reasonable adjustments if required, to allow all complainants to access and complete the Complaints Procedure.

We will not normally investigate anonymous complaints. The Headteacher/Chair of Governors (if the complaint concerns the Headteacher) will decide whether the complaint warrants investigation.

4) Time Scales:

A complaint must be raised within three months of the incident or where there are a series of related incidents, within three months of the last incident. We will only consider complaints outside these time-frames in exceptional circumstances such as where there may be serious safeguarding concerns.

We will consider complaints received during periods of school closure to have been received on the first day of school after the period of closure, unless it relates to the safety and well-being of students or staff, which require immediate attention.

If other bodies are investigating aspects of the complaint, for example, the Police, Local Authority, Safeguarding Teams or Tribunals, this may impact upon our ability to adhere to these timescales or result in the procedure being suspended until those public bodies have completed their investigations.

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

It is the intention of the school to provide a clear and transparent process which enable complaint to be dealt with as quickly and efficiently as possible. The length of time it takes will vary with the gravity and complexity of the complaints but should be completed within reasonable time frames. All references to working days in the policy refer to days on which the school is open to students.

5) Withdrawal of a Complaint:

Should a complainant wish to withdraw their formal complaint, we will ask them to confirm this in writing.

6) Scope of the Procedure:

The procedure covers all complaints against Anglo European School by external persons/parties which do not have an alternative statutory avenue for appeal or complaint i.e. admissions, exclusions, delivery of National Curriculum, provision of collective worship, religious education, the handling of external examinations or SEND assessments.

Anonymous complaints will not normally be considered.

Where complainants make allegations of misconduct against staff, this procedure may be superseded by staff disciplinary procedures or other related policies.

Complaints from the community will be recorded on a Community Complaint log and assigned to a senior member of staff for investigation. The school will respond to the complainant, and explain their actions in response, if the incident concerns the well-being or safety of a child or member of staff or brings the school into disrepute.

Anonymous complaints will not be dealt with but the information given will be noted, and preventative measures considered to prevent a repeat of the incident. In these cases, action will only be taken if the Headteacher deems it to be appropriate to do so.

Complaints regarding the welfare and safety of young people will be given the highest priority and will be referred to the Designated Safeguarding Lead who may refer it to the LADO (Local Authority Designated Officer) or the Children Social Care. Should there be a need for a formal investigation, the decisions by these authorities and the police supersede those made by the school through this process. This policy should be read in conjunction with the school's Child Protection Policy and Keeping Children Safe in Education documents.

7) Whistleblowing

Please refer to Anglo European Whistleblowing Policy available on our website.

8) Confidentiality and Use of Social Media

All correspondence relating to a complaint is confidential. All accounts, records and evidence relating to a complaint are confidential, except when the secretary of state or a body conducting a section 109 inspection requests access to them.

Parents must refrain from using social networking sites to discuss issues relating to the school. Please refrain from discussing any matters of complaint on social networking sites. The school welcomes dialogue with parents but where there are matters of concern that cannot be resolved informally, the guidance in this policy should be followed. If matters are raised in public forums or with individuals beyond the school, the governors may take the view that the complaint cannot be impartially dealt with. In some circumstances, such action may raise safeguarding concerns for the staff or child/ren concerned which would have to be dealt with separately.

Complaints about students' use of social media outside of school hours may be considered by the Headteacher if the school deems that the incident has affected the students' ability to learn or feel safe in school or the school has been brought into disrepute. However, if the situation has involved criminal activity such as malicious communication, the parents should forward their complaint to the police.

9) Resolving the Complaint:

On receipt of the complaint, a caseworker will be appointed who the Headteacher considers the most effective and informed person to investigate impartially and fairly. The outcome of the investigation will be confirmed in writing. If the complaint is upheld, we will offer one or more of the following: an apology, an explanation, an admission that the situation could have been dealt with differently or better, an undertaking to review the school procedures or policies to mitigate the risk of reoccurrence.

Whilst the school will always accept responsibility when it is at fault, and apologies will be offered as appropriate, there may be times when the school and the complainant may have to agree to differ.

Should your enquiry not satisfy your complaint, please then follow the complaints procedure below.

10) Resolving Complaints

It is always a matter of regret that a parent finds the need to formally complain about the school. The school will do its best to resolve the complaint, acknowledging whether the complaint has been upheld in whole or in part. Where the school considers itself at fault, it will apologise and take other actions if appropriate. The school will also acknowledge if it feels it could have dealt with the issue better or differently; if the complaint has validity or if school policy or procedures need to be reviewed.

There may be times when the school feels it can do no more to investigate or resolve a complaint. If the complaint has exhausted the procedures outlined here and that nothing further can be gained, that the school has taken every reasonable action to resolve the

complaint or that a review panel is unlikely to resolve matters then the Chair of Governors may write to the complainant outlining the reasons why the matter will be closed.

Threats to involve the media, Ofsted, the Local Authority, solicitors or the police will be noted. The school will write to the complainant to confirm that such action has been threatened and request a deadline by which such threats will be implemented. This is to avoid a situation whereby a threat remains over the school indefinitely, and/or in protection of staff and students' mental health and well-being. Where the matter is referred to the police, the school will request the incident number and the name of the investigating officer so that communications can be swift and effective between the school and the police.

If the behaviour of a complainant threatens the well-being or safety of a member of the school community or if such behaviour compromises the smooth running of the school, a Headteacher will impose actions in line with section 15 of this policy.

11) Stages of Complaint:

Stage 1: Raising an informal Concern

If the matter is not resolved through discussion, the matter should be raised as an informal concern with either the member of staff concerned, in writing to the most appropriate leader, via enquiries@aesessex.co.uk, where it can be referred to the most relevant case worker. The initial issue should be stated clearly and who you have spoken to previously in relation to the matter. It should be stated politely, openly and courteously, without conclusions being reached until the school has been able to respond. The concern should be acknowledged within 3 working days (not including school holidays), with the date of receipt recorded and a case worker named. We would expect to report the progress or conclusion of our enquiries within 10 working days (not including school holidays).

If the preferred deadline of 10 working days is not achievable, the school will notify the complainant with an update and a revised response date. The response will also detail how a complainant can escalate their concern if they remain dissatisfied.

Once the concern has been raised, you may be invited to have a phone call or attend an informal meeting with the investigating member of staff to discuss your concerns. The student may also be invited to attend the meeting if this is deemed relevant, appropriate and helpful. If the matter is resolved at this point, the member of staff conducting the investigation will record the agreed outcomes and subsequent actions in a formal written response.

In the case where the concern refers to a possible criminal act, the complainant has the right to refer the matter to the police; a decision the school will respect. This is a decision that can properly be taken only by the parent or, indeed, the student in question. In such cases the school is likely to suspend investigation until the police have dealt with the matter.

Stage 2: Formal Complaints

If a concern or informal complaint has not been satisfactorily resolved at the preliminary stage, the complainant should put her/his complaint in writing to a Headteacher (or the Chair of Governors if the complaint concerns the Headteacher), using the form in Appendix A.

The complaint should be specific and relate to a single issue, or issues which are directly related. A Formal Complaints form should record such a complaint. In each case, the letter should include a description of the complaint, providing specific, relevant details and any relevant documentation or evidence attached.

Complaints should not be written on legal notepaper unless legal advice is being actively sought/legal action is being proposed. The school reserves the right to return such a complaint. If legal action is threatened, the school will reserve the right to amend a deadline for response to allow legal advice/action to be taken. This is to avoid a situation where a threat of legal action against the school is left open-ended. In such cases, the school may decide to take no further action until the legal process has been concluded.

The school will note the date the complaint has been received, acknowledge receipt of written formal complaints as soon as possible and within 3 working days, naming a Case Officer who will investigate and advise the Headteacher. The complainant may be contacted by the Case Officer at this point to clarify the nature of the complaint, what has been unresolved and gain further details to inform the investigation. This may be done by telephone or in a meeting. We will contact the complainant within 10 working days (not including school holidays) either with a conclusion or a progress report. If the school is unable to meet the deadline, the Headteacher will provide an update with reasons why and a revised response date.

During the investigation, it is likely that the investigator will interview those involved or who may have witnessed the issue. They will keep a written record of these interviews and any written accounts taken by those involved. These are for internal purposes only except for criminal investigation where they could be shared with the police. Any requests for related written accounts will be subject to data protection law.

A formal written response will be written by the Headteacher (Or Chair of Governors) at the conclusion of the investigation. The response will detail the actions taken to

investigate the complaint and a full explanation of the decision the Headteacher (or Chair of Governors/nominated Governor in the event it is a complaint about Headteacher) has come to and the reasons for it. Where appropriate, it will also detail the actions the school intends to take to resolve the complaint or any intended amendments to policy and practice. It will also explain how to escalate the complaint should the complainant remain dissatisfied with the outcome.

Where the school has arranged a meeting to address a complaint and the complainant fails to attend without providing a reasonable explanation, the school reserves the right to deem the complaint closed and take no further action.

Stage 3: Appeal Stage

If the complainant remains dissatisfied with the outcome of Stage 2, they may request that the complaint be heard by the Complaints Appeals Committee, consisting of 3 impartial governors.

To appeal, you should write to the Clerk to the Governing Body to exercise this right within 10 days of receiving the outcome from Stage 2. If no referral to the Clerk is made during this time frame, it will be deemed that the decision has been accepted, and the complaint will be closed. The Panel meeting will be convened by the Clerk to the Governors and take place within 21 working days of the request being acknowledged.

Panel members, complainants, witnesses and relevant staff will be notified at least 5 working days in advance of the date, time and place of the meeting. The school itself may choose to refer complainants or some complaints to the Panel. The Clerk will endeavour to find a time within the timeframe mutually convenient to both parties. The clerk will ensure that both parties have access to the same information in advance and any supporting documents or evidence must be received by the Clerk at least 5 days before the hearing. All documentation, evidence and recommendations are to be provided to the panel, the complainant and, where relevant, the person complained about. This information should also be available for inspection on the school premises by the governors and the headteacher. The complainant and the school representative are entitled to be accompanied to the hearing but should notify the Clerk in advance if either party intend to bring anyone, stating their name and position. (see Appendix B Complaints Appeal meeting procedure)

Stage 4: Opportunities to Request a Review

Complaints to the Secretary of State:

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 their

exercise of their duties under educational law, they can contact the Department for Education after they have completed Stage 3 of the complaints policy.

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

Serious allegations relating to child protection or safeguarding would be referred to the LADO and Children's Social Care, under Child protection procedures.

The Complainant can refer their complaint to the Department of Education online at: www.education.go.uk/contactus, by telephone on 0370 000 2288 or in writing at the following address: Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD.

12) Complaints about Staff, Headteacher and Governors

Complaints about the personal conduct of a member of staff will be dealt with under the school's internal confidential procedures, as required under employment law, the outcome of which will not be disclosed to the complainant. This type of complaint cannot be progressed to Stage 4 and, if necessary, will be progressed using the school's agreed disciplinary policies and procedures. The Case Officer in the event of a complaint about a Headteacher will be the Chair of Governors. A complaint against a governor will be addressed to the Chair of Governors who will appoint another senior governor to investigate. A complaint against the Chair of Governors will be referred to the Clerk who will appoint a Complaints Panel or nominate a senior member of the Governing Body to investigate.

13) Complaints about parents

If the staff, students or other parents complain about individual parents, this will be noted. If appropriate, the school will communicate with the parent concerned. The school will monitor the conduct of parents with the Chair of Governors where concerns arise, or the school is not satisfied that a parent is conducting themselves in a manner conducive to the maintaining of appropriate relationships. In such incidences, concerns will be referred to the Chair of Governors. The Headteacher may decide, at that point, that further correspondence with the parent or parents should be conducted by a single point of contact in school or a nominated governor. This will not apply to normal school-to-parent correspondence such as reports, detention slips, and correspondence relating to visits and exchanges.

14) Managing Vexatious, Persistent, Unreasonable or Serial Complaints

The school is committed to managing all complaints fairly and impartially. Whilst it is hoped that this policy will reduce dissatisfaction with the school, it is acknowledged that there may be rare occasions when a complainant will continue to be dissatisfied with the school and the outcomes achieved through the complaints procedure.

However, we do not expect our staff to tolerate unacceptable or unreasonable behaviour and will take action to protect staff from that behaviour, including that which is abusive, unreasonable offensive or threatening.

The Anglo European School defines the characteristics of “unreasonable” or “vexatious” complaint as one which;-

- are obsessive, persistent, harassing, prolific, defamatory or repetitious
- contain use of obscenities, racist, misogynistic or homophobic language
- contain personally offensive remarks about members of staff
- insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond that which is reasonable
- repeatedly submit further complaints with only minor differences after the complaint has been fully addressed.
- Is malicious, unfounded, or designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value or make excessive demands on school time

Other unreasonable behaviour concerning complaints might include:-

- Refusing to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- Refusing to co-operate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of the complaints procedure or the jurisdiction of the school.
- Insisting on the complaint being dealt with in ways which are incompatible with the complaints procedure or other school policies.
- Introducing trivial, irrelevant or misleading information, which they expect to be taken into account and commented on.
- Raising large numbers of detailed but unimportant questions, insisting these are fully answered or to unreasonable timescales.

- Making unjustified complaints about those seeking to resolve the matter or seeking to have them replaced.
- Changing the basis of the complaint as the complaint proceeds.
- Repeatedly making the same complaint (despite previous investigations or responses where the school could conclude that the complaint is groundless or has already been addressed.)
- Refusing to accept the findings of the investigation into that complaint where the school's complaints procedure has been fully and properly implemented and completed
- Seeking an unrealistic or unreasonable outcome
- Making excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint, whilst the complaint is being dealt with, such that, resolving the complaint in a timely fashion following normal procedures, would require a disproportionate amount of time and resources.
- Continuing to complain about the same issue after the initial complaint and investigation.
- Using threats to intimidate
- Using abusive, offensive, discriminatory language or violence
- Using personal attacks on the professionalism and integrity of those investigating the complaint or subject to it
- Making judgments/reaching firm conclusions without considering a range of evidence
- Knowingly providing falsified or incomplete information
- Publishing information relating to the complaint to a third party, on social media, in the press or other public forums or deliberately seeking to bring the school into disrepute.
- Inciting or taking part in a complaints campaign where numerous complaints are based on the same subject. In this instance, the complainant can expect a template response to all complainants or a response published via In Touch or on the school website/social media.

Response to vexatious or unreasonable behaviour:

The Headteacher reserves the right to refer complaints directly to the Chair of the Governing Body or her/his representative if they feel a complaint is vexatious, unreasonable or without foundation.

Where the nature and/or volume of complaints from a parent/s is regarded as vexatious by the Headteacher and the Chair of the Governing Body, the complaint may be dismissed without going through the formal process.

The Chair of Governors or their nominated representative will either:

- a) refer the matter back to the school so that the normal procedure can be followed;
- b) refer the matter to another Governor so that an investigation can be carried out;
- c) write directly to the complainant with a view on the matter in hand; or
- d) write to the complainant to explain why any or further investigation will not take place.

The letter may also offer advice about how the school expects complaints to be presented, how to communicate with the school or how to follow agreed school policies, explaining that their behaviour is unreasonable and ask them to change their approach.

Where there is no change in behaviour or where there is excessive contact, causing significant disruption, we may specify or limit the methods of communication with the school in a communications plan.

The school may stop responding to a complainant if it feels it has taken every reasonable step to address the complainant's concerns, the complainant has been given a clear statement of the position and their options or the complainant contacts the school repeatedly, making substantially the same points each time.

Should communications become abusive, threatening or aggressive, make insulting personal comments about or threats towards staff or there is a clear motive to cause disruption or inconvenience, the school reserves the right to cease communication with the complainant and refer the matter to the Chair of Governors. Where an individual complainant behaves in a manner which is considered harassment, the school will seek legal advice and take action to protect staff.

In extreme cases, where a complainant's behaviour is a cause for concern, the school has the right to bar the individual from the school premises to ensure it is a safe place for staff and students. The individual will be given the right to express their views formally on the decision to bar. This decision will be reviewed by either the Chair of Governors or a committee of governors, who should take into consideration any representations made by the individual and should decide whether the bar should be confirmed or lifted. The

Chair will inform the complainant how long the bar will be in place and when the decision will be reviewed. The Chair of Governors, or a nominated Governor, will communicate with the complainant to explain why the school deems the complaint unreasonable in writing.

Appendix A:

Anglo European School Complaints Form

Please complete and return to school via enquiries@aesessex.co.uk for the attention of either the Headteacher, The Chair of Governors or designated governor.

Your Name:	
Student's name:	
Your relationship to student:	
Contact details: E mail: Home Telephone: Mobile:	
Details of your complaint:	
What actions do you feel will resolve the issue at this stage?	
Are you attaching any information or evidence? If so, please list nature of attachments.	
Signature Name in Capitals Date	
Official use: Date acknowledgement sent: Investigating Officer appointed:	

Appendix B:

Conduct of Complaints Appeals Meeting:

The Complaints Appeals Panel will be made up of three impartial members of the Governing Body with no prior knowledge of the complaint. The panel will nominate a Chair. All panel members will be familiar with and have access to the Complaints Policy.

The date of the meeting must be agreed with all parties and any relevant documentation circulated at least 5 working days in advance of the meeting.

The Complainant and the Headteacher can bring a companion to provide support. Either party should inform the Chair of their intention to bring a companion and confirm their identity 5 days in advance of the meeting. Representatives from the media are not permitted to attend.

The meeting will be minuted by a Clerk.

Process:

- 1) The Complainant and Headteacher/Chair of Governors will enter the hearing together
- 2) The Chair will introduce the panel members and outline the process
- 3) The Complainant will outline the complaint and explain their dissatisfaction with the school's response to date. The complainant may call upon any witnesses in support of the complaint who will attend the meeting only for the time that they are providing information and may be questioned by all parties.
- 4) The Headteacher/ Chair of Governors and panel will question the Complainant/ witnesses
- 5) The Headteacher/ Chair of Governors will explain the school's actions and response. They will explain the reasons for their decisions at the informal and first formal stage. The Headteacher and/or Chair of Governors may call witnesses in support of their statement who will attend the meeting only for the time that they are providing information, and may be questioned by all parties.
- 6) The Complainant and the panel will have the opportunity to question the Headteacher/Chair of Governors
- 7) The panel may decide to adjourn the hearing pending further investigation or to take further advice at any stage, if this seems necessary.
- 8) Both parties leave the meeting together and the panel consider the information that has been put to them and decide the outcome.
- 9) The panel must reach a unanimous or majority decision as to whether to uphold the complaint wholly or in part and what action (if any) the school needs to take to resolve the complaint.

- 10) The panel will communicate their findings and recommendations to both parties in writing as soon as possible but, in any case, within five working days of reaching their decision. The panel's response should detail whether the complaint is upheld wholly or in part and briefly summarise the basis on which the panel members arrived at this conclusion. The response should also include any lessons learnt and specify any action to be taken and within what timescales.

Any written material and the names of those in attendance will be circulated to all parties at least working 5 days before the hearing. The meeting will be held in private. The Committee will not accept recordings of meetings which were recorded covertly and without the consent of all parties being recorded.

Electronic recordings of the panel meetings or conversations are not permitted unless the participants' own disability or special needs require it and prior knowledge and consent are sought from all parties. Consent will be recorded in any minutes taken.