

# THE HARVEY GRAMMAR SCHOOL



## Complaints Procedure

Approved: February 2025  
Review Date: February 2030

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## Introduction

All the staff at the school are committed to the core purpose of the school, which is to help every pupil to achieve his full academic potential and develop all the personal skills, attitudes and attributes he will need throughout his life, in a safe and supportive environment. The school aims to work closely with parents and guardians to achieve this ambition.

Occasionally, a parent or guardian may feel that the partnership is not working effectively for some reason; in this case, the school will do its very best to investigate any complaint as quickly and thoroughly as possible and act to put right any deficiency which such an investigation reveals.

Ideally, most if not all complaints will be able to be dealt with informally but this document outlines the formal procedure which will apply to address any which cannot be easily resolved. The same procedures will apply for dealing with complaints from people who are not parents or guardians of attending pupils.

## Complaints Procedure

### **Stage One - Informal**

It is reasonable to assume that a parent or guardian who is dissatisfied about any area of school life will give the school the opportunity to respond to a complaint informally since there is every possibility that the matter will be resolved effectively and informally at that stage. A parent or guardian who believes that the school or a particular member of staff is at fault in any respect should, initially, contact by either phone or email, the appropriate member of staff which will usually be the Head of House.

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.

Where a complaint concerns the Headteacher, the complainant should first approach the Headteacher in an attempt to resolve the issue informally. If the complainant is not satisfied with this outcome they should notify the Clerk to the Governing Body that they wish to take a complaint forward. The Stage 3 process will then commence and the Chair of Governors will take the process forward. Where a complaint concerns a governor, the same process applies as for the Headteacher. Where a complaint concerns the Chair of Governors the procedure at Stage 3 will apply but the Vice Chair of Governors will take the process forward.

Whatever the nature of the complaint, a parent or guardian should not arrive at school without an appointment and "demand" to see the Headteacher or any other member of staff. It is likely that the member of staff concerned will have existing commitments which make an immediate consultation impossible and is likely to need time to consider the detail of the complaint before being able to make an informed response.

### **Stage 2 - Formal**

If a parent or guardian is not happy with the way the complaint has been addressed, then s/he should write to or email the Headteacher (or the Chair of Governors if the complaint relates to the Headteacher/Vice Chair of Governors should the complaint refer to the Chair of Governors), that it is a formal complaint and giving full details of the matter.

The Headteacher/Chair or Vice Chair of Governors will either investigate the matter personally or refer it to another member of the Leadership Team - this senior colleague would not be the one who initially responded to the complaint. The complaint will be acknowledged (in writing) within 3 school term time working days, indicating as soon as reasonably practicable, the action to be taken in investigating the matter further. The investigation will be completed, usually within 20 school term time working days, and the parent or guardian will be informed in writing of the school's conclusions and the action, if any, which is subsequently to be taken.

### **Stage 3 – Appeal**

Should the parent or guardian not be satisfied with the outcome of the investigation s/he should write to the Clerk to the Governing Body ([clerktogovernors@harveygs.kent.sch.uk](mailto:clerktogovernors@harveygs.kent.sch.uk)) requesting that the complaint be referred to the Governing Body no later than 10 school term time working days from the date of the Headteacher's decision letter. In this case, the formal Appeals Process outlined below will apply.

## **Appeals Process**

- The Clerk to the Governing Body will convene a meeting of the Complaints, Appeals and Grievance Committee of the Governing Body within 20 school term time working days of receipt of the complainants notice of intention to appeal.
- The Clerk will give the complainant a minimum of 5 school term time working days' notice of the date, time and venue of the meeting. A reasonable request by the complainant for an alternative date will be complied with to set a mutually convenient time for the meeting.
- The Headteacher and/or another senior member of staff will represent the school. The complainant may be accompanied by one relative, friend or work place colleague if they wish.
- As it is important that the hearing is independent and impartial, the committee will be carefully selected so as to be a representative cross-section of the Governing Body, sensitive to the equality issues of gender, race and creed. Any governor who may have had a prior involvement with the complaint in question or in the circumstances surrounding it will not be selected. One of the three members of the Committee will be independent of the management and running of the school.
- Where the complainant chooses to attend in person, the order of proceedings will be as follows:-
  - The Committee Chair will welcome the complainant and introduce those present.
  - The complainant may restate the nature of the complaint if s/he chooses but not introduce reasons or further evidence that was not previously put in writing and addressed during the investigation process.
  - The complainant may be asked questions by the Committee and by the Headteacher and/or senior member of staff.
  - The Headteacher and/ or senior member of staff may be asked to make a statement to the Committee regarding the complaint and may be asked questions by the Committee and/or the complainant.
  - The Headteacher and/or senior member of staff, complainant and any friends or representatives will be asked to leave.

- The Committee will then consider the complaint and any relevant information in order to reach a decision.
- The Committee then may:-
  - 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.
- Dismissal of a complaint may occur when:-
  - There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
  - The concern is not substantiated by the evidence.
  - The matter has been fully investigated and it is found that that appropriate procedures are being followed.
- Where a complaint is substantiated in part or in full, some details may then be given of action the school may be taking to review procedures etc. but details of the investigation or of any disciplinary procedures will not be released.
- The findings of the panel will be confirmed in writing to the complainant as soon as reasonably practicable, usually within 10 school term time working days. The decision reached and confirmed in writing will be final. The findings and recommendations of the panel will be available for inspection on the school premises by the proprietor and the Headteacher.
- A written 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.
- Where a parent or guardian is not satisfied that their complaint has been dealt with properly, s/he has the right of appeal to the ESFA. Full details are available through the following link <https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy#other-information>.

## Dealing with Unreasonable Complaints and Complainants

A complaint may be considered unreasonable if the person making the complaint does so

- Maliciously;
- Aggressively;
- Using threats, intimidation or violence;
- Using abusive, offensive or discriminatory language;
- Knowing it to be false;
- Using falsified information;
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from school premises.

Complainants (and/or anyone acting on their behalf) may also be deemed by the Headteacher and /or the Chair of Governors to be unreasonable if they have behaved in any of the following ways:

- The complainant makes excessive demands on school time;
- The complainant introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and/or to their own timescales;
- The complainant makes a string of further complaints about an investigation or changes aspects of the complaint, during the investigation;
- The complainant exhausts all stages of the school's complaints procedure but continues to pursue the same or related matters;
- The complainant seeks an unrealistic outcome and persists in doing so despite being advised that this is the case.

The school may decide to deal with such unreasonable behaviour or complaints in one or more of the following ways, for example:

- Write to the complainant explaining that their behaviour is unreasonable and asking them to change it if the school is to continue processing the complaint
- Require contact to take place with a named officer only.
- Restrict telephone calls to specified days and times.
- Restrict contact with the complainant to one form of contact only.

Where a complainant continues to behave in an unacceptable fashion the Headteacher, after discussion with the Chair of Governors may authorise staff to terminate contact with the complainant (except in matters directly related to the education and welfare of their child) and they may discontinue any further investigation being carried out. Any further contacts from the complainant in writing will be read and placed on file. Telephone calls relating to the complaint (except in matters directly related to the education and welfare of their child) will be terminated and logged.