



## **Complaints Policy**

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## INTRODUCTION

At Hillview School for Girls (the School), we aim to provide a high quality education and strong pastoral support for every child within our care enabling each child to unlock their pure potential. The positive partnership between parents and the school is vital and we aim to maintain a strong good working relationship with all of our parents and carers.

We recognise that, at times, parents and carers will have concerns or complaints that need to be raised with the School to safeguard the child, their education and the School in achieving the best possible provision.

This policy should be read in conjunction with the Communication policy.

A written record of all complaints is maintained in School and available for inspection.

The record shall state in the case of each complaint whether they have been resolved following:

- a formal procedure, or proceeded to a panel hearing;
- what the outcome was;
- any action taken by the School as a result of the complaint (regardless of whether they were upheld).

### Aims

- To secure that the concern or complaint is resolved and actions identified
- To take on board concerns and complaints from parents and carers to secure highly effective provision and care
- To maintain effective and positive partnerships to support the child
- To provide complainants with an effective and efficient service to resolve their concern or complaint

### Objectives

- All complaints will be managed under a standardised procedure that will provide the parent/carers and student (if required) with an appropriate forum to raise their concern/complaint
- All complaints will be dealt with in accordance to this policy and within the timescales identified
- All complaints will be dealt with in line with the Communication policy
- The manner of all parties involved in the complaint will be polite, professional and respectful to support the successful resolution of the complaint
- Urgent complaints will be identified as such and given priority.
- All concerns and complaints will be investigated fully, fairly and carefully. Complainants will be kept informed of progress during, as well as at the end of each stage.

Complaints outside this policy:

<https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019#complaintsnotinscope>

A 'concern' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'.

## **APPENDIX 1**

### **1. The legal right to complain**

1.1 The governing bodies (GBs) of all maintained schools and maintained nursery schools in England have been required, under Part 7 of the Education (Independent School Standards) Regulations 2014, to have in place a procedure to deal with all concerns and complaints relating to their school and to any community facilities or services that the school provides. This does not limit complainants to parents or carers of students registered at a school. A complainant could be a member of the wider community or representing an ex-student. The law also requires the procedure to be publicised.

1.2 Hillview School is responsible for establishing its own concerns and complaints procedures and does this in line with DFE and KCC recommendations. This procedure has been established in accordance with Section 39 of the School Standards and Framework Act 1998. This policy is written inline with 'Best practice guidance for academies complaints procedures March 2021: <https://www.gov.uk/government/publications/setting-up-an-academies-complaints-procedure/best-practice-guidance-for-academies-complaints-procedures>

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

1.4 Complaints should be raised in a timely manner, within 3 months of the concern first being noted. In exceptional circumstances a complaint may be considered outside this timeframe.

## APPENDIX 2

### Introduction - 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’.

### 2. The stages of Complaint

#### 2.1 Stage 1 – Informal

The vast majority of concerns or complaints will be resolved at this stage

2.1(a) Concerns should be sent via [admin@hillview.kent.sch.uk](mailto:admin@hillview.kent.sch.uk) marked for the attention of the most relevant person within the School, this could be: the Mentor, the Teacher, the Curriculum Leader, Student Support Manager or the Leader of Community etc. If the concern/complaint is directed to the Headteacher/Chair of Trustees at this stage then it will be redirected to the most appropriate member of staff for investigation and response

2.1(b) Complainants should always send their complaint through [admin@hillview.kent.sch.uk](mailto:admin@hillview.kent.sch.uk) in line with the Communication Policy and not directly to the member of staff. This ensures that the complaint is dealt with by the most appropriate person and that staff wellbeing is considered.

2.1 (c) Concerns will aim to be responded to within 5 working school days, or 10 working school days if an investigation is required. Repeated communications from the complainant during this time will delay the response to ensure all concerns have been addressed.

2.1 (d) Complainants should ensure their complaint is clearly and calmly explained. Whilst we understand that concerns can be emotive, verbal abuse will not be tolerated in any communication form.

2.1(e) It is in everyone’s interests that concerns and complaints are resolved at the earliest possible stage. Most problems can be sorted out easily and swiftly if the School is made aware of them. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Hillview takes concerns seriously and will make every effort to resolve the matter as quickly as possible. Members of staff may invite parents in to meet with them and will usually take notes. Parents are able to ask for a copy of these notes.

2.1(f) The school will ask what the complainant feels might resolve the issue.

2.1 (g) Responses to concerns or complaints will not breach data protection or confidentiality laws and will not disclose personal information of children, not within the care of the complainant or members of staff.

2.2(h) If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, a member of the Senior Leadership Team (SLT) will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, [the SLT member](#) 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 and therefore will be undertaken by the best available person to resolve the concern/complaint, this may not always be the parent's first preference.

2.1(i) Should the complaint remain unresolved this should then be passed to the appropriate Senior Leader for further investigation. We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Hillview will attempt to resolve the issue internally, through the formal stages outlined within this complaints procedure.

- 2.1(j) Hillview may stop responding to persistent complainants if:
- their letters, emails, or telephone calls are often or always abusive or aggressive
  - they make insulting personal comments about or threats towards staff
  - Hillview has reason to believe the complainant is contacting the school with the intention of causing disruption or inconvenience

The complainant will be notified if this is the case

## **2.2 Stage 2 – Formal**

2.2(a) We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate will determine whether the complaint warrants an investigation.

2.2(b) 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.

2.2(c) We will deem complaints made outside of term time to have been received on the first school day after the holiday period.

2.2(d) At each stage in the procedure, Hillview 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 the School policies in light of the complaint
- an apology.

2.2(e) If the issue has not been resolved within Stage 1, the next stage is to raise a formal complaint by completing the 'Complaints Form' (CF1) and sending this, in writing, to the Headteacher. If the concern/complaint is directed to the Chair of Trustees at this stage then it will be redirected to the Headteacher. The complaints form (See Appendix 4) clarifies the complaint, what has already been done to try and resolve the issues and what actions the complainant believes would resolve their complaint.

2.2(f) If parents require help in completing the form, please contact the School office. They can also ask third party organisations like the Citizens' Advice Bureau to help them.

2.2(g) 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,

2.2(h) Complainants should not approach the Chair of Governors or individual governors 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 Stages 3 and 4 of the procedure.

2.2(i)(i) Any complaint form sent into the School will be acknowledged within 1 working school day and investigated within 10 working school days.

2.2(i)(ii) Hillview, if asked, will help anyone who would like assistance to set out their complaint, including access to translation services where necessary.

2.2(j) (i) The Headteacher (or nominated member of senior staff) will record the date the complaint is received and will acknowledge receipt of the complaint in writing and then investigate the complaint.

2.2(j)(ii) If the complaint is against the Headteacher, the Chair of Trustees will be forwarded the complaints form (CF1) and Stage 3 commenced.

2.2(j)(iii) If the complaint is against a member of the governing body or Chair of Trustees, the Clerk to the Governing Body will be forwarded the complaints form.

2.2 (k) The investigation will be conducted impartially and will only involve necessary parties. The investigation may include formal interviews, written statements, information review, as is deemed necessary by the investigating officer. Further clarification may be sought from the complainant.

2.2(l) After the issue(s) has been investigated, complainants may be asked to meet with a member of the Senior Leadership Team (SLT) to clarify information. Alternatively, complainants may get a letter explaining the school's response and outcomes to the issues identified on the complaints form.

2.2 (m) Responses to concerns or complaints will not breach data protection or confidentiality laws and will not disclose personal information of children, not within the care of the complainant or members of staff.

2.2 (n) A formal complaint may not be investigated or responded to if:

- their letters, emails, or telephone calls are often or always abusive or aggressive
- they make insulting personal comments about or threats towards staff
- Hillview has reason to believe the complainant is contacting the school with the intention of causing disruption or inconvenience

The complainant will be notified if this is the case

2.2 (o) 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.

2.2 (p) At the conclusion of their investigation, the Headteacher will provide a formal written response within 5 school working days of the conclusion of the investigation. If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

2.2 (q) 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 Hillview will take to resolve the complaint.

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

2.2 (s) 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.

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

2.2 (u) If a complainant wants to withdraw their complaint, they will have to do so in writing.

### **2.3 Stage 3 – Complaint to Chair of Governors**

2.3(a) If the complaint at Stage 2 is still unresolved, complainants should inform the Chair of Trustees (or representative) via an updated form, CF2 (Appendix 5). The Chair of Trustees will investigate complaints as set out in CF2.

2.3(b) The Clerk to the Trustees will acknowledge receipt of a formal complaint within 5 school working days and will respond to it within 20 school working days, or will inform the complainant how a complaint is being addressed and when to expect a response.

2.3(c) The Chair of Trustees (or representative) will initially investigate the complaint and attempt to resolve the complaint through discussion with the Headteacher. They may contact professional advisors for advice and clarification. If the Chair of Trustees (or representative) has been unable to resolve the complaint to the reasonable satisfaction of the parent/complainant concerned then the parent/complainant may request that the complaint be heard by the Governing Body's Appeal Panel under Stage 4.

2.3(d) In investigating and seeking resolutions The Chair of Trustees will operate in line with all other policies.

### **2.4 Stage 4 – Complaint heard by Governing Body's Appeal Panel**

2.4(a) Where the complainants are not satisfied with the response to the complaint at stage 3, they may take their complaint to the Governing Body's Appeal Panel as the final stage of the complaint procedure, they should write in the first instance to the Clerk of the Governors giving details of the complaint (by providing an updated 'Complaints Form' (CF2) and asking that it is put before the panel.

2.4(b) The Clerk will record the date the appeal is received and acknowledge receipt of the complaint in writing (either by letter or email) within 2 school working days.

2.4(c) A nominated governor, will convene a GB complaints panel. A date for the hearing will be fixed by the Clerk no later than 20 working days after receipt of the application. The Clerk will write to the complainant to inform them of the date of the meeting and advise of their right to attend at a panel hearing, if they wish, and that they can be accompanied at the panel hearing if they wish. If the complainant rejects the offer of three proposed dates, without good reason, the Clerk 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.

2.4(d) The panel will consist of two governors with no prior involvement or knowledge of the complaint and one member shall be independent of the management and running of the School. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Hillview available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the appeal.

2.4(e) The aim of the panel hearing will be to determine the way forward in order to resolve the complaint and achieve reconciliation between the School and the complainants.

2.4(f) At least 10 school working days before the hearing, the Clerk will request copies of any further written material to be submitted to the committee at least 5 school working days before the meeting. Any written material will be circulated to all parties at least 3 school working days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The panel 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.

2.4(g) The hearing 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.

2.4(h) The panel will make its decision of its findings and recommendations (if any) and notify the complainant within 5 school working days of the date of the panel hearing. The Chair of the Committee will provide the complainant, the Headteacher, Chair of Governors and, where relevant, the person complained about with a full explanation of their decision and the reason(s) for it, in writing, within 5 school working days.

2.4(i) The complainant will be informed that if they are not satisfied with the outcome of the complaint, they may refer the matter to the Secretary of State via the School Complaints Unit (SCU) if he or she believes that the Governing Body has acted unreasonably, or has failed to carry out its duties properly.

### **3.1 Data retention**

3.1 (a) Information pertaining to the complaint and the outcome will be retained for 3 years.

## APPENDIX 3

### 3 Other types of complaints

The following types of complaints about education are dealt with in different ways. There are special arrangements under the Education Acts if complainants want to appeal or complain about:

- 3(i) **Admission to schools:** Please see the School's Admissions Policy.
- 3(ii) **Exclusion/suspension from school:** This is clarified in more detail in the School's 'Behaviour Management Policy'. It is important to note that the Trustees are unable to overturn or make any changes to a Headteacher's decision to suspend a student for up to 45 days.
- 3(iii) **Special education provision:** For further detail, please see the School's 'Special Educational Needs Policy.'
- 3(iv) **Sex & Relationships, Religious Education and Collective Worship:** Further information is detailed in the School's 'PSHE Policy'.
- 3(v) **Vexacious Complaints:** A complaint may be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing – *maliciously, aggressively, using threats, intimidation or violence, using abusive, offensive or discriminatory language, knowing it to be false, using falsified information or publishing unacceptable information in a variety of media*. In such cases, the School follows guidance as published by DfE 'Best Practice Advice for School Complaints Procedures' 2020.
- 3(vi) **Serial, persistent complainants:** *Should a complaint have passed through all stages of the Complaints Policy and a complaint is raised by the complainant about the same issue, then the complaint will not be taken further unless new evidence has been included. If:*
  - Hillview has taken every reasonable step to address the complainant's concerns
  - the complainant has been given a clear statement of the Hillview's position and their options
  - the complainant contacts Hillview repeatedly, making substantially the same points each time

A full list can be sourced at:

<https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019#complaintsnotinscope>

3.1 The complainant may seek independent advice from a number of people. The School may seek advice from independent advisors, including legal advice or the Local Education Authority. The Authority cannot determine the outcome of a complaint.

3.2 There are many organisations who are able to advise parents:

- 3.2.1 Kent and Carers Together <https://kentpatnew2022.co.uk/>
- 3.2.2 NSPCC Child Protection including Bullying 0808 8005000
- 3.2.3 Department for Education and Skills [www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)
- 3.2.4 Kent County Council Education Services <https://www.kelsi.org.uk>

3.3 If, after this Academy-based process, the complaint is still not resolved to the complainants' satisfaction, they should write to:

The School Complaints Unit (SCU)  
Department for Education  
Education & Skills Funding Agency  
Cheylesmore House  
5 Quinton Road  
Coventry CV1 2WT

3.4 It should be noted that schools do not need to consider complaints made more than one year after the incident / situation. If a complaint is made about an issue that is over a year old Hillview will write to the complainant explaining that this is the case. Exceptional cases may still be investigated.

## APPENDIX 4

Hillview School for Girls

Official Complaints Form 1 (CF1)

This interactive form can be downloaded to complete



Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Year:

Your relationship to the student:

Address:

Postcode:

Telephone Number:

**Please state as clearly as possible your complaint:**

**What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response?)**

**Complaint Form (CF1) PAGE 2.**

**What actions do you feel might resolve the problem?**

**Are you attaching any paperwork? If so, please give details:**

Signature:

Date:

**Official Use Only**

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Outcome:

Recorded by:

Date:

## APPENDIX 5

**Hillview School for Girls**

**Complaints Form to Chair of Trustees (CF2)**

**This interactive form can be downloaded to complete**



Please complete and return to the the Chair of Trustees, via the Clerk c/o Hillview School who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Year:

Your relationship to the student:

Address:

Postcode:

Telephone Number:

**Please state as clearly as possible your complaint:**

**What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response?)**

**Complaint Form to Chair of Trustees (CF2) PAGE 2.**

**What actions do you feel might resolve the problem?**

**Are you attaching any paperwork? If so, please give details:**

Signature:

Date:

**Official Use Only**

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Outcome:

Recorded by:

Date:

**Hillview School for Girls Trustees '**  
**Policy on Complaints Procedure for Complainants and Carers**

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