

Education My Life Matters Concerns and Complaints Policy



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1. Introduction

This policy details the procedures in place to deal with complaints relating to the school and to any community facilities or services that the school provides. Best Practice Advice for School Complaints Procedures March 2019 underpins this policy. [Best Practice Advice for School Complaints Procedures March 2020](#) underpins this policy.

This document sets out the steps to resolve any concerns and complaints.

2. The Difference Between a Concern and a Complaint

A 'concern' may be defined as 'an expression of worry or doubt over an issue for which reassurances are sought'. A complaint may be generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

3. Dealing with Complaints - Initial Concerns

Through the building of positive relationships and effective communication, we aim to ensure that parents and carers feel able to voice any concerns in an informal way.

Concerns ought to be handled, if at all possible, without the need for formal procedures. We hope that by taking informal concerns seriously at the earliest stage, we will reduce the number that develop into formal complaints. However, formal complaints should always follow the complaints procedure.

In most cases the **class teacher** will receive the first approach. They will try to resolve issues on the spot. This may include offering a clear explanation; in some cases, accepting that a situation could have been handled better; in other cases an apology may be appropriate.

4. Dealing with Complaints – Formal Procedures

A. Who Can Make a Complaint?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions). Schools must not limit complaints to parents or carers of children that are registered at the school.

B. Framework of Principles

If informal procedures do not resolve the issue, the school's formal procedures aim to be swift, fair, impartial and non-adversarial.

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

We expect parents and staff to talk to each other with respect and to listen carefully to what each other has to say.

Correspondence, statements and records relating to individual complaints are to 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.

C. Investigating Complaints

At each stage, the person investigating the complaint must ensure 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 if further information is required);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained about, 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.

D. Resolving Complaints

At each stage in the procedure, the school will 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.

Complainants will be encouraged to state what actions 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.**

E. Time Limits

Complaints need to be considered and resolved as quickly and efficiently as possible. Realistic time limits for each action within each stage will be set and notified to the complainant. However, where further investigations are necessary, new time limits can be set. The complainant will be sent details of the new deadline and an explanation for the delay.

F. Cut-off Limits

It is reasonable to expect parents/carers to make a complaint as soon as possible after an incident arises and at least within three months. There may, however be good reasons why this is not the case, and consideration will be given to extending the cut off in exceptional circumstances.

G. Further Information

We will investigate all written complaints relating to the school's fulfilment of necessary

requirements and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 9) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting necessary requirements by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at: <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of enrolled learners.

5. The Complaints Procedure (not complaints against the headteacher or governors)

The following procedure must be followed, stage by stage:

5.1: Stage 1: Talk to the teacher

If you are worried about something that has happened in school concerning your child, talk to the class teacher, classroom assistant or a member of the admin team before or after school or by making an appointment via the School Office, giving an outline of your concern.

We do not expect parents to go to the Headteacher first unless:

- You have **serious** concerns about a teacher's actions or behaviour.
- You have concerns about the conduct of a governor or member of staff who is not a teacher

5.2: Stage 2: Talk to a member of SLT

If talking to the teacher or classroom assistant does not seem to have resolved a particular problem, you should make an appointment to see a member of the Senior Leadership Team (Executive Headteacher or Assistant Headteacher).

You can expect them to investigate your concerns and to discuss the outcome with you and/or respond within ten working days. If your complaint is about the Headteacher, your complaint should be taken to the Chair of the governing body.

5.3: Stage 3: Mediation

If no agreement has been reached between you and the school, a mediation meeting will be initiated by either party within 15 school days. You may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns. A member of staff will also be present to represent the school's view. The meeting will be chaired by the Headteacher, Deputy Head or a designated Governor as appropriate. Such an approach should allow for all options to be explored and help build better long-term relationships by encouraging all parties to work together to reach a resolution. The Chairperson will write to both parties within 5 days to outline any agreements.

5.4: Stage 4: Complaint Heard by Chair of Governors

If the complainant is not satisfied with the response of the Headteacher or Deputy Head, the complainant should write to the Chair of Governors to request that their complaint is considered further.

5.5: Stage 5: Complaint Heard by Governing Body's Complaints Appeal Panel

The complainant needs to put the complaint in writing and send it to the school office for the attention of the Clerk to the Governing Body.

The Chair or, if the Chair has been involved at any previous stage in the process, a nominated governor will convene a Governing Body complaints panel. A Complaint Form will be provided to assist you. A copy of this form can be found in Appendix 1.

You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is difficult to proceed.

The clerk will seek similar written responses from the school, where this is necessary.

The clerk will convene a panel of 3 governors, who have not previously been involved with the complaint.

A meeting of the panel will take place, usually within 20 school days, to consider the matter. The complainant (who may be accompanied by a friend if they wish) and representative(s) from the school (who may also be accompanied by workplace colleagues or representatives from their professional associations) may be invited to attend this meeting in order to clarify the matter. As the panel meeting is intended to be investigatory, rather than adversarial, the persons giving evidence or making representations to the panel will normally attend separately. If the designated governor has been involved in attempting to resolve the complaint they may present information at the panel meeting, but will take no part in the decision making.

i. The remit of the Complaints Appeal Panel

The panel can:

- 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.

5.6: Stage 6: Notification of the Panel's Decision

You should be informed of the panel's decision in writing, usually within 5 days of the hearing. Consideration of the complaint by the Governing Body and the school, except for any actions that are agreed, will terminate at this point.

If the complainant is not satisfied that the appropriate procedure has been followed, they may request a review of that process by another panel of the Governing Body.

If the complainant is still unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the School Complaints Unit (SCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.

The SCU will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The SCU also looks at whether the school's statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

For more information or to refer a complaint, see the following webpage: <https://www.gov.uk/complain-about-school>

The School Complaints Unit (SCU) at:

Department for Education 2nd Floor, Piccadilly Gate Manchester
M1 2WD

We will include this information in the outcome letter to complainants.

6. Complaints against the headteacher, a governor or the governing board

6.1: Stage 1: Informal

Complaints made against the headteacher or any member of the governing board should be directed to the clerk to the governing board in the first instance.

If the complaint is about the headteacher or one member of the governing board (including the chair or vice-chair), a suitably-skilled and impartial governor will carry out the steps at stage 1 (set out in Section 5 above).

6.2: Stage 2: Formal

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, an independent investigator will carry out the investigation. They will be appointed by the governing board and will write a formal response at the end of their investigation.

6.3: Stage 3: Review Panel

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, a committee of independent governors will hear the complaint. They will be sourced from local schools, the local authority and will carry out the steps at stage 5.5 (set out in section 5 above).

7. Serial and Persistent Complainants

We will do our best to be helpful to people who contact us with a complaint or concern or a request for information. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refused to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

7.1. Unreasonable Complaints

Education My Life Matters is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The school defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- 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 to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's

complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;

- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
- covertly recording meetings and conversations will not be accepted as evidence. If a member of staff suspects they are being recorded they are at liberty to end the conversation after explaining why they are doing so. Alternative arrangements will be made for communication.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- 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.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

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.

7.2. Duplicate Complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint If

there are new aspects, we will follow this procedure again.

7.3. Complaint Campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

8. Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for learners, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

9. Managing and Recording Complaints

9.1: Recording Complaints: Stage 1 – 3

The school will record the progress of the complaint including notes of meetings and telephone calls as well as the final outcome. Where appropriate, the school will draft a letter confirming what has been discussed and agreed.

9.2: Recording Complaints: Stage 4 – 5

Minutes will be taken at the hearings.

10. Governing Body Review

The Governing Body will monitor the level and nature of complaints and review the outcomes on a termly basis to ensure the effectiveness of the procedure and make changes where necessary.

Complaint information shared with the whole Governing Body will not name individuals. As well as

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

Education My Life Matters Complaints Procedure – Flowchart

Initial Concern

Usually, verbal communication with a member of staff dealt with informally.



Stage 1 – Informal Complaint

The complaint is received (either verbally or in writing) and dealt with informally by a member of school staff (not the person complained about), or Senior Leadership Team.



Stage 2 – Formal Complaint – Headteacher / SLT

The complainant is not satisfied by the end of the informal procedure and wishes to escalate the complaint. This will usually be in writing. The complaint is investigated by the Head or a member of the Senior Leadership Team.



Stage 3 – Formal Complaint – Chair of Governors

The complainant remains dissatisfied with the outcome at Stage 2. The complaint is referred to the Chair of Governors. The Chair will investigate how the original complaint was handled and whether any action is required. This stage may also be required if the complaint is about the Head.



Stage 4 – Formal Complaint – Governor Panel

The complainant remains dissatisfied with the outcome at Stage 3. At this stage, a panel of governors is convened to hear the complaint again and reach a decision.

The Complaint Form in Annex 1 of the Complaints Policy can be used by the complainant at any stage of this procedure.

Appendix A

Education My Life Matters Complaints Form

This form should be used to raise a formal complaint only *after* a matter has been raised with the school at stage 1 of the complaints process and you are not satisfied with the response. Please refer to the Ark Schools Complaints Policy (available on the school's website) when completing this form.

Formal complaints should be submitted to info@emlm.org.uk

School Name <i>(where applicable)</i>	
Name	
Name of learner, year group and your relationship to them <i>(where applicable)</i>	
Contact email address	
Contact telephone	
Contact address	
Details of the complaint	
What action has been taken so far, which staff member has dealt with the matter and what solution has been offered <i>(where relevant)</i> ?	
The reason this was not satisfactory for you	
What action would you like to be taken to resolve the matter?	

Signed..... Date.....

At this point, the Complaints Procedure is exhausted and there are no further avenues through the school process. Complainants may refer their complaint to the Department for Education or to Ofsted should they wish. Please see pages 5-6 of the Complaints Policy for more information.