



MERRYWOOD
education

COMPLAINTS POLICY

SEPTEMBER 2023

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> 1. Introduction and equality statement

Merrywood Education strives to provide a good education for all our pupils. The Leadership team and staff work very hard to build positive relationships with all parents and carers.

All staff work very hard to build positive relationships with parents, carers, and other stakeholders. However, we acknowledge from time-to-time parents, carers and others connected with the school, will become aware of matters which cause them concern. To encourage resolution of such situations, we have adopted this simple and clear complaints procedure.

Merrywood Education is committed to the fair treatment of all in line with the Equality Act 2010, consistently regardless of any protected characteristics and all will be treated with dignity and respect.

> 2. Aims

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible in a sensitive and confidential manner. We aim to resolve any complaint through dialogue and mutual understanding. In all cases, we put the interests of the pupil above all other issues.

We aim to provide sufficient opportunity for any complaint to be fully discussed, and then resolved if possible.

The complaints procedure is devised to address concerns and the intention is that it will:

- Resolve most problems by informal means (before or at Stage 1 of the procedure)
- Be simple to use and understand
- Treat complaints confidentially
- Allow problems to be handled quickly
- Address all points causing concern
- Inform future practice so that the problem is unlikely to recur. The purpose of the procedure is to provide a structured opportunity to express and resolve concerns and thus to improve the provision for the pupils
- Reaffirm the partnership between families and staff as they work together for the good of the pupils in the school
- Ensure that the school's attitude to a pupil would never be affected by a parental complaint
- Discourage anonymous complaints
- Ensure that all staff have opportunities to discuss and understand the schools' response to concerns and complaints made by families or other persons
- Ensure that any person complained against has equal rights with the person making the complaint
- Regularly review the system for monitoring concerns and complaints received from individuals

> 3. Definitions

In the document, 'Best Practice Advice', the DfE states a concern as: "An expression of worry or doubt over an issue considered to be important for which reassurances are sought" and a complaint as: "An expression of dissatisfaction however made, about actions taken or lack of action" (DfE Best Practice Advice for School Complaints Procedures 2019)

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

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

> 4. Raising concerns

The majority of concerns can be dealt with without resorting to the complaint's procedure. Where a parent/ carer has a concern about any aspect of the school or their pupil's education or wellbeing, they should raise this with their pupil's class teacher. Ideally, they will be able to address any concerns on the spot or can arrange a meeting to discuss the issue. Anonymous concerns will not be considered unless safeguarding issues are involved.

All concerns will be dealt with confidentially. Staff members may need to take notes to assist the complaints procedure but these and any subsequent records will be restricted to staff dealing with the complaint. Any notes or records will be kept in accordance with the principles of the Data Protection Act 1998.

Complaints received outside of term time

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

> 5. Special Educational Needs (SEN)

Complaints from parents of pupils with SEN about the school's support are within the scope of the school's complaints procedure (this policy). Where parents have specific complaints about their pupil's Education Health and Care Plan (EHCP) procedures, or about the content of the EHCP, they will be referred to the Local Authority. This is in accordance with the SEND Code of Practice.

> 6. Safeguarding

Wherever a concern or complaint indicates that a pupil'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 which can be found on the school's website.

> 7. Complaint withdrawal

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

> 8. The three stages of the complaints procedure – information for parents

If you have a concern or a complaint you wish to raise, it is your right to do so.

Stage 1 (Informal) – Discussion with pupil’s teacher/Keyworker

Stage 2 (Formal)- Referral – discussion with the Executive Head

Stage 3 (Formal) – Referral to the Advisory Board Panel

8.1 Stage 1. (Informal) Sharing your concern

If you are concerned about anything to do with the education that we are providing at our school you should, in the first instance, discuss the matter with your pupil’s key worker or class teacher. Most matters of concern can be dealt with in this way. All teachers work very hard to ensure that every pupil is happy at school and are making good progress; we always want to know if there is a problem, so that we can take action before the problem seriously affects the pupil’s welfare and/or progress. Teachers are available to meet parents/carers, by appointment, at the beginning and end of the school day or issues can be discussed by telephone

At this meeting/discussion, concerns will be listened to and then either an immediate response will be given (the issue will be resolved) or you will be invited to a second meeting/discussion to take place within five school days. This will give the school time to look into the matter more fully. At the second meeting/discussion a response will be given to concerns and you will be asked if you are satisfied with the school’s response and any actions taken.

If you are not satisfied with the result at this stage (1), you will be asked to write to, email or call the school within 10 school days and state what you would like the school to do and if you would like your complaint to be taken further. It will be useful at this point to complete the Complaints Form (at the end of this document) and send it to the school.

8.2 Stage 2 (Formal) Making a complaint to the Head

If you feel that stage 1 has not adequately addressed your concerns, or, if for whatever reason, you do not wish to discuss your complaint with the class teacher, you can make an appointment to meet with the Head. This meeting will take place within 5 school days. Within this time, you are asked to complete the complaints form and send it to the school if you have not already done so.

Again, the aim will always be to resolve the matter as quickly as possible. Most complaints do not normally go beyond this stage. After your discussion with the Executive Head, you may have to wait a short time while investigations are carried out. Every effort will be made to resolve the situation as quickly as possible; the Executive Head will keep you updated and will send you a written response within ten school days. The Executive Head can make the following decisions:

- 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.

If you are not satisfied with the result at stage 2 you should write to the school within 10 school days of getting their response. You will need to explain why you are not satisfied with the response and decide if you would like to take your complaint to the Complaints Panel.

8.3 Stage 3 (Formal): Making a complaint to the Advisory Board's Complaints Panel

If you feel that your complaint has still not been resolved at Stages 1 or 2, you may ask for your complaint to be heard by our complaints panel, which will include at least three members who have been appointed by the Advisory Board of the school.

None of the three appointed members of the complaints panel will have been directly involved in any of the matters detailed in the complaint and at least one of the three will be completely independent of the Leadership of the school.

The complaints panel will consider all written complaints within 15 to 30 school days of receipt. The panel will arrange a meeting to discuss the complaint and will invite you to attend the meeting, so that the complaint can be explained in more detail. The complainant is welcome to be accompanied by a person of their choosing to the meeting. The school will always give the complainant at least ten days' notice of the meeting and will provide you with all the relevant papers for the meeting at least 5 days beforehand. After hearing all the evidence, the complaints panel will make their decision as follows.

The panel can:

- uphold the complaint in full,
- uphold it in part, or
- dismiss it

In complex cases they may wish to give a complex response. The panel committee clerk will send the complainant and school a letter with the outcome of the meeting within seven days of the meeting. The school will copy relevant papers to any member(s) of staff named in the complaint.

A copy of the findings and recommendations will be made available for inspection at the school by the School Advisory Board.

> 9. Resolving complaints

At each stage in the procedure, the school 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:

- a) an explanation
- b) an admission that the situation could have been handled differently or better
- c) an assurance that we will try to ensure the event complained of will not recur
- d) 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
- e) an undertaking to review school policies in light of the complaint
- f) an apology

A written response will be provided by the school.

> 10. Serial and unreasonable complaints

Schools will, from time to time, encounter a small number of complainants who absorb a disproportionate amount of staffing resource in dealing with their complaints. It is important to identify those situations in which a complainant's behaviour might be considered to be unacceptable and to suggest ways of responding to those situations which are fair to both staff and complainant.

10.1 Our staff will make these key considerations when dealing with such complaints:

- a) To ensure that the complaints process has been correctly implemented as far as possible and that no material element of a complaint is overlooked or inadequately addressed.
- (b) To appreciate that complainants believe they have grievances which contain some genuine substance.
- (c) To ensure a fair, reasonable and unbiased approach.
- (d) To be able to identify the stage at which a complainant's behaviour has become unacceptable

10.2 The school 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 our 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. It is possible that there can be times when there is nothing further which can reasonably be done to assist the complainant or to rectify a real or perceived problem.

10.3 We define unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- a) Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- b) Refuses to co-operate with the complaint's investigation process
- c) Refuses to accept that certain issues are not within the scope of the complaint's procedure
- d) Insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice
- e) Introduces trivial or irrelevant information which they expect to be taken into account and commented on
- f) Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- g) Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced

- h) Changes the basis of the complaint as the investigation proceeds
- i) Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- j) Refuses to accept the findings of the investigation into that complaint where the school's complaints procedure has been full and properly implemented and completed including referral to the department for education
- k) Seeks an unrealistic outcome
- l) Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- m) Uses threats to intimidate
- n) Uses abusive, offensive, or discriminatory language or violence
- o) Knowingly provides falsified information
- p) Publishes unacceptable information on social media or other public forums

10.4 Complainants should try to limit their communication with the school, which relates to their complaint, whilst the complaint is being progressed. It is not helpful if repeated correspondence is sent (by either letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Head Teacher will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and ask 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 be reviewed after six months. 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 the school.

> 11. Complaints log

The details of complaints will be recorded even if they are resolved at an early stage. (This includes all complaints from Stage 1 to Stage 3) Any actions taken by the school as a result of a complaint (regardless of whether the complaint has been upheld or not) are also recorded on this log. All information (correspondence, statements, and records) related to all individual complaints is confidential and will be securely held in school.

The purpose of these records is to:

1. Support the complaints procedure so that relevant information is available at each stage of the process (including panel meetings)
2. To provide records (anonymised where appropriate) for use by the Executive Head and senior staff to monitor and analyse complaints made to the school and to determine whether there are any improvements that the school could make to its procedures or practice to help prevent similar events in the future

> 12. Social Media

In order for complaints to be resolved as quickly and fairly as possible, Merrywood Education requests the complainants do not discuss complaints publicly via social media such as Facebook and X (formally Twitter). Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

> 13. Monitoring arrangements

The Head will check the procedures followed to ensure that all complaints are handled properly and effectively. Senior staff will track the number and nature of complaints looking at any trends or commonalities and how these could be used to inform future school provision and procedures

The Advisory Board will check that complaints are handled according to the policy and consider the results of reviews of complaints and any changes made to school policies or procedures.

> Appendices

Appendix 1

Complaints Form

Please complete and return to Headteacher (c/o the school office) who will acknowledge receipt and explain what action will be taken.

Your name

Pupil's name (if relevant)

Your relationship to the pupil (if relevant)

Address

Postcode

Daytime telephone number (home)

Evening telephone number (mobile)

Please give details of your complaint

Including whether you have spoken to anybody at the school about it

What action, if any, have you already taken to try and resolve your complaint?

Who did you speak to and what was the response?

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so. Please give details.

Signed	Date
_____	_____
Print Name	

Official Use

Date acknowledgement sent: _____

By who: _____

Complaint referred to: _____

Date: _____

Appendix 2

Complaints exceptions

Exceptions	Who to contact
<p>Admissions to schools</p> <p>Statutory assessments of Special Educational Needs</p>	<p>Concerns about admissions, statutory assessments of Special Educational Needs, should be raised with the placing Local Authority</p>
<p>Matters likely to require a Child Protection Investigation</p>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH)</p>
<p>Suspension of children from school*</p>	<p>Further information on raising concerns about suspension can be found at: gov.uk/school-discipline-suspensions/suspensions</p> <p>Please refer to the school's Behaviour Policy should you wish to find out more information. This is located in the policies section of the school's website. Alternatively, you may request a copy from the school office.</p>
<p>Whistleblowing</p>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: education.gov.uk/contactus</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<p>Staff grievances</p>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<p>Staff conduct</p>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<p>Complaints about services provided by other providers who may use school premises or facilities</p>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>

Appendix 3

Number of complaints

Number of complaints registered under the formal procedure during the preceding school year:	Volume
2022 - 2023	0

Date: September 2023

Date of review: September 2024



The Old Pheasantry, Merrywood Grove, Tadworth KT20 7HF

01737 336352

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