



COMPLAINTS RESOLUTION PROCEDURE

January 2021 onwards

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1. Introduction

The values and ethos of the school are central to our Complaints Resolution Procedure. We are committed to ensuring the highest levels of communication and partnership with our parents through regular opportunities for face-to-face communication and our Home-School Agreement.

Parents/carers, students and any other interested parties (hereafter, complainant) are encouraged, through this procedure and through the pastoral structure, to raise concerns or make complaints easily and without anxiety, in the knowledge that concerns and complaints will be treated seriously, impartially and, except where disclosure is legally required, confidentially.

This Complaints Resolution Procedure describes the actions to be followed if a complainant wishes to make a formal complaint about any aspect of GES.

2. The Four Stage Procedure

The key stages of our Complaints Resolution Procedure are as follows:

Stage 1 Informal Resolution with a relevant staff member

Stage 2 Formal Complaint to the relevant member of Leadership Team for investigation

Stage 3 Formal Resolution by Appeal to the Head

Stage 4 Independent Resolution through a panel hearing

Note: If a complaint is made directly against the Head the procedure begins at Stage 3 with a Formal Resolution by Appeal to the Chair of Governors.

Stage 1 - Informal Resolution with a relevant staff member

Complainants should, wherever possible, seek an early and informal resolution of all concerns. GES will take reasonable measures necessary to respond to and rectify any concerns before they become a Formal Complaint. Such measures will include some or all of the following:

- giving advice or reassurance;
- explaining the context to an incident or decision;
- gathering information from other staff or students;
- finding information from other sources;
- referring the concern or potential complaint to a senior colleague;
- reviewing or amending practice; giving feedback to complainant;
- apologising for mistakes or oversights; or
- arranging an informal meeting to listen to, and try and solve, the complaint.

The member of staff who responds to the complainant should provide a prompt written summary, known as the informal resolution decision letter, to the complainant within 10 school days, detailing the concern and what has been done at the informal resolution stage.

Making contact

A complainant with a concern or potential complaint should normally first contact the student's class teacher/tutor, if the concern is of a pastoral nature, or the child's subject teacher, if the concern is around learning and lessons. There may be occasions where the first contact may be with an alternative, normally more senior teacher, for example the student's Head of Key Stage. Other staff (for example, a subject teacher, or member of the Leadership Team) may need to be involved or consulted if this teacher cannot resolve the matter alone.

If the complainant is not putting forward a complaint on behalf of, or in respect of, a particular student (if, for example, the complainant is a member of the public), contact would be made with the Head, via the Head's PA and the matter dealt with accordingly (which could include other members of the Leadership Team resolving the issue).

Parents and carers are welcome to contact the Chair of Governors in the manner outlined on the GES website on any issue, however if they are raising a concern or complaint GES will ask that they follow the Complaints Resolution procedure.

Any complaint against a member of the Leadership Team should go to the Head. A complaint against the Head should go straight to the Chair of Governors (via letter marked Private and Confidential).

Timeframe

In the event that a complainant is dissatisfied with GES' response through the informal resolution process, then they are entitled to proceed with a formal written complaint in accordance with the procedure below (this must be within 10 school days from the date of the informal resolution decision letter).

Stage 2 – Formal Complaint to the relevant member of the Leadership Team for investigation

1. If the concern or complaint has not been resolved informally, the complainant should put it in writing using the Formal Complaint Record (**Appendix A**), addressed to the relevant member of Leadership Team (**Appendix B**).
2. In their complaint, the complainant is required to suggest proportionate and reasonable action that will resolve their complaint.
3. There will be an initial response within 10 school days of the complaint being received. Where necessary, the member of Leadership Team will meet with the complainant to discuss the matter and if possible to reach a resolution at this stage.
4. Where a complaint is received during a school holiday, it will be deemed to have reached the school on the first full school day following its arrival.
5. It may be necessary to carry out investigations. The school has the discretion to decide which member of the Leadership Team should lead on the investigation. The member of the Leadership Team will keep records of all complaints, and of meetings held in relation to them. Once the member of Leadership Team is satisfied that all the relevant facts have been established, a response to the complaint will be made and the complainant will be informed in writing, within 15 school days of the Formal Complaint being received by GES.
6. The nature of the response will depend on the nature of the complaint but it will always give a judgement whether and to what extent, if at all, the complaint is justified, and reasons; the response may include actions which the school intends to take or a decision.
7. A complainant, for complaints of a particularly serious kind (and for any complaints relating to the actions or conduct of a member of Leadership Team), may choose to address the Formal Complaint directly to the Head, in which case Stage 3, Formal Resolution by Appeal to the Head applies, and the complaint will be dealt with by the Head.

Stage 3 – Formal Resolution by Appeal to the Head

1. If Stage 2 has not resolved the complaint satisfactorily, the complainant should write to the Head within 15 school days of the date of the written response from the previous stage, stating why a Formal Resolution by Appeal to the Head is requested and, wherever possible, the action which the complainant wishes GES to take to resolve the concern.
2. The Head will acknowledge the appeal. Stage 3 will then follow the same steps, timescale, record keeping and form of response as set out for resolution by the member of Leadership Team in Stage 2.
3. If the complainant is not happy with the Head's response at Stage 3 then they can request this to be escalated to Stage 4. This must be done in writing to the Chair of Governors and the complainant must explain clearly how they would like the complaint resolved. This must be within 10 school days of the date of the decision letter.

Stage 4 – Independent Resolution through a panel hearing

1. If Stage 3 has not resolved a complaint satisfactorily, the complainant should write within 10 school days of the Head's response to the Chair of Governors, who will acknowledge the letter of complaint within five school days of receiving the complaint.
2. A panel comprising at least two Governors and one member who is independent of the management and the running of the school (all of whom have not been involved in the complaint up to this point) will be convened to hear the complaint, normally within 20 school days of the complaint being acknowledged by the Chair of Governors.
3. The Clerk to the Governors or PA to the Head (depending on availability), unless they are the object of the complaint, will be present to act as clerk to the panel.
4. Members of the panel will have access to all relevant documentation and will be able to ask representatives of GES and the complainant for any other relevant information or documentation. It is intended that the process should not be legalistic.
5. The complainant may be accompanied at this meeting by one other person (e.g. relative, friend or a relevant specialist). If the complaint is from a group then no more than two representatives from that group will be allowed to attend the meeting.
6. If a student has made a complaint, they are encouraged to bring a parent, and may also be accompanied by one other person (e.g. relative, friend or a relevant specialist).
7. Due to the sensitive nature of some complaints it may be inappropriate for a student to be in the entirety of the panel hearing. The Chair of the complaints panel will, where they feel it appropriate, ask a student of the school to leave the panel hearing at their discretion. The Chair also has the right to remove any person whose behaviour is unacceptable.
8. Both GES and the complainant can submit supporting papers to the complaints panel and these will be accepted at the discretion of the Chair of the panel.
9. If the Chair of the panel imposes a deadline before which papers must be submitted, then they reserve the right to refuse anything submitted after that date.
10. The Head may be accompanied by another person to support them during the hearing.
11. If possible, the panel will resolve the complaint without further investigation. Where further investigation is needed, the panel will decide how to carry out the investigation.
12. After due consideration of all relevant facts, the panel will give written findings in response to the complaint; the findings will depend on the nature of the complaint but the panel will always give a judgement whether and to what extent, if at all, the complaint is justified, and the panel's reasons. The findings may include recommendations or actions which the panel requires GES to take. **This will be within 10 school days.**
13. The findings of the panel will be final. A copy of the findings will be sent to the complainant, Head and Governors (at the school address) and any person who is the object of the complaint, at the discretion of the panel.

3. Students wishing to make a complaint

Students are entitled to make a formal complaint in exceptional circumstances. The pastoral structure of GES gives many opportunities for informal resolution and all reasonable attempts should be made to resolve concerns before a formal complaint is made. If a student wishes to carry forward a formal complaint, the stages outlined above apply.

4. Confidentiality

All information, correspondence, statements and records relating to individual complaints are kept confidential by GES, except where the Secretary of State or a body conducting a formal inspection requests access to them. Complainants are expected to comply with the confidentiality of the process.

5. Complaints Register

GES will maintain a register of all formal complaints (Stages 2-4). This register will help to identify trends and ensure that a resolution is made with appropriate feedback to the relevant parties.

6. Publication of Procedures

The existence of the Complaints Resolution Procedure shall be published on GES's website as part of its publication scheme.

7. Summary of time scales for a complaint

	Initial response by GES	Investigation and response	Response by complainant*
Stage 1 Informal Resolution	Within 10 school days of a concern being raised.	Included in initial response.	A formal complaint to be made within 10 school days from the date of the informal decision letter.
Stage 2 Formal Complaint	Within 10 school days of the complaint being received.	Within 15 school days of the complaint being received.	Within 15 school days of the date of the member of Leadership Team's written response.
Stage 3 Appeal to the Head	Within 10 school days of receipt of the appeal request.	Within 15 school days of the appeal.	Within 10 school days of the date of the Head's written response.
Stage 4 Independent Resolution	Within 5 school days of receipt of the complaint.	Within 20 school days of the initial response to the complaint.	

*After any of these time intervals have elapsed, it will be assumed that the complainant does not wish to continue with the complaint, and the matter will be closed by the School. Complainants cannot re-open a closed complaint.

8. Conduct and unreasonable complainants

GES is committed to dealing with all complaints fairly and impartially in accordance with its Complaints Resolution Procedure. GES expects that all parties will be respectful and courteous throughout the complaints process to maintain its confidentiality, and GES will not tolerate verbal or physical harassment or abuse towards any of its staff members. GES will not tolerate any attempts to make public statements or derogatory or negative comments about the school or employees during this process.

In cases where threats are made against staff or allegations are made public or unnecessary unpleasant behaviour is seen, the school reserves the right to impose communication restrictions or close the complaint. This will only be done in exceptional circumstances and the school will warn complainants that their behaviour is unreasonable before issuing the sanctions above.

If a complainant makes a complaint which, after investigation, is deemed to be excessive, unfounded or based on exaggerated or elaborated statements, then the Head may decide to class

the complaint as malicious. The school will keep a list of malicious complainants. The school reserves the right to stop the complaints process if the complaint is investigated and seen to be unfounded. This is especially so for complainants who have previously had a complaint deemed as malicious.

If necessary the Chair of the Complaints Panel has the right to stop the complaints process at Stage 4 if the behaviour of the complainant is unreasonable as outlined above.

More guidance on how this type of behaviour will be dealt with is available in Appendix

C.

Appendix A
Formal Complaint Record

Please complete all sections of this record. The record should be sent to the Head's PA, GES

Name of complainant: _____

Name of student at GES: _____

Please give **full details** of your Formal Complaint.

Please suggest the **proportionate and reasonable** action that GES can take to resolve your
Formal Complaint

*If you would like to do so, please continue on a separate sheet or attach a letter to this Formal
Complaint Record.*

Appendix B
Leadership Team contacts for stage 2

Head	Complaint against a member of Leadership Team
Deputy Head Primary	Safeguarding; bullying; pastoral care; SEND
Deputy Head Primary / Secondary	Teaching and Learning; Curriculum; subject choices
Finance Director	Premises; Financial Management; Catering; Staff Recruitment; Community Liaison; Fees
Assistant Head	Marking and Assessment
Assistant Head	Exams
Assistant Head	Post 16 (from Summer 2021)

Appendix C

Unreasonable Complaints

This appendix sets out how we will decide which actions or behaviours will be treated as unreasonable or unreasonably persistent, and what we will do in those circumstances.

It is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are unreasonably persistent in making their complaints.

If the complainant is persisting because their complaints have not been considered in full then the school must address this. However, if the school has already done so and has demonstrated this to the complainant, the Head (or Chair of the Complaints Panel) should consider whether the behaviour of the complainant is now inappropriately persistent or malicious. This process should only be used as a last resort and after all reasonable measures have been taken to resolve complaints in accordance with the School's Complaints Resolution Procedure.

Identifying unreasonable or unreasonably persistent behaviour

We will not tolerate deceitful, abusive, offensive, threatening, discriminatory or other forms of unacceptable behaviour from complainants. Nor will personal attacks or threats towards employees be tolerated. When such actions occur, GES will take proportionate action to protect the wellbeing of our staff and the integrity of our processes. This may include closing the complaint following a warning that the behaviour is not acceptable.

The following are some of the actions and behaviours which the school would consider to be unreasonably persistent behaviour. Single incidents may be unacceptable but unreasonably persistent behaviour will usually be found to have occurred when the complainant demonstrates this type of behaviour over time:

- refusing to specify the grounds of a complaint despite offers of assistance;
- refusing to cooperate with the complaints investigation process while still wishing their complaint to be resolved;
- using the Complaints Resolution Procedure to delay paying school fees that are owed;
- refusing to accept that issues are not within the power of the school to investigate, change or influence;
- insisting on the complaint being dealt with in ways which are incompatible with the Complaints Resolution Procedure or with good practice (insisting, for instance, that there must not be any written record of the complaint);
- making what appears to be an unjustified complaint about the staff dealing with the complaints, and seek to have them replaced;
- making excessive demands on the time and resources of staff dealing with the complaint: for example, by lengthy phone calls or emails to numerous school staff and expecting immediate responses; raising subsidiary or new issues whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process;
- introducing trivial or irrelevant new information whilst the complaint is being investigated and expecting this to be taken into account and commented on;
- changing the substance or basis of the complaint without reasonable justification whilst the complaint is being considered;
- denying statements made at an earlier stage in the complaint process;
- electronically recording meetings and conversations without the prior knowledge of the other person involved;
- refusing to accept the outcome of the complaints process after its conclusion or repeatedly

- arguing the point with no new evidence;
- making the same complaint repeatedly, perhaps with minor differences, after the Complaints Resolution Procedure has been concluded, insisting that the minor differences constitute 'new' complaints which should be put through the full Complaints Resolution Procedure;
- raising numerous detailed but unimportant questions and insisting they are all answered;
- threatening staff both directly or indirectly; or
- posting inappropriate comments about GES on social media or to external parties.

Actions in the event of unreasonable or unreasonably persistent behaviour. In most instances when we consider someone's behaviour is unreasonable or unreasonably persistent we will explain why and ask them to change it. We will also warn them that, if the behaviour continues, we may take action to restrict their contact with the school. Any restriction imposed should be appropriate and proportionate.

Restrictions that may be imposed by the Head include:

- Limiting contact to only named members of staff;
- Restricting contact by telephone except with a named school staff member;
- Restricting correspondence in connection with the complaint to letter and not email;
- Banning a complainant from the school site except with prior permission from the Head;
- Refusing to communicate further with the complainant.

In the event of unreasonable or unreasonably persistent behaviour which leads the Head to impose restrictions, the Head or designated member of GES staff will notify the complainant:

- why their behaviour is being treated as unreasonable or unreasonably persistent;
- the action the Head is going to take;
- the duration of this action; and
- when this action will be reviewed.

Where the behaviour is abusive or it threatens the immediate safety and welfare of staff, the Head will consider other options, including reporting the matter to the police or taking legal action to restrict access to school premises. In such cases, the school may not give the complainant prior warning of that action. The school may also remove a pupil from roll if the behaviour of a parent is continuously unreasonable and time consuming. This decision will be made by the Head, Chair and Vice Chair of governors and will be used as a last resort.