

## POLICIES AND PROCEDURES

# COMPLAINTS POLICY

## 1. Introduction

ISCS-The British School of Zug aims to resolve all complaints at the earliest possible stage and is dedicated to continuing to provide the highest quality of education possible throughout the procedure.

This policy has been created to deal with any complaint against a member of staff or the school as a whole, relating to any aspects of the school or the provision of facilities or services. It is designed to ensure that the school's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality and delivers an effective response and appropriate redress.

Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the school provides. This policy outlines the procedure that the complainant and school must follow.

Once a complaint has been made, it can be resolved or withdrawn at any stage. The headteacher will be the first point of contact when following the complaints procedure.

## 2. Definitions

- For the purpose of this policy, a "complaint" can be defined as 'an expression of dissatisfaction' towards the actions taken or a perceived lack of action taken.
- Complaints can be resolved formally, through this procedure, or informally dependent on the complainant's choice.
- A "concern" can be defined as 'an expression of worry or doubt' where reassurance is required.
- Any complaint or concern will be taken seriously, whether formally or informally, and the appropriate procedures will be implemented.
- A "grievance" is an issue raised by a member of staff where they feel the school has not implemented a policy or process fairly or properly.
- For the purpose of this policy, concerns will be classed and addressed as complaints.

For the purpose of this policy, "unreasonable complaints" include:

### 1. Vexatious complaints:

- Are obsessive, persistent, harassing, prolific, repetitious.
- Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
- Insist upon pursuing meritorious complaints in an unreasonable manner.
- Are designed to cause disruption or annoyance.
- Demand for redress which lacks any serious purpose or value.

### 2. Serial or persistent complaints:

Are duplicated, sent by the same complainant once the initial complaint has been closed.

Serial or persistent complaints will only be marked as 'serial' once the complainant has completed the complaints procedure. It is the complaint that will be marked as 'serial', meaning the complainant can complain about a separate issue if necessary.

For the purpose of this policy, "duplicate complaints" are identical complaints received from a complainant's spouse, partner, grandparent or child. These complaints will not be addressed again, the individual making the second complaint will be informed that the complaint has been dealt with on a local level and if they are dissatisfied with the result, they can appeal to the corresponding education area in the Kanton.

Any new details provided by a complainant's spouse, partner, grandparent or child, will be investigated and dealt with in line with the complaints procedure.

### **3. Roles and Responsibilities**

The complainant will:

- Cooperate with the school in seeking a solution to the complaint.
- Express the complaint and their concerns in full at the earliest possible opportunity.
- Promptly respond to any requests for information or meetings.
- Ask for assistance as needed.
- Treat any person(s) involved in the complaint with respect.

The Co-ordinator will:

- Ensure that all parties involved in the complaint are fully updated throughout each stage of the procedure.
- Guarantee that all parties involved in the procedure are aware of any relevant legislation.
- Keep up-to-date records throughout the procedure – these records will be kept securely on the school's Drive system and retained in line with the school's records.
- Liaise with all parties involved to ensure the complaints procedure runs smoothly, including the headteacher
- Ensure, where the complainant is dissatisfied with the response, they are allowed to escalate it to the next stage and are provided the opportunity to complete the complaints procedure in full.
- Be aware of issues with regard to sharing third party information.
- Understand the complainant's need for additional support, including interpretation support, and will be aware of any issues concerning this.

### **4. Making a complaint**

Complaints are not restricted to parents of attending pupils. The school will consider all complaints.

The school will ensure the complaints procedure is:

- Easily accessible and publicised on the school's website.
- Simple to understand and put into practice.
- Impartial and fair to all parties involved.
- Respectful of confidentiality duties.
- Continuously under improvement, using information gathered during the procedure to inform the school's SLT.
- Fairly investigated, by an independent person when necessary.
- Used to address all issues to provide appropriate and effective responses where necessary.

- Complaints are expected to be made as soon as possible after an incident arises to amend the issue in an appropriate timescale.

Complaints made outside this time limit will not be automatically refused and exceptions will be considered.

In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.

Complaints should be made using the appropriate channels of communication, including the use of the Complaints Procedure Form.

All complaints shall be considered, whether they are made in person, by telephone, in writing, electronically via email, or via a third party.

A complaint can progress to the next stage of the procedure even if it is not viewed as “justified”. All complainants are given the opportunity to fully complete the complaints procedure.

Any complaint made against a member of staff will be initially dealt with by the headteacher, and then by a committee of the governing body.

Any complaint made against the headteacher shall be initially dealt with by a suitably skilled member of the governing body and then by a committee of the governing body.

Under some circumstances, it may be necessary to deviate from the complaints procedure. Any deviation will be documented, and the complainant notified along with new timescales.

Information about a complaint will not be disclosed to a third party without written consent from the complainant.

Information about a complaint will not be disclosed to a third party without written consent from the complainant.

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

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:

- 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 school policies in light of the complaint
- an apology.

If a complainant wants to withdraw their complaint, the school will ask them to confirm this in writing or electronically via email.

## **SUGGESTION FORM**

**To improve quality in our services**

FULL NAME OF PERSON COMPLETING THE FORM:



ADDRESS:

EMAIL ADDRESS:

PHONE NUMBER:

NATURE OF ISSUE-DESCRIPTION:

RESULT OF INVESTIGATION

ACTION TAKEN BY SCHOOL

**SIGNATURE PERSON MAKING INQUIRY AND DATE:**

**SIGNATURE SCHOOL REPRESENTATIVE AND DATE:**

|

## 5. Complaints Procedure

### 1. Stage 1 – Informal concern made to a member of staff (2-3 school days)

In the first instance speak directly with the member of staff concerned. This may be in person, by telephone, in writing or by email. Many concerns can be resolved at this informal stage. In the case of the concern being about the member of staff the complainant can discuss the concern with the headteacher or complaints coordinator to seek support.

To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls are kept and a copy of any written response is added to the record. These notes are kept securely on the school's Drive system and, where appropriate, encrypted.

If the concern is about the headteacher, the chair of the governing body should be informed and will need to handle the complaint.

In case a complaint is made initially to a governor, the complainant should be referred to the appropriate person. The governor in question should not act alone on a complaint outside the procedure; if they do, they cannot be involved if the complaint is subject to a hearing at a later stage of the procedure.

Within 3 school days, the complainant and the relevant member of staff should discuss the issue in a respectful and informal manner to seek a mutual resolution.

At this stage, the complainant will be asked what they think might resolve the issue – any acknowledgement that the school could have handled the situation better is not an admission of unlawful or negligent action.

If an appropriate resolution cannot be sought at this informal level, or if the complainant is dissatisfied with the outcome following the initial discussions, the complainant may wish to proceed to the next level of the procedure.

### 2. Stage 2 – Formal complaint made to the headteacher\* (15 school days)

Stage 2 of the process will be completed within 15 school days. Where the situation is recognised as complex, and it is deemed to be unable to be resolved within this timescale, the headteacher will contact the complainant to inform them of the revised target date via a written notification.

An appointment with the headteacher should be made, as soon as reasonably practical, to avoid any possible worsening of the situation.

If the complaint is against the headteacher, the complainant will initially need to write, in confidence, to the chair of the governing body. The chair will seek to resolve the issue informally before moving directly to stage three of the procedure.

Where the headteacher or chair of the governing body has made reasonable attempts to accommodate the complainant with dates for a complaint meeting and they refuse or are unable to attend, the meeting will be convened in their absence and a conclusion will be reached in the interests of drawing the complaint to a close.

Where there are communication difficulties, the complaint may be made in person or via telephone.

To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls are kept, and a copy of any written response is added to the record. These notes are kept securely on the school's Drive system and, where appropriate, encrypted.

In terms of a complaint being made against a member of staff, the headteacher will discuss the issue with the staff member in question. Where necessary, the headteacher will conduct interviews with any relevant parties, including witnesses and pupils, and take statements from those involved.

All discussions shall be recorded by the headteacher and findings and resolutions will be communicated to the complainant either verbally or in writing.

Once all facts are established, the headteacher shall contact the complainant in writing with an explanation of the decision. The complainant will be advised of any escalation options (for example, escalation to stage three) and will be provided with details of this process.

Any further action the school plans to take to resolve the issue will be explained to the complainant in writing.

If the complainant is not satisfied with the outcome suggested, the procedure will progress to stage three.

### **3. Stage 3 – Investigation by the chair of governors (20 school days)**

The complainant should submit any complaint in respect of the headteacher's investigation in writing (or via an alternative method if necessary) to the chair of governors.

The chair of governors will carry out an investigation and consider all available evidence.

The complainant and the headteacher will be informed of the outcome within 20 school days of the chair of governors receiving the complaint. The complainant will be advised of any escalation options (for example, escalation to stage four) and will be provided with details of this process.

If the complainant is not satisfied with the manner in which the process has been followed, considers the decision to be perverse, or believes that the chair has acted unreasonably, they may request that the governing body reviews the complaint (stage four).

Following receipt of a stage 3 outcome, if the complainant is dissatisfied and wishes to take the matter further, they can escalate the complaint to Stage 4 – a meeting with members of the governing body's complaints appeal panel, which will be formed of the first three, impartial governors or DDAT representatives available (one of whom is independent of the management and running of the school). This is the final stage of the complaints procedure.

A request to escalate to Stage 4 must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 3 response. Where there are communication difficulties, the request to escalate may be made in person or via telephone.

Three people with no prior knowledge of the complaint, one of whom is independent of the management and running of the school. Governors are not eligible to be independent panel members. If two people are unavailable from the governing body the Clerk will liaise with the Trust Governor Services to source independent governors.

Prior to the hearing, the chair of governors will have written to the complainant informing them of how the review will be conducted. The headteacher will also have a copy of this letter.

At the hearing, all participants will be given the opportunity to put their case across and discuss any issues.

## **6. Interviewing witnesses**

When interviewing pupils to gather information regarding a complaint, the interview should be conducted in the presence of another member of staff or, in the case of serious complaints, e.g. where the possibility of criminal investigation exists, in the presence of their parents.

The school understands the importance of ensuring a friendly and relaxed area which is free from intimidation.

All pupils interviewed will be made fully aware of what the interview concerns and their right to have someone with them.

Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.

The interviewer will not express opinions in words or attitude, so as to not influence the interviewee.

The interviewee will sign a copy of the transcription of the interview.

## **7. Recording a complaint**

A written record shall be kept of any complaint made, whether made via phone, in person or in writing, detailing:

The main issues raised, the findings and any recommendations.

Whether the complaint was resolved following an informal route, formal route or panel hearing.

Actions taken by the school as a result of the complaint (regardless of whether the complaint was upheld).

All records are made available for inspection on the school premises by the headteacher.

The school holds the right to use recording devices, where appropriate, to ensure all parties involved are able to review the discussions at a later date.

Where there are communication difficulties or disabilities, the school may provide recording devices to ensure the complainant is able to access and review the discussions at a later point.

Recording devices will not be used without the prior consent of all parties.

Details of any complaint made shall not be shared with the entire governing body. The exception to this is when a complaint is made against the whole governing body and they need to be aware of the allegations made against them, to respond to any independent investigation.

The school will hold all records of complaints centrally. Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection requests to access them.