

<b>Policy</b>	Complaints		
<b>Reviewer</b>	Dan Pateman		
<b>Reviewed</b>	October 2019	<b>Next review</b>	October 2020
<b>Changes</b>	<i>CYPES replaced Education Department</i>		
<b>Relevant CYPES policies</b>	<a href="#">Dealing with customer complaints and concerns</a>		

## VCP Policy

### Introduction

Victoria College and Victoria College Preparatory School prides themselves on the quality of the teaching and pastoral care provided to their pupils. However, if parents do have a complaint, they can expect it to be treated by the school in accordance with this procedure.

### Who can make a complaint?

Any person, including members of the public, may make a complaint about any provision of facilities or services that a school provides, unless separate procedures apply (such as exclusions, staff grievances or disciplinary procedures or admissions).

### 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 generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. At Victoria College and Victoria College Preparatory School, we take informal concerns seriously and make every effort to resolve the matter as quickly as possible. There are occasions when complainants would like to raise their concerns formally. In those cases, the school's formal procedure will be invoked through the stages outlined below.

## Stage 1 – Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and **informally**.
- If parents have a complaint they should normally contact their son's class teacher. In many cases the matter will be resolved straight away by these means to the parents' satisfaction. If a class teacher cannot resolve the matter alone it may be necessary to consult the Headmaster or Headteacher.
- Some complaints made directly or indirectly to the Headmaster or Headteacher may be referred to their Deputies unless the Headmaster or Headteacher deems it appropriate to deal with the matter personally.
- The recipient of the initial complaint will make a written record of all concerns and complaints will be recorded in O:\Admin shared Complaints Log and the date on which they were received. If the matter is not resolved within 14 school days or if the teacher and the parents fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with stage 2 of this Procedure.

## Stage 2 – Formal Resolution

- If the complaint cannot be resolved on an informal basis, then the parents must put their **complaint** in writing to the Headteacher, who will decide, after considering the complaint, the appropriate course of action to take. Your complaint should be acknowledged within 24 hours.
- In most cases, the Headteacher will speak to the parents concerned, normally the day of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the Headteacher to carry out further investigations.
- The schools will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headteacher is satisfied that, so far as practicable, all the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. If additional time is required to formulate a response this will be explained to the complainant. The Headteacher will also give reasons for their decisions.
- The investigation should be carried out and the outcome communicated to the complainant within 20 school days of receipt of the complaint in writing. Where appropriate the response will include what action the school will take to resolve it.
- For the avoidance of any doubt, Headteacher may delegate the task of collating the information to another member of staff but not the decision on the action to be taken.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

### Stage 3 – Panel Hearing

- Complaints rarely reach this formal level but, should you need to, you should make a formal complaint to the Chair of Governors within 10 school days of the Stage 2 decision.
- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), the Chair of the Board of Governors, will instigate the process to set up a Complaints Panel (see below how the Complaints Panel is to be formed).
- The matter will then be referred to the Complaints Panel for consideration. The panel will consist of *at least three persons not directly involved in the matters detailed in the complaint*, one of whom shall be independent of the management and running of the school. Each of the Panel members shall be appointed by the Board of Governors. The Chair, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 10 days.
- If the panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 5 days prior to the hearing.
- The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- If possible, the Panel will resolve the parents' complaint immediately, without the need for further investigation. The Complaints Panel will meet in private to consider all the relevant facts when making its decision.
- Where further investigation is required, the Panel will decide how it will be carried out. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it will complete within 5 days of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it. The decision of the Panel will be final. The Panel's findings and any recommendations will be sent in writing to the parents, the Headteacher, the Governors and, where relevant, the person or persons about whom the complaint was made.

### Complaints Panel Formation:

- Parents, carers or pupils who wish to pursue a complaint regarding a school issue can refer the complaint to a review committee of governors, known as a Complaints Panel.
- The panel will consist of at least three persons, not directly involved in the matters detailed in the complaint. Two of the panel must be governors, with at least one of these governors being a Parent Governor. The third member shall be independent of the management and running of the school.
- The Headteacher may **not** be a member of the panel.
- Governors should be mindful of equality issues when looking at the composition of a Complaints Panel.
- If a Governor Complaints Panel cannot be formed (i.e. owing to conflicts of interest), the schools may opt to approach a different school in Jersey or the Education Department to sit on the panel, thereby ensuring independence of the Complaints Panel formed.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except where any other legal obligation prevails, or it is appropriate to disclose such information.

Unless an objection is made, complainants should be aware that the Headteacher may deem it necessary to inform the schools' senior management teams and the Chair of Governors of the nature of the complaint, so that services can be improved. Complaints will not be shared with the whole Governing Body, except in very general terms, in case an appeal panel needs to be organised.

### **The procedure when the Headteacher or Member of the Governing Body is the subject of the complaint or has a conflict of interest**

- Complaints against the Headteacher are usually first dealt with by the Chair of Governors and, if a conflict of interest arises, may be referred by the Chair of Governors to the Chief Education Officer from CYPES.
- Complaints against the Chair of Governors or any individual Governor should be made in writing to the Chief Education Officer of CYPES.
- The decision of the Chief Education Officer will be final. CYPES' findings and any recommendations will be sent in writing to the parents, the Headteacher, the Governors and, where relevant, the person or persons about whom the complaint was made.

### **Recording Complaints**

- A complaint may be made in person, by telephone, or in writing;
- To prevent any later challenge or disagreement over what was said, all parties involved are encouraged to keep brief notes of meetings and telephone calls and a copy of any written response added to the record. Where there are communication difficulties, a recording device may be opted for (with the consent of all involved) to ensure the complainant is able to access and review the discussions at a later point;
- The schools will record the progress of the complaint and the final outcome. The Headteacher or the Complaints Co-ordinator will be responsible for these records and hold them centrally and confidentially.

Complainants have a right to copies of these records under the Freedom of Information (Jersey) Law and the Data Protection (Jersey) Law.

### **Unreasonable Complainants**

Victoria College and Victoria College Preparatory School are 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 act to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The schools define 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 considered 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 CYPES;
- 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.

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

If the behaviour continues the Headmaster, Headteacher or Chair of Governors will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact either 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 VCP premises and grounds.