



Complaints Policy

Guidance and Documentation for Parents

Approved by Governors - March 22

Joint Principals | February 2022

Minsthorpe Community College: A place where everyone plays a part in strengthening our learning community through Motivation, Commitment & Care.



Minsthorpe
Community College

Section 1

DEALING WITH GENERAL COMPLAINTS

STAGE 1: Informal

Expression of concern to a member of staff



Satisfactory Outcome Reached?



No

Yes

Refer to Stage 2 No further action

STAGE 2: Leadership on behalf of the Principals

Complainant chooses to escalate the complaint to Stage 2.



Investigation conducted and outcome reported to complainant
(response within 10 school* days of receipt of the written complaint).



Satisfactory Outcome Reached?



No

Yes

Refer to Stage 3 No further action

STAGE 3: Governors' Complaints Committee

Complainant refers matter to Governors' Complaints Committee

Investigation by Complaints Committee of Governors.
(Committee to meet within 20 school* days of receipt of the written complaint).

Satisfactory Outcome Reached?



No

Yes

Refer to Stage 4 No further action

STAGE 4: There is no further right of appeal, but if the complainant considers that the process followed by the Governors' Complaints Committee was unfair, he/she may refer the case to the DfE

* "School Days" does not include INSET Days or School Holidays



Section 2

Resolving Complaints

First Stage – Informal Stage

The Complaints Procedure for Minsthorpe Community College follows a three-stage process. The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. Many concerns will be dealt with informally and parents/carers are encouraged to make contact with the most relevant person to resolve their concerns. The College telephone number is 01977 657600.

If parents/carers are not satisfied with the outcome of the first stage then they may choose to proceed to the formal second stage below.

The complainant must confirm within 10 school days if they wish to progress the complaint to the next stage. If there is no further communication from the complainant after 10 school days, the complaint will be considered resolved.

Second Stage – Formal Stage

Parents/carers choosing to escalate a complaint further will be asked to put their complaint in writing (support will be available to facilitate this), explaining why they are not satisfied, indicating the matters that they consider unresolved from stage one and including additional information if they wish.

A second stage meeting will be convened. The complainant(s) will be invited to attend a meeting with a member of the Leadership team not previously involved in order to discuss the details of the complaint further. This second meeting will be held within 10 school days of receipt of the written complaint.

The resolution of the complaint may be decided at the meeting and agreed verbally between the parties, in which case it will be confirmed in writing to the parents/carers by the person who convenes the meeting. Alternatively, or if a resolution is not agreed at the meeting, an investigation of all matters relating to the complaint will be carried out and parents/carers will be informed in writing of the outcome and what action has been taken or is proposed within 5 school days of the stage two meeting.

If parents/carers are not satisfied with the outcome at this stage then they may choose to proceed to the third stage below.

The complainant must confirm within 10 school days if they wish to progress the complaint to the next stage. If there is no further communication from the complainant after 10 school days, the complaint will be considered resolved.



Third Stage

Parents/carers choosing to escalate a complaint further will be asked to reconfirm their complaint by writing to the Clerk to the Governors at the College, explaining why they are not satisfied and indicating the matters that they consider remain unresolved.

The Clerk to the Governors will convene a Governors' Complaints Committee. No one on this panel will have been directly involved in the matter that is the subject of the complaint.

This panel will hear the complaint within 20 school days of the receipt of the letter referred to above and attempt to achieve reconciliation between the College and the parents/carers. A personal friend may accompany the parents/carers at this hearing and the student may attend if it is appropriate to the complaint.

One of the Joint Principals or their representative will be invited to attend. The meeting will be conducted formally and details of the procedure to be followed will be circulated to all parties with the invitation.

The Chair of Governors will notify the parents/carers of the panel's findings in writing within 15 school days of the stage three meeting.

Fourth Stage

There is no further right of appeal following stage three. However, if the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Minsthorpe Community College. They will consider whether Minsthorpe Community College has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus by telephone on: 0370 000 2288 or by writing to:

Department for Education
Store Street
Manchester
M1 2WD



Section 3

Complaint Submission Forms

INFORMAL COMPLAINT FORM

You may wish to use this form if you wish to submit a complaint to the College. Alternatively, please contact the college on 01977 657600. Please ensure you have read the College's complaints procedure which is available on the website www.minsthorpe.cc

1.	Name:	Date of incident:
2.	Student Name:	P&A:
3.	Contact Address (please note that this is the address the College should use whilst consideration of your complaint is ongoing): Telephone No: Email:	
4.	Please describe the nature of your complaint, what do you wish to complain about include relevant dates etc (please continue on a separate sheet if necessary):	
5.	Please indicate what action you wish to see taken to address your complaint, what do you feel would be an acceptable resolution to your complaint:	

Signed:	Date:
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Please submit this form to Mrs Y Kelsall, Administration Team Leader, Minsthorpe Community College, Minsthorpe Lane, South Elmsall, WF9 2UJ. Email: enquiries@minsthorpe.cc



5.	Please set out what action you have taken to date to resolve your complaint informally and attach copies of any relevant correspondence:
6.	Please explain why you are not satisfied with the response you received at the informal stage <u>and clearly indicate the matters that you consider remain unresolved:</u>
7.	Please indicate what action you wish to see taken to address your complaint, what do you feel would be an acceptable resolution to your complaint:

I confirm that I have read and followed the Complaints Procedure and this complaint is submitted after the informal stage of the Complaints Procedure has been completed.

Signed:	Date:
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Please submit this form to Mrs Y Kelsall, Administration Team Leader, Minsthorpe Community College, Minsthorpe Lane, South Elmsall, WF9 2UJ. Email: enquiries@minsthorpe.cc



Section 4

POLICY FOR HANDLING UNREASONABLY PERSISTENT, HARASSING, VEXATIOUS, UNREASONABLE OR ABUSIVE COMPLAINTS

The Principals and governing body are committed to the improvement of our college. We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible. There is a procedure for parents, carers and other stakeholders to use if they wish to make a formal complaint.

Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable and or behave in an unacceptable manner. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening, inappropriate or harassing behaviour.

The aim of this policy is to clarify the process for dealing with unreasonable complainants or parents who do not act appropriately.

What do we mean by 'an unreasonable complainant'?

An unreasonable complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include parents, carers and other stakeholders who pursue complaints in an unreasonable manner and those who do not act in an appropriate manner towards staff at the college.

Unreasonable behaviour may include:

- Actions which are
 - Out of proportion to the nature of the complaint, or
 - Persistent – even when the complaints procedure has been exhausted, or
 - Personally harassing, or
 - Unjustifiably repetitious or
 - Obsessive, harassing, or prolific
- Prolific correspondence or excessive email or telephone contact about a concern or complaint.
- Repetitious complaints where the complainant has no view about what would satisfy him/her and/or no intention to resolve the complaint.
- Acting in a way not in line with the college aim of reaching a resolution and working with the college



- An insistence on
 - Pursuing unjustified or unmeritorious complaints and/or
 - Unrealistic outcomes to unjustified complaints

- An insistence on
 - Pursuing justifiable complaints in an unreasonable manner e.g. using abusive or threatening language;
 - Making complaints in public; or
 - Refusing to attend appointments to discuss the complaint.

What is 'harassment'?

We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than seek a resolution.

Behaviour will fall within the scope of this policy if:

- It appears to be deliberately targeted over a significant period of time at one or more members of college staff or others.
- The way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes ongoing distress to college staff or others;
- It has a significant and disproportionate adverse effect on the college community.
- Actions are pursued aggressively or in any manner not appropriate to an effective resolution

What can you expect from the college?

Anyone who raises informal or formal issues and complaints with the college can expect the college to:

- Follow the College's complaints procedure
- Respond within a reasonable time;
- Be available for consultation within a reasonable time limit, bearing in mind the needs of students at the college and the nature of the complaint
- Respond with courtesy and respect;
- Attempt to resolve problems using reasonable means in line with the College's complaints procedure;
- Keep those involved informed of progress towards a resolution.



What the college expects of you

The college expects anyone who wishes to raise concerns with the college to:

- Treat all staff with courtesy and respect
- Respect the needs of students and staff within the college;
- Never to use violence (including threats of violence) towards people or property;
- Recognise the time constraints under which members of staff in colleges work and allow the college a reasonable time to respond to a complaint;
- Recognise that some problems may not be resolved in a short time;
- Follow the college's complaints procedure.
- Speak politely and respectfully using appropriate language and avoid any aggression or verbal abuse, including name-calling
- Raise concerns/complaints in an appropriate place and at an appropriate time (for example not in front of other parents or students and not in an open public space)
- To be prepared to work towards a resolution and in partnership with the college

The College's responses to unreasonably persistent complaints, vexatious complainants, unreasonable complaints or harassment

This policy is intended to be used in conjunction with the college's complaints procedure. Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty and reach a resolution.

However, in cases of unreasonably persistent complaints or harassment, the college may take any or all of the following steps, as appropriate:

- Inform the complainant informally that their behaviour is now considered by the college to be unreasonable or unacceptable, and request a changed approach;
- Inform the complainant in writing that the college considers their behaviour to fall under the terms of the Unreasonably Persistent Complaints/Harassment Policy;
- Require all future meetings with a member of staff to be conducted with a third person present. In the interests of all parties, notes of these meetings may be taken;
- Inform the complainant that, except in emergencies, the college will respond only to written communication.
- Inform the complainant in writing that their behaviour is now considered to fall under the terms of this policy and that any complaint will not be investigated further until it is pursued in a manner the College considers to be reasonable



- Place restrictions on the individual's access to college and/or college staff.
- Cease all correspondence and communication with the complainant other than that necessary for the health and safety of any child/adult in college.
- Involve the policy
- Involve officers of the local authority

The college has a duty of care to staff and students and will take emergency measures should these become necessary in extreme cases.

Physical or verbal aggression

The College, Governing Body and Wakefield Local Authority will not tolerate **any** form of physical or verbal aggression or personal harassment against college staff. If staff are subject to this type of aggression the college may:

- Prohibit the individual from entering the college site, with immediate effect;
- Inform the individual that communication with them will cease other than in an emergency
- Request an Anti-Social Behaviour Order (ASBO);
- Prosecute under Anti-Harassment legislation.

Time frame and review

If a complainant's harassing/persistent behaviour is modified and is then resumed at a later date within a reasonable period of time, the college, may resume the process identified above.

If a complainant's harassing/persistent complaining behaviour is modified and the complaint still lies within the time limit specified within the College's complaints policy, the College will use its discretion and may resume the investigation of the complaint. The College will review as appropriate, and at a minimum of once a year, any sanctions applied in the context of this policy.

Legitimate new complaints, if not pursued in a harassing or unreasonable way, will still be considered, even if the person making them is (or has been) subject to the vexatious or persistent complaints policy. The college nevertheless reserves the right not to respond to communications from individuals subject to the policy.

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 Minsthorpe Community College.



Final Section

Equality Assessment

This policy has been assessed with regard to its impact on equalities issue, with specific reference to the aims of the Equality Act 2010. The equality impact assessment focused on race, gender, disability, pregnancy and maternity, age, sexual orientation, gender identity and religion/belief.

Policy Review Schedule

Policy last reviewed:	Due for next review:	Role Responsible:
August 11	Summer 16	Principals' PA/Admin Team Leader
June 2016	June 2019	Principals' PA/Admin Team Leader
February 2019	February 2022	Principals' PA/Admin Team Leader
February 2022	February 2025	Principals' PA/Admin Team Leader

