

Complaints Policy

What is a complaint?

A complaint is an expression of dissatisfaction or disquiet which may be about an event that has happened, failed to happen or the way in which something was handled.

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 lack of action’.

Making a complaint

It is in everyone’s interests that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. We take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

We understand that there will be occasions when complainants would like to raise their concerns formally. In those cases, our formal procedure will be invoked through the stages outlined in the procedure.

We aim to resolve all complaints, whether formal or informal, as quickly, and efficiently as possible.

For complaints to be investigated fully full information must be provided and the complaints must not be made anonymously.

Who can make a complaint?

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

What can you expect when you make a complaint?

- Set response times for each stage of the complaints procedure.
- A record of the complaint to be kept for all formal complaints.
- Conversations and correspondence to be handled with discretion, however some information may have to be shared with others involved in the complaint procedure.
- Raising a concern or making a complaint should not affect the relationship between the school and you or your child.
- When investigating the complaint the school should talk to you, your child, witnesses and others involved quickly.
- The school has a duty to act properly and investigate complaints impartially.

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Advice for parents and guardians

- Many concerns can be resolved quickly with goodwill, often by making early contact with the Class Teacher/Form Tutor.
- Remember that the more information you have the better able you will be to discuss the matter.
- In order to minimise disruption to our school day, please make an appointment in advance to see your child's Class Teacher/Form Tutor or a member of the Management Team. When making an appointment to make a complaint, it helps to outline the purpose and how long you think you will need with the teacher/member of the Management Team.
- When making a written complaint, cover all the relevant points but make it as brief as you can. Avoid writing long letters or e-mails. Make it easy to read by using bullet points or headings including dates, times, names, etc. and explain clearly what your complaint is, what effect the issue is having on your child or you and what you would like to see happen. Keep it factual and avoid hearsay and making judgements. If more information is needed, the person investigating the complaint will contact you.
- Keep calm and avoid confrontation, it will cloud the issue.

Making a complaint against a staff member

The complaint procedure is distinct from any formal disciplinary proceedings for staff. If a complaint does result in a disciplinary procedure, then the complaint is likely to be put on hold. If a complaint is made against a member of staff they will be informed and have the opportunity to respond.

Complaint procedure

1. Informal

Your expression of concern should be made to the school at the earliest possible opportunity.

First, you are advised to talk to the teacher most closely concerned to clarify the facts and resolve through discussion. A request for discussion with members of the Management Team or the directors may also be desirable before making a formal complaint.

2. Formal

If you are not satisfied with the outcome at Stage 1 you may wish to make a formal complaint. This should be done by completing the school's internal complaint form, unless it is not possible to do so. Your complaint should be acknowledged within five school days.

The investigation should be carried out and communicated to you within 20 school days. The written response should include an explanation for the decision and the reasons for it (if additional time is required to formulate a response this should be explained to you). Where appropriate the response should include what action the school will take to resolve it.

The directors may delegate the task of collating the information to another member of staff but not the decision on the action to be taken.

Once a decision has been reached, the directors should ensure you are clear about the action to be taken and what to do if you are dissatisfied.

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3. Final complaint stage

If all attempts to resolve the complaint have been unsuccessful, you may request the school's Hoja de Reclamación (Junta de Andalusia Complaint Form). You may request assistance from the school when completing the form. When completing the form you must state your intentions clearly, return the pink copy of the form to the school and keep the white and green copies.

If, after 10 days, your claim has not been satisfied, submit the white copy to the nearest Oficina Municipal de Información al Consumidor (OMIC) (Delegation of Work and Industry). The officers will then inform you of the necessary procedure to continue with your complaint.

Recording complaints

Formal complaints are generally made using a complaint form, which may be requested at the school reception. Should the complainant have communication preferences due to disability or learning difficulties alternative methods may be used.

Records of the complaint are kept, along with any written responses. Where there are communication difficulties, we may request to use recording devices to ensure the complaint is recorded and may be reviewed. All complaints are held by the directors.

Interviews

When interviewing students following a complaint care will be taken to ensure that an intimidating atmosphere is not created.

When interviewing staff or witnesses the complaint will be explained and the interview will be conducted in a clear and controlled manner.

Review

Depending on the nature of the complaint, the details may be shared with the Management Team and/or with select members of the Teaching Team. When the complaint is related to a student this will be done discreetly, with the best interests of the student in mind.

We believe that the process of listening to and resolving complaints leads to school improvement and we understand that individual complaints may lead to underlying issues that need to be resolved.

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Serial and persistent complainants

We do our best to be helpful to all people who contact us with a complaint, concern or request. However, in some cases where we are contacted repeatedly by an individual making the same points, or who asks us to reconsider our position, we will need to act appropriately. We also understand that there will be times when the complainant remains dissatisfied after all stages of the complaint procedure have been followed. When we have done everything we can in response to a complaint we consider it to be poor use of time to reply to repeated letters, e-mails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Directors can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as ‘serial’ or ‘persistent’ and we may choose not to respond. In this case we will endeavour to ensure that:

- we have taken every reasonable step to address the complainant’s needs;
- the complainant has been given a clear statement of the school’s position and their options.

We will cease to respond if:

- we have reason to believe that the individual is contacting us with the intention of causing disruption or inconvenience.
- the complainants letters/e-mails/telephone calls/verbal comments are often or always abusive or aggressive.
- insulting personal comments are made about or threats towards staff.

If a complainant persists to the point that the school considers it to constitute harassment, legal advice will be sought.

Complainants have the right to have a new complaint heard.

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Unreasonable complaints

Mayfair Academy 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 the school. However, we do not expect our staff to tolerate unacceptable behaviour and we will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Mayfair Academy defined unreasonable complaints 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 to have their complaint 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 taken into account 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 complain 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.
- 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 e-mail and by telephone while the complaint is being dealt with.

A complainant may also be considered unreasonable if the person making the complaint does so either face-to-face 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

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Complainants should limit the number of communications with a school while a complaint is being processed. It is not helpful if repeated correspondence is sent (either by letter, phone, e-mail or text) as it could delay the outcome being reached.

Whenever possible, the directors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the directors will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Mayfair Academy 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 will be informed. This may include banning an individual from Mayfair Academy.

Barring from the school premises

We have a duty to ensure that Mayfair Academy remains a safe place for our learners, staff and other members of our school community.

If a parent's behaviour is a cause for concern, we can ask him/her to leave the premises. In serious cases, the directors or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. The parent may formally express their views on the decision to bar in writing.

The decision to bar will be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision to bar is confirmed the parent will be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or e-mail, to the directors.

Roles and responsibilities

The complainant

The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:

- co-operates with the school in seeking a solution to the complaint
- expresses the complaint in full as early as possible
- responds promptly to requests for information of meetings or in agreeing the details of the complaint
- asks for assistance as needed
- treats all those involved in the complaint with respect

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The person handling the complaint (usually the directors)

The person handling the complaint should:

- ensure that the complainant is updated at each stage of the procedure
- liaise with staff members and members of the Management Team to ensure the smooth running of the complaints procedure
- ensure that all involved in the complaint procedure is aware of relevant legislation surrounding complaints, including the data protection legislation.
- keep records.
- be aware of issues regarding:
 - sharing third party information
 - additional support

The person investigating the complaint

The person investigating the complaint's role can include:

- providing a comprehensive, open, transparent and fair consideration of the complaint.
- effectively communicating with the complainant and the person handling the complaint.
- identifying solutions and recommending courses of action to resolve problems.
- being mindful of timescales to respond.
- responding to the complainant in a plain and clear language.

The person investigating the complaint should make sure they:

- conduct interviews with an open mind and be prepared to persist in the questioning.
- keep notes of interviews or arrange for an independent note taker to record the minutes of the meeting.

