

# Complaints Procedure

Hazrat Khadijatul Kubra Girls School



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*'Verily, Allah enjoins Al-Adl (i.e. justice and worshipping none but Allah Alone - Islamic Monotheism) and Al-Ihsan [i.e. to be patient in performing your duties to Allah, totally for Allah's sake and in accordance with the Sunnah and giving to kith and kin and forbids Al-Fahsha' and Al-Munkar and Al-Baghy (i.e. all kinds of oppression), He admonishes you, that you may take heed.'*

**Surah Nahl: 90**

## 1. Aims

Our school aims to meet its statutory obligations and as part of good practice when responding to complaints from parents of pupils at the school, and others stakeholder.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process

- › Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

These aims help the school meet its own values of respect, fairness, collaboration and justice. We work together with our stakeholders to ensure that we improve our school and treat everyone with respect and take their views and concerns seriously.

## 2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

## 3. Definitions and scope

### 3.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- › A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- › A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

### 3.2 Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- › Admissions
- › Statutory assessments of special educational needs (SEN)
- › Safeguarding matters
- › Suspension and permanent exclusion
- › Whistle-blowing
- › Staff grievances
- › Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

## **4. Roles and responsibilities**

### **4.1 The complainant**

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not publish details about the complaint on social media

### **4.2 The investigator**

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee, which includes the facts and potential solutions

### **4.3 The complaints co-ordinator**

The complaints co-ordinator can be:

- The headteacher
- The designated complaints trustee
- Any other staff member providing administrative support

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the headteacher, and the chair of trustees.
- Be aware of issues relating to:
  - Sharing third party information
  - Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person
- Keep records

### **4.4 Complaint trustee**

The complaint trustee will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

## 4.5 Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

## 5. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

### 5.1 Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

## 6. Stages of complaint (not complaints against the headteacher or trustees)

### 6.1 Stage 1: informal

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the headteacher, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office on 0121 7737496 or email [admin@hkgg.bhm.sch.uk](mailto:admin@hkgg.bhm.sch.uk). Complaints **MUST NOT** be emailed to the admin email but will instead be directed to the person responsible for processing the complaint.

The school will acknowledge informal complaints within 5 school days and investigate and provide a response within 14 school days.

The informal stage will involve a meeting between the complainant and the headteacher/deputy headteacher/pastoral lead and/or the subject of the complaint, if appropriate

If the complaint is not resolved informally, it will be escalated to a formal complaint.

### 6.2 Stage 2: formal

The formal stage involves the complainant putting the complaint to the headteacher and/or the subject of the complaint:

- In a letter or email (a complaint proforma is available in the appendix)
- In person

➤ Through a third party acting on their behalf

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the school office on 0121 7737496 or email [admin@hkkq.bhm.sch.uk](mailto:admin@hkkq.bhm.sch.uk).

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

The headteacher (or other person appointed by the headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 14 school days.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the complaints trustee in writing within 5 school days.

### **6.3 Stage 3: review panel**

#### **Convening the panel**

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by or on behalf of the proprietor and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of trustee members, as they are not independent of the management and running of the school.

The panel will have access to the existing record of the complaint's progress (see section 10).

The complainant must have reasonable notice of the date of the review panel. The complaint trustee will aim to find a date within 5 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the complaint trustee will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least 2 school days before the date of the meeting.

#### **At the meeting**

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

At the review panel meeting, the complainant, and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. We don't encourage either party to bring legal representation but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where

relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and headteacher.

### **The outcome**

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The school will inform those involved of the decision in writing within 21 school days.

## **7. Complaints against the headteacher, a trustee or the governing board**

### **7.1 Stage 1: informal**

Complaints made against the headteacher or any member of the board of trustees should be directed to the complaints trustee in the first instance.

If the complaint is about the headteacher or 1 member of the board (including the chair), a suitably skilled and impartial trustee will carry out the steps at stage 1.

### **7.2 Stage 2: formal**

If the complaint is:

- The entire board or
- The majority of the board

An independent investigator will carry out the steps in stage 2 (set out in section 6 above). They will be appointed by the board and will write a formal response at the end of their investigation.

## **8. Referring complaints on completion of the school's procedure**

If the complainant is unsatisfied with the outcome of the school's complaints procedure and the complaint is regarding the school not meeting standards set by the DfE in any of the following areas, the complainant can refer their complaint to the DfE:

- Education
- Pupil welfare and health and safety
- School premises
- Staff suitability
- Making information available to parents
- The spiritual, moral, social or cultural development of pupils

The DfE will consider reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the school deals with serious failings.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

## 9. Persistent complaints

### 9.1 Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

#### Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

#### Stopping response

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

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 our school site.

### 9.2 Duplicate complaints



If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

### **9.3 Complaint campaigns**

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## **10. Record keeping**

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole board in case a review panel needs to be organised at a later point.

Where the board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

## **11. Learning lessons**

The complaints trustee will review any underlying issues raised by complaints with the headteacher and deputy headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

## **12. Monitoring arrangements**

The complaint trustee will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The trustee will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by headteacher and deputy headteacher.

This policy will be reviewed by the headteacher every once every 3 years.  
At each review, the policy will be approved by board of trustees.

### **13. Links with other policies**

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

### **Guidance for all parties attending a complaints panel (Stage 2)**

- Complaint Panel meetings will be heard in the spirit of reconciliation and will focus on finding an acceptable resolution to the issues which have been raised.
- The Panel is not part of a legal process and no party should feel that they need to have legal representation.
- The Panel Chairperson will ensure that all parties have the opportunity to have their say and to be understood.
- The Chairperson will decide on how the Panel should be run and if it is decided that the complaint will be heard in person by the Panel then both the parent/carer and the stage 1 investigator will be invited to attend.

### **The following contains guidance for people attending a complaints Panel:**

1. Please make every effort to be punctual and arrive on time for the meeting.
2. Please make reasonable efforts to be available. If three dates have been offered which cannot be attended the Panel can decide to go ahead and hear the complaint without anyone attending in person.
3. If anyone has any special requirements, please inform the complaints trustee so that suitable arrangements can be made.
4. The Panel will want to hear about the complaint and the issues which remain unresolved and will invite everyone to have their say.
5. All attendees are requested to show respect to all during the meeting and address any questions through the Chairperson.
6. The minutes of the meeting will be noted by the complaints trustee to the panel as it is not permitted to record the meeting.
7. Representatives from the media are not permitted to attend.
8. complaints trustee will retain electronic copies and one master copy of the documentation. All other copies will be collected in and shredded.

## **Complaints meeting agenda (Stage 2)**

1. The Chair of the Complaints Committee will welcome and introduce all parties.
2. The Chair will outline the process to be followed and how the decision will be reached.
3. The Chair will invite the parents/carers to present the complaint to the meeting.
4. The Chair will invite the Stage 1 complaints investigator to present their view.
5. All parties will have the opportunity to ask questions which should be addressed through the Chair.
6. All parties will have the opportunity to make any final comments.
7. The Chair will ask all to leave the room to allow the Panel to come to their decision. Before everyone leaves the Chair will inform both parties that they should receive a response from the Panel in writing within 5 school days.
8. The Panel will make their decision which will be recorded by the complaints trustee who will put this in writing for the Panel to be circulated to the complainant.
9. The complaints trustee will retain electronic copies and a single hard copy of the papers used for the panel meeting. All other copies will be handed in to the school for shredding.