



SUTTON COLDFIELD GRAMMAR SCHOOL FOR GIRLS

COMPLAINTS PROCEDURE

DATE: March 2024

REVIEW DATE: March 2025

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1. Introduction

Sutton Coldfield Grammar School for Girls ("the School") endeavours to provide the best education possible for all of its students in an open and transparent environment. We welcome any feedback that we receive from parents/carers, students and third parties. Where concerns are raised the School will deal with these fairly, openly, promptly and without prejudice.

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.

The Governing Board has approved the following procedure in the event of any concerns about the School. All members of staff will be familiar with the procedure and will be able to assist in the event of a complaint.

2. Legislation and Guidance

This document is 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).

This policy complies with our funding agreement and articles of association.

3. Definitions

Complainant	Person raising a formal complaint under Stages 1-3 of the Complaints Procedure
Complaint	An expression of dissatisfaction, which can be regarding actions taken or a perceived lack of action
Concern	An expression of worry, or doubt for which reassurance is sought
Working day	A working day is regarded as a day that the school is open for students

4. 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.

In some cases, there are alternative and more appropriate policies for dealing with complaints. The following list details specific topics of complaints, and the correct policy to which to refer. These policies are available on the School website. Alternatively, a copy can be requested from the main school reception.

- Student admissions: please refer to the School's Admissions Policy
- Student exclusions; please refer to the School's Behaviour for Learning Policy
- Statutory assessments of special educational needs (SEN); please refer to the School's SEND policy
- Safeguarding matters; please refer to the School's Child Protection and Safeguarding Policy
- Where the complaint concerns a third party used by the School; please complain directly to the third party themselves
- Anonymous complaints – please refer to the School's Whistleblowing Policy
- Subject Access Requests and Freedom of Information Requests – please see the School's GDPR Data Protection and Freedom of Information policies

5. Safeguarding

Wherever a concern or complaint indicates that a child's wellbeing or safety is at risk, the School is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the School's Safeguarding and Child Protection Policy which is available on the School's website.

6. Social Media

In order for concerns or complaints to be resolved as quickly and fairly as possible, the School expects that concerns or complaints are not discussed publicly via any form of social media including Facebook, Instagram and Twitter. Concerns or complaints will be dealt with confidentially for those involved, and Complainants are also expected to observe confidentiality.

7. Complaints that result in staff capability or disciplinary procedures

If at any formal stage of the complaint, it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Headteacher and Deputy Headteacher leading the proceedings. The Complainant is entitled to be informed that action is being taken and the eventual outcome of any such action, but they are not entitled to participate in the proceedings or receive any detail about them.

8. Framework of Principles

Any concern or complaint should be brought to the attention of the School at the earliest opportunity. 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.

A concern or complaint from a member of the public who is not a parent or a carer of a child attending the School should be referred directly to the Headteacher, unless the complaint is about the Headteacher, in which case it should be referred to the Chair of Governors.

An anonymous complaint cannot be dealt with unless there are exceptional circumstances.

Any concern or complaint will be dealt with in a way that:

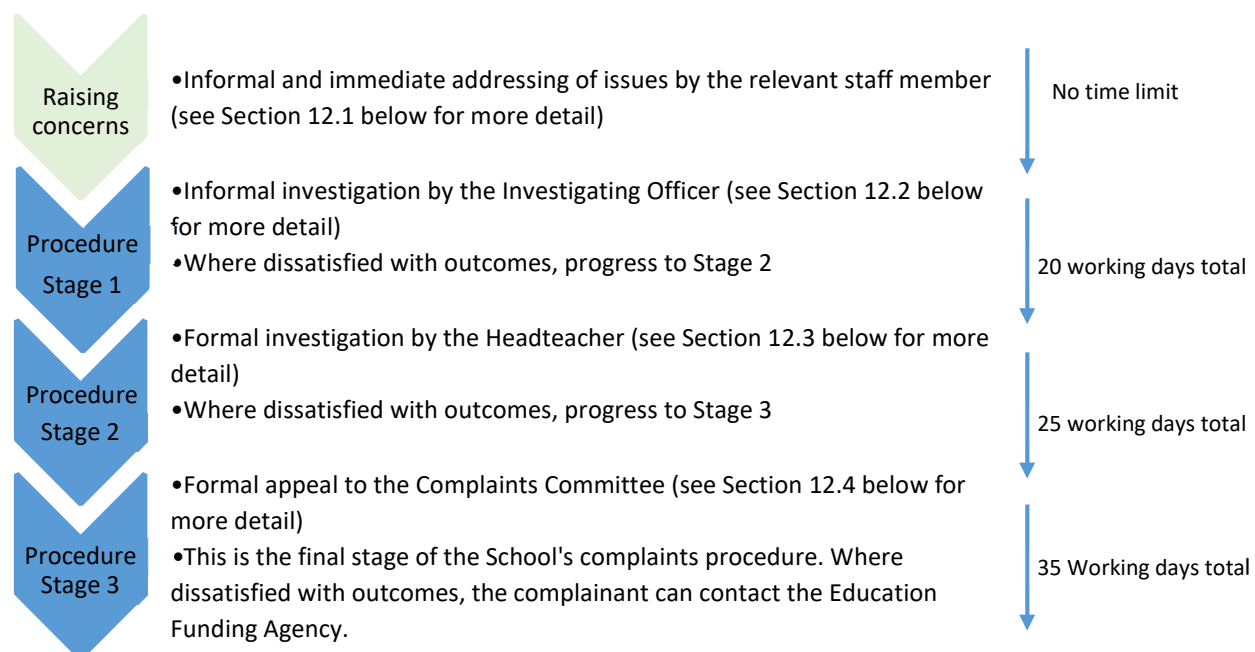
- respects confidentiality;
- addresses all the points at issue; and
- provides an effective response, and, where necessary, appropriate redress.

9. Procedure

Summary of procedure

1. Raising Concerns (informal procedure)
2. Formal complaints procedure, which consists of up to three stages as detailed below. The term “working days” refers to working days falling within the term dates as set out on the School website.

10. Timeline and Timeframes



The School will endeavour to abide by the timeframes stated under each stage but acknowledges that, in some circumstances, this is not always possible due to the complexity of information needed to review a complaint. If it becomes apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the individual responsible for handling the complaint will contact the complainant as soon as possible and agree a timeframe that works for all parties involved.

11. Who should I approach?

- Educational matters regarding one particular subject: the Head of Year, who will liaise with the relevant Head of Department.
- Pastoral care and educational matters regarding more than one subject: the relevant Head of Year.
- Financial/Administration matters: the School Finance and Operations Manager.
- Matters relating to a staff member's conduct: the Headteacher, who will ask a relevant and appropriate member of staff to investigate, depending on the nature of the concern or complaint.
- Matters relating to the Headteacher's conduct: the Chair of Governors

If the first approach is made directly to a School Governor, the complainant will be directed to the Headteacher. Governors will not act unilaterally on an individual complaint outside the procedure outlined above.

Where a concern relates to a member of the Governing Board, the same process applies as for the Headteacher (see 12.2 below).

12. Stages of the Complaints Procedure

12.1 Raising Concerns

It is recognised that there is a difference between an expression of concern and a formal complaint. For the purpose of this Complaints Procedure, a 'concern' is defined as 'an expression of worry, or doubt for which reassurance is sought'. (DfE definition).

Expressions of concern relate to the first time that the School has been informed of a specific matter by a student, parent/carer or a member of the public. Where there is a concern about a student's education or wellbeing, this should be raised with the relevant Head of Year via telephone, email or in person. Ideally, the Head of Year will be able to address concerns including, if needed, arranging a meeting to discuss the issue.

All concerns will be dealt with confidentially, although the member of staff may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of data protection legislation. However, such notes would be able to be used as evidence if further investigation was required, or if the concern became a formal complaint.

For the purpose of this Complaints Procedure a 'complaint' is defined as an 'expression of dissatisfaction which can be regarding actions taken, or a perceived lack of action'. (DfE definition) Complaints should be addressed by following Stages 1-3 of the Complaints Procedure below, as set out in sections 12.2 – 12.4.

Once a concern has been received, the person raising the concern will receive contact either by telephone, email or in writing, as soon as possible after the concern has been made known to the School. The member of staff receiving information about the concern will make clear and detailed notes of all communications with the person raising the concern and any follow up action undertaken. They will also check at a later date to make sure that the matter has been followed up.

Following the gathering of information, the School will ensure that the person raising the concern is provided with feedback about the actions that have been taken and the monitoring of the situation that has been agreed, if any. Throughout this period, details of the progress of the enquiries will be shared with the person raising the concern. There will be no time limit on attempting to resolve the concern at this stage; the lines of communication will remain open and action will be on-going whilst both parties believe a solution can be found.

If the person raising the concern is dissatisfied following this informal process, the complaint can progress to Stage 1 of the Formal Procedure.

Where a concern or complaint relates to the Chair of Governors, the individual should contact the Governance Professional, clerkgov@suttcold.bham.sch.uk. Informal resolution will be sought, but where this does not succeed, the complaints procedure at Stage 3 will take immediate effect. A Vice Chair or another nominated governor will mediate any proceedings.

12.2. Procedure Stage 1 – Informal investigation

Where, as a result of raising a concern, the person raising the concern still feels that the issue has not been addressed, or where the outcome has been that the concern needs further investigation than can be resolved informally, the person may progress by making an informal complaint. In doing so, the following steps will be followed:

The Complainant must explain in writing to the Headteacher (or to the Chair of Governors if the concern relates to the Headteacher, or to the Governance Professional if the concern relates to the Chair of Governors):

- An overview of the concern so far;
- who has been involved;
- why the concern remains unresolved; and
- action they would like in order to seek a resolution.

In all circumstances not involving a complaint concerning the Headteacher, the Headteacher will appoint an Investigating Officer to deal with the complaint. This may be a member of the Senior Leadership Team (including the Headteacher) or another member of staff with relevant responsibility. In all circumstances involving a complaint concerning the Headteacher, the Chair of Governors will appoint an Investigating Officer to deal with the complaint. This may be the Chair of Governors, another governor or someone independent of the School.

In the first instance, the Investigating Officer will offer the complainant the opportunity to follow the Informal Procedure (where this has not already been followed). Where this is not an appropriate option the Investigating Officer will commence the investigation and ensure that they:

- establish what has happened so far and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the Complainant or contact them (if unsure or further information is necessary);
- clarify what the Complainant feels would put things right;
- interview those involved in the matter and/or those complained about, allowing them to be accompanied if they wish; and
- conduct any interview with an open mind and be prepared to persist in the questioning.

It should be noted that it may be necessary for the Complainant to come into School for a meeting in order for the Investigating Officer to attempt to fully understand and resolve the situation. Every effort should be made by the Complainant to provide all of the information at Stage One so that a valid decision can be made.

Once all the relevant facts have been established, the Investigating Officer will send the Complainant a written response. This will give a full explanation of the decision and the reasons for it. If follow-up action is needed, there will be an indication of what this may involve. The Complainant may be invited to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations.

The School would normally expect to respond in full within twenty working days. Where this is not possible a written explanation will be provided to the Complainant, to explain the delay and advise when the School hopes to be able to respond fully.

If the Complainant remains dissatisfied at the end of Stage 1, there is the possibility of proceeding to the next stage and this will be advised in writing at the point at which the outcome of Stage 1 is shared with the Complainant. The intention to do so must be communicated by the Complainant to one of the following people within 10 working days of receiving notification of the outcome of Stage 1:

- The Headteacher (when a member of school staff has dealt with Stage 1) – the complaint will then proceed to Stage 2; or
- Chair of Governors (when the Headteacher has dealt with Stage 1) – the complaint will then proceed to Stage 2; or
- Chair of Governors (when the complaint concerns the Headteacher and another Governor or independent person has dealt with Stage 1) – the complaint will then proceed to Stage 3; or
- Vice Chair of Governors (when the complaint concerns the Headteacher and the Chair of Governors has dealt with Stage 1) – the complaint will then proceed to Stage 3.

12.3 Procedure Stage 2- Formal Procedure

Where Stage 1 of the procedure was undertaken by the Headteacher, the Chair of Governors will undertake Stage 2. In such cases all references to “Headteacher” in the following paragraphs should be read as being “the Chair of Governors”.

The Complainant should address their complaint to the Headteacher with an explanation about why they remain dissatisfied with the outcome or process that has been followed to date. A proforma is available for completion in Appendix 1.

The Headteacher will acknowledge receipt of a Stage 2 Complaint within five working days and will aim to resolve the matter within a further twenty working days. The Headteacher will request to meet with the Complainant in person to discuss the nature of the complaint and the remaining dissatisfaction with the way in which the School has dealt with the issue. In advance of the meeting the Headteacher will review the investigation undertaken by the Investigating Officer.

At the meeting with the Complainant the following process will be followed:

1. the Headteacher will explain the purpose of the meeting;
2. the Headteacher will provide a summary of the way in which the complaint has been dealt with by the Investigating Officer;
3. the Complainant will explain the reasons why they remain dissatisfied;
4. the Complainant will explain how they feel the remaining issues could be resolved; and
5. the Headteacher will seek to reach a resolution as far as possible.

The Headteacher will conduct the investigation with an open mind and will decide the outcome at this stage, but may delegate the collating of information to a senior colleague.

The Headteacher may determine one of the following outcomes:

- there is insufficient evidence to reach a conclusion, so the complaint cannot be upheld;
- the complaint is not substantiated by the evidence;
- the complaint was substantiated in part or in full but that the procedural failure did not affect the outcome significantly so the matter is now closed; or
- the complaint was substantiated in part or in full and the Governing Board will take steps to prevent a recurrence or to rectify the situation, where this is practicable.

The Headteacher will write to the Complainant once all the relevant facts have been established. This correspondence will give a full explanation of the Headteacher’s decision and the reasons for it. If follow-up action is needed, details of the proposed course of action will be provided if appropriate. If the Complainant

remains dissatisfied with the way in which the complaint has been handled and/or the outcome of Stage 2 (or Stage 1 where the complaint was about the Headteacher), the Complainant may proceed to Stage 3. Any such request must be made in writing within 10 working days of receiving notice of the outcome from the Headteacher (or Chair of Governors) and include a statement specifying any perceived failures to follow the procedure. At this stage no new information should be provided.

12.4 Procedure Stage 3 –Complaints Committee hearing

Where a Complainant remains dissatisfied with the way in which the complaint has been handled and/or the outcome of Stage 2 (or Stage 1 where the complaint was about the Headteacher), there is the possibility of invoking Stage 3 of the formal procedure. This should be initiated within 10 working days of the Complainant receiving notification of the outcome of Stage 2 (or Stage 1 where the complaint was about the Headteacher). Such requests should be made in writing to the School and marked “For the Attention of the Chair of Governors” when the Headteacher has dealt with Stage 2 or “For the Attention of the Vice Chair of Governors” where the Chair of Governors has dealt with Stage 1 or Stage 2. A full explanation giving the reasons for dissatisfaction about the handling of the complaint should be provided.

The person receiving the request to proceed to Stage 3 will establish a panel of three members (two Governors and one person independent of the management of the School). One member of the Committee will be asked to take on the role of Chair. The purpose of this arrangement is to give the complaint a hearing in front of a panel of Governors who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.

The aim of a Complaints Committee is to resolve the complaint and to achieve reconciliation between the School and the Complainant wherever possible. It is recognised, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure the Complainant that the complaint has been taken seriously.

The Complaints Committee operates according to the following principles:

1. The Governance Professional will aim to arrange for the Panel meeting to take place within 20 working days of the receipt of the Stage 3 notification. The Governance Professional should be the contact point for the Complainant.
2. The Governance Professional will gather all correspondence submitted by the Complainant at Stages 1, 2 and 3. No new information should be introduced at this stage.
3. The Headteacher or Chair of Governors will be asked to prepare a written report for the Panel. Other members of staff directly involved in matters raised in the complaint may also be asked to prepare reports or statements.
4. The Governance Professional will inform the Complainant, the Headteacher/Chair of Governors and any relevant witnesses and members of the Panel by letter, at least five working days in advance, of the date, time and place of the meeting.
5. With the letter referred to in (4) above, the Governance Professional will send the Complainant all relevant correspondence, reports and documentation about the complaint that is to be provided to the Panel.

6. The letter referred to in (4) above will explain what will happen at the Panel meeting.
7. With the agreement of the Chair of the Panel, the Headteacher/Chair of Governors may invite members of staff directly involved in matters raised by the Complainant to attend the meeting. Witnesses are only required to attend for the part of the hearing in which they give their evidence.
8. It will not usually be appropriate for the hearing to consider any issues or material which is introduced at the hearing for the first time. The Chair of the Panel must insist that this is addressed outside this meeting (but through the use of this guidance as appropriate).
9. The Chair of the Panel will bear in mind that the formal nature of the meeting can be intimidating for the Complainant and will do their best to put them at ease.
10. The Panel will agree the appropriate format for the hearing and may determine that the parties are able to present their case to the Panel separately rather than all parties being in the same room together.
11. The Chair of the Panel will ensure that the meeting is properly minuted. However, any decision to share the minutes with the Complainant is a matter for the Panel's discretion and the Complainant does not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
12. The written outcome of the Panel meeting will be sent to the Complainant.
13. During the meeting, the Complainant can expect there to be an opportunity to explain the complaint.
14. The Panel will then consider the complaint and all the evidence presented and may determine one of the following outcomes:
 - there is insufficient evidence to reach a conclusion, so the complaint cannot be upheld;
 - the complaint is not substantiated by the evidence;
 - the complaint was substantiated in part or in full but that the procedural failure did not affect the outcome significantly so the matter is now closed; or
 - the complaint was substantiated in part or in full and the Governing Board will take steps to prevent a recurrence or to rectify the situation, where this is practicable.
15. The Governance Professional will send the Complainant and the Headteacher/Chair of Governors a written statement outlining the decision of the Panel within 15 working days.

Further details about the hearing is provided in Appendix 2. This is the final stage at which the School will consider the complaint. If the Complainant remains dissatisfied and wishes to take the complaint further, please see the contact details at the end of the document. The School will not consider the complaint beyond this.

13. Unreasonable and vexatious complaints

Where a Complainant raises an issue that has already been dealt with via the School's complaints procedure, and that procedure has been exhausted, the complaint will be considered vexatious. The School will not reinvestigate complaints after the complaints procedure has already been concluded, except in exceptional circumstances, for example where new evidence has come to light.

If a Complainant makes a vexatious complaint, the Headteacher will write to them explaining that the matter has been dealt with fully in line with the School Complaints Procedure, and therefore the case is now closed. The Complainant will be provided with the contact details of the Department for Education (see the end of this document) if they wish to take the matter further.

Unreasonable complaints are complaints that are clearly trivial or petty, or those intended to aggravate or create a nuisance. The Headteacher will use their discretion to choose not to investigate these complaints. Where they decide to take this course of action, they will inform the Chair of Governors that they have done so, explaining the nature of the complaint and why they have chosen not to investigate. If the Chair of Governors deems it appropriate to, they can redirect the Headteacher to investigate the complaint. The full Complaints Procedure will commence from stage one on this direction.

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the DfE.

The DfE will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The DfE also looks at whether the school's statutory policies adhere to education legislation.

The DfE will intervene where a school has:

- o Failed to act in line with its duties under education law
- o Acted (or is proposing to act) unreasonably when exercising its functions

If the complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

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

www.gov.uk/complain-about-school

We will include this information in the outcome letter to complainants.

14. Serial and persistent complainants

The School will act in a manner they believe to be appropriate when dealing with an individual who consistently makes the same complaints or who continuously asks the School to reconsider their position.

If a complainant attempts to re-open an issue which has been fully dealt with through the complaints procedure, the Chair of Governors will inform the Complainant that the matter is now closed.

If the Complainant contacts the School regarding the same issue again, the complaint may be classed as 'serial' or 'persistent' and the School does not have an obligation to respond.

The School must ensure that a complaint is not classed as 'serial' before they have fully completed the complaints procedure.

The School will not take the decision to stop responding to an individual lightly. The School will ensure that:

- The Complainant is contacting the School repeatedly with the same complaint.
- They have previously taken every reasonable step to address the problem.
- They have provided the Complainant with a statement of their position.

- If the School believes that the Complainant is continuously contacting the School to cause disruption or inconvenience, or if the Complainant is being abusive or threatening, the School has the right to not respond to the correspondent.

15. Duplicate complaints

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

If the School is satisfied that there are no new aspects, the School will:

- Tell the new complainant that the issue has already been investigated and responded to, and that the local process is complete; and
- Direct them to the DfE if they are dissatisfied with the School's original handling of the complaint.

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

16. 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; and
- 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.

17. Barring from the premises

School premises are private property and therefore any individual can be barred from entering the premises. If the behaviour of a parent/carer or visitor is cause for concern, the School can ask the individual to leave the premises. The Headteacher will notify the parties involved via writing, explaining that their access to the premises has been temporarily revoked subject to any representations that the individual may wish to make. The individual involved will be given the opportunity to formally express their views regarding this decision. This decision to bar will be reviewed, taking into account any discussions following the incident.

If the decision is made to continue the bar, the individual will be contacted in writing.

Anyone wishing to make a complaint regarding this can do so in writing, including email, to the Headteacher or Chair of Governors.

18. 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 and the School's privacy notices.

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

Where the Governing 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.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Governing Board, who will not unreasonably withhold consent.

19. Contact details

1) If you have any queries regarding any aspect of the complaints procedure, please direct these to:

The Headteacher

Sutton Coldfield Grammar School for Girls,

Jockey Road,

Sutton Coldfield,

West Midlands,

B73 5PT

2) Where a complaint is about the Headteacher or a member of the Governing Board other than the Chair, or a Complainant is seeking to initiate Stage 3 of the Complaints Procedures, please contact:

The Chair of Governors, c/o Sutton Coldfield Grammar School for Girls,

Jockey Road,

Sutton Coldfield,

West Midlands,

B73 5PT

Where a complaint is about the Chair of Governors, please contact:

The Governance Professional, c/o Sutton Coldfield Grammar School for Girls,

Jockey Road,

Sutton Coldfield,

West Midlands,

B73 5PT

If the complainant is unsatisfied with the outcome of the School's complaints procedure, they can refer their complaint to the Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the School. The ESFA will not overturn a school's decision about a complaint, but will intervene if a school or trust has:

- Breached a clause in its funding agreement
- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the School's complaints procedure is found to not meet regulations, the School will be asked to correct its procedure accordingly.

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

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

We will include this information in the outcome letter to complainants.

3) If the Complainant feels that the Governing Board acted 'unreasonably' in the handling of the complaint, they can complain to the Education Funding Agency after the complaints procedure has been exhausted. Please note that 'unreasonable' is used in a legal sense and means acting in a way that no reasonable school or

authority would act in the same circumstances. A form is available on the Department for Education website:
[Contact the Department for Education - Contact type - DFE Online Forms](#)

Sutton Coldfield Grammar School for Girls

Appendix 1: Stage 2 Formal Complaints Form

Name	
Name of student, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint	
Action taken so far (including staff member who has dealt with it so far) or solutions offered	
The reason that this was not a satisfactory resolution for you	
What action would you like to be taken to resolve the problem?	

Signed:

Date:

Official use

Date received:

Signed:

Appendix 2: Guidelines and Procedures for a Stage 3 Complaints Committee Hearing

1. The proceedings should be as welcoming as possible and the layout of the room should try to ensure the setting is informal and not adversarial, so as to set the appropriate tone.
2. Any parties being heard may be accompanied by a friend or representative, and/or a translator - and notes taken should be agreed by attendees. It is not appropriate for a third party acting in the capacity of a solicitor to attend as the hearing is not a court of law. Should this be the case, the meeting will be suspended.
3. Governors on the panel will familiarise themselves with these procedures before any hearing.
4. The Headteacher will present the School's case.
5. Witnesses are only required to attend for the part of the hearing in which they give their evidence.
6. Before the hearing starts, the panel will agree which one of them will chair the hearing.
7. It will not usually be appropriate for the hearing to consider any issues or material which is introduced at the hearing for the first time. The Chair must insist that this is addressed outside this meeting (but through the use of this guidance as appropriate).
8. The hearing should follow any agreed meetings protocols, and proceedings should be as follows:
 - a) After introductions, the Complainant has a maximum of 20 minutes to detail their complaint, and be followed by any witnesses, who may speak for 10 minutes.
 - b) The Headteacher may question both the complainant and the witnesses after each has spoken.
 - c) The Headteacher is then invited has 20 minutes to explain the School's actions and be followed by any witnesses, who may speak for 10 minutes.
 - d) The Complainant may question the Headteacher and any witnesses after each has spoken.
 - e) Up to this point, members of the panel may ask questions at any time.
 - f) The Complainant is then invited to sum up their complaint and the resolution they are seeking (10 minutes).
 - g) The Headteacher is then invited to sum up the School's actions and response to the complaint (10 minutes).
 - h) The Chair explains that both parties will hear from the panel within a set time scale.
 - i) Both parties leave together while the panel decides on the issues.
9. The Governance Professional will be present for a Complaints Committee hearing. The Governance Professional is the contact point for the Complainant and will:
 - set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;

- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

10. The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption within the notified timescales;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises, it would be useful to give all parties the opportunity to consider and comment on it; and
- the Complainant is notified of the panel's decision, in writing, with the panel's response and what further steps may be planned or available; this is usually within the agreed deadline.

Adopting and Publicising the Procedures

11. The Governing Board should formally accept and adopt these procedures at a meeting.

12. The procedures should then be made available to all staff through the agreed mechanisms, e.g. staff notice boards, as well as on request.

These procedures will be made available to parents and carers via the School's website.

INITIAL EQUALITY IMPACT ASSESSMENT FORM

Name of policy/activity/project:

Complaints Procedure

Is this a new or an existing policy/activity/project?

Revision of existing policy

Scope/timescales for project or activity (including review date):

Reviewed in March 2024 and to be reviewed in March 2025.

Policy/project lead:

Mr N. Eaton

Outline of main aims of this activity/policy/project:

To advise on the correct procedures to be followed in the event of any concerns about the School.

Who will benefit/be affected by this policy/activity?

All members of the School community.

If an existing policy/activity, do you have any data of use by or impact on different groups which may raise concerns over an equality impact?

No issues raised to date.

Does the activity have the potential to impact differently on groups due to a protected characteristic (race/ethnicity, gender, transgender, disability, religion & belief, age, sexual orientation, maternity/paternity) for :

No

(a) Students and members of the community? Which groups are likely to be affected?

The Governing Board, students, contractors, visitors, hirers of the premises, agency staff, suppliers, parents.

(b) Employees?

All members of staff

Does this activity make a positive contribution to the School's general or specific duties under the Equality Act 2010? If yes, please detail.

Yes – the Policy applies to all sectors of the School community equally

Having reviewed the potential impact of the policy/activity listed above, I believe a full impact assessment is **NOT required**.

Justification:

The policy is of equal benefit to all members of the School community, regardless of gender, race, religion, maternity/paternity, sexual orientation etc.

Name: Mr N Eaton Date: March 2024