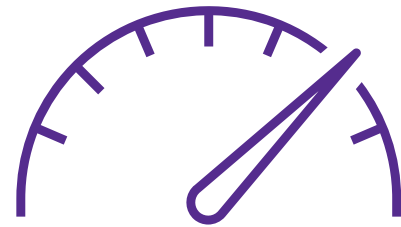


Responding to complaints



How do you feel about the complaints process on a scale of 1 to 10 ?



1

It keeps me
awake at
night

10

Highly confident, it's a
process that I just
need to follow



What type of complaints and how many complaints has your school received in the past year?

How do you receive this information as local governors?



Headteacher report to the LGB

Stage 2 Complaints Please do not share detail of complaints, only data						Subject Access Request/FOI Please do not share detail of requests, only data					
Term x		Term x		Current		Term x		Term x		Current	
Number	Resolved or proceeded to stage 3	Number	Resolved or proceeded to stage 3	Number	Resolved yes or <u>no</u> Proceed to stage 3	Number	DPO involved	Number	DPO involved	Number	DPO involved



OUR VISION IS TO ENABLE ALL TO FLOURISH

Our core principles

- We aspire to be the best we can be in an ever-changing environment - providing opportunities for all to flourish
- Within our DGAT family we cherish everyone as individuals; appreciating and celebrating diversity
- We act with integrity; we are open to challenge and we are reflective about our practice
- We treat everyone with dignity and respect
- Through collaboration, in a nurturing community, we grow, learn and achieve





Complaints Policy

Our vision is to enable all to flourish.

Status and review cycle: Bi-annual
Responsible group: The Trust Board
Next Review Date: August 2025



Policy Statement

The Trust is an organisation with a Christian foundation. The ethos, values and relationships of the Trust, and its associated academies, are central to upholding the values of the foundation. Constructive working relationships are important to the success of the Trust and in recognition of this the Trust is committed to resolving differences as quickly as possible and finding workable solutions for identified problems.

The Trust expects all concerns and complaints to be taken seriously and to be investigated and dealt with efficiently and sensitively.

Purpose and Scope

This policy is intended to provide guidance about the process for dealing with concerns or complaints raised by anyone about the operation of a Trust school.

The following policy sets out the procedure that the school follows in such cases. A copy of this policy is available on the school and DGAT websites.

Aims and objectives

The school aims to be fair, open and honest when dealing with any concerns or complaints giving them careful consideration and dealing with them as swiftly as possible. The aim is to resolve any complaint through dialogue and mutual understanding and in all cases putting the interests of the child above all other issues.



Case study – part one

A parent has approached a governor in the gym to complain about the school's forthcoming trip to the seaside.

They are cross that the school is not allowing their child to attend.

What would your next steps be?



Case study 2 – part one

A parent has sent via email a complaint to the chair of governors that their child is being persistently bullied by a pupil in their class.

They have spoken to the class teacher and headteacher and nothing has changed.

What would your next steps be?



Concern or complaint?

Concern

A concern can be defined as an expression of a worry in respect of the school. A matter should be viewed as a concern if it is capable of being resolved locally, is quite straightforward and does not require a formal response.

Complaint

A complaint can be defined as an expression of dissatisfaction with the school which requires a formal response.

A matter will be treated as a complaint when:

- the person raising the matter requests the matter to be dealt with as a formal complaint

Or

- when informal attempts to deal with the concern have been exhausted and the person who raised the concern remains dissatisfied.



Who can submit a complaint or raise a concern?

Does a complaint or concern have to be made in writing using the complaint form in the policy?



When should the Complaint Policy not be used?

Staff Complaints

If a member of staff wishes to make a complaint (in their capacity as an employee) should be investigated using the Grievance Procedure and not the Complaints Policy.

What is not covered by the complaint policy?

The DfE's advice identifies areas lying outside the scope of school procedures.

- Admissions to school
- Statutory assessments of Special Educational Needs
- Matters likely to require a Child Protection investigation
- School re-organisation proposals
- Suspension and exclusion from school
- Whistleblowing
- Complaints about services provided by external bodies using a school's premises or facilities.



The Trust's experience of complaints

- Increase in complaints across the Trust in the last 18 months – this reflects the national experiences of schools and Trusts
- Parents are more informed and are seeking guidance from legal advisors
- There is a post-covid impact – families are experiencing challenges in ways they didn't pre-covid
- There is an increase in sense of entitlement leading to complaints with an increase in vitriol
- Media impact
- Dual submission of complaints to LA, Ofsted, MPs etc



The Trust's experience of complaints

- Subject Access Requests (SARs) have increased in line with complaint submissions and now often go hand in hand. Important to consider GDPR, what is reported/shared with who and when.
- Separate policy for responding to SARs (Data Protection Policy) and schools must contact Rob Jones, Head of Business and Operations and the Trust Data Protection Officer (Schools Pro) when a SAR is received.



The regulatory framework for complaints in academy trusts

- Part 7 of the Education (Independent School Standards) Regulations
- Guidance: Best practice guidance for academies complaints procedures (updated 12 March 2021)



How the DfE responds to complaints about schools in academy trusts

“We will only be able to consider your complaint if you can provide evidence that the academy:

- does not have a complaints procedure
- did not provide a copy of its complaints procedure when requested
- does not have a procedure that complies with statutory regulations
- has not followed its published complaints procedure
- has not allowed its complaints procedure to be completed.”

DfE (July 2020)



First step when responding to a complaint

Always start with contacting the Head of Governance and People



First step when responding to a complaint

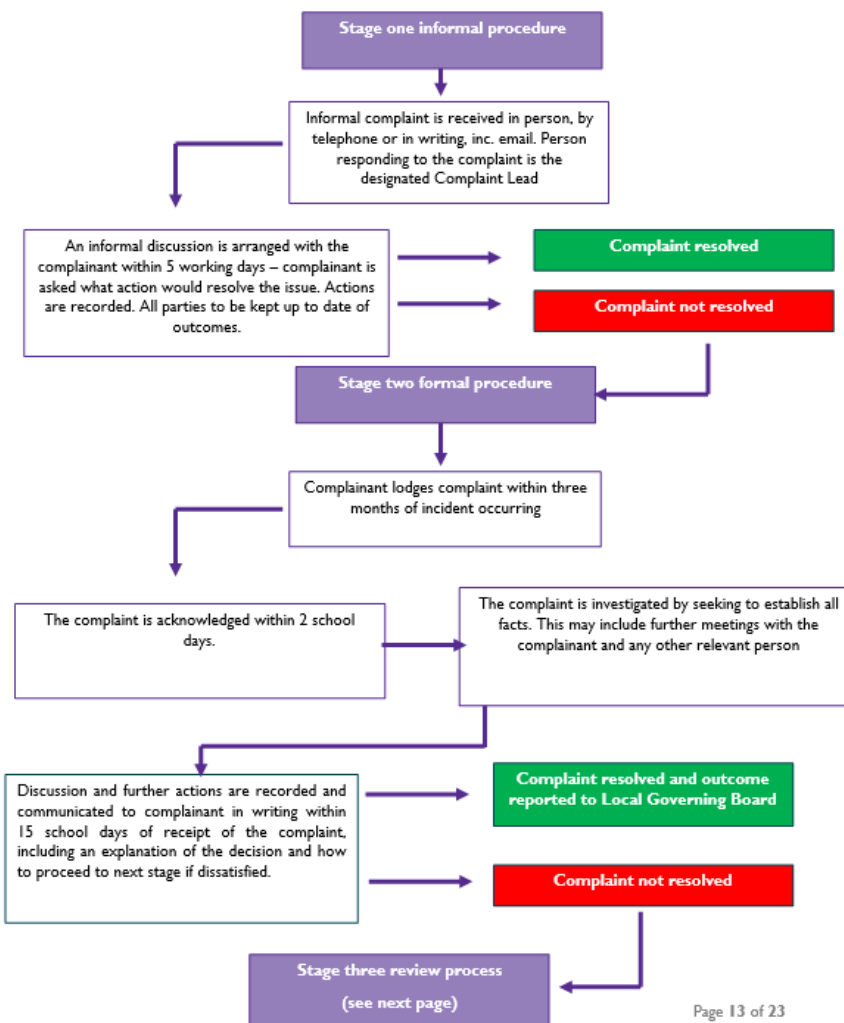
Ask yourself:

- What stage of the complaints policy should the complaint be considered under?
- Who should investigate the complaint ? (decide in partnership with the complaint lead) What does the complaints policy say? Who is best placed to do it?
- Is the letter of complaint clear what the specific complaint(s) is/are and what actions the complainant would like the school to take to resolve it/them?
- Does the letter of complaint raise any issues to which other school or trust policies and procedures might apply? For example, does it raise safeguarding concerns or concerns about bullying?

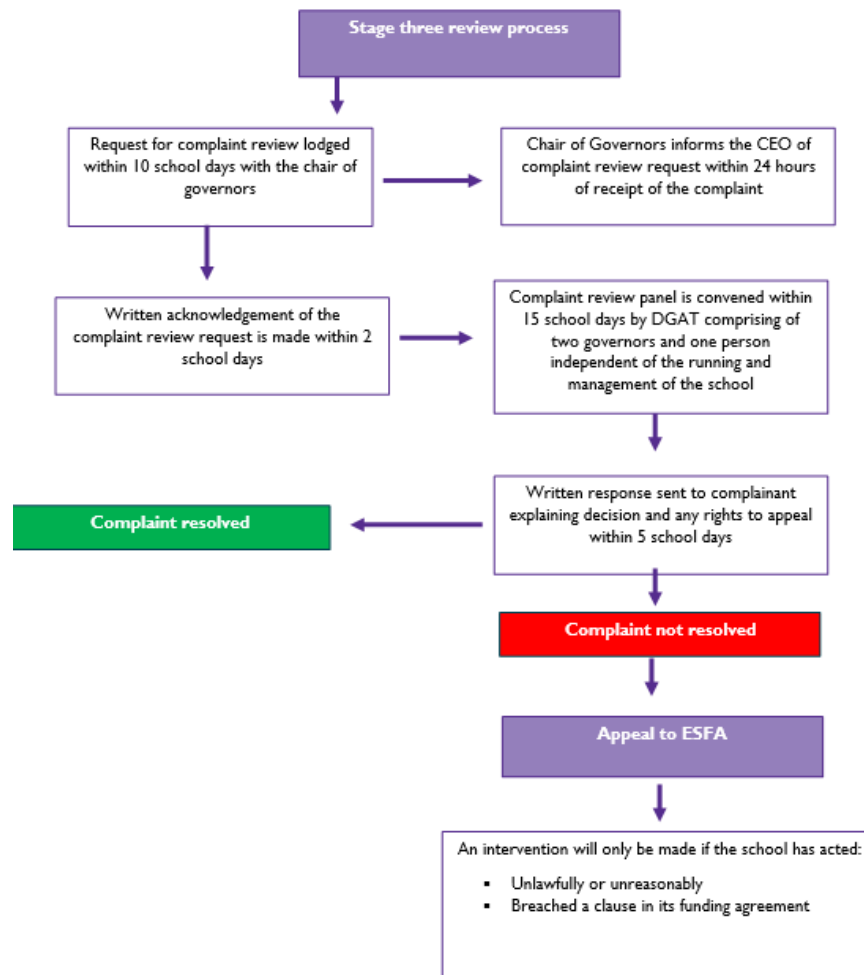


Complaints investigated by the headteacher

DGAT Complaints flow chart for complaints investigated by the Headteacher – Stage 2

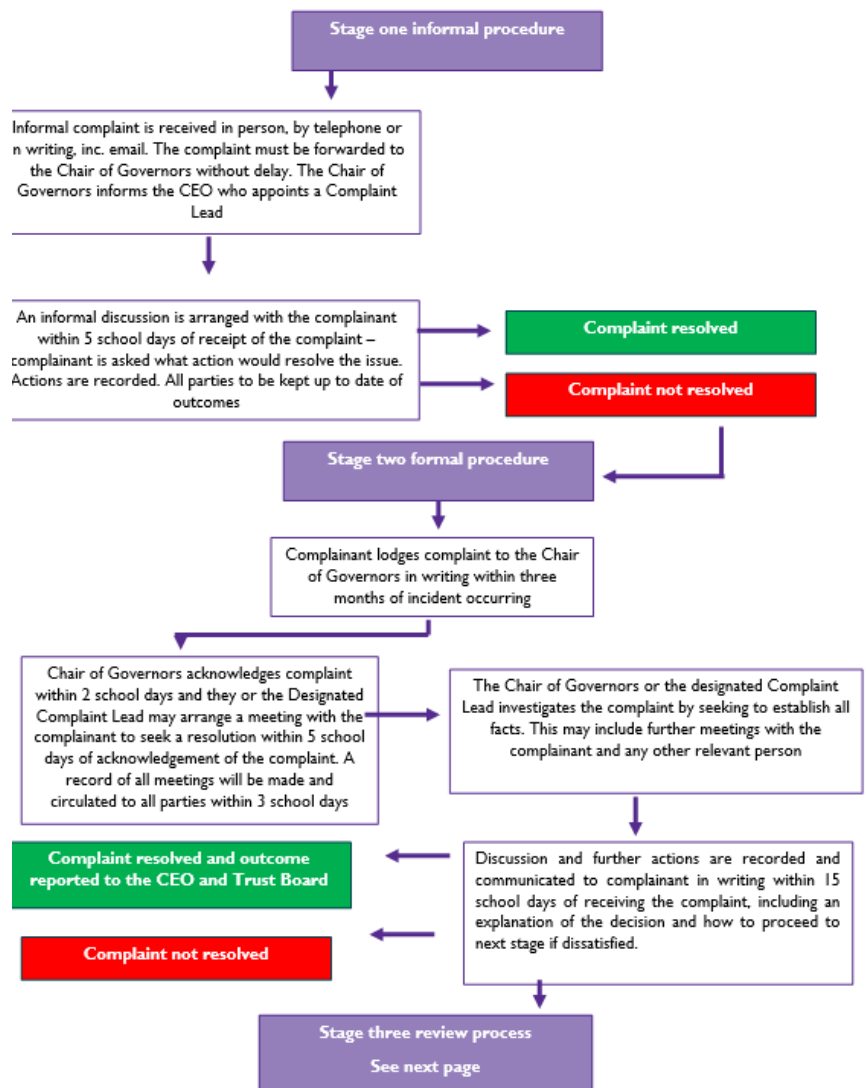


DGAT Complaints flow chart for complaints investigated by the Headteacher – Stage 3

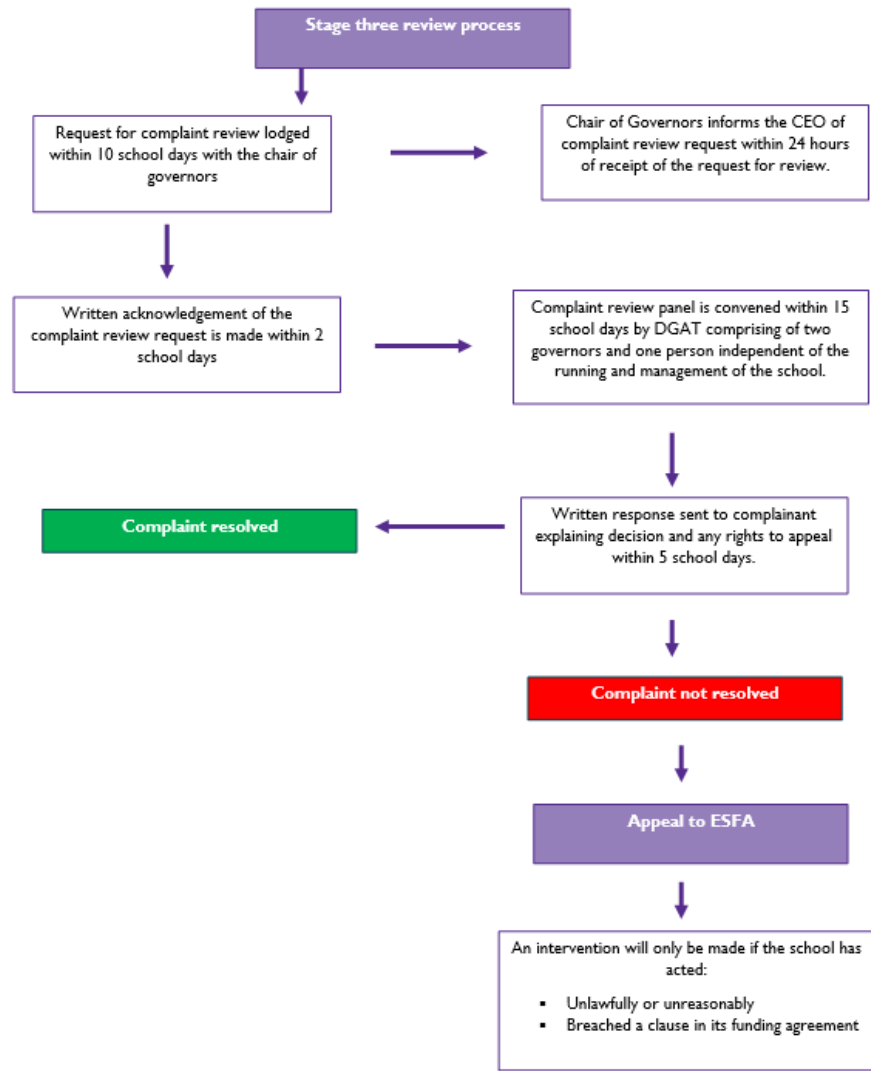


Complaints made against the headteacher

DGAT Complaints flow chart for complaints made against the Headteacher Stages 1 and 2



Flow chart for complaints made against the Headteacher – stage 3



How to undertake a complaint investigation well

Apply good governance principals

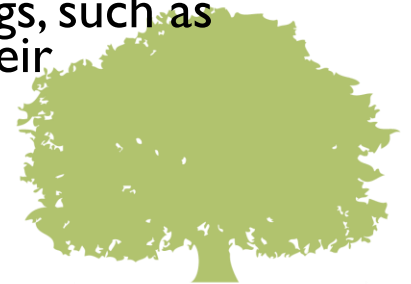
- make no assumptions
- evidence and triangulate information – who do you need to speak to and what information do you need to review?
- be thorough and robust
- remain focussed on the complaint and the complainants desired outcomes
- be transparent in your decision-making and judgements
- always consider data protection – try to avoid naming individual staff and do not name children (use pupil A etc)
- organisation response, not individual
- meetings should be clerked
- notes from meetings should be signed as accurate and copies shared with the complainant
- **always** keep the child at the centre
- consider the learning that may be taken from the complaint
- always consider your own safety when attending meetings
- ensure an evidence-based outcome and any relevant recommendations



Learning and next steps

Are there opportunities for learning?

- Recommendations to improve school practice in the future can be offered even if the complaint itself is not upheld.
- Could things have been handled differently? Could communication have been better? If so, acknowledge this and recommend how policies or practices could change going forward.
- Is it possible to make a concession in order to resolve the matter and avoid escalation?
- Sometimes an apology that behaviour or actions have caused someone negative feelings, such as anxiety, distress or disappointment, may be sufficient to make an individual feel that their experience has been acknowledged.



Vexatious and malicious complaints

The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific or repetitious;
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
- insistence upon pursuing meritorious complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance;
- demands for redress that lack any serious purpose or value.



Vexatious and malicious complaints

The Trust Complaint Policy says...

Managing unreasonable complaints

The Trust is committed to dealing with all complaints fairly and impartially. The Trust will not normally limit the contact complainants have with the Trust itself or any of its schools; however, the Trust does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is unreasonably repetitive, abusive, offensive or threatening.

Further information on page 8 and 9 of the complaint policy – take a moment to read.



Roles in the complaint process

Complaint lead

- determined by the CEO
- is usually the head of governance and people
- identifies the complaint investigator
- co-ordinates the timeline and provides policy guidance
- completes the central complaint log and securely stores all complaint related paperwork

Complaint investigator

- investigates the complaint submitted
- clarifies reason for complaint and desired outcome with the complainant
- determines following their investigation if the complaint should be upheld, partially upheld or not upheld
- writes the complaint outcome report and letter



Roles in the complaint process

Stage 3 review request panel

- two local governors and one independent panel member (complaint lead will source)
- role and remit is to consider the complainants reason for requesting the review – must be related to the process undertaken
- role and remit is **not** to review the original complaint again
- can request written submission from the complainant. Do not have to invite to attend the panel meeting

Clerk to governors

- might be the first person to receive the complaint
- important they understand timescales and do not send any response until having spoken to HoGP
- likely to be asked to attend meetings with the complainant/school staff to take notes
- will attend a stage 3 review request meeting to take minutes



Difficult Conversations

- The complaint process can include the need to have difficult conversations
- Key to successful resolutions is having a relationship with the recipient. This is tricky when you are meeting someone for the first time
- You need to establish a positive relationship quickly



What conversations might you have ?

Working with a small group, list the different difficult conversations you might encounter during the complaint process

Could you rank them according to how confident you might be in attacking them ?

Why ?

What do you think the key skills are that you need to have these conversations ?



There isn't a perfect difficult conversation...

There are three gauges of success....

- Did it create a successful positive change?
- Did it create change quickly?
- Was the conversation kind and respectful ?



Three common problems

- The person doesn't hear your message - you raise the message loud and clear, but when they walk away you feel like they haven't heard what you were saying.
- It gets emotional... hard on both parties...
- No change happens - despite having had the difficult conversation, the other person agrees with the change, and you feel it was successful, but no change occurs...



Three core components of successful difficult conversations

- Structure - make sure your message is heard. Clarity is essential for this.. Biggest issue in having tricky conversation. Research shows 70 % of tricky conversations go wrong because of this.
- Emotional management - this stops the conversation being exhausting - think hard before a conversation about how you will manage your own emotions.
- Trust - increases the likelihood of a successful and positive outcome. Relationships are key !



Top Tips !

- Evaluate/identify the scope of the problem to be resolved
- Be clear about the facts. Beware of anecdotal comments
- Plan the conversation - prepare in advance the questions you want to explore. Be clear with the complainant the areas you will be discussing – repeat back to them their specific complaint and desired resolution



Top Tips !

- Be specific and factual - use of I phrases is key here, it is a much softer way in
- I've heard from our conversation you are angry about...
- Then state what the issue is...
- The outcome - state what you want the outcome to be outlines the end result of the positive change you hoping to achieve with this person

Stephen Covey in 7 habits of highly effective people says “begin with the end in mind”

- I am clear that the resolution you are seeking is...



The 4 S's

- **Stance and signal-** try to mirror the other persons stance and gestures . If it's negative, try to be a positive version of this...

www.ukheadsup.com/negativebodylanguage/ examples of this...

- **Say-** use their words if a colleague tells you they are frustrated, use it back, “ I can hear how frustrated you are feeling”
- **Summarise** - summarise their main points to show that you have listened. This technique also allows you to check your understanding and correct your comprehension of their viewpoint.
- All 4 S's build bridges with the other person. You don't have to put all of them in place in every conversation but try to use stance and at least one other and it should help your conversation.



Managing the emotions...

You can't manage other people's emotions, but you can manage your own.

- Remember to breathe
- Adopt the adult role ... I'm sorry you feel like that, what can we do to resolve this'
- Slow the conversation down allow you thinking time. Silence is golden - don't feel you have to fill every second
- Adopt a superhero persona- Amy Cuddy - power pose. Releases testosterone, makes you feel confident and lowers cortisol



Managing others emotions after a difficult conversation.

- If they cry, let them, stop the conversation and pass the tissues.
- If in the rare occasion they become aggressive or violent, make sure you have sat with easy access, stop the conversation. Your safety is paramount.
- What if they walk out - let them. Follow up with an email to say you will continue the process with the information you have available to you.
- If they stop talking - don't respond. – leave the silence. If you get to the 2 min mark - ask the question... “would you share your thoughts with me on how we can achieve this...?”



Follow up...

Written recording of tricky conversations is essential. **A**dopt the following if you do not have a notetaker present.

Here is a suggested format

Dear XXX

Thank you for meeting with me (today/date). As mentioned, I thought a summary would be useful for both of us.

We met because I (summarise the issue)
We agreed (resolutions, who, what and when by).
The next steps in the complaint process are...

I hope you will agree that this is an accurate reflection of our meeting; if you do not please let me know by (date - considering the complaint timeline typically 3 working days).

Yours (sign off)



Case study – part one

A parent has approached a governor in the gym to complain about the school's forthcoming trip to the seaside. They are cross that the school is not allowing their child to attend.

Now, what would your next steps be?



Case study 2 – part one

A parent has sent via email a complaint to the chair of governors that their child is being persistently bullied by a pupil in their class. They have spoken to the class teacher and headteacher and nothing has changed.

Now, what would your next steps be?



Final take-a-ways

- Please do not fear the complaint policy – it provides a transparent and equitable process for all parties
- Complaints go wrong when the documented process is not followed – local governors should always refer to the policy and not promise to ‘have a word with...’ or ‘take xxx to the next meeting’.
- The first stage of the process is always informal resolution but that still has to be undertaken within the policy



Questions





THE DIOCESE
OF GLOUCESTER
ACADEMIES TRUST
unlocking potential

