

**St. Anne's School**  
Braye Road  
Alderney  
GY9 3XP  
Tel: +44 (0)1481 822173  
Email: [office@alderney.sch.gg](mailto:office@alderney.sch.gg)  
Website: [www.alderney.sch.gg](http://www.alderney.sch.gg)  
Email:  
[headteacher@alderney.sch.gg](mailto:headteacher@alderney.sch.gg)  
**Headteacher: Mrs W Wilson**



## COMPLIMENTS, COMMENTS, COMPLAINTS

# Policy Directive

and

# Guidelines



### *Document Control & History*

Version	Date	Author	Reviewer	Summary of Changes/Notes	Review Date
1.0	11/21		Dir Ops (Ed.)		8/23
1.1			S Parrilla	Formatting amendment in St Anne's School Colours	

## Convention on the Rights of the Child

At St Anne's School we respect the rights of the children and adults in our school, community and beyond and aim for each school policy to adhere to Articles from the UN's Convention on the Rights of the Child.

In this policy, we are working towards the following articles:

*Article 2: Rights apply to every child without discrimination*

*Article 3: Everyone who works with children should do what is best for each child*

*Article 28: Everyone has the right to an education.*

*Article 36: Every child has the right to be protected from things that could harm them*

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## 1.0 Introduction

### 1.1 Policy Statement

The Committee *for* Education, Sport & Culture is committed to delivering a consistently high standard of customer service for the Bailiwick's learners, families, schools and staff, the wider community and businesses, however you contact us.

This document sets out the States of Guernsey standards which apply across the education services the organisation delivers centrally and in schools and how you can pass on a compliment make a comment or report a complaint.

The process for making a comment or raising a complaint about the College of Further Education is managed by the College and the procedure is available [here](#).

The States of Guernsey Early Years Team has a separate complaints process which is set out on their website [here](#).

The compliments, comments and complaints procedures relating to Sport & Recreation Services; and Culture & Heritage Services are managed separately. For Sport & Recreation Services the procedures can be found [here](#).

We believe that excellent service can best be achieved by:

- Treating you courteously and with fairness
- Responding in a timely manner and providing accurate information
- Developing trust through open, honest and simple communication
- Listening to your views and taking action to improve
- Making our services easy to access, and relevant for our customers

While the Committee *for* Education, Sport & Culture strives to deliver the highest quality services to the community, there may be occasions when parents/carers, learners or members of the public may need to raise a concern or complaint about a service falling under the mandate of the Committee or provided by a school or education setting. All concerns and complaints are taken seriously, and we are committed to resolving any matter raised in a positive way, through the most appropriate process and to making any improvements. For clarity, a concern is considered to be 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought' and a complaint is 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

This policy applies to all compliments, comments, and complaints relating to central education services provided under the mandate of the Committee *for* Education, Sport & Culture and relating to schools about any provision of facilities or services with the exception of appeals in respect of decisions about the following issues, where separate process is followed:

- Admissions to schools;
- Exclusions from school;
- Requests to home educate
- Determinations of Special Educational Needs (SEN); and,
- Matters that involve safeguarding of children and young people.

Where you have comments or complaints about the decision-making process followed or about the service you have received then you should follow the steps set out in this document. However if you disagree with the decision and want to appeal, please contact The Education Office at [educationsportandculture@gov.gg](mailto:educationsportandculture@gov.gg)

### 1.2 Policy Objectives

The policy is intended to provide the following guidance:

- How to submit a comment or compliment about the education services delivered by the Committee *for* Education, Sport & Culture
- How to make a complaint about the education services delivered by the Committee *for* Education, Sport & Culture
- The various processes that are undertaken in response to a complaint

### 1.3 Policy Application

The latest version of the published policy will be available on the States of Guernsey [website](#).

This policy does not apply in circumstances involving allegations against someone working in a school/college who has:

- Behaved in a way that has harmed a child or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

In these circumstances a separate Managing Allegations against States of Guernsey Staff policy is available [here](#).

## 2.0 Service Standards

The States of Guernsey have set out service standards which explain that when you contact us:

- We will provide a friendly and welcoming service
- We will try to answer your enquiries the first time you contact us. If your enquiry cannot be dealt with at this time, we will put you in touch with someone who can help
- We will deal promptly and efficiently with your phone calls, letters, emails and visits to our establishments
- We aim to provide 24-hour, seven-day access to our website [www.gov.gg](http://www.gov.gg)
- We will provide clear information about our services; how to contact us; and what level of service you can expect from us
- We will give you details of which part of the organisation is dealing with your enquiry. Our staff will deal with your enquiry impartially, confidentially and with discretion
- We will make sure our staff are appropriately trained so that they have the right skills and knowledge to fulfil their roles

When you contact us, either by telephone, in writing or by person we will:

- Aim to provide an initial response promptly during normal working hours
- Aim to direct you to the most appropriate person able to deal with your enquiry
- Advise you of any delays with the reason why
- Respond to you in clear plain English
- Provide a reply in an alternative format if you require a reasonable adjustment such as in large print
- Ensure the most commonly requested information is available or explain how you can access the information on our website

## 3.0 Compliments and Comments

The Education Office is committed to providing a high-quality service. If you have received excellent service from one of our schools or if you have a comment, please let us know by emailing [educationsportandculture@gov.gg](mailto:educationsportandculture@gov.gg) or by writing or phoning to let us know.

If you have a compliment or comment with regard to Recreation, Culture and Heritage services, contact details can be found in [Section 1.1](#).

## 4.0 Education Complaints Process

The aims of the complaints process are:

- To provide a fair procedure which is clear and easy to use for anyone wishing to raise a concern or make a complaint
- To publicise the existence of our complaints procedure so that people know how to raise a concern or make a complaint
- To ensure all concerns and complaints are managed in an impartial and non-adversarial manner
- To encourage concerns to be resolved by informal means, without the need to use the formal stages of the policy
- To ensure all complaints are dealt with as quickly as possible and at an appropriate level
- To gather information which helps improve what we do

There are three stages to the complaints process:

- Stage One: Informal resolution
- Stage Two: Formal complaints
- Stage Three: Review

Additionally, there may be occasions where a concern or complaint is raised about services provided by The Education Office and this policy sets out how to ensure they are directed appropriately.

The aim of each stage is to ensure that the concern or complaint is fully considered, and a clear finding is communicated which either resolves the matter to a complainant's satisfaction or explains why this is not possible. Where a complaint leads to the commencement of a disciplinary process, then the complainant will not have a right to receive that information as part of the response to their complaint or to receive the outcome of the disciplinary process.

Anyone wishing to make a complaint will be given the opportunity to complete the complaints procedure in line with policy, unless there is clear evidence that the complaint meets the unreasonably persistent or vexatious criteria defined in Appendix 2.

Although every effort will be made to comply with the timescales outlined within each stage, this may not always be possible; for example, due to the complexity of any potential investigation required. Where a timescale cannot be met, we will write to explain the reasons for the delay and set out the new timescales that will apply.

Where the policy refers to 'working days', this will be 'school days', i.e. during term time and excluding holidays and inset days.

### 4.1 Stage 1 – Informal Resolution

From time to time there may be normal and legitimate concerns about decisions in schools or made by services falling under the remit of The Education Office. Examples might include concerns from parents / carers about the progress, achievement, behaviour or welfare of their child and it is important they are shared at the earliest opportunity so they can be addressed.

Concerns can often be resolved quickly and informally, through discussion, clarification, explanation or provision of further information, or sometimes simply by acknowledgement of the issue and an apology. In the first instance, this type of concern should be shared with the relevant teacher (class teacher, form tutor, subject teacher, or Head of Year) or an appropriate member of staff according to the matter concerned. This may be by letter, email, telephone or by requesting a meeting through the school office.

Where this type of concern is raised with The Education Office and concerns a school, The Education Office will acknowledge the concern within two working days and seek consent to forward on to the school for informal resolution, as the party best placed to resolve the issue.

Depending on the nature of the concern, details may be recorded to ensure trends can be identified and monitored and so The Education Office is confident any concerns have been responded to.

### 4.2 Stage 2 - Formal Complaints

If you feel your concern has not been resolved during informal discussion at Stage 1, you can raise a formal complaint under Stage 2 of this policy. If you haven't tried to resolve the issue informally, the Headteacher or The Education Office will ask you to explore that route first.

The complaint should be received in writing (including by email), unless there are reasons preventing this, for example a disability, learning difficulty or difficulties with the English language. If this is the case then contact can be made in a different way, by phone or in person. Please note that complaints about schools should be submitted to the school itself (other than in exceptional cases) and clearly marked Stage 2 Formal Complaint and complaints about The Education Office or education services should be submitted to [educationsportandculture@gov.gg](mailto:educationsportandculture@gov.gg).

Exceptional complaints at Stage 2 are those which refer specifically to the individual Headteacher of the school. In these cases, it may be more appropriate for you to contact The Education Office who will be able to advise you regarding next steps.

You should include as much detail as possible in the complaint, including dates and times of events, potential witnesses, copies of any relevant documents and a clear outline of what action(s) you are seeking, to resolve the complaint to your satisfaction.

Your complaint will be acknowledged within two working days and will be forwarded to a nominated senior member of staff in order for them to deal with it. The Headteacher will oversee progress and provide any advice and guidance which is required where the



complaint is about a school. Where the Stage 2 complaint is about The Education Office, the lead officer for education complaints will oversee the process.

The person dealing with your complaint at Stage 2 should make contact with you to seek any clarification required and gather all relevant information to establish the facts, which might include interviewing and taking statements from learners or staff members and from any witnesses involved.

Once the issue has been considered you will receive a written response. This should be within ten working days of receiving your complaint. This response will include any steps required to resolve the issue. Where the outcome of this stage is a recommendation to take action under a different policy remit, the process under this policy will cease.

Where a complaint is about a school, a copy of the written response to you will be provided to The Education Office to make sure that any trends can be monitored.

### 4.3 Stage 3 – Review

#### 4.3.1 Schools

While it is hoped that a formal complaint will resolve issues and that most complaints will be resolved by schools themselves, sometimes a Stage 2 investigation may not provide a satisfactory outcome. If this is the case, then you can contact The Education Office in writing and explain the reasons why you would like your complaint reviewed. Your request should be made within ten working days of the date of the written response received at Stage 2 and should be addressed to the Director of Operations. It should clearly set out the reasons why you are not satisfied with the response and include evidence to support this.

We will acknowledge your request within two working days and an appropriate education officer will carry out the review. They will consider whether the investigation process undertaken at Stage 2 was followed fairly and if the decisions taken were appropriate. They will not consider additional complaints. We will write to you with the outcome of the review within ten working days of receiving your complaint.

The review undertaken by The Education Office will be the final stage of the complaints process. Where you remain dissatisfied with the outcome of the process, there may be other options may be available to you. More information is available at <https://www.gov.gg/article/150902/Independent-Appeal-Tribunals-Review-Board-and-Panels>

#### 4.3.2 Services or The Education Office

Should you be dissatisfied with the outcome of a formal Stage 2 complaint about The Education Office there may be other options available to you. More information is available at <https://www.gov.gg/article/150902/Independent-Appeal-Tribunals-Review-Board-and-Panels>

## 5.0 Monitoring Complaints

Regular complaints report will be provided to The Education Office Senior Leadership Team. The report will be anonymised and will also include any complaints made about the way central education services are provided; it will also include brief details of formal complaints made about schools. This is to make sure:

- The process is a flexible, thorough and effective mechanism for resolving complaints
- Complaints are dealt with quickly and thoroughly within established time limits
- Complainants are kept informed of progress if the investigation takes longer than expected
- Action taken in response to complaints is documented
- We understand the root causes of complaints
- Trends are identified, and appropriate action is taken to resolve issues

## 6.0 Confidentiality and Data Protection

All complaints will be handled in the strictest confidence and according to the States of Guernsey Data Protection Policy.

All correspondence, statements and records relating to individual complaints will be shared only with those who need to know about it. It is expected that individuals making a complaint will also keep it private and confidential. In particular, it is not expected that complaints will be discussed publicly via social media (e.g. Facebook, Twitter and WhatsApp). The posting of any defamatory, offensive or derogatory comments on social media sites by parents/carers is not considered acceptable and will be followed up.

Due to privacy rights under data protection legislation, information disclosed relating to an outcome if it relates to a third-party individual, i.e. disciplinary action of a member of staff or another learner, may sometimes be limited.

## 7.0 Unreasonably Persistent or Vexatious Complaints and Behaviour

The definition of unreasonably persistent and vexatious complaints is those which, because of the frequency or nature of the contacts made by the person making the complaint, limit the investigation either of their or of other people's complaints.

Appendix 2 includes some characteristics of what we consider to be an unreasonably persistent and/or vexatious complaint. This list is not exhaustive and one single feature does not necessarily imply that the complaint will be defined as vexatious.

If there are concerns that a complaint may be considered unreasonably persistent and/or vexatious then schools should contact The Education Office for advice.

If someone is found to be unreasonably persistent and/or vexatious the Office *of the* Committee *for* Education, Sport & Culture will write to advise them of this and provide the reasons for this decision. The letter should state that all future correspondence about complaints from them should be directed to The Education Office who will consider

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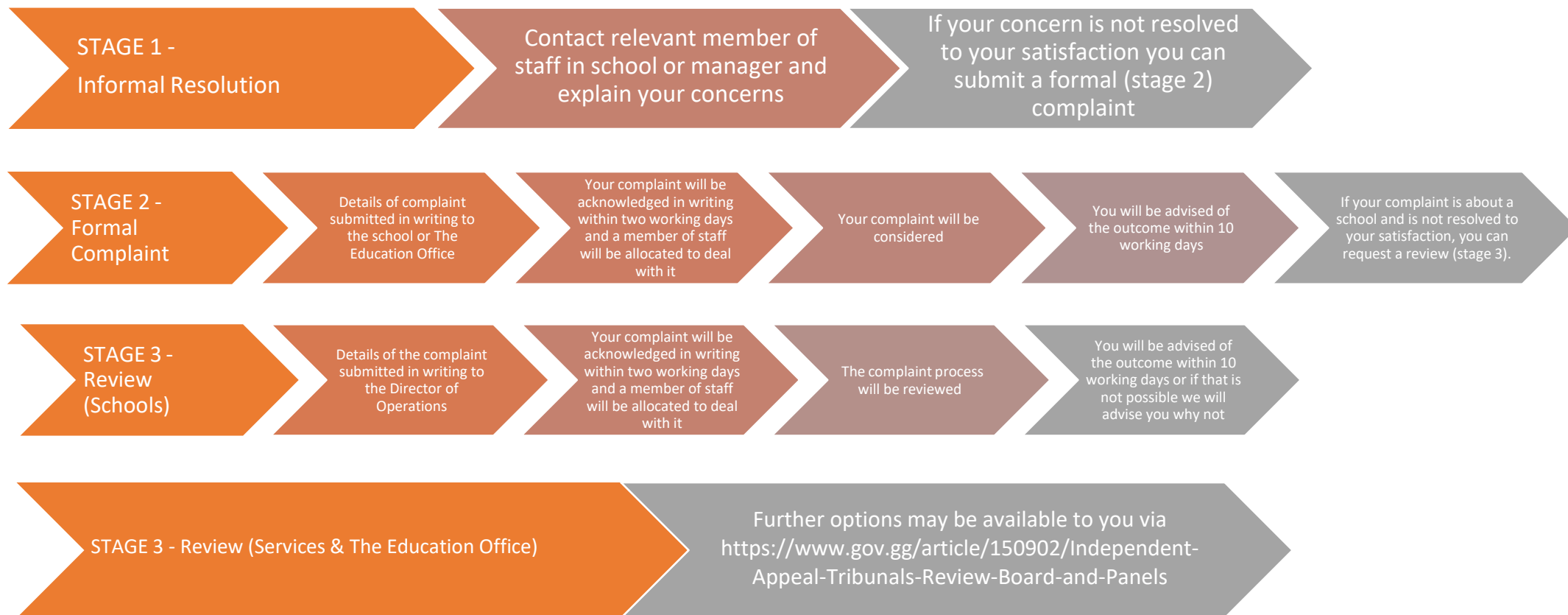
whether it raises any new issues. If any future complaint is not considered a new issue, then it will not receive a response.

There is no internal route of appeal against the decision that a complaint is persistent and/or vexatious.

If future complaints do raise new issues, these will be investigated in accordance with the process set out in this document.

This policy sits alongside the Managing Abusive and Aggressive Behaviour Policy, for more information or to obtain a copy please contact [educationsportandculture@gov.gg](mailto:educationsportandculture@gov.gg)

## APPENDIX 1: Flow chart



## APPENDIX 2: Vexatious Complaints

Examples of characteristics indicating a vexatious complaint include but are not limited to:

- There are no specified grounds for the complaint despite offers of support to articulate and submit in writing.
- The complainant refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- The complainant refuses to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given.
- The same complaint is made repeatedly, perhaps with minor differences, after the complaints process has been concluded and where the complainant insists that the minor differences make these 'new' complaints which should be put through the full complaints process.
- The complainant doesn't accept documented evidence as factual.
- The complaint relates to an issue based on a historic and irreversible decision or incident.

Please also see the States of Guernsey [Unacceptable Actions and Behaviours Policy](#)