



Belvoirdale Primary School
Complaints Policy & Procedure
May 2016

Agreed by Governors:

Signed:

Dated:

To be reviewed:

.....

Complaints Policy & Procedure

1 Introduction

Belvoirdale Primary School has a positive and welcoming ethos, with the Head Teacher and other staff dedicated to building positive relationships with all members of the school community. The school places great value on the role which parents and carers can play in supporting children's learning and we welcome constructive dialogue about its policies and practices.

2 Aims and objectives

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint initially informally through dialogue and mutual understanding and, in all cases, we put the interests of the children at Belvoirdale above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved at an informal level.

3 General Principles:

We would like to clarify that a conversation between parties may simply be to raise a 'concern.' Concerns are not complaints but a sharing of thoughts or the need for clarity about a school policy or procedure. Most concerns can simply be dealt with on the spot and therefore within the very first stages. Concerns may be something more complex, for example the content in a policy. Such concerns are always welcomed as policy frameworks are developed in consultation with the whole school community and concerns could support efficient and effective school improvement to highlight a point that may not have been fully considered. As such, specific concerns about policy content could be passed in person to the Headteacher or other Senior Leader in school verbally or in writing. Concerns are also welcomed in our regular questionnaires and we encourage all parents to complete these.

This procedure is intended to allow anyone who feels a complaint or issue raised relating to the school, or the services that it provides has not or is not being dealt with in line with its agreed policies.

It is designed to ensure that wherever possible an informal resolution is attempted and all stages are investigatory rather than adversarial.

An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.

To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event, will not be considered unless there are extenuating circumstances why it has not been raised earlier.

4 The complaints procedure

The school operates a **4 stage complaints procedure**. Stages 1 & 2 are the informal stages. If the complaint concerns the Head Teacher it will be dealt with from Stage 3.

4.1 Stage 1 – Informal - dialogue and discussion

Initially, any complaints or queries should be brought to the class teacher in person or through the school office. Often general school matters can be clarified with the school office but if it is a concern that needs discussion with a teacher, an appointment can be made through the office or with a teacher in person. Brief concerns could be raised when teachers are available for the first 10 minutes in the morning before school begins but it is best to make an appointment after school to discuss more complex issues in depth. Teachers are busy after school but with due notice they will accommodate requests as best they can even if they aren't available to meet with parents immediately that day.

For parents who work and can't meet face to face in the morning, a note requesting a meeting can be passed in book bags from children directly. We request that parents do not use reading records or homework books to ask for appointments or raise concerns as this may bring additional worry to children.

Most concerns can be resolved by simple clarification of school policy, the provision of additional information or simply sharing dialogue about different perspectives of class and home life. It is anticipated therefore that most complaints may be resolved by this informal stage after a conversation.

It is expected at this stage, if any agreed monitoring is carried out, that a mutual time-frame is agreed for a **review with the class teacher** (depending on the issue this may be anything from a week to a number of weeks) to ensure a resolution has been found.

If the issue is of a highly sensitive nature and there are extenuating circumstances why the class teacher shouldn't be consulted first then an appointment can be arranged to talk with the Headteacher. Ordinarily however, the complainant will be advised to first speak with their class teacher to allow them to investigate and find a solution.

At this informal stage parents may raise concerns with teaching assistants in the absence of the class teacher. Teaching assistants are well equipped to pass on any immediate concerns from parents to class teachers in a confidential manner, particularly if they have been covering a class themselves. However, there must be time allowed for teaching assistants to pass any information back to class teachers so the class teacher can co-ordinate any investigation and can oversee any issues arising. With minor issues TAs may pass on any resolutions under the co-ordination of the class teacher.

It is not appropriate for parents to question teaching assistants about the rationale for decisions made or outcomes of queries – this must be passed onto class teachers directly. In the same token it is not appropriate for parents to question any other staff, such as lunch-time supervisors about events during the school day, particularly at lunch-times and any concerns must be directed through the correct channels outlined in this policy.

4.2 Stage 2 – Senior Leader involvement - Informal

This stage is the bridging between the informal and formal stages with all efforts being made to find a resolution informally. If a concern or complaint is not resolved at the informal Stage 1 within the time-frame agreed or the complaint is of a more serious nature a request may be put forward to include a senior member of staff in a meeting. Ideally this request should be put in writing including sufficient details for the school to decide whether the meeting at this stage is necessary and co-ordinate who might usefully attend the meeting. This request is passed via the office to the Head Teacher (or Senior Leader in their absence).

The Head Teacher (or SL) on receipt of such a request, will decide on the next course of action which may be referred back to the teachers concerned to follow up (if they have not been included in the consultation previously) or include other senior leaders with the

relevant area responsibilities. However, it may be that an invitation for a parent is made to meet with the HT simply to clarify their concerns, particularly with serious allegations. At this point whatever decision is made, the aim is to explore the possibility of an informal resolution. If an invitation to meet with any staff is accepted, the complainant may be accompanied by a friend to assist in explaining the nature of the concern.

It is quite likely that the complaint will be resolved through a meeting with the Head Teacher or other senior leaders and again a time-frame will be agreed to investigate or monitor as needed.

In the event that a complainant still feels that appropriate procedures have not been followed then their complaint can be taken to the Chair of Governors to bring a new perspective to the issue. This will then move the complaint into the formal stages of the process.

If the complaint is with the Head Teacher directly and their following of school policy, it is expected that a conversation between the complainant and the Head Teacher may occur about this at this stage, clarifying why it is they are unhappy and seeking the opportunity for a resolution.

On realising the complainant is insistent on taking their complaint to the next stage, the Head Teacher (or SL) will advise that there is a complaint form that must be completed to move a complaint to the formal stage of this process if a resolution can't be agreed upon.

Advice on outcomes

In advising complainants about the outcome of an investigation it may be that details of such an outcome are circumspect in the level of detail provided. Due diligence on a 'need to know basis' will consider any possible prejudice for employees or pupils that could potentially be an obstacle to the fair application of other policies or procedures. It may also be in breach of any data protection and confidentiality. Responses will therefore consider sensitively the confidentiality and data protection of third parties. It may be that the details therefore of an outcome do not offer the detail a parent would like to have in an ideal world.

4.3 Stage 3 – Chair of Governors - formal stage

This stage is reached if due time has been allowed for a resolution and the complaint cannot be resolved at Stage 2 or the complainant insists on taking their complaint to this level or indeed if the complaint is about the Headteacher. Complaints at this stage are passed to the Chair of Governors to investigate.

If any of the previous stages have been missed out or if insufficient time has been allowed for school staff to investigate, it may be suggested by the Chair that the complaint might be referred back to Stage 2 for the Head Teacher or SL to complete their investigation. Clarity may need to be sought if no prior dialogue has happened between the school and the complainant, whether this is indeed a formal complaint to be dealt with under this policy or a concern to be discussed with relevant parties. The complainant will be informed in writing if a referral to any previous stages is agreed advising if needed about this policy framework and a follow-up time suggested to review if a successful resolution has been achieved.

At this stage it is important that the complainant uses the formal complaint form Appendix 2 – (available from the school office) and attaches any copies of correspondence to it. The form and any evidence should be included in an envelope for the Chair of Governors, care

of the school office, within 7 school days of the date of the letter or verbal clarification of the outcome of stage 2.

The formal complaint form is provided to assist the process and **complaints at stage 3 will only be considered with full completion of this form**. Included should be details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. It is very important that a clear statement of the actions the complainant would like the school to take to resolve their concern. Also included should be a copy of the Head Teacher's letter concluding Stage 2 (if this hasn't happened as the feedback was verbal this should be requested by the complainant prior to the formal complaint).

The Chair will investigate within a reasonable timescale of up to 10 school days and make every effort to resolve the issue. This once again may be resolved reverting back to an informal stage of clarifying policies or procedures. Should the investigation need a longer time the Chair will inform the complainant in writing of this. The Chair will write to the complainant at the conclusion of his/her investigation with the outcome reached and the process for further appeal about the process of the investigation.

A complainant may at this stage have concerns about how the Chair has carried out their investigation and request a **review of the complaint** (Appendix 3). Any review requested based solely on dissatisfaction with the outcome, rather than any identified failure to deal with a complaint according to the procedure, will not be accepted.

4.4 Stage 4 – Complaint Review - formal stage

If the complainant is not satisfied with the manner in which the process has been followed by the Chair they may request that the Governing Body reviews the process followed in handling the complaint. Any such request must be made in writing to the Clerk to the Governing Body, within 7 school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure.

For this stage the **Complaint Review Form - Appendix 3** must be used attaching any relevant correspondence as before.

Any review of the process followed, will be conducted by a panel of 3 members of the Governing Body, who have no previous involvement with the complaint. Ideally they may have some connection with the relevant committee who approved any connected policies. This will usually take place within 10 school days of receipt of the request but if a longer period is needed to convene members, the complainant will be informed in writing. The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations will be considered sympathetically.

Notification in writing of the panel's decision, will usually happen within 5 school days. The letter will confirm the end of the school's and Governing Body's involvement with the complaint.

4.5 Section 496 of the 1996 Act allows a person to complain to the Secretary of State that a Governing Body (or LA) has acted, or is proposing to act, unreasonably with respect to any power conferred or duty imposed by that Act. Complainants therefore have the right to extend their complaint further if after Stage Four they feel the Governing Body has acted unreasonably.

4.6 Complaints made directly to Governors prior to any of the previous stages

Governors are the strategic part of the organisation and duties for the day-to-day running of the school are delegated to the Head Teacher. They are however keen to hear from parents through parent forums and questionnaires when consulting on particular policies and school procedures. We therefore encourage parents to attend parent forum meetings and complete questionnaires to fully share their views about the school's policies and procedures.

Governors' involvement in complaints will happen only at the point that the initial stages have been worked through with unsuccessful resolution and in accordance with this policy. Governors will therefore not engage in dialogue or seek further clarification of the details of any complaint brought directly to them but refer this to the school.

If the first approach is made to a Governor on a school complaint matter, they will refer the issue and the complainant to the appropriate person and advise the complainant of the procedure in this policy. Governors will not act unilaterally outside the formal procedure or be involved at the early stages as they may be invited to sit on a panel at a later stage of the process.

5 Vexacious complaints (see Appendix 1)

On very rare occasions and despite significant time invested by the school in investigating complaints, some individuals will continue to pursue complaints beyond what the school would deem as reasonable. If despite best efforts individuals continue to unreasonably pursue a complaint this will be dealt with as a vexacious complaint and the Headteacher or the Chair of Governors will write to those individuals requesting that they refrain from such behaviours.

5.1 What does the school expect of any person wishing to raise a concern?

The school expects anyone who wishes to raise concerns with the school to:

- treat all members of the school community with courtesy and respect;
- respect the needs of pupils and staff within the school;
- avoid the use of violence, or threats of violence, towards people or property;
- recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
- follow the school's complaints procedure
- maintain discretion and confidentiality about the complaint particularly where that involves other children or staff members

See Appendix 1 for further information

6 Monitoring and review

6.1 Governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Head Teacher and Chair log complaints received by the school and records how they were resolved. Governors examine the log of formal complaints on an annual basis and the Chair and Headteacher discuss any informal/ potentially formal (stage 2) complaints during their HT/Chair meetings.

6.2 Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy.

6.3 Review of this policy will take place every 2 years or earlier if required.

This policy is made available to all parents, so that they can be properly informed about the complaints process.

Appendix 1 – Belvoirdale Primary School Policy For Handling Unreasonably Persistent, Harassing Or Abusive Complainants

The Head Teacher and Governing Body are fully committed to the improvement of our school. We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible. There is a procedure for parents to use if they wish to make a formal complaint.

Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community.

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include:

Actions which are:

- out of proportion to the nature of the complaint, or
- persistent – even when the complaints procedure has been exhausted, or
- personally harassing, or
- unjustifiably repetitious

An insistence on:

- pursuing unjustified complaints and/or
- unrealistic outcomes to justified complaints
- pursuing justifiable complaints in an unreasonable manner (eg using abusive or threatening language; or
- making complaints in public or via a social networking site such as Facebook; or
- refusing to attend appointments to discuss the complaint.

We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

Behaviour may fall within the scope of this policy if:

- it appears to be deliberately targeted at one or more members of school staff or others, without good cause;
- the way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has a significant and disproportionate adverse effect on the school community.

However, in cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach;
- require all future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken;
- inform the complainant that, except in emergencies, the school will respond only to written communication

Appendix 2 – Formal Complaints Form

You are using this form because your complaint has unsuccessfully moved through stages 1 and 2 of the policy, you have received a final response of a decision / outcome from the Head Teacher and now you wish to involve the Chair of Governors as the matter is still unresolved or you are unhappy with how it has proceeded.

Name:

Relationship with the school: (e.g. parent of child in class...)

Please give concise details of your complaint (including dates, names of witnesses etc.) to allow the matter to be fully investigated, attaching any correspondence to and from the school:

What action, if any have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

Appendix 2 – Formal Complaints form continued...

What do you feel might resolve the problem at this stage?

Signed:

date:

Address for correspondence:

Email:

Telephone numbers:

Office use only:

Date form received:

Received by:

Acknowledgement sent:

Appendix 3 – Request for ‘ A Complaint Review’ Form

Name:	
Pupil's Name:	
Complainant's Relationship to pupil:	
Address of Complainant for correspondence:	
Post Code:	Daytime Tel:
Mobile:	E-mail:
<p>I submitted a formal complaint to the school on and I am dissatisfied with the procedure that has been followed.</p> <p>My complaint was submitted to and I received a verbal / written response from on</p> <p>I have attached copies of my complaint to the school and my response(s) from the school.</p> <p>I am dissatisfied with the way the procedure was carried out / the response because:</p>	
What actions do you feel might resolve the problem at this stage?	
Signed:	Date:

Office use only:

Date form received:

Received by:

Acknowledgement sent: