



# Kislingbury CEVC Primary School Complaints Policy

Policy review committee	Pupils and Personnel Committee
Policy Last reviewed	September 2016
Policy review Schedule	Annual
Policy new review due	February 2017



***This Policy has been produced in line with the 'Best Practice Advice' published by the Department of Education in January 2016.***

## Introduction

We believe that our school provides a good education for all our children, and that the Headteacher and other staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are complaints by parents. The following policy sets out the procedure that the school follows in such cases.

This policy should be used for:

- Complaints relating to the schooling of your child
- Complaints about the education and care provided to pupils at the school
- Complaints about the school's operational arrangements

This policy is limited to matters which can reasonably be investigated and therefore complaints should relate to matters which have occurred within the last 12 months.

The complaints procedure covers all complaints about any provision of facilities or services that a school provides with the *exceptions* listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
<ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs (SEN)</li><li>• School re-organisation proposals</li><li>• Matters likely to require a Child Protection Investigation</li></ul>	Concerns should be raised direct with local authorities (LA). For school admissions, it will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.
<ul style="list-style-type: none"><li>• Exclusion of children from school</li></ul>	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .
<ul style="list-style-type: none"><li>• Whistleblowing</li></ul>	The school have an internal whistleblowing policy for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.



<ul style="list-style-type: none"><li>• Staff grievances and disciplinary procedures</li></ul>	These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.
<ul style="list-style-type: none"><li>• Complaints about services provided by other providers who may use school premises or facilities.</li></ul>	Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.

## Aims and objectives

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

## The complaints process

### How to share a concern

If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. Most matters of concern can be dealt with in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress.

### What to do if the matter is not resolved through informal discussion

Where a parent feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Headteacher. The Headteacher considers any such complaint very seriously and investigates each case thoroughly. Most complaints are normally resolved at this stage.

### Sharing a concern about the Headteacher

Should a parent have a complaint about the Headteacher, s/he should first make an informal approach to the Chair of the governing body, who will then assign a Governor or Governors investigate it. The Governing body will do all it can to resolve the issue through a dialogue with the school, but if a parent is unhappy with the outcome, s/he can make a formal complaint, as outlined in point 4 below.

### Complaints about a Governor

Any complaints about a Governor, including the Chair should be made in writing to the Clerk to the Governing body.



## How to take the matter further

Only if an informal concern fails to resolve the matter should a formal complaint be made to the [Chair of Governors](#). This complaint must be made in writing, or by telephone stating the nature of the complaint and how the school has handled it so far. The written complaint should also outline how they would like the complaint to be resolved.

The Chair of Governors will assign a Governor or Governors to investigate the complaint, and they must consider all written complaints within three weeks of receipt. The assigned Governor or Governors will invite the complainant to meet in order to explain his/her complaint in more detail. The school will give the complainant at least three days' notice of the meeting.

After hearing all the evidence, the Governors consider their decision and inform the parent about it in writing. The Governors will do all they can at this stage to resolve the complaint to the parent's satisfaction.

## Who to appeal to next

### Appeal panel of the Governing body

Should the complainant be unhappy with the way their complaint has been investigated they can take this further in the Governing body through the Appeals Committee which is made up of members not involved in the original Complaint Committee.

### Independent body

Complainants have the right to request an independent panel if they believe their complaint may be unfairly considered or that the governing body may be biased. In this situation the Governing body still have the ultimate decision but may be advised by the independent panel. (The independent body could be taken from Governors of a neighbouring school)

### Taking the complaint further

If the complaint is not resolved to the satisfaction of the parent then s/he may send an appeal to the Secretary of State for Education who will check that procedures have been followed correctly. They will only intervene where the Governing body has acted unlawfully or unreasonably and where it is practical to do so.

They can be contacted on [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)

## Recording complaints

The school will record the progress of the complaint and the final outcome. The Head Teacher will be responsible for these records and they will be held centrally. The complainants will have a right to copies of these documents under the Freedom of Information Act.



## Unreasonable Complainants

Our school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

We define unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

### What is unreasonable?

A complaint may be regarded as unreasonable when the person making the complaint:-

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- Refuses to accept that certain issues are not within the scope of a complaints procedure;
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- Changes the basis of the complaint as the investigation proceeds;
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- Seeks an unrealistic outcome;
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.



A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- Maliciously;
- Aggressively;
- Using threats, intimidation or violence;
- Using abusive, offensive or discriminatory language;
- Knowing it to be false;
- Using falsified information;
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.

For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Kislingbury School.

## **Barring from the School Premises**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Head Teacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. The School should always give the parent the opportunity to formally express their views on the decision to bar in writing.



## **Monitoring and review**

The Governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Head Teacher logs all complaints received by the school and records how they were resolved. Any record of complaints is reported to the Governing body at the FGB meeting.

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.