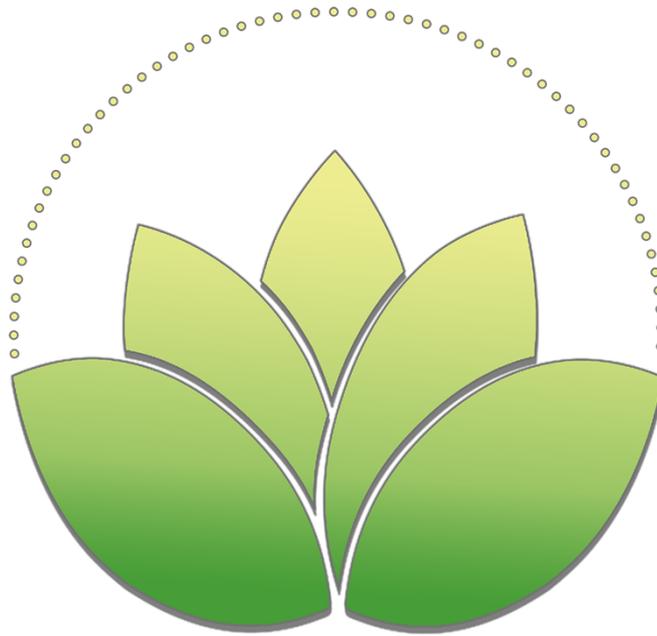


Complaints Policy

Shapla Primary School



Approved Date:

Review Date: November 2020

Signed: Mark Campbell (Chair of Governors)

Introduction

This policy sets out the way in which Shapla Primary School will deal with complaints. It is in the interests of everyone that all parties involved in any complaint conduct themselves in a professional, courteous and respectful manner at all times. Complaints should be dealt with promptly at all stages.

General Principles

- This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides.
- This procedure applies to all complaints in relation to the school except for the following areas (in relation to which separate procedures will apply): school admissions; statutory assessments of Special Educational Needs and Disabilities (SEND); school re-organisation proposals; matters relating to Child Protection; exclusions; whistle-blowing; staff grievances and disciplinary procedures.
- 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. Any matter raised more than 3 months after the event being complained of will not be considered unless there are exceptional circumstances.

Raising a concern or complaint

Informal Stage

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone, or in person by appointment requested via the school office. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concerns it may be appropriate to address them directly to the Headteacher (or to the Chair of the governing body, if the complaint is about the Headteacher). In the event of a complaint being made to a member of the governing body, the complainant should be advised to speak to the Headteacher (or to the Chair of the governing body, if the complaint relates to the Headteacher). Governors should not prejudice themselves by giving any view or opinion on the complaint as this may prevent them from participating in a panel at a later stage.

Complaints about Governors should be made to the Chair of the governing body (or to the Clerk to the governing body if the complaint relates to the Chair).

Where a complaint is made to the Headteacher, the Headteacher may decide to deal with it themselves or to refer it to an appropriate colleague to deal with. Where a member of staff other than the Headteacher receives a complaint and deals with it, the Headteacher should be notified of the complaint and how it was resolved. The Headteacher shall maintain a record of complaints made.

If you are uncertain about who to contact, please seek advice from the school office, the Chair of the governing body or the Clerk to the governing body.

Formal Stage

If your concern or complaint is not resolved at the informal stage you may choose to put the complaint in writing and pass it to the Headteacher, who will be responsible for ensuring that it is investigated

appropriately. If the complaint is about the Headteacher, your complaint should be passed to the school office, for the attention of the Chair of the governing body. A Complaint Form is provided to assist you.

You should include 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 you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

Please pass the completed form, in a sealed envelope, to the school office. The envelope should be addressed to the Headteacher, or to the Chair of the governing body, as appropriate. The Headteacher (or Chair) may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the Headteacher (or Chair). If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedure. In any case you should learn in writing, usually within 5 days of the school receiving your formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale.

Any investigation will begin as soon as possible and when it has been concluded, you will be informed, in writing, of its conclusion. If you are not satisfied with the manner in which the process has been followed you may request that the governing body review the process followed by the school, in handling the complaint. Any such request must be made in writing to the Chair of the governing body, within 10 school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed. A Review Request form is provided for your convenience.

When it is not possible to make a complaint or a request for a review in writing because of literacy or second language considerations, the complaint or request should be made orally and, where necessary, arrangements for interpretation should be made.

Unreasonable Complaints

The 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. The school defines 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'. 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 the 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 Headteacher or Chair of the governing body will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Headteacher 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 the school.

Review Process

Any review of the process followed by the school will be conducted by a panel of three members of the governing body who have not had involvement with the matter at an earlier stage. Where it is not possible to put such a panel together other independent members may be nominated by the Chair of the governing body. The panel's review will usually take place within 10 school days of receipt of your request.

- The panel will be provided with copies of the complaint and all other relevant documentation.
- At least 5 working days notice of the hearing by the panel will be given to all concerned.

- All parties involved in the dispute may be accompanied, if desired, by a friend, representative or an interpreter and may call witnesses.
- The Headteacher (or the Chair of the governing body if the complaint is against the Headteacher) will explain which has already been done to attempt to resolve the complaint and the outcome of any investigation.

Then:

- The complainant will present his or her case and call any witnesses.
- The panel and Headteacher will have an opportunity to question the complainant and witnesses.
- The Headteacher will have the opportunity to respond to the complainant and call witnesses if appropriate.
- The panel and the complainant will have the opportunity to question the Headteacher and the witnesses.
- The Headteacher, followed by the complainant, will summarise their positions.
- All but the members of the panel will withdraw while a panel decision is reached.

When the evidence has been fully considered and a decision made, the panel will, in writing, notify the complainant and the Headteacher of the outcome, giving an explanation of the conclusion, the reason for it, and any action taken, including details of any request made of those complained against to take particular actions in respect of the complaint. This will be done as quickly as possible but within a maximum of 5 school days.

The Governing Body should be informed at their next meeting that a complaint has been received and dealt with. Details should not be divulged to the full Governing Body, nor to any other party not directly involved, as to do so would violate confidentiality

Taking It Further

The Secretary of State has the power to consider complaints that the governing body has acted unreasonably in the discharge of any of its statutory duties. The Chief Inspector (Ofsted) has the power to investigate complaints about the school as a whole (Standards of education, welfare of pupils and school management). Ofsted will not normally investigate cases to do with individual pupils.

Parents may seek advice from the Department of Education on 0370 000 2288 or from the Advisory Centre for Education at www.ace-ed.org.uk or on their telephone on 0300 0115 142.

Meeting Request Form – Informal Stage

I wish to meet [name of teacher] to discuss the following matter:

Your name:

Relationship with school (eg parent of a pupil on the school roll):

.....

Pupil's name (if relevant to the matter to be discussed):

.....

Your Address:

.....

.....

Telephone numbers:

Daytime

Evening

E-mail address:

Signed Date

(Please complete this form and return it to the school office)

School use:

Date form received:

Date response sent:

Received by:

Response sent by:

Brief details of topic to be discussed:

Dates/times when it would be most convenient for a meeting:

Formal Complaint Form

Please complete this form and return it to the school office or to the Head Teacher who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (eg parent of a pupil on the school roll):

.....

Pupil's name (if relevant to the matter to be discussed):

.....

Your Address:

.....

.....

Telephone numbers:

Daytime

Evening

E-mail address:

Signed Date

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

You may continue on separate paper, or attach additional documents, if you wish.

Number of additional pages attached

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

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

School use:

Date form received:

Date acknowledgement sent:

Received by:

Acknowledgement sent by:

Complaint referred to:

Date:

Complaint Review Request Form

Please complete this form and return it to Headteacher (or Clerk to the governing body), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (eg parent of a pupil on the school roll):

.....

Pupil's name (if relevant to the matter to be discussed):

.....

Your Address:

.....

.....

Telephone numbers:

Daytime

Evening

E-mail address:

Dear Sir

I submitted a formal complaint to the school on and I am dissatisfied by the procedure that has been followed.

My complaint was submitted to and I received

response from on

I have attached copies of my formal complaint and of the response(s) from the school. I am dissatisfied with the way in which the procedure was carried out, because:

(You may continue on separate paper, or attach additional documents, if you wish.)

Number of additional pages attached

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

Signed Date

School use:

Date form received:

Date acknowledgement sent:

Received by:

Acknowledgement sent by:

Request referred to:

Date: