

Belton C of E Primary School



Achieving the best together

Complaints Policy and Procedure

Date of policy: March 2021

Review date: March 2023

Belton C of E Primary School

Complaints Policy and Procedure

This school is committed to working in close partnership 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. Staff and governors actively encourage a positive relationship between the school and the families of children who attend the school.

If, at any time, a member of the school community has a concern about an aspect of life at the school, the concern will be dealt with by the school as quickly, sympathetically and effectively as possible. It is hoped that most concerns will be settled amicably at this stage.

School Complaints Procedure

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To this end all staff and governors are aware of the procedure to be followed if a complaint is raised. Also, whilst not wishing to encourage complaints, complainants should note that they have a duty to raise a matter as soon as conveniently possible. It can then be investigated more effectively whilst information is fresh in the minds of all parties.

However, if there is a continuing concern, this can be directed through the formal stages as outlined in the school's complaints procedure, detailed on the following pages.

Aims

The aims of this policy and procedure are to:

- Encourage resolution of problems by **informal** means wherever possible;
- Be easily **accessible** and **publicised**;
- Be **simple** to understand and use;
- Be **impartial**;
- Be **non-adversarial**;
- Allow **swift** handling with established **time-limits** for action and keeping people informed of the progress
- Ensure a full and **fair** investigation by an independent person where necessary;
- Respect people's desire for **confidentiality**;

- Address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- Provide **information** to the school's senior management team so that services can be improved.

Dealing with Complaints – Initial Concerns

Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

Concerns will be handled, if at all possible, without the need for formal procedures.

In most cases the class teacher / head teacher or the individual delivering the service in the case of extended school provision, will receive the first approach.

Staff are encouraged to resolve issues on the spot, including apologising where necessary.

Dealing with Complaints – Formal Procedures

The formal procedures will need to be invoked when initial attempts to resolve the issues are unsuccessful and the person raising the concerns remains dissatisfied and wishes to take the matter further.

The member of staff with responsibility for the operation and management of the school complaints procedure is Miss J Scott, the headteacher.

Resolving Complaints

At each stage in the procedure we will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;
- An assurance that the event complained of will not recur;
- An explanation of the steps that have been taken to ensure that it will not happen again;

- An undertaking to review school policies in light of the complaint

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. **An admission that the school could have handled the situation better is not the same as an admission of negligence.**

Stage 1: Complaint Heard by Staff Member

In the first instance, it is hoped that the complainant will be able to discuss the issue with the member of staff concerned.

The school will respect the views of a complainant who indicates that he/she would have difficulty discussing the complaint with a particular member of staff. In these cases, the complainant should refer the complaint to the headteacher, who will refer it to another member of staff.

Similarly, if the member of staff directly involved feels too compromised to deal with the complaint, the complaint will be referred to another member of staff via the headteacher. The member of staff will consider the complaint objectively and impartially.

If the first approach is made to a governor, they will refer the issue and the complainant to the appropriate person and advise the complainant of the procedure. Governors will not act unilaterally outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the process.

Stage 2: Complaint Heard by the Headteacher

The complainant may be dissatisfied with the way the complaint was handled at Stage 1, and/or wish to pursue their initial complaint. If so, the complainant should submit the complaint in writing, to the headteacher, within 10 school days of Stage 1 being concluded. A copy of the complaint form is attached to this procedure.

The headteacher may delegate the task of collating information concerning the complaint to another staff member, but not the decision, nor the action to be taken. The headteacher will meet with the complainant, hear the complaint, investigate and make every effort to resolve the issue. Subsequent to this meeting the headteacher will write to the complainant summarising the outcome reached and the process for appeal.

Stage 3: Complaint Heard by the Chair of Governors

If the complaint cannot be resolved at Stage 2 the complainant may take their complaint to the chair of governors.

The complainant will need to write to the chair of governors, care of the school, within 10 school days of the date of the letter notifying them of the outcome of Stage 2. The complainant should provide a copy of the written complaint, a copy of the headteacher's

letter concluding Stage 2 and give details in writing of why they are not satisfied with the outcome.

The chair will meet with the complainant, hear the complaint, investigate and make every effort to resolve the issue, having met with the headteacher. The chair will write to the complainant at the conclusion of his/her investigation with the outcome reached and the process for appeal. The complaint will move on to Stage 4 if the complainant remains dissatisfied by the outcome.

Stage 4: Complaint Heard by the Governing Body Complaints Appeal Panel

The complainant needs to write to the chair of governors within 10 school days of the date of the letter notifying them of the outcome of Stage 3, notifying that they wish their complaint to be heard by the complaints appeal panel. The chair, or a nominated governor, will convene a governing body complaints appeal panel.

The governors' appeal panel hearing is the last school based stage of the complaints process and is not convened to merely rubber stamp previous decisions. Individual complaints will not be heard by the whole governing body at any stage as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The governing body will nominate 3 governors to have delegated powers to hear the complaint at this stage. These governors must have no previous knowledge of the complaint. The panel will choose their own chair.

The remit of the Complaints Appeal Panel is to:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of

- a similar nature do not recur.

The complainant will be notified in writing of the panel's decision, usually within 5 days. The letter will confirm the end of the school's and governing body's involvement with the complaint and explain any further rights of appeal. The complainant should be advised that the local authority has no role unless the complaint relates to a service provided by the local authority.

Vexatious Complaints

If properly followed, this procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the governing body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Monitoring and Review

It is a statutory responsibility of the governing body to ensure that a procedure is in place and is followed by staff.

This policy will be reviewed in line with the policy review cycle.

Complaint Form for Belton C of E Primary School

Complainant's Name:	
Pupil's Name:	
Complainant's Relationship to pupil:	
Address of Complainant:	
Post Code:	Daytime Tel:
E-mail:	Mobile:
Please give details of your complaint:	
What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to, when and what was the response?):	

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

Are you attaching any paperwork? If so, please give details.

Signed:

Date:

I have read and understand the Complaints Policy and Procedure

Signed:

Date:

Official Use:

Date acknowledgement sent:

By who:

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.

The aim of this leaflet is to provide information about our school policy on unreasonably persistent complainants or harassment of staff.

What do we mean by 'an unreasonably persistent complainant'?

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 (e.g. 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.

What is 'harassment'?

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 issue 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.

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.

Schools' responses to unreasonably persistent complaints or harassment

This policy is intended to be used in conjunction with the school's complaints procedure. Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty.

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;
- inform the complainant in writing that the school considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints/ Harassment Policy;
- 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 and that these may be required to be channelled through a third party.

Physical or verbal aggression

The governing body will not tolerate **any** form of physical or verbal aggression against members of the school community. If there is evidence of any such aggression the school may:

- ban the individual from entering the school site, with immediate effect;
- request an Anti-Social Behaviour Order (ASBO);
- prosecute under Anti-Harassment legislation.
- call the police to remove the individual from the premises, under powers provided by the Education Act 1996.

Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/ Harassment Policy. The school nevertheless reserves the right not to respond to communications from individuals subject to the policy.