

Complaints Policy - Shortstown Primary School and Preschool

1 Introduction

- 1.1 We believe that our school and Preschool provides a good education for all our children, and that the head teacher 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.
- 1.2 If any parent is unhappy with the education that their child is receiving, or has any concern relating to the school, we encourage that person to talk to the child's Class Teacher immediately. Any concerns relating to the Preschool need to talk with the Manager of the setting. Parents with children recognised with Special Educational Needs and Disabilities (SEND) can also contact the school Inclusion manager directly, who can support conversations with the class teachers. There is also an SEND support assistant who can help deliver outcomes of concerns in the classroom alongside the child and staff.
- 1.3 We deal with all complaints in accordance with procedures set out by the LA and the DFE 'Best practice advice for schools complaints procedures 2016.
- 1.4 All parents have the right, as a last resort, to appeal to the Secretary of State for Education, if they still feel that their complaint has not been properly addressed.

2 Aims and objectives

- 2.1 Our school and Preschool aim 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 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 complaint to be fully discussed, and then resolved. However there may be occasions when a concern cannot be resolved by meeting and discussing this with the member of staff and then the parent/carer may decide to make a formal complaint.

3 The complaints process

- 3.1 If a parent is concerned about anything (A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.) 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, or Preschool manager. 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. A record of the conversation and subsequent actions and evaluations will be made with the parent for future discussions and consideration, should it be required.
- 3.2 Where a parent feels that a situation has not been resolved through contact with the Class Teacher or preschool manager, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the head teacher. The head teacher considers any such complaint very seriously and investigates each case thoroughly. Most complaints are normally resolved at this stage. (A complaint may be generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.)

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. The school takes informal concerns seriously and will make every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns formally. In those cases, the school's formal procedure should be invoked through the stages outlined within their procedure.

The majority of complaints will follow the stages as outlined in this policy including those relating to Safeguarding. A few complaints fall outside of the School's complaints procedure. For example, Admissions, staff grievances or disciplinary procedures. These will be dealt with under separate policies. (See Appendix 1 – Complaints not in the Scope of this Procedure)

Complaints should be raised as soon as possible.

All the designated timescales in this policy apply during term time, additional time will be required over school holiday periods.

Where the Headteacher or Chair of Governors is unable to comply with the timescales, he/she will inform the complainant. This will only arise if the complaint is complex or the availability of key people is a problem.

An anonymous complaint will not be investigated unless there are exceptional circumstances.

The purpose of the following procedure is to ensure a fair and consistent approach to dealing with complaints for all parties.

Making a Complaint

Any person, including members of the general public, may make a complaint about any provision of facilities or services Shortstown Primary or Preschool School provides, unless separate statutory procedures apply (such as exclusions or admissions). The school does not limit complaints to parents or carers of children that are registered at the school.

If a complaint is made against any third party provider offering a community facility or service on or through the school premises, or using school facilities, the complaint will be made directly to them. The complaint will be followed up using the third party's Complaint Policy and procedures.

If A Complaint Is Made

The person making the complaint (the complainant) will be asked at the earliest stage what might resolve the issue.

A complaint should be made as soon as possible after the incident arises (Three months is generally considered to be an acceptable time frame in which to lodge a complaint. However, all complaints will be considered and dealt with accordingly.)

How to make a Complaint

Complaints may be made in writing, by telephone or in person.

If the complaint is about the Headteacher, the Complaint should be made to the Chair of Governors. If the Complaint is in written form, it should be addressed to the Chair of Governors at the school and marked 'Private and confidential'.

If the complaint is about the Chair of Governors or any individual governor, the Complaint should be made to the Clerk of the Governing Body. If it is in written form it should be addressed to the Clerk of the Governing Body and marked 'Private and confidential'.

If a Complaint is made, the following Stages will commence:

Stage 1

If the concern has not been resolved informally and the parent/carer wishes to pursue the issue, then a formal complaint should be made.

The Headteacher or Chair of Governors:

- Will acknowledge receipt of the letter/Complaint within 5 school days
- Will ensure that the complainant has a copy of the School's Complaints Policy
- Will investigate the complaint

This will involve:

1. requesting information relating to the complaint from the member of staff (or Headteacher if the complaint is about the Head)
2. requesting information relating to the complaint from the complainant
3. meeting with the member of staff or Headteacher
4. meeting with the complainant
5. reviewing the evidence
6. making notes throughout the investigation
7. informing both parties in writing of the outcome of the investigation within 14 days of acknowledging the complaint

The outcome of the investigation will be:

- To uphold the complaint
- To dismiss the complaint
- A decision that the complaint cannot be upheld due to lack of evidence

This should be the conclusion of the complaint.

Stage 2

If the complainant is not satisfied that the Headteacher has addressed the complaint properly then the complainant may request that the Governing Body reviews the Headteacher's handling of the complaint.

If the complainant is not satisfied that the Chair of Governors has addressed the complaint properly then the complainant may request that the Governing Body reviews the chair's handling of the complaint.

A request to the Governing Body to review the complaint must be made within 7 days of receiving the written conclusion of the previous investigation.

The complaint will now be reviewed by the Governing Body's Complaints Committee (made up of **three governors**). The Committee will meet within 21 days of receiving the request to review the complaint.

The Complaints Committee will:

- Acknowledge receipt of the request to review the complaint in writing within 5 school days
- Appoint a Clerk to administrate the review
- Request the Clerk to collate paperwork from all parties

The Complaints Committee may review the complaint through the paperwork, but will usually review the complaint through a Hearing, which is a meeting for all parties to attend.

The Headteacher and the complainant may bring a companion to the Hearing; the companion will be admitted to the Hearing for support but may not contribute to the Hearing.

The Headteacher and the complainant may bring witnesses for the complaint to the Hearing.

The procedure for the Complaints Committee Hearing will be:

- The clerk will liaise with all parties to arrange an agreed date for the hearing
- The clerk will arrange the hearing and send all paperwork to all parties in advance
- The hearing will be held in private
- The chair of the Complaints Committee will ask all parties to introduce themselves
- The complainant will be asked to state their case
- Any witnesses for the complainant will be asked to speak
- Questions will be asked, from the panel and possibly from the Headteacher
- The Headteacher will be asked to state their case
- Any witnesses for the Headteacher will be asked to speak
- Questions will be asked, from the panel and possibly from the complainant
- Both parties will be asked to sum up their case
- The Chair of the Complaints Committee will explain that the Committee will write to both parties within 5 school days with the outcome of the review
- The complainant and the Headteacher leave the hearing

In certain circumstances an alternative procedure for the hearing may take place:

- The complainant and any companion/witnesses attend the hearing and the complainant is asked to explain their case
- Any witnesses for the complainant will be asked to speak
- The chair of the Complaints Committee will explain that the Committee will write to both parties within 5 school days with the outcome of the review
- The complainant and any companion/witnesses leave the hearing

- The Headteacher and any companion/witnesses attend the hearing and the Headteacher is asked to explain their case
- The Chair of the Complaints Committee will explain that the Committee will write to both parties within 5 school days with the outcome of the review
- The Headteacher and any companion/witnesses leave the hearing

The outcome of the review will:

- Uphold the complaint, the Committee will give reasons
- Dismiss the complaint, the Committee will give reasons
- Decide the complaint cannot be upheld due to lack of evidence

If the complaint is upheld, the Committee will refer the result and any recommendations to the Governing Body. The Governing Body will reassure the complainant that every effort will be taken to ensure that the same thing will not happen again and that school procedures and policies will be reviewed as a result of the complaint.

Whatever the result of the review this ends the Complaints Procedure.

The School Complaints Unit

If the local procedures have been completed, a complainant may decide to pursue an issue with the Secretary of State at the Department for Education if they remain dissatisfied

Further information can be obtained from the SCU by calling the National Helpline on 0370 000 2288 or going online at: <http://www.education.gov.uk/help/contactus> or by writing to:

Department for Education
 School Complaints Unit 2nd Floor,
 Piccadilly Gate
 Store Street
 Manchester M1 2WD

Serial and Persistent Complaints

The Chair of Governors and the Headteacher may well close a complaint if it is deemed 'vexatious'. This may happen if it is clear there is insufficient evidence to pursue the case, but a complainant is persistently raising the issue. Equally this may happen if a complaint has been investigated and no justification for the complaint found.

As a school, we will do our best to be helpful to people who contact us with a complaint or a concern or a request for information. However, if an individual contacts the school repeatedly making the same points, or asks the school to reconsider its position, the school will respond and act accordingly.

If a complaint has progressed through all the stages and the complainant remains dissatisfied and tries to re-open the same issue, the Chair of Governors may inform them that the procedure has been completed and the matter is now closed.

If the complainant chooses to contact the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. The application of the term 'serial' or 'persistent' will be made against the correspondence and not the complainant.

(Refer to Best Practice Advice for School Complaints Procedures 2016 Departmental advice for maintained schools, maintained nursery schools and local authorities - January 2016 for further advice and information.)

Once the decision has been made that no further correspondence will be entered into, the school will inform the complainant through written communication preferably by letter or an email if no address is known.

Please refer to **Unreasonable Complainants Policy** (Appendix 2) for further information.

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. Governors examine this log on an annual basis.

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.

Appendix 1 – Complaints not in the Scope of this Procedure

This 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
Admissions to schools	<p>Concerns should be raised direct with local authorities (LA). Office of the Clerk to the Appeal Panel on (01234) 228523 or by email <u>School.Appeals@bedford.gov.uk</u></p> <p>Further information about raising concerns about Admissions can be found at: https://www.gov.uk/schools-admissions/appealing-a-schools-decision</p>
Complaints about services provided by other providers who may use school premises or facilities.	Providers should be contacted directly as they have their own complaints procedure to deal with complaints about the service or services they provide.
Exclusion of children from school	<p>Contact the School in the first instance. Alternatively, parents who want advice regarding the exclusion process can contact Bedford Borough directly on 01234 276809 or ist@bedford.gov.uk.</p> <p>Further information about raising concerns about exclusion can be found at: www.gov.uk/schooldiscipline-exclusions/exclusions.</p>
Statutory assessments of Special Educational Needs (SEND)	<p>Contact the School in the first instance.</p> <p>Further information about raising concerns about SEND can be found at: https://www.gov.uk/complain-about-school/sen-complaints</p>
School re-organisation proposals	The Secretary of State under Section 496/497 of the Education Act 1996.
Staff grievances and disciplinary procedures	Contact the Headteacher or Chair of Governors in the first instance who will follow Bedford Borough guidelines - Disciplinary Procedures For School Based Staff (Conduct)
Whistleblowing	<p>Concerns should be raised with immediate line manager or supervisor.</p> <p>If a member of the management team is perceived to be involved, contact the Chair of Governors or Executive Director for Children, Schools and Families of Bedford Borough in accordance with Bedford Borough Confidential Reporting Policy</p>

If you require further advice, please click on the link below

<https://www.gov.uk/complain-about-school/types>

Appendix 2 - Unreasonable Complainants Policy

Shortstown Primary School and preschool 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.

Shortstown Primary School and Preschool 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.

Use of Social media

The school's Acceptable User Policy for Information Technology explains the responsibility of parents to set standards on selecting, sharing and exploring media. The use of social media sites to discuss educational concerns should consider the credibility, accuracy, fairness and transparency of information posted. The use of school, staff or children's names will be seen as a Safeguarding breach and the parent may be requested to meet with the Head Teacher to discuss this further. If this continues it is considered an offence of harassment and Police may be called. This may result in a Liability Action being taken.

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 Headteacher or Chair of Governors 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 Shortstown Primary School or Preschool causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. If this course of action is implemented, this will usually be reviewed after 6 months.

At no stage of this process will aggressive or abusive actions, including verbal, be tolerated on school premises. If this occasion should arise the Head Teacher, or Deputy will be called and a request to leave the premises may be given. There may be need to seek further advice depending upon the incident.

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 premises of Shortstown Primary School or Preschool

Barring from the School Premises

Schools are private places and Shortstown Primary School and Preschool will act to ensure the premises remain a safe place for pupils, staff and other members of the community.

If a parent or member of the community or person is acting in such a way that it is deemed to be a cause for concern, the school will ask him/her to leave the premises.

In serious cases, the Headteacher or in some cases the Local Authority or HEART Academies Trust may notify them in writing that their implied licence to be on the school premises has been temporarily revoked subject to any representations that the parent may wish to make.

The parent / person will be given the opportunity to formally express their views on the decision to bar them from the premises in writing by letter or email which is addressed to the Headteacher or Chair of Governors.

The decision to bar the parent / person will then be reviewed, taking into account any representations made by the parent / person. The decision will then be confirmed or lifted.

If the decision is confirmed, the parent / person will be notified in writing, explaining how long the bar will be in place.

Complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

DFE Advice on school security: access to, and barring of individuals from school premises.

For local authorities, school leaders and school staff

Related Documents

Section 29 of the Education Act 2002 - [Education Act 2002 - Section 29](#)

[Best Practice Advice for School Complaints Procedures 2016 Departmental advice for maintained schools, maintained nursery schools and local authorities DfE - January 2016](#)

Further information

Useful Resources and External Organisations

- [National Governors Association](#)
- [Information Commissioner's Office](#)

Other Relevant Departmental Advice and Statutory Guidance

- Section 29 of the Education Act 2002
- [Governors Handbook](#)
- [Understanding and Dealing with Issues Relating to Parental Responsibility](#)

Other Departmental Resources

<https://www.gov.uk/complain-about-school/types>

- How to complain about a school - Advice for complainants
- Parental Responsibility Guidance – non-statutory advice for schools

Local Information

http://www.bedford.gov.uk/education_and_learning.aspx

Bedford Borough Council – Unreasonable Complainants Procedure

https://www.bedford.gov.uk/council_and_democracy/complaints_and_other_feedback.aspx