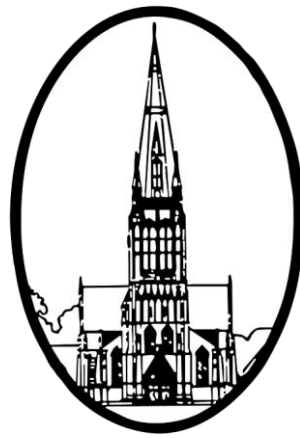


St. Mary's C. of E. Primary School

"St Mary's.... feeding the mind, body and spirit so we can be the best we can be."



Complaints Policy

Revised: March 2021

Review date: March 2024

Mission Statement and values

"Feeding the mind, body and spirit so we can be the best we can be."

We foster everyone's potential and hunger for learning by serving up a wonderful diet of generosity, sharing and a sense of belonging. We are here to serve our community and we welcome children from all faiths and none. Sit around the table at St Mary's and you will discover a warm welcome and a great community.

The spiritual values to which we aspire are:

Kindness: in treating others as we would want to be treated ourselves.

Truth: in the choices we make and in our dealings with family, friends, school and community.

Courage: to stand up for what is right, overcome our fears and aspire to make a positive change.

Hope: about the future and know that tomorrow can be even better than today.

Love: for ourselves and others, knowing that God loves us.

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COMPLAINTS PROCEDURE

1 Introduction

Aims

1.1 As a Church of England School, Spiritual values are at the heart of all we do. We value our relationship with parents and all members of the school and local community. The Chair of Governors, Headteacher and Parent all sign an agreement as children enter the school showing their commitment to a positive relationship to enable good outcomes (See home school agreement Annex A). If you have a concern we want to know about it so that it can be dealt with immediately. Most concerns can be dealt with easily and quickly, but to ensure all concerns are handled effectively the Governing Body has adopted a complaints policy and procedure.

The School's Complaints Procedure is devised with the intention that it will:

- usually be possible to resolve problems by informal means;
- allow problems to be resolved in an appropriate manner;
- be simple to use and understand;
- treat complaints confidentially;
- allow problems to be handled swiftly;
- inform future practice so that a problem is less likely to recur;
- reaffirm the partnership between parents, staff and governors as we work together for the good of the pupils in the school;
- ensure that the school's attitude to a pupil will never be affected by a parental complaint;
- discourage anonymous complaints;
- actively encourage strong home-school links;
- ensure that any person complained against has equal rights with the person making the complaint;
- be regularly reviewed.

What is not covered?

1.2 A complaints procedure covers those aspects of school life for which there is no statutory or separate procedure. Therefore this policy does not apply to complaints or appeals about:

- Statutory assessment of Special Educational Needs (SEN)
- Pupil Admissions
- Pupil exclusions
- Staff discipline, grievance, capability or pay
- School re-organisation proposals

- Matters likely to require a Child Protection investigation
- Whistleblowing allegations e.g. of financial impropriety or criminal activity
- A third party who hires or uses the school premises or facilities.

2 Expressing a concern: Notes for parents

If you have a concern

2.1 We would like you to tell us about your concern so that we can talk with you and see how best to resolve it. The majority of concerns can be resolved informally by speaking to a member of staff. We welcome suggestions for improving our work in the school. Whatever your concern, please know that we shall manage the resolution professionally and confidentially within the scope of the actions needed to resolve it.

Be assured that no matter what you wish to share with us, our support and respect for you and your child will not be affected in any way. Please do not delay telling us of your concern, as it is more difficult for us to effectively investigate an incident or problem which is more than a day or two old.

After hearing your concern we will act as quickly as we can and will let you know the timescale within which you may expect a response. Please allow time for any action we may take to be effective.

If you have a complaint

Our procedure is in three stages outlined below:

What to do first

(Stage 1 – Informal)

2.2 Please contact your child's class teacher, or other appropriate member of staff either by emailing the school office or speaking to the teacher at the end of the school day, and arrange a time when you can discuss your complaint. It may be possible for you to see the member of staff straight away but normally it is better to make an appointment so that you can sit and talk things through calmly and clearly. It may be possible to give a response immediately, but where any investigation or information is required, a response will be given within five school days.

If, at this informal stage your complaint is about a member of staff and you feel unable to approach them, you can contact the school office (or speak to a member of staff on the gate) to arrange a time to discuss it with the Headteacher or a member of the senior leadership team to discuss steps in resolving the complaint informally. Again, a response will be given within five school days

**What to do next
(Stage 2- Formal)**

2.3 If you are still unhappy, ask for an appointment with the Headteacher within 10 school days of receiving a response under Stage 1. It is helpful if you can give a brief outline of your complaint on the School's complaints form (Annex B) when you make the appointment. Sometimes another member of staff, unrelated to the complaint, will be present at the meeting to take notes. You are welcome to bring a friend/family member to the meeting provided the school has been informed prior to the meeting. After your discussion with the Headteacher you may have to wait a short time while investigations are carried out depending on the nature of your complaint. Every effort will be made to resolve the situation as quickly as possible and the Headteacher will send you a written response within 10 school days of your meeting. If it is not possible to respond within this timescale, the Headteacher will tell you when you can expect a response.

Complaints against the Headteacher

2.4 If the complaint is wholly or mainly about the Headteacher you should send a copy of your compliant form and any supporting evidence to the Chair of Governors, whose details can be found at the school office. The Chair of the Governing Body will invite the Headteacher to respond to the complaint in writing within 10 school days. The Chair will send a copy of the Headteacher's response to you.

**If you are still unhappy
(Stage 3- Formal)**

2.5 The problem will normally be resolved by this stage. However, if you still feel that it has not been resolved you may ask for your complaint to be considered by a complaints panel of the Governing Body by writing to the Clerk to the Governors c/o the school. The complaints panel will be formed of three governors who have had no prior involvement in the complaint; they will listen to you, to the Headteacher and, if appropriate, any others involved and come to a decision. You may bring a friend/ family member to the hearing if you wish. The Chair of the Panel will send a decision letter to the complainant and the Headteacher.

The table below summarises the procedures

2.6

In all cases if any stage in the procedure is likely to take longer than publicised, parents will be informed of new timescales and the reasons for delay.

| Stage | Description | Timescale for receipt of complaint | Time-limit for school's response |
|-------------------------|--|---|--|
| Informal Stage 1 | Informal discussions with relevant member of staff and/or Headteacher | | As soon as possible but no later than 5 school days. |
| Formal Stage 2 | Written complaint to Headteacher (or Chair of Governors if complaint is about the Headteacher) | Within 10 school days of receipt of response to stage 1 | Acknowledge within 3 school days. Response normally within 10 school days. |
| Formal Stage 3 | Governors' Complaints' Panel Hearing | Within 10 school days of receipt of response to stage 2 | Clerk to acknowledge receipt within 5 school days. Hearing set up within 20 school days with 10 days' notice of meeting. Agenda and papers sent out 7 days in advance. Decision letter within 15 school days. |

Further rights of appeal

2.7

- Parents may, if they believe the Governors' complaints panel has acted unreasonably, or that the governors have not followed their own procedures make a complaint to the Secretary of State, Department for Education using an on-line complaints form. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.
- Parents may also complain to OFSTED, but OFSTED will not normally investigate complaints concerning individual pupils, but if there are any child protection concerns they may pass these to social services, or the police and this may trigger an inspection.
- The Gov.UK website has information on how to complain about a school:
<https://www.gov.uk/complain-about-school>

3 Unreasonable, serial and persistent Complaints

The majority of complaints are managed positively and are resolved quickly, sensitively and to the satisfaction of the complainant. However, there are rare occasions when complainants remain dissatisfied despite all stages of the procedures being followed and/ or behave in an unreasonable manner when raising and/or pursuing concerns. This may

be unreasonable, persistent or through harassment or aggression. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the school and directly or indirectly the overall well-being of the children or staff in the school. In these exceptional circumstances the school may take action in accordance with this policy.

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

3.1

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

- treat all members of the school community with courtesy and respect;
 - refrain from conversations in front of children and other members of the school community to avoid upset or distress;
 - refrain from approaching parents and children directly;
 - respect the needs of pupils and staff within the school;
 - refrain from the use of violence, or threats of violence, towards people or property; refrain from any aggression or verbal abuse;
-
- 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

If a complainant makes an allegation or serious complaint outside of the schools complaints procedures, it is important the Headteacher follows up on this.

The Headteacher will:

- Write to the complainant and invite them to discuss the matter further and the procedures for making a complaint.
- Follow up with another letter in the situation that the complainant does not respond, closing the matter.

What do we mean by 'unreasonably complainants'?

3.2 For the purpose of this policy, an unreasonable 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 the following (not an exhaustive list):

- actions which are obsessive, persistent, harassing, prolific, repetitious;
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;
- uses Freedom of Information requests excessively and unreasonably;

- an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- an insistence upon pursuing complaints in an unreasonable manner;
- an insistence on only dealing with the Headteacher on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters;
- an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school because it is unlawful;
- abusive or threatening behaviour or language towards school staff;
- Posting anything relating to the complaint or any opinions about the staff, pupils or parents at the school on social media or on-line.

What is harassment?

3.3 We regard harassment as including 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 an unjustifiably significant and disproportionate adverse effect on the school community.
- the purpose or effect is creating an intimidating, hostile, degrading, humiliating or offensive environment.

School's responses to unreasonably complaints or harassment

3.4

In cases of unreasonable 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 any future meetings with a member of staff to be conducted with a second person present and if felt necessary with an officer from the Diocesan Board or Local Authority. 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;
- consider taking advice about putting in place a specific procedure for dealing with complaints from the complainant, e.g. she/he will not be able to deal directly with the Headteacher, but only with a third

person to be identified by the governing board, who will investigate, determine whether or not the complaint is reasonable, and then advise the Headteacher accordingly.

NB: The school must satisfy itself that it has taken every reasonable step to address the complainant's issues and has given a clear statement of the school's position and the complainant's options (if any).

- Legitimate new complaints will always be considered in an appropriate time frame, even if the person making them is (or has been) subject to the above. The school nevertheless reserves the right not to respond to communications from individuals whose conduct falls within the scope of this policy.

Physical or verbal aggression

3.5 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;
- take advice on requesting an Anti-Social Behaviour Order (ASBO);
- take legal advice on pursuing a case under Anti-Harassment legislation;
- call the police to remove the individual from the premises, under powers provided by the Education Act 1996.

See Managing Parents and Visitors Behaviour Policy

Right of appeal

3.6 All persons who are notified by the school that they are being dealt with under this procedure have the right of appeal. Appeals must be addressed to the Chair of Governors under confidential cover, care of the school. The Chair of Governors will consider each appeal on its merits, consulting with the Headteacher as appropriate. The outcome of the appeal should be notified to the appellant and copied to the Headteacher within 10 working days of receipt.

Annex B

| COMPLAINT FORM | |
|--|--|
| <i>Name of School</i> | |
| When we receive a written complaint, we aim to acknowledge its receipt within 3 school days and send a full or interim response within 10 school days. | |
| Name of complainant: | Name of pupil (if relevant): Relationship to pupil (if relevant): |
| Address: | |
| Postcode: | |
| Telephone (day): | Telephone (evening): |
| What is your complaint and how has it affected you and your child? | |
| Are you attaching any paperwork? If so, please list below: | |
| Have you discussed this matter with a member of staff before filling in this form? If so, who did you speak to and what was the outcome? | |
| What actions do you feel might resolve the problem at this stage? | |
| Signature: | Date: |
| Please return this form to | |
| Official use only: Date acknowledgement sent: | By whom: |
| Complaint referred to:..... on | |

