

# West Haddon Endowed School

## Policy Document

### COMPLAINTS POLICY

#### Introduction

Our school is committed to providing the best possible education for the children in our care, and a high quality service for parents. If you feel that we have fallen short of this aim in any way, we hope that in the first instance you will speak to us and allow us to address the issues.

Below is the procedure should you wish to address a serious concern.

#### Complaints Procedure

##### 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.
- 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. In general, any matter raised more than 3 months after the event, being complained of, will not be considered.

##### Raising a concern or complaint

###### 1) 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 head teacher (or to the chair of the governing body, if the complaint is about the head teacher).

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

###### 2) 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 head teacher, who will be responsible for ensuring that it is investigated appropriately. If the complaint is about the head teacher, your complaint should be passed to the clerk to the governing body, for the attention of the chair of the governing body.

A complaint form is provided to assist you.

<b>Prepared by:</b>	D Rosevear	<b>First Issued:</b>	
<b>Approved by:</b>	Governors	<b>Last reviewed:</b>	January 2017
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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 head teacher, or to the clerk to the governing body, as appropriate.

The head teacher (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 head teacher (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 reviews the process followed by the school, in handling the complaint. Any such request must be made in writing to the clerk to 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.

#### Review Process

Any review of the process followed by the school will be conducted by a panel of 3 members of the governing body. This will usually take place within 10 school days of receipt of your request.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

#### Governing body meetings

##### a) Complaints panel

If the school receives a formal complaint about one of the limited number of matters, that is not dealt with by another statutory process, it may be necessary to convene a governing body panel to consider the matter and formulate a response.

The complaint is likely to relate to matters such as:

- the content or the application of a governing body policy;
- school facilities;
- services that the school provides.

If a governing body committee already has delegated power with respect to a policy that is being complained of, a panel of members from that committee should be

convened. Otherwise the clerk should convene a panel of 3 governors, who have not previously been involved with the complaint.

The complainant should submit the details of their concerns, in writing, to the clerk. The clerk will seek similar written responses from the school, where this is necessary.

A meeting of the panel will take place, usually within 10 school days, to consider the matter. The complainant (who may be accompanied by a friend if they wish) and representative(s) from the school (who may also be accompanied by workplace colleagues or representatives from their professional associations) may be invited to attend this meeting in order to clarify the matter. As the panel meeting is intended to be investigatory, rather than adversarial, the persons giving evidence or making representations to the panel will normally attend separately.

When the panel has collected sufficient information, it will deliberate and then inform the complainant, the head teacher and the governing body of the outcome, in writing.

Consideration of the complaint by the governing body and the school, save for any actions that are agreed, will terminate at this point.

If the complainant is not satisfied that the appropriate procedure has been followed, they may request a review of that process by another panel of the governing body.

#### b) Review meeting

Any review of the process followed by the school will be conducted by a panel of 3 members of the governing body. This will usually take place within 10 school days of receipt of a written request.

The review will normally be conducted through a consideration of written submissions, but reasonable requests, from any of the parties, to make oral representations should be considered sympathetically.

The panel will first receive written evidence from the complainant.

The panel will then invite representatives of the school (usually the head teacher or the chair of the governing body panel that has considered the matter) to give their response to the complaint.

The panel may also have access to the records kept of the process followed.

The complainant and the school representative(s) will be informed in writing of the outcome, usually within 5 school days of the panel meeting.

The matter will then be closed as far as the school is concerned.

#### 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 (eg 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 issues 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 the Local Authority.

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.

## **ANNEX A**

### **Procedure for the Conduct of a Stage 3 Governors Panel Hearing**

1. The chair of the committee should invite all parties (except any witnesses) into the room, introduce them and explain the role of each person.
2. The chair should explain to all present that the purpose of the hearing is to review the complaint and try to resolve it and achieve reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action.
3. The chair should then ascertain whether the proposed procedure is acceptable. If so, the meeting will proceed along the following lines.
  - i. The complainant describes her/his complaint and may call witnesses.
  - ii. The Headteacher may seek clarification from the complainant and any witnesses.
  - iii. The governors' panel or its advisers may seek clarification from the complainant and any witnesses.
  - iv. The Headteacher will respond to the complaint and may call witnesses.
  - v. The complainant may seek clarification from the Headteacher and any witnesses.
  - vi. The governors' panel (including any Advisers) may seek clarification from the Headteacher and any witnesses.
  - vii. The Headteacher will be given the opportunity to sum up.
  - viii. The complainant will be given the opportunity to sum up.
  - ix. Both parties will leave the room to allow the panel to deliberate but any advisers may remain to offer technical and procedural advice.
4. The panel should make a decision or judgement on:-

the validity of the complaint; appropriate action to be taken by the school and/or parent; and where appropriate, recommendations on changes to the school's systems or procedures to ensure similar problems do not arise in the future.
5. The decision or judgement will be confirmed in writing within 5 days.

NB If there is more than one complainant this procedure should be followed for each one in turn, unless the complainants agree to the complaint being heard with all present in one sitting.

## **ANNEX B Dealing with Complaints about Racism in Schools**

### **1. Racist Behaviour to a Child or Student**

The procedures to be followed are contained in the Local Authority's guidance "Notification of Racist Incidents"

### **2. Racist Incident Alleged Against School Staff**

i. The report/complaint should be made to the head teacher, or if the head teacher is the subject of the report/complaint, to the Chair of Governors;

ii. As racism is a disciplinary offence, the normal disciplinary procedures are followed.

### **3. Institutional Racism**

Parents who perceive that racist practice or policies are operated by the school should pursue these through the General Complaints Procedure.

West Haddon Primary School: Meeting Request Form

I wish to meet ..... To discuss the following matter:

Brief details of topic to be discussed:

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

Your name:  
Relationship with school (e.g. 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:

## West Haddon School Formal Complaint Form

Please complete this form and return it, via the school office, to the head teacher (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 (e.g. parent of a pupil on the school roll):

Pupil's name (if relevant to your complaint):

Your address:

Telephone numbers

Daytime:

Evening:

e-mail address:

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 =

West Haddon School Formal Complaint contd.....

What action, if any, have you already taken to try to resolve your complaint?  
(i.e. 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?

Signed ..... Date .....

School use:  
Date form received:  
Received by:  
Date acknowledgement sent:  
Acknowledgement sent by:

Complaint referred to: Date:			
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## West Haddon School Complaint Review Request Form

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

Your name:

Your address:

Telephone numbers

Daytime:

Evening:

e-mail address:

Dear Sir

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

My complaint was submitted to ..... and I received a 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 =

West Haddon School Complaint Review Request Form contd .....

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

Signed ..... Date .....

School use:  
Date form received:  
Received by:  
Date acknowledgement sent:  
Acknowledgement sent by:

Complaint referred to: Date:			
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### Summary of Process to Resolve Complaints

