



Complaints Policy and Procedures

Policy Updated: Summer 2016

Date for Review: Summer 2019

Complaints Policy and Procedures

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1 Introduction

This policy may be used by anyone who has a concern or complaint about any aspect of the school. In the main this will mean the Parents / Carers of the school's pupils, but may include neighbours of the school, or any other members of the local community.

We believe that Brookside Primary School provides a good education for all our children, and that the Headteacher and other staff work very hard to build positive relationships with all parents and those connected with the school.

As a school, we do our best to ensure that every child is happy at school, and is making good progress and as such, we always want to know if there is a problem, so that action can be taken before the problem seriously affects the child's welfare.

Brookside Primary School aims 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.

2 Aims and Objectives

We will ensure that:

- Your complaint will be dealt with honestly, politely and in confidence
- Your complaint will be investigated thoroughly and fairly
- If your complaint is urgent we will prioritise
- We will provide you with an update at each stage
- We will accept responsibility and apologise if we have made a mistake
- You will be informed what we are going to do to put things right
- You will receive a clear written reply to formal complaints within **28 schooldays**

3 School Contact Details

Address Brookside Primary School
School Green
East Leake
Leicestershire
LE12 6LG

Telephone 01509 820001

Email office@brookside.notts.sch.uk

4 Expressing Concerns – Informal Stage

Each day this school makes many decisions and strives to do the best for all the children. Your comments, either positive or negative, will help our strategic planning in improving our school.

You may want to talk to us about a concern, though not actually make a complaint.

If you are dissatisfied about the way your child is being treated, or any actions or lack of action by us, please feel free to contact us using the details listed above. **Please discuss your initial concerns by making an appointment with the class teacher or another appropriate member of staff**, such as the Special Educational Needs Co-ordinator if it is about Special Needs.

If the member of staff you speak to in the first instance is unable to resolve the matter, please make an appointment with the Headteacher. We will attempt to address your concern at this point but we acknowledge that this will not always be possible.

If you are dissatisfied with the response you receive and would like to take your concerns further, you can move on to Stage 1 of the formal Complaints Procedure.

We politely ask that grievances and complaints relating to Brookside Primary School, however minor, are not aired publicly or through the use of social media websites or apps, newspapers, magazines, etc. If the complainant discusses or refers to the school or the complaint on social media, the school's ability to deal with a complaint may be affected and the complaints process, outlined in this document, may be jeopardised.

Note

Governors should not be made aware of a potential complaint as they may be required to sit on a Panel in the event of a formal hearing (Stage 2) and should be impartial.

It is necessary for the school to ensure that complaints that proceed through both Stage 1 and Stage 2 are effectively recorded and monitored.

5 Complaints Procedure – Stage 1

Referral to the Headteacher

Should you wish to make a complaint, you can do this in writing, by letter or email and this will be **referred to the Headteacher**.

You can request a meeting with the Headteacher about your complaint. The Headteacher should formally acknowledge the complaint within **three school days** of receiving it and begin an investigation.

The Headteacher will give serious consideration to your complaint and investigate thoroughly, reviewing any relevant documentation and information. If necessary, the Headteacher will take statements from those involved. Most complaints are normally resolved at this stage.

Response and Outcome

The Headteacher will aim to inform you of the outcome within **ten school days** of acknowledging it. This response will determine whether or not the complaint has been upheld, the reasons why, and what action (if any) will be taken. The response will provide details of how to move on to Stage 2, if you are not satisfied with the outcome.

If your complaint is about the Headteacher, please write to the Chair of Governors who will follow the procedure set out in Stage 2.

6 Complaints Procedure – Stage 2

Referral to the Chair of Governors

Should you be dissatisfied with the outcome following Stage 1 and wish to escalate your complaint further, **please write to the Chair of Governors** and include the following:

- A clear explanation of your complaint
- Identify the process you have followed to date and who you have spoken to and why you are dissatisfied
- A clear explanation of what you recognise to be a successful outcome as a result of your complaint

The Chair of Governors should formally acknowledge the complaint within **three school days** of receiving it and will arrange for your complaint to be considered and investigated under the arrangements approved by the Governing Body. If the Chair of Governors was involved at Stage 1, another member of the Governing Body will be appointed to oversee the investigation.

The Chair of Governors will investigate the complaint and review any relevant documentation and information. If necessary, statements will be taken from those involved.

You may be invited to attend a formal Governor Complaint Panel so that your complaint can be heard (for further details, see Appendix 1). It is important that you provide any written information or evidence you intend to use. You may bring a friend, representative or interpreter to any meeting if you wish.

Following the investigation the Chair of the Panel will provide you with a full written response of the outcome of your complaint and determine whether or not the complaint has been upheld, the reasons why, and what action (if any) will be taken.

The Governing Body will aim to deal with your complaint within **28 schooldays**.

This is the end of the school's Complaints Procedure.

7 Further Options

Most complaints are resolved by the school's Complaints Procedure. Should you feel that your complaint has not been adequately resolved however, your further options are as follows:

The Secretary of State

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. You can write to the Secretary of State at the Department for Education:

Address The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Telephone 0370 000 2288

Website www.education.gov.uk

Ofsted

The Chief Inspector (Ofsted) has the power to investigate complaints about the school as a whole. Ofsted will not normally investigate cases to do with individual pupils.

Address Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD

Website www.gov.uk/government/organisations/ofsted

Department for Education

Parents may seek advice from the Department for Education at www.dfe.gov.uk

Advisory Centre for Education

Advice can also be sought from the Advisory Centre for Education

Helpline 0808 800 5793 (Monday to Thursday 10am-1pm)

Website www.ace-ed.org.uk

8 Unreasonable Complaints

We are 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.**

This 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 either in person, in writing, by email or 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
- making information regarding a grievance or complaint public on social media websites or apps, or in newspapers, magazines, etc

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 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 six 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.

9 Monitoring and Review

The Governors monitor the Complaints Procedure, in order to ensure that all complaints are handled properly. The Headteacher logs all

complaints received by the school and records how they were resolved. The Headteacher reports to Governors on a regular 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.

10 Equality, Diversity and Inclusion

At Brookside School, we aim to ensure that no member of the school community experiences harassment, less favourable treatment or discrimination within the learning environment because of their age; any disability they may have; their ethnicity, colour or national origin; their gender; their religion or beliefs.

We value the diversity of individuals within our school and do not discriminate against anyone because of 'differences'. We believe that all our children matter and we value their families too. We give our children every opportunity to achieve their best by taking account of our children's range of life experiences when devising and implementing school policies and procedures.

11 Policy Review

This policy will be regularly reviewed by the Governing Body and updated in line with Brookside Primary School's Policy Schedule.

12 Appendix 1 – The Governor Complaints Panel

The Governor Complaints Panel will be Clerked by a member of the school staff, the Clerk to the Governing Body or another Governor.

The Complaints Panel will generally consist of three Governors who have not previously been involved with dealing with the complaint. If the Governing Body is unable to find three Governors without prior involvement and has formal collaboration arrangements in place with another school's Governing Body, independent Governors can be drawn from that Governing Body to sit on the panel. The Complaints Panel should elect its own chair.

If required, Nottingham County Council will offer support and guidance to the Clerk, the Chair of Governors and / or the members of the Complaints Panel on procedural issues but will not play any part in reviewing the details of the complaint itself which is the responsibility alone of the Complaints Panel.

Governor Complaints Panel Arrangements

The Chair of the Complaints Panel will contact the Clerk and ask them to begin making preparatory arrangements.

The Clerk should then formally write to the Complainant, the Headteacher and any other relevant staff or witnesses and inform them:

- Of the date, time and venue of the hearing
- How it will be conducted
- Request for any supporting documentation by either the Complainant or the school which must be returned to the Clerk **no later than five school days** before the hearing takes place; this should include any request from supporting witnesses or representatives to attend with either party
- Of the rights of accompaniment as outlined in this document

The Clerk will ensure that all parties receive all relevant documents at least three school days before the date of the hearing so as to allow individuals to familiarise themselves with them.

The Complaints Panel Meeting

The Chair of the Complaints Panel should allow each party involved to explain their understanding or interpretation of events and for members of the Complaints Panel to question them for further clarification. Complainants do not have to attend the meeting if they would prefer not to, and all written evidence will be considered.

Ultimately, the Chair of the Complaints Panel has control over its proceedings.

After the Complaints Panel Meeting

After hearing complaint and considering all the evidence presented, the Complaints Panel will do all they can at this stage to resolve the complaint to the parent's satisfaction. The Complaints Panel will:

- Reach a majority decision, on the complaint
- Decide or recommend upon the appropriate action (if any) to be taken
- Where appropriate, suggest changes to, or request a review of, the school's systems or procedures to ensure that problems of a similar nature do not happen again

The outcome of the Complaints Panel's decision will be put in writing to both the Headteacher and the Complainant within **five school days** (see Appendix 2: Governor Complaints Panel Guidance Notes for more detail).

13 Appendix 2 – Governor Complaints Panel Guidance Notes

Terms of Reference

The Complaints Panel must be convened according to the Complaints Procedure published by the school as part of their Complaints Policy. All parties should have received a copy of the procedures.

Composition

The Complaints Panel must consist of three Governors previously unconnected with the case. This would usually exclude the Chair of Governors if he / she has had prior involvement

The other members of the Complaints Panel must agree as to who acts as Chair.

A nominated Clerk who is usually the Clerk to the Governing Body must minute the meeting. The minutes must be an accurate representation of what happens at the meeting and are confidential.

Introduction by Chair of the Complaints Panel

- Welcome and introduce everyone in the room and their role in the proceedings. Those present will be the Complaints Panel members, the Clerk, the Headteacher (or the person representing the school), the Complainant (both parties are entitled to be accompanied by a friend or relative)
- Witnesses in support of either the school or the Complainant should wait outside the room until called
- Explain the reason for the Complaints Panel being held – to offer a fresh and fair look at the complaint from Stage 2 as defined in the Complaints Procedures
- Explain that the Complaints Panel cannot consider new complaints at this stage
- Explain the structure of the meeting
- Explain that the Complaints Panel will deliberate separately, in private, after the meeting and their conclusions will be sent out to all parties within **five school days**

- Ensure that everyone has a copy of the papers including a copy of the Complaints Procedures
- Check that everyone understands all of the above

The Chair of the Complaints Panel must ensure that:

- There is a clear written statement of the complaint which is the same as the complaint previously investigated. It may be appropriate to clarify if any aspects of the complaint fall outside the remit of the Complaints Panel
- There is a clear statement of the outcomes desired

Structure of the Complaints Panel Hearing

- The Complainant will be given the opportunity to explain their complaint
- The Complaints Panel and the Headteacher (or person representing the school) will be allowed to ask the Complainant questions
- The Headteacher (or person representing the school), will be given the opportunity to present the school's response, interpretation or view about the complaint
- The Complaints Panel and the Complainant will be allowed to ask the Headteacher (or person representing the school) questions
- At the Complaints Panel's discretion, witnesses may be called and heard in support of either party's representations, and if so may be questioned by the panel and either party
- The Complainant will be given the opportunity to make a final statement
- The Headteacher (or person representing the school) will be given the opportunity to make a final statement
- The Chair of the Complaints Panel will confirm with both parties that they have had the opportunity to put their case
- The Chair of the Complaints Panel will thank all for attending and explain that the panel will deliberate separately in private and a letter setting out the Complaints Panel's conclusions will be sent out within **five school days**

Deliberation and Conclusion

- The main points of the complaint must all be addressed
- For each point, the Complaints Panel need to explain their findings based on fact where possible
- The Complaints Panel need to consider the outcomes requested and agree or disagree giving reasons
- The Complaints Panel can make recommendations to either the Headteacher or Governing Body
- The concluding letter must be signed by the Chair of the Complaints Panel
- The letter will be sent out promptly and within **five schools days** of the Complaints Panel hearing

Checklist for a Complaints Panel Hearing

The Complaints Panel needs to take the following points into account:

- The hearing is as informal as possible
- Witnesses are only required to attend for the part of the hearing in which they give their evidence
- After introductions, the Complainant is invited to explain their complaint, and be followed by their witnesses
- The Headteacher may question both the Complainant and the witnesses after each has spoken
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses
- The Complainant may question both the Headteacher and the witnesses after each has spoken
- Members of the Complaints Panel may ask questions at any point
- The Complainant is then invited to sum up their complaint
- The Headteacher is then invited to sum up the school's actions and response to the complaint
- Both parties leave together while the Complaints Panel decides on the issues
- The Chair explains that both parties will hear from the Complaints Panel within a set time scale