



SPRINGHEAD C.P SCHOOL **"Working together to achieve our best"**

School Concerns and Complaints Procedure **Reviewed 8th October 2020**

Introduction

The main purpose of this concerns and complaints procedure is to solve problems and to give parents a means to raise issues of concern and have them addressed.

Concerns and complainants should be treated respectfully during and after the course of any complaints investigation.

All members of staff should be aware of the procedure and understand:

- The importance of attempting to resolve problems before they become formal complaints
- The importance of treating complaints respectfully

Our School is committed to providing the very best education for our young people and we want our pupils to be healthy, happy and safe and to do well. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We are aware that there may be occasions where people have concerns or complaints and the following procedure sets out the steps that should be followed in order to resolve these as promptly, fairly and informally as possible.

School Governing Bodies are required under Section 29 of the Education Act 2002 to have in place a procedure for dealing with complaints relating to the school. Sometimes when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following lists specific topics and the correct policy to refer to should you have a concern or complaint. You can access these policies on the School website or ask for a copy from the School office.

Social Media

In order for complaints to be resolved as quickly and fairly as possible, we ask that complainants do not raise concerns or discuss them publicly via social media. Complaints will be dealt with confidentially by the school and we expect complainants to observe confidentiality also. Please refer to the school's GDPR policy.

Stage 1

Expressing Concerns – to the class teacher

The vast majority of concerns can be dealt with quickly and effectively by the class teacher before they become major issues. If a parent has a concern, it is best if it is dealt with at this informal stage, where the concern is expressed to the member of staff involved.

So that the concern can be given the time it deserves and be dealt with sensitively, it is best if an appointment is made so that it can be discussed with the teacher in a confidential environment.

It is not appropriate for concerns to be expressed at the classroom door or on the playground.

At this informal stage, the school should consider the best way of dealing with the concerns raised according to the circumstances. It is preferable for all concerned that concerns are resolved in a timely manner.

Expressing Concerns / Complaints – to the head teacher

It may be that the head teacher has not been aware of the concern raised prior to this point.

If the parent feels the concern has not been dealt with by the class teacher, an appointment can be made to discuss it with the head teacher. The head teacher will investigate the concern and try to resolve the problem.

If there is still a concern after consultation with the head teacher, the chair of governors may be consulted.

Stage 2 – Formal Complaint to the Governing Body

Where complaints cannot be resolved informally, the parent or carer can refer the complaint to the governing body by completing complaint form 1 and returning it to the school for the attention of the Chair of Governors.

The school should record when the complaint is received. A complaint should then be acknowledged in writing by, or on behalf of, the chair of the governing body. A more detailed acknowledgement including an explanation of what will happen next, time scales involved and the name of the person from whom they will next hear about the progress of the investigation should normally be sent within a reasonable time scale. Each individual stage of the complaints process should take no longer than 20 school days to complete, and if this will be exceeded for any reason then an explanation should be provided to the complainant.

Details of a complaint should be kept confidential except in so far as they need to be shared with people who might contribute to their resolution.

Action through a complaints procedure may lead to action being initiated under other procedures. This may be disciplinary or child protection procedures and consideration should be given to this possibility at the earliest stage. In these cases, the investigations under the complaints procedure will be suspended until action under the other procedures (including appeals) has been concluded. The complainant should be advised if this is the case and also informed of the likely delay in the final resolution of their complaint. The complainant will not necessarily be provided with the details of the outcome of those procedures, depending on the circumstances.

The complaints form is available at the end of this document.

The Role of the Chair of Governors Stage 3

The chair of governors will need to consider whether the investigation can be completed by the head teacher (who will already have been involved), the chair him/herself, or whether to refer the complaint to a complaints committee of the governing body. If the latter course of action is followed, the chair shall present a full report to the committee and, if necessary, external advice may be sought from Staffordshire Local Education Authority.

This committee will be made up of three governors. The membership should not include the head teacher or chair of governors and, depending on the matter complained about, it may not be appropriate for certain categories of governor to be included.

The committee should meet at a time convenient to the members of the committee, the chair (who will present the report), the parent or carer (in order that they may make representations in person) and any witnesses.

Outcomes

In all cases where a complaint has been investigated, the complainant will be given a written response covering:

- The complaint
- The scope of the investigation
- The conclusion of the investigation
- Any action which has resulted

The committee may wish to offer the complainant the opportunity to discuss the response.

If the investigation upholds the complaint, redress should be appropriate to the complaint and may include:

- An appropriate expression of regret
- Providing an appropriate solution
- Changing the procedures to avoid future problems

The school will take responsibility for:

- Deciding who can take remedial action
- Ensuring that the remedy is carried out
- Ensuring that any remedy is within the school's powers
- Ensuring the approach to remedies is reasonable and consistent

Where a complaint is not upheld the complainant must be given a response and informed of any further action that might be appropriate in their situation.

This is the final stage of the complaints procedure.

The role of the LA and DfE

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the DfE after they have completed stage two.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by Springhead Primary School. They will consider whether Springhead Primary School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the DfE online at www.education.gov.uk/contactus, by calling 0370 000 2288 or by writing to the following address:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Summary of concerns / complaints procedure

1. Parents express concerns to the class teacher.
2. If the parent still feels that the concerns have not been solved satisfactory they should ask for a meeting to discuss the concern with the head teacher, and the head teacher will consider how to deal with the concern.
3. At this stage, if the parent is still not satisfied they may wish to make a formal complaint. They should complete the complaints form, giving details of the complaint and what they would like as an outcome of the investigation. A copy of the form should be kept.
4. The School will forward the completed form to the chair of the governing body for consideration.
5. If considered appropriate, a complaints committee of the governing body will be established to investigate the complaint.
6. The complainant will be invited to meet the complaints committee to make the complaint in person.
7. After hearing the complaint and considering the relevant facts, the committee will make a decision and convey, in writing, to the complainant within 20 days of the hearing.
8. There is not a general right of appeal against the decision of the governors. However, if parents feel that proper procedures were not followed or reasonable consideration given to the complaint, they can raise the matter with the Local Education Authority.
9. A letter should be sent to the LEA explaining:
 - what your complaint to the governors was,
 - the response made to it,
 - why you think that the governors have not followed a proper procedure in considering your complaint, and/or
 - why you think that their consideration of it was unreasonable.
10. The school will inform you of the name of the District Education Officer and the address to send your letter

Policy for unreasonable complaints

Our school 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. The school defines unreasonable complaints 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'.

Examples: 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.

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 Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Head Teacher 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 6 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 barring an individual from school premises. Barring from the School Premises Although fulfilling a public function, Schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Head Teacher or the local authority can notify them in writing that their implied licence to be on school

premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Head Teacher or Chair of Governors. However, 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.

Anonymous complaints

The school will not normally investigate anonymous complaints. However, the head teacher or chair of governors, if appropriate, will determine whether the complaint warrants an investigation.

Complaint campaigns

If we receive what we consider to be a large volume of complaints, all based on the same subject and possibly from complainants not connected to the school, then we will treat these complaints as being part of a campaign and respond in one of the following two ways, depending on the nature and scale of the complaint:

1. Send the same response to all complainants
2. Publish a single response on the school's website.

Timescales

Complainants must raise the complaint within three months of the incident, or where a series of associated incidents occur, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by Springhead Primary School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
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<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of special educational needs • The school's reorganisation proposals. 	<p>You should raise concerns about admissions, statutory assessments of special educational needs or the school's reorganisation proposals with Staffordshire County Council.</p>
<ul style="list-style-type: none"> • Matters that are likely to require a child protection investigation. 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). (0800 131 3126).</p>
<ul style="list-style-type: none"> • Exclusion of children from school*. 	<p>You can find further information about raising concerns about exclusion at www.gov.uk/school-discipline-exclusions/exclusions.</p>
<ul style="list-style-type: none"> • Whistleblowing. 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The secretary of state for education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters directly with their employer. Referrals can be made at www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure.</p> <p>You may also be able to complain directly to the local authority or the Department for Education (DfE) (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> • Staff members' grievances. 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>

<ul style="list-style-type: none"> • Staff members' conduct. 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> • Complaints about services provided by others who use the school's premises or facilities. 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.</p>
<ul style="list-style-type: none"> • National curriculum – content. 	<p>Please contact the DfE at www.education.gov.uk/contactus.</p>

If other bodies are investigating aspects of the complaint, for example, the police, local authority (LA) safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales in this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Springhead Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

FORM 1

COMPLAINTS FORM

Please complete this form and return it to the school who will then forward it to the chair of the governing body. Please continue on a separate sheet if necessary.

The procedures to be followed in dealing with the complaint are outlined on the reverse of this form.

1.

Name

2.

Address

3. **Telephone**

Number (Home) (Work)

4. **Name of**

Child

5. **Details of the Complaint** (please include the date or period of time to which your complaint relates and confirm whether you have already expressed your concerns informally, and to whom and when)

6. **Do you have a suggestion for change?**

Please attach copies of any more information you have to back up your complaint, such as letters or reports.

Signed **Date**