

# **Rochford Primary & Nursery School (Academy)**



## **Complaints Policy and Procedures**



**Vision Statement:**

*“inspiring lifelong learning”*

We are committed to providing:

- inspirational teaching;
- a stimulating environment;
- a challenging and interesting curriculum, so that children learn a variety of skills and are inspired to develop a love of learning; and
- a happy, safe and caring school where:
  - every child can reach their full potential;
  - staff are valued; and
  - visitors feel welcome.

We are committed to developing an inclusive school at the heart of the Rochford Community where:

- every child’s happiness and needs are of great importance;
- there are high expectations of good behaviour; and
- all members of the school community value good manners and co-operation.

We are committed to:

- communicating and working effectively with parents so that there is a genuine partnership supporting children’s learning.

1. This policy statement sets out the school's approach to dealing with parental concerns and complaints. Further details of how we handle them are contained in our procedures below.
2. We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.
3. We welcome feedback on what parents feel we do well, or not so well, as a school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.
4. We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils.
5. All school staff, teaching and non-teaching, members of the SEEAT Board and Local Governing Body, will receive a copy of this policy statement and will be familiar with the school's procedures for dealing with parental concerns and complaints, to which they will have access as required.
6. The school's procedures will be reviewed regularly and updated as necessary.
7. Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate.
8. The Government advocates the resolution of parental concerns and complaints at school level wherever possible, in the interests of maintaining good home/school relations.

## **Procedures for dealing with complaints**

### **Level 1 – Informal – Class teacher**

Many concerns will be dealt with informally when you make them known to us.

The first point of contact should be your child's class teacher. A judgement will be made by the class teacher about the nature of the concern/complaint and the appropriate level for it to be dealt with.

*Serious issues may be raised to a higher level at this point.*

It is expected that many issues can be resolved with the class teacher at this level.

However, if you are dissatisfied following this informal approach, your concerns/complaint will be passed on to a Phase Leader or Deputy Head.

### **Level 2 – Informal – Phase Leader**

Parents/carers may need to discuss the issue with the appropriate Phase Leader.

If you remain dissatisfied with the results of the discussion you should ask for an appointment to meet with the Deputy Head.

### **Level 3 Informal – Deputy Head**

Parents/carers may need to discuss the issue with the Deputy Head. If you remain dissatisfied with the results of the discussions, you should ask for an appointment to meet the Headteacher.

### **Level 4a Informal – Headteacher**

Parents/Carers may need to discuss the issue with the Headteacher.

### **Level 4b – Formal Complaint to Headteacher**

An issue that has not been resolved through the informal levels 1, 2, 3 and 4a can become an official complaint.

Parents/carers wishing to move to level 4b must write a formal letter (this is not by electronic communication and needs to be personally signed) of complaint to the Headteacher within two weeks of the Level 4a meeting. The letter will need to set out clearly the issues which have previously been discussed at the informal levels and why the parent/carer considers the issue to be unresolved

The Headteacher should consider the complaint and offer a resolution to the complainant in writing **within 10 school days** of receipt of the letter. If the complaint is resolved at this level, the complaint will be closed by the school and cannot be re-opened.

The decision that the Headteacher has made as a result of the complaint does not become a complaint about the Headteacher. If the complainant feels the complaint has not been resolved, s/he should proceed to Level 5, a Governors' Complaints Panel.

### **Level 5 – formal complaint requesting a Local Governing Body Governors' Complaints Panel**

If your concern has already been through the above levels and you are not happy with the outcome, the Chair of Governors will review the complaint and undertake an investigation. They will then convene a complaints review panel to consider the complaint, if you are still unhappy with the outcome of this investigation. This is a formal process, and your ultimate

recourse at school level.

The purpose of this arrangement is to give your complaint a hearing in front of a panel of governors who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.

The aim of the complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

## **Procedure**

Complainants wishing to move to Level 5 of the formal complaint procedure will need to write a letter to the school's Chair of Governors to request that a Governors' Complaints Panel meets to hear the complaint. This formal complaint letter must be received within two weeks of the last meeting with the Headteacher concerning the issue. The complainant should write to the Chair of Governors at the school address marking the envelope 'urgent, private and confidential'.

The letter will need to set out the complaint that has previously been formally raised and explain clearly why the matter is not resolved.

### **Before the meeting:**

The Chair of Governors should appoint a clerk to the Governors' Complaints Panel which will include an independent member, acknowledge the complainant's letter in writing within 5 school days of receipt and arrange for a panel of governors to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the governors' panel meeting. In this case the matter should be dealt with within 10 school days of the school reopening.

The Headteacher should be given a copy of the complainant's letter and written documentation should be requested from the school. The clerk should send both the complainant's letter and the school documentation to the Governors' Complaints Panel members, complainant and Headteacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant and Headteacher will be invited to attend the Governor's Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

### **At the meeting:**

The complainant and Headteacher (or his/her representative) should provide all the relevant information they wish, and the Governors' Complaints Panel members should clarify any points. After the complainant and Headteacher (or his/her representative) have provided all the information they wish, the Chair will ask all parties to leave except the panel members and the clerk.

### **After the meeting:**

The Governors' Complaints Panel will write to all concerned **within 10 school days** to explain their decision and suggest a resolution to the problem, if appropriate.

The decision of the Governor's Complaints Panel is final.

The decision of the Governors' Complaints Panel will not be investigated.

### **Complaints about the Headteacher**

Where the complaint concerns the Headteacher personally, it should be sent to the school marked 'For the attention of the Chair of Governors'. The Chair of Governors will then consider the complaint against the Headteacher in the first instance and offer a resolution to the complainant in writing within 10 school days of receipt of the letter.

If the complainant feels the complaint has not been resolved, s/he should proceed to Level 5, a Governors' Complaints Panel.

Complainants wishing to move to Level 5 of the formal complaint procedure will need to write a letter to the Chair of the Multi-Academy Trust (MAT) to request that a Complaints Panel meets to hear the complaint. This formal complaint letter must be received within two weeks of the last correspondence from the Chair of Governors concerning the issue. The complainant should write to the Chair of the MAT at the school address marking the envelope 'urgent, private and confidential'.

The letter will need to set out the complaint that has previously been formally raised and explain clearly why the matter is not resolved.

### **Before the meeting:**

The Chair of the MAT should appoint a clerk to the Complaints Panel which will include an independent member, acknowledge the complainant's letter in writing within 5 school days of receipt and arrange for a panel of governors to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the governors' panel meeting. In this case the matter should be dealt with within 10 school days of the school reopening.

Written documentation should be requested from the school. The clerk should send both the complainant's letter and the school documentation to the Complaints Panel members, complainant and Headteacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant and Headteacher will be invited to attend the Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

**At the meeting:**

The complainant and Headteacher should provide all the relevant information they wish, and the Complaints Panel members should clarify any points. After the complainant and Headteacher have provided all the information they wish, the Chair will ask all parties to leave except the panel members and the clerk.

**After the meeting:**

The Complaints Panel will write to all concerned **within 10 school days** to explain their decision and suggest a resolution to the problem, if appropriate.

The decision of the Complaints Panel is final.

The decision of the Complaints Panel will not be investigated.

**Time Scales:**

Receipt of complainant's letter	Acknowledgement <b>within 5 school days</b>
Receipt of complainant's letter	Governors' Panel meeting <b>within 15</b> school days
Written documentation sent to Governors' Panel Members and complainant and Headteacher	<b>5 school days</b> before meeting.
Governors' Panel members decision communicated to all concerned	As soon as possible but <b>within 10 school days</b> of meeting.

Chapter 6, paragraph 15 of the Governance Handbook states:

*“...An individual can complain to the Secretary of State for Education if they believe that a local authority maintained school board is acting ‘unreasonably’ or is failing to carry out its statutory duties properly. EFA (Education Funding Agency) handles complaints about academies on behalf of the Secretary of State.”*

Once a Governor’s Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint is closed and cannot be re-opened. If a request is received in this respect, the Chair of Governors should inform the complainant that the matter is closed.

Any complaints concerning the conduct of school staff will be handled in accordance with the school’s internal disciplinary procedures. The details of such an investigation will remain confidential.

Some complaints regarding admissions, the curriculum or special educational needs are covered by statutory regulations. The Headteacher can give information about these issues (see Appendix 1).

### **Review**

The Complaints Policy will be reviewed annually in consultation with staff and Governors.

Reviewed during	Spring 2019
Approved by Governing Body	
Next review	Spring 2020

**Chair of Governors:** \_\_\_\_\_

**Date:** \_\_\_\_\_

# **Appendix 1**

## **Complaints not in the scope of the procedure**

The complaints procedure covers all complaints about any provision of facilities or services that the school provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

### **Exceptions**

#### **Admissions to schools**

Concerns should be raised directly with local authorities (LA). For school admissions, the admissions authority is the Local Authority. Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman or directly with the SEEAT.

#### **Statutory assessments of Special Educational Needs (SEN)**

#### **School re-organisation proposals**

#### **Matters likely to require a Child Protection Investigation**

#### **Exclusion of children from school**

Further information about raising concerns about exclusion can be found at: [www.gov.uk/school-discipline-exclusions/exclusions](http://www.gov.uk/school-discipline-exclusions/exclusions).

#### **Whistleblowing**

Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised directly with Ofsted by telephone on: 0300 123 3155, via email at: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk) or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.

### Staff grievances and disciplinary procedures

These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.

### Complaints about services provided by other providers who may use school premises or facilities

Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.

## **Appendix 2**

### **Our Policy for dealing with Unreasonable Complainants**

Rochford Primary and Nursery 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.

Rochford Primary and Nursery 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 the complaint 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 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 Rochford Primary and Nursery 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 banning an individual from Rochford Primary and Nursery School.