



STANBRIDGE LOWER SCHOOL
RAISING CONCERNS
A GUIDE TO THE COMPLAINTS PROCEDURE
FOR PARENTS AND GUARDIANS

Reviewed July 2018

1. INTRODUCTION/RATIONALE

1.1 At Stanbridge Lower School we foster a strong link between home and school because we feel this helps our pupils to develop and build on the learning children start at home and we enhance at school.

1.2 For the majority of time during a child's education, parents and guardians are generally happy with the education their child is receiving, however we recognise there may be times when you have questions or a concern which you wish to bring to the school's attention.

2. AIMS

2.1 The aim of this policy is to state a procedure which can be followed in times of disharmony between parents, guardians and the school.

3. STAGE 1: THE INFORMAL STAGE

3.1 The Teacher: Many concerns may be settled by contacting your child's teacher because they work regularly with your child. You can contact them by letter, phone or by arranging an appointment to speak to them. They may be able to give immediate help but they may ask to give them time to seek further information.

4. STAGE 2: THE INFORMAL STAGE

4.1 The Head Teacher: If you are dissatisfied with the result of the discussions with the class teacher, you should make an appointment with the Head Teacher in person or over the telephone. The Head Teacher and the governors of Stanbridge Lower School encourage resolution of problems by informal means wherever possible, where we address all the points at issue and provide an effective response where necessary.

5. STAGE 3: THE FORMAL STAGE

5.1 If an issue has not been resolved through the informal stages it can be taken to the formal stage. When considering making a formal complaint please keep in mind in the interests of home/school relationships everyone concerned will need to negotiate an agreement and concentrate on finding a resolution to the issue.

5.2 Parents/carers wishing to move to Stage 3 must write a formal letter of complaint to the Head Teacher. Please detail clearly the issues which have previously been discussed and why the parent/carer considers the issue to be unresolved.

5.3 Within five working days or as soon as possible the Head Teacher will...

- Acknowledge receipt of your letter
- Establish what has happened so far, and who has been involved
- Clarify the nature of the complaint and what remains unresolved
- Meet with the complainant or contact them if appropriate
- Clarify what the complainant feels would put things right if this is unclear in the complaint letter
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- Conduct the interview with an open mind and be prepared to persist in the questioning
- Keep notes of the interview or arrange for an independent note taker to record minutes of the meetings.

5.4 At each stage in the procedure we will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition we will offer one or more of the following in writing

- An apology
- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that the vent complained of will not recur
- An explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review school policies in light of the complaint.

6. STAGE 4: THE FORMAL STAGE

6.1 The Chair of Governors: If you are not satisfied with the formal reply, then you should write to the Chair of Governors within ten school days at the school address, marking the envelop "urgent and confidential" and asking for the complaint to be considered further. The letter will need to set out the complaint that has previously been formally discussed with the Head Teacher and show why the matter is not resolved. Additionally it should detail what actions would resolve the complaint.

6.2 The Chair of Governors will

- Acknowledge receipt of your letter
- Clarify the nature of the complaint and what remains unresolved
- Clarify what the complainant feels would put things right if this is unclear in the complaint letter
- Conduct the interview with an open mind and be prepared to persist in the questioning
- Write to the complainant with the outcomes of the complaint.

7. STAGE 5: THE FORMAL STAGE

7.1 Complainants wishing to move to Stage 5 of the formal complaints procedure because they are not satisfied by the response received by the Chair of Governors can write to the Clerk of the Governing body giving details of the complaint and asking that it is put before the Governors' Complaints Panel. The formal complaint must be received within 10 school days of the last meeting with the Head Teacher concerning the issue. The Chair, or if the Chair has been involved at any previous stage in the process, a nominated governor, will convene a Governors' Complaints Panel within fifteen school days. The governors' appeal hearing is the last school-based stage of the complaints process and is not convened merely to rubber stamp previous decisions. The aim of the hearing will always be to try to resolve the complaint and achieve reconciliation between school and the complainant.

7.2 It is recognized that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

7.3 The Governing Body will nominate a number of members to hear the complaint and may consist of three to five people. The panel may choose their own Chair. They will provide the Head Teacher with a copy of the complainant's letter and request written documentation relevant to the complaint from the school.

7.4 The complainant and Head Teacher 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.

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

The Complaint's Panel can

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur

The Complaint's Panel

- Is independent and impartial
- No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it,
- The panel is made up from a cross section of categories of governors and sensitive to the issues of race, gender and religious affiliation.

7.6 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 complainant will be informed that the matter of their complaint has been dealt with and is now closed as far as the school is concerned. They will be provided with as much additional information as is possible in the circumstances, while respecting any right to confidentiality of third parties.

7.7 Finality of Decisions: The decision of the Governors' Complaints Panel will not be investigated. If, however, the complainant feels that the school and governors have not followed the school's complaints procedure correctly, he/she can contact the Secretary of State for Education but only on the grounds that the Governing Body has failed to carry out a legal duty or has acted unreasonably in the performance of a duty. The Secretary of State must be satisfied that a decision is unreasonable in the sense that no reasonable authority or governing body, acting with due regard to its statutory responsibilities, would have reached that decision.

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

8. COMPLAINTS ABOUT THE HEAD TEACHER

8.1 Any complaint under this heading must not refer to the decision that the Head Teacher has made as a result of the Stage 3 complaint. If the complainant feels the complaint has not been resolved, he/she should proceed to Stage 4.

8.2 If the complaint is specifically about the Head Teacher and is unable to be resolved at the informal stage, then the complainant should write to the Chair of Governors at the school address marking the envelop "urgent, private and confidential". The Chair of Governors will acknowledge the complainant's letter in writing within 10 schools days of receipt and follow the complaint's procedure in this policy.

9. COMPLAINTS SPECIFICALLY ABOUT A GOVERNOR

9.1 Complaints about the Chair of Governors: In the event of a formal complaint being made against the Chair of Governors, which is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Vice-Chair of Governors. The school will provide the Vice-Chair of Governor's name and the complainant should write to him or her at the school address making the envelop " urgent, private and confidential". The Vice Chair of Governors will acknowledge the complainant's letter in writing with 10 school days of receipt.

9.2 A Governor who is the subject of the complaint would normally be advised of the situation immediately. However, if they complaint involves a child protection issue, child protection arrangements come into force. The complaint will be will be considered to be a Stage 5 formal complaint and therefore will be considered by Governors' Complaints Panel/. Complainants will be informed of the limited powers of such a committee in these

circumstances. If the complaint is upheld or upheld in part, the committee may make recommendations to the *Governing Body*. If necessary the complaints panel may be composed of governors from another school.

9.3 *Complaints against Governors*: A formal complaint against a governor other than the Chair should be referred to the chair, who will investigate and seek to resolve it. The school will provide Chair of Governor's name and the complainant should write to him or her at the school. Address marking the envelop "urgent, private and confidential". The Chair of Governors will acknowledge the complainant's letter in writing within 10 school days of receipt. A governor who is the subject of the complaint would normally be advised of the situation immediately. However, if the complaint involves a child protection issue, child protection arrangements will come into force. If it cannot be resolved by the Chair, the complaint will be considered to be a Level 5 Formal Complaint and therefore will be considered by *Governors' Complaints Panel*. Complainants will be informed of the limited powers of such a committee in these circumstances. If the complaint is upheld or upheld in part, the committee may make recommendations to the *Governing Body*. If necessary the complaints panel may be composed of governors from another school.

10. VEXATIOUS COMPLAINTS

10.1 We recognize there will be times when despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the *Governing body* is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognized as vexatious and there will be no obligation on the part of the school to respond.

10.2 However, if a complainant raises an entirely new, separate complaint, it must be responded to in accordance with the complaints procedure. It is not the complainant who is vexatious; it is the correspondence.

11. EXCEPTIONS TO THE COMPLAINTS POLICY

11.1 The exceptions to this requirement are complaints relating to the Curriculum, Collective Worship and Religious Education, some Special Education Needs issues and Admissions where Local Authorities have statutory responsibilities. The Head Teacher can give information about this Curriculum complaints at Stage 5 are heard by the *Governing Body*. Appeals against *Governing body* decisions and procedures would be heard by the Secretary of State for Education.

11.2 There are certain other complaints which fall outside the remit of the *Governing Body's* Complaints Procedure.

- Staff grievances or disciplinary procedures.
- Allegations of abuse against a member of school staff must be reported to the Head Teacher immediately.
- Allegations of abuse against the Head Teacher must be reported to the Chair of Governors immediately and the Chair of Governors must contact the Local Authority Designated Officer for Child Protection.

- Any complaints concerning the conduct of school staff will be handled in accordance with the school's internal disciplinary process. The details of such an investigation will remain confidential.
- Whistleblowing: School has an internal Whistleblowing procedure for their employees and volunteers.
- Anonymous complains will not be investigated unless they are linked to child protection issues.
- Complains brought in excess of three months from the specific incident occurring or the source of a specific complaint arising will not be investigated.
- Complaints where the complainant persistently fails to attend meetings or follow due process as set out in this policy will not be investigated.

12. UNREASONABLE COMPLAINANTS

12.1 Stanbridge 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.

12.2 Stanbridge 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 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 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 the premises.

13. BARRING FROM SCHOOL PREMISES

13.1 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.

13.2 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 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. The parent's view should be put in writing and addressed to the Head Teacher within 5 working days.

13.3 If a parent writes to request the ban be reviewed, the Head Teacher should then review the decision taking into account any representations made by the parent, and the ban either confirmed or lifted.

13.4 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 Chair of Governors following stage 4 of this complaints policy. 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.

14. CONCLUSION

14.1 Everyone who is involved in your child's education work together to make sure that your child is happy and supported in their life at school. This procedure should make sure that your concerns are sorted out as quickly as possible and that you are satisfied with the school's reply.

15. Review procedures

15.1 The school's policy will be reviewed when:

- 2 years have elapsed.
- A new designated member of staff or Governor responsible has been appointed.
- There has been a significant change in staff, pupils or the law.
- The school wishes to review the policy.

**Rosemary Godwin
Head Teacher
July 2018**

This policy was ratified by the full governing body.

Date of Meeting:

Signed Chair of Governors.