



Wombridge Primary School

Complaints Policy.

Date: January 2016
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Complaints Policy

Taken from DfE "Best Practice Advice for School Complaints Procedures 2016" January 2016.

At Wombridge Primary School, we undertake to provide a friendly and safe environment in which pupils will be helped to achieve their full academic and social potential.

We recognise that things can sometimes go wrong and parents, carers and members of the public may need to raise concerns they have about the school. This policy sets out what should be done in these cases. There are special procedures for complaints regarding school admissions, exclusions and for complaints about religious education and religious worship, but all concerns about the school should first be raised informally - as set out below.

Our guiding principle is that we welcome feedback, even if the message may be uncomfortable for the school.

Informal Stage

We believe that most matters of concern should be resolved informally and quickly. Please raise the matter with your child's teacher or make an appointment to come into school to talk with a senior member of staff. This will allow you to discuss the issues. It is possible that your concern might be resolved at this stage. If you are not happy with the school's initial response you have the option of making a formal complaint; the school may also decide to refer your concern as a formal complaint.

Formal Procedure

Stage 1: complaint heard by headteacher

If the complainant is not satisfied with the outcome of the informal procedure then s/he may invoke the formal process. In the first instance the complainant will put in writing the nature of the complaint to the Headteacher. If the subject of the complaint is the Headteacher the complaint should be addressed in a sealed envelope marked confidential to the chair of governors.

Upon receipt of the complaint an investigation will be undertaken and the complainant be informed within 5 working days

- (a) the outcome of the investigation or
- (b) that further investigation is required which will take no longer than a further 5 working days.

If a complainant makes the first approach to a governor s/he should refer the complainant to the appropriate person and the school procedure. It is not appropriate at this stage for an individual governor to be involved in the process.

Stage 2: complaint heard by Chair of Governors

If the complainant is not satisfied with the response of the headteacher or the complaint is about the headteacher, the complainant should write to the Chair of Governors to request that their complaint is considered further.

This process and a report back to the complainant on the outcome of the complaint will be completed within 5 working days.

Stage 3: complaint heard by Governing Bodies Complaints Appeal Panel

If the complainant is still not satisfied with the outcome at the end of Stage 2, s/he may ask for the matter to be referred to the school's governing body Complaints Appeal Panel.

Whilst the difficulty of getting panels of the Governing Body together is acknowledged this process, including communicating the outcome to the complainant, should not normally take longer than 15 working days.

It is not appropriate for the full governing body to be involved at this stage as it would compromise the impartiality of any panel set up for a disciplinary hearing. The governing body can give delegated powers to this panel, which may consist of three or five members. If any members of the governing body have been previously involved in the complaint, in particular the Headteacher or Chair of Governors, they cannot be a member of the panel. The panel can choose their own chair.

The panel can:

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or part
- Decide on appropriate action to resolve the complaint
- Make recommendations to ensure that such, or similar problems do not occur again.

At each stage the person investigating the complaint should:

- 1 Clarify the nature of the complaint.
- 2 Establish what has happened and who has been involved.
- 3 Meet with the complainant or contact them.
- 4 Interview those involved in the matter allowing them to be accompanied if they wish by a trade union/professional association representative, workplace colleague or friend.
- 5 Conduct the interview with an open mind and without bias.
- 6 Ensure agreed notes are kept of the interview.

Policy for Unreasonable Complainants

Wombridge Primary 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.

Wombridge Primary 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 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 Wombridge Primary 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 Wombridge Primary School.

Banning 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 it remains a safe place for pupils, staff and other members of their community.

If an individual's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to an appeal hearing. If this decision is taken, schools are advised to always put it in writing and explain how the decision can be appealed. Schools should also give the individual the opportunity to formally express their views on the decision to ban in writing.

The decision should then be reviewed and either confirmed or lifted. If the decision is confirmed the individual should be notified in writing, explaining how long the ban will be in place.

Anyone wishing to complain about being banned can do so, by letter or email, to the headteacher or Chair of Governors. However complaints about banning cannot be escalated to the Department for Education. Once the school procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.