



# Complaints Policy – St Dunstan’s R.C. Primary School, Moston.

## 1. Introduction

1.1 We believe that our 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. However, the school is obliged to have procedures in place in case there are complaints by parents. The following policy sets out the procedure that the school follows in such cases, with the exception of those listed in Appendix 1 for which there are separate procedures.

## 2. Aims and objectives

2.1 Our 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.

## 3. The complaints process

### How to share a concern

3.1 If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter at a mutually convenient time with the child’s class teacher. Most matters or concern can be dealt with in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child’s progress. If a parent does not wish to approach the classroom teacher then they should make the Headteacher aware of their concerns as soon as possible.

### What to do if the matter is not resolved through informal discussion

3.2 Where a parent feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the headteacher. The headteacher considers any such concerns very seriously and investigates each case thoroughly. Most concerns are normally resolved at this stage. The Headteacher will consider the concern and respond to the parent within 2 weeks of date of the initial discussion.

### Sharing a concern about the headteacher

3.3 Should a parent have a concern about the headteacher, s/he should first make an informal approach to the Chair of Governors – Mrs Lynda Walker who is obliged to investigate it. The Chair of Governors will do all she can to resolve the issue through a dialogue with the school, but if a parent is unhappy with the outcome, s/he can make a formal complaint, as outlined below. If you wish to approach the Chair of Governors please advise a member of our office staff that you would like to speak to the Chair and she will arrange for Mrs Walker to contact you as soon as reasonably possible.

### How to take the matter further

3.4 Only if an informal concern fails to resolve the matter should a formal complaint be made to the governing body. This complaint must be made in writing (see Appendix 2), stating the nature of the complaint and how the school has handled it so far. The parent should write a letter of complaint and send it with a completed complaints form (see Appendix 3) to the Chair of Governors c/o the school, marking the envelope “Complaint”. Receipt of the letter will be acknowledged in writing.

The governing body of the school will consider all written complaints within three weeks of receipt. It will arrange for the Chair of Governors or a small panel of governors to discuss the complaint, and may invite the person making it to attend a meeting, so that s/he can explain the complaint in more detail. The school will give the parent at least three days' notice of such a meeting. If a meeting is not considered necessary at this stage a letter informing the parent of their decision will be sent.

3.5 If a meeting with the parent takes place, after hearing all the evidence, the Chair of Governors or small panel of governors will consider their decision and inform the parent about it in writing. The governors do all they can at this stage to resolve the complaint to the parent's satisfaction.

#### Who to appeal to next

3.6 If a complaint is still not resolved the parent can request a **formal hearing of the Appeals Committee** of the Governing Body by requesting this in writing to the Chair of Governors. The request for a formal hearing of the Appeals Committee must be made within 7 working days of receipt of the panel's letter of decision at 3.5 above. The formal Appeals Committee will sit within 5 working days of a request for an Appeal Committee hearing. See Appendix 2 (Formal Appeals Committee) for further details of the formal appeals process.

3.7 If the complaint is not resolved, a parent may make representation to the LEA. Further information about this process is available from the school office or from the LEA. A further meeting is chaired by an independent person, who considers all the evidence and makes a further judgement in an attempt to resolve the complaint.

3.8 If any parent is still not content that the complaint has been dealt with properly, then s/he is entitled to appeal to the Secretary of State for Education.

### **4. Monitoring and review**

4.1 The Headteacher has responsibility for the operation and management of the school's complaints policy.

4.2 The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The headteacher in her role as Complaint Co-Coordinator logs all complaints received by the school and records how they were resolved. Governors examine this log on an annual basis.

4.3 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.

### **5. Other relevant information**

#### 5.1 Framework of Principles

The main principles of St. Dunstan's complaints policy are:

- 5.1.1 To encourage resolution of problems by **informal** means wherever possible;
- 5.1.2 To be easily accessible and publicised;
- 5.1.3 To be **simple** to understand and use;
- 5.1.4 To be impartial;
- 5.1.5 To allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- 5.1.6 To ensure a full and **fair** investigation by an independent person where necessary;
- 5.1.7 To respect people's desire for **confidentiality**;
- 5.1.8 To address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;

#### 5.2 Investigating Complaints

The school's agreed policy is that the person investigating the concern/complaint should make sure that they:

- 5.2.1 establish **what** has happened so far, and **who** has been involved;
- 5.2.2 clarify the nature of the concern/complaint and what remains unresolved;
- 5.2.3 meet with the complainant or contact them (if unsure of facts or further information is considered necessary);
- 5.2.4 clarify what the complainant feels would resolve the issue;
- 5.2.5 interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- 5.2.6 conduct the interview with an open mind and consider all the issues thoroughly.
- 5.2.7 keep notes of the interview.

5.3 The school will endeavour to consider and resolve complaints, as quickly and efficiently as possible. The complaints policy has realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits may be set and the parent will be sent details of the new time limit and an explanation for the delay.

5.4 A panel or committee of governors considering a complaint will be clerked. The clerk will be the contact point for the parent and will be required to:

- 5.4.1 set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- 5.4.2 collate any written material and send it to the parties in advance of the hearing;
- 5.4.3 meet and welcome the parties as they arrive at the hearing;
- 5.4.4 record the proceedings;
- 5.4.5 notify all parties of the panel's decision.

## **6 The Role of the Chair of the Governing Body in complaints**

The Chair will:

- 6.1.1 check that the correct procedure has been followed;
- 6.1.2 if a hearing is appropriate, notify the clerk to arrange a small panel or a formal Appeals Committee meeting (as applicable);

## **7 Publicising the Complaints Procedure**

7.1 A copy will also be kept centrally in the policies folder in the school office. A copy of this policy will be made available to any parent upon request.

## **8 The Appeals Committee**

The Appeals Committee is the most formal school process of dealing with a complaint but will take the following points into account when hearing an appeal:

- The hearing to be 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.
- The complainant may question both the headteacher and the witnesses after each has spoken.
- The 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 panel decides on the issues.
- The chair of the Appeals Committee explains that both parties will hear from the Committee within a set time scale or may give the decision after deliberation (as considered appropriate).

St Dunstan's RC 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.

St Dunstan's RC 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 St

Dunstan's RC 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 St Dunstan's RC Primary School.

## Appendix 1 - Complaints not in scope of the procedure

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

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs (SEN)</li> <li>• School re-organisation proposals</li> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Concerns should be raised direct with local authorities (LA). For school admissions, it will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.</p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/schooldiscipline-exclusions/exclusions">www.gov.uk/schooldiscipline-exclusions/exclusions</a></p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> 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.</p>
<ul style="list-style-type: none"> <li>• Staff grievances and disciplinary procedures</li> </ul>	<p>These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities.</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.</p>

## Appendix 2

St Dunstan's RC Primary School ensure that they comply with their obligations under the Equality Act 2010. It is common practice to ask for complaints to be made by using a complaint form or in writing, however the complainant may have communication preferences due to disability or learning difficulties and we do allow alternative methods of contact in these circumstances:

- A complaint may be made in person, by telephone, or in writing;
- In order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls will be kept and a copy of any written response added to the record. Where there are communication difficulties, we may use recording devices to ensure the complainant is able to access and review the discussions at a later point;
- We will record the progress of the complaint and the final outcome. The headteacher is responsible for these records and holds them centrally.
- We are aware that complainants have a right to copies of these records under the Freedom of Information and Data Protection Acts.

Appendix 3

**Complaint form**

Please complete and return to the Headteacher or Mrs Lynda Walker (Chair of Governors) c/o the school who will acknowledge receipt and explain what action will be taken.

**Your name:**

**Pupil's name:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give details of your complaint.**

**What action, if any, have you already taken to try and resolve your complaint.  
(Who did you speak to and what was the response)?**

**What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**