



# **Southfield Primary School**

## **Concerns and Complaints Policy**

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### **Concerns and Complaints Procedure**

#### **Aim of this Procedure**

To help the school, parents/ carers and members of the general public resolve issues and disagreements in a fair and agreed manner.

#### **Areas Covered by the Procedure**

The procedure sets out arrangements to consider concerns and complaints about the delivery of the National Curriculum; Collective Worship / Reflection & Religious Education; charging for school activities; the provision of information for parents; the provision for children with special educational needs; provision for children with English as an additional language; and provision for 'More Able, Most Able and Talented' children.

It can also be used for concerns and complaints about matters such as: the organisation and management of the school; the site; the quality of teaching; relationships between pupils and staff, between parents and staff, and between pupils.

#### **Parental Concerns and Complaints**

At Southfield our aim is to take informal concerns seriously at the earliest stage. We have an 'open door' policy and hope that anyone feels able to raise issues of concern to them with the child's class teacher or other member of staff at the earliest opportunity. By taking parental concerns seriously and investigating issues thoroughly, we aim to reduce the number of concerns that become formal complaints.

#### **General public complaints**

At Southfield our aim is to take informal concerns seriously at the earliest stage. We have an 'open door' policy and hope that anyone feels able to raise issues of concern to them with a member of staff at the earliest opportunity.

## **Definition of a Concern**

A concern in this context can be defined as a matter relating to school that causes anxiety or uneasiness.

## **Definition of a Complaint**

A complaint can be defined as any expression of significant dissatisfaction with the service provided.

## **Outcome of Raising Concerns or Complaints**

At each stage in the procedure, a concern or complaint may be resolved by: an explanation but with no action taken; an explanation of the steps that have been taken in light of the concern/complaint; an apology; an admission that the situation could have been handled differently; an undertaking to review school policies in light of the concern/complaint.

In all cases, it is our aim that concerns and complaints can be resolved to everyone's satisfaction. We aim to deal with all concerns and complaints in a consistent way, respecting people's desire for confidentiality, ensuring a full and fair investigation by an independent person where necessary.

## **The Procedure**

### **Stage 1: Informal Concern/Complaint**

**Informal Discussion:** The school hopes that most concerns/complaints can be resolved to everyone's satisfaction informally whenever possible. Concerns and complaints at this stage can be made by informal discussions with the staff member concerned, including informal phone conversations, informal notes or letters, or informal emails.

**Stage 1** can also include informal communications with the Headteacher or Deputy Headteachers.

Anonymous concerns/complaints will be dealt with at the school's discretion, depending on the nature and seriousness of the concern/complaint.

**Timing:** We aim to deal with concerns and complaints promptly and thoroughly. Wherever possible, anyone should try to raise concerns with the school as soon as possible after an incident so that it can be dealt with effectively. Other than in emergencies, the best way to do this is by appointment made through the school office.

**Members of Staff:** Depending on the concern or complaint, issues can be raised with:

- The child's class teacher
- The 'Phase Leader'
- The Deputy Head teachers
- The Headteacher

In most cases, it is best to first speak directly with the member of staff involved. If you are unsure of who to contact, please ask at the School Office.

For parents and carers please note that before and after school, members of the school's leadership team are normally on duty in the playgrounds and are available to speak to parents if informal concerns arise.

**Recording Informal Concern / Complaints:** The school will note that an informal concern / complaint has been raised but record only the nature of the matter and the date.

**Conduct and Confidentiality** - Adults are asked not to discuss serious concerns or complaints in corridors or in the playground, to respect the confidentiality of those concerned. Adults are also asked to be good role models for children when discussing concerns/complaints with each other.

**Governor Role** - Members of the Governing Body are not expected to get involved with individual parental concerns / complaints at Stage 1, other than to advise parents/carers to refer to this policy and speak in the first instance to the child's class teacher, Phase Leader, the Deputy Headteacher or the Headteacher as appropriate.

**Outcome** - In most cases, staff will try to resolve informal concerns and complaints by meeting parents face-to-face, or where this is not possible, through telephone conversations or informal emails. Formal written responses from either side should be avoided if possible while the complaint/concern is still at the informal stage.

## **Stage 2: Formal Complaint**

**Formal Complaint:** If the disagreement cannot be resolved through informal means, or if the complaint is of a very serious nature (e.g. an allegation against a member of staff), anyone can bring the complaint to the attention of the school formally using a letter of complaint to be written to the Headteacher.

If the complaint is actually about the Headteacher, the complainant may want to address their concerns to the *Chair of Governors* (contacted via the school office).

At Stage 2, the complainant may be dissatisfied with the way the complaint was handled at Stage 1 as well as pursuing their initial concern/complaint.

**Timing:** The school will acknowledge the formal complaint within two school days. The matter will then be investigated and the complainant will receive a formal written response within five school days or, if the investigation is prolonged, a letter to advise them of progress made. The response will detail the decision reached and the reasons for it and any action taken or to be taken.

**Outcome:** The complainant will then be offered an opportunity to discuss the contents of the formal written response with the Headteacher. If the he / she is still unhappy with the outcome, she/he may want to progress to Stage 3 of this Procedure.

**Recording Formal Complaints:** The school will keep records of all complaints, including dates and details of complaints received, action taken and outcome. Where the complaint has been received by the *Chair of Governors*, the same procedure will be followed.

**Getting Advice:** Sometimes the school's attached link officer or other member of staff in the Local Authority (LA) can help resolve the complaint while it is still at this stage. However, the process of investigating the complaint itself is the responsibility of the school.

At Stage 2, the Chair of Governors will be informed by the Head that a complaint is in progress so that she/he can ensure that the above timetables are being adhered to and can chase any party holding up the procedures.

**Governor Role:** Individual Complaints would not be referred to by the whole Governing Body at any stage, as this could compromise the impartiality of any Complaints Appeal Panel set up in Stage 3.

**Monitoring Formal Complaints at Stage 2 and Stage 3:** The type and frequency of complaints received will be reviewed by the school's Leadership Team from time to time so that services can be improved. Individual records will remain confidential, and names and details of individuals involved will not be shared.

### **Stage 3: Formal Governing Body Complaints Panel**

**Complaints Panel:** In the event of the complainant still not being satisfied, s/he should put the complaint in writing formally to the Governing Body for consideration by a complaints panel which will be delegated the power to make a final decision on the complaint on behalf of the whole Governing Body.

Where it is not practicable for the complainant to submit a complaint in writing, then this complaint should be made verbally. Where appropriate, arrangements for interpreting should be made.

**Timing:** The complaints panel will be convened within six school weeks and will be made up of three governors who have not previously been involved with the complaint, do not know the complainant personally and have no other interest in the complaint. Staff or teacher governors will not normally be panel members.

Two weeks before the panel sits, both parties will submit written evidence. At the hearing, the panel will interview the Headteacher and the

complainant, both of whom are entitled to be accompanied by a 'friend' who can speak on their behalf. The panel will reach its decision within eight school days when the panel chair will notify the complainant, the Headteacher and the Chair of Governors of its decision.

A timetable and guidelines for Complaints Panel procedures are available separately and will be issued immediately to any complainant wishing to pursue a Stage 3 complaint.

**Outcome:** The decision of the Complaints Panel is final. If the complainant is still not satisfied s/he can take the matter to the Local Authority or the Secretary of State for Education, whose role would be to scrutinise the procedures followed by the school in investigating the complaint and make sure complainants' rights have not been compromised

### **Guidelines for Stage 3 Procedures**

Timescale after Stage 3 Complaint received:

**Within 3 school weeks** - a panel is set up and the date and conduct of the hearing is agreed and confirmed in writing.

**Within 6 school weeks** - panel sits and hears evidence addressed only to the original complaint. (All written evidence must be submitted by **10 school days** before the hearing when it is circulated to both parties and to panel members. The panel must be notified of any witnesses appearing at the hearing by **5 school days** before the hearing.)

**Within 2 weeks of hearing** -panel informs both parties of its decision in writing.

### **Plan and Conduct of Panel Hearing:**

1. Introduction by Chair of Panel
2. Complainant makes statement (not more than 20 minutes)
3. Headteacher makes statement (not more than 20 minutes)
4. Complainant and Headteacher questioned by panel but do not question each other except via the panel and at the panel's discretion. Either may be

accompanied by a 'friend' who may speak but should not be representing in an official capacity e.g. lawyer, union representative

5. Any witnesses notified to the panel by 5 school days beforehand, may be questioned

6. Headteacher makes final statement (not more than 5 minutes)

7. Complainant makes final statement (not more than 5 minutes)

8. Panel reaches its decision in private. It may ask for more evidence if it is required in order to reach a fair verdict.

9. Panel chair notifies the complainant, Headteacher and Chair of Governors in writing of its decision.

The total duration of hearing should be 1 - 2 hours plus a private session afterwards.

### **Unreasonable Complainants**

The school is committed to dealing with all concerns and 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.

Southfield 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 concern / 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 concerns / 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 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 banning an individual from the school.

## REVIEW OF POLICY

<b>Governing Body Sub Committee</b>	<b>Published</b>	<b>Review Date</b>	<b>Author</b>
<b>Full Governing Body</b>		<b>October 2018</b>	<b>Simon Prebble</b>
<b>Headteacher's Signature</b>			
<b>Chair of Governors Signature</b>			

