

Boughton Monchelsea Primary School

Complaints Policy



Draft Prepared	October 2016
Date Agreed	
Signed by Headteacher	
Signed (Chair of Governors)	
Date Policy to be Reviewed	October 2017

Introduction

Boughton Monchelsea Primary School is committed to providing the very best education for our young people and want our pupils to be healthy, happy and safe and to do well. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We are aware that there may be occasions where people have concerns or complaints and the following policy sets out the steps that should be followed in order to resolve these as quickly and informally as possible.

School Governing Bodies are required under Section 29 of the Education Act 2002 to have in place a procedure for dealing with complaints relating to the school, other than those covered by separate legislation and formal procedures and are covered by other policies and guidance. These include:

- Admissions
- Exclusions
- Special Educational Needs
- Staff Grievances / Discipline
- Child Protection
- Whistleblowing

It is expected that all complaints will be referred to the school in the first instance and that all stages will be pursued before considering a referral to the Secretary of State for Education (DfE Complaints Unit) if a complainant feels that their complaint has not been dealt with appropriately or remains unresolved.

Complainants are encouraged to follow through each stage of the procedure, as appropriate, in order to resolve their concerns.

Aims and Principles of the Policy

This policy aims to:

- Encourage the resolution of concerns and complaints by informal means wherever possible
- Ensure that concerns are dealt with quickly, fully and fairly within defined time limits wherever possible
- Provide effective and appropriate responses to concerns and complaints
- Maintain good relationships between the school and all those involved

Key principles of this policy are:

- **Accessibility** – the policy will be available on the school's website and also can be requested from the school office. It will be in a useable format, free from jargon and will assume no specialist knowledge

- **Good communication** – the school will be happy to explain the process for dealing with concerns and complaints
- **Timescales**- there will be clear timescales which the school will make every effort to adhere to. Where timescales have to change, we will ensure complainants are advised of the delay and reasons for this and are given clear revised timescales.
- **Clarity** – over roles and responsibilities of those involved in the process and clarity around the desired outcome for the complainant
- **Confidentiality**- appropriate confidentiality will be maintained by all those involved (including and school staff and governors).

The Governing Body will appropriately monitor the nature of the complaints received over each academic year to inform practice and potential improvements to procedures and policies within the school.

Positive relationships

At Boughton Monchelsea we have always had an ‘open-door’ approach and the good relationships with parents and families have proved extremely effective. It is expected that both home and school work hard to foster positive relationships so as to inspire positive attitudes to learning and to school in the children.

Because of these good relationships, concerns on either side are able to be raised and dealt with at the earliest possible stage, with the vast majority of concerns being resolved by informal discussions between parents and school staff.

Parents can approach their child’s class teacher with any concerns and they will attempt to resolve the issue as soon as possible. If appropriate the concern may be referred the Key Stage Leader or to the Head Teacher. If the issue cannot be resolved immediately parents will be contacted at the earliest opportunity with an outcome.

The Difference between a Concern and a Complaint

A ‘concern’ may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’. A complaint may be generally defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’.

We will make every effort to ensure that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. We will take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

There are occasions when complainants will want to raise their concerns

formally. In these cases, our formal procedure should be invoked through the stages outlined in our Complaints Procedure.

Formal Complaints

If they wish to do so parents have the right to make a formal complaint using the complaint form (Appendix 1). The complaint should be investigated according to the school complaint procedures.

At this stage the Head Teacher will investigate the complaint. If the Head Teacher has already been involved in looking at the matter then the complaint will be investigated alongside a member of the Leadership Team.

If the complaint is about the Head Teacher then the process moves to stage 2.

If the complaint is about a Governor, the Chair of Governors will address the complaint. If the complaint is about the Chair of Governors, it will be referred to a member of the Governing Body.

Upholding or not upholding complaints

At each stage of the complaints procedure the conclusion will be either:

- That the complaint is upheld (in part or in full) and where appropriate, some form of action is taken or recommendation made **OR**
- That the complaint is not upheld and reason(s) for this, where appropriate, are clearly given

The complainant may choose to take no further action or take their complaint to the next stage.

The Complaints Procedure

Appendix 2 of this policy identifies how the procedure will be carried out.

Social Media Complaints

Social media can be used to bypass our complaints procedure. A separate guidance document has been produced to provide a proactive approach to minimise such incidents and compile a quick response.

Unreasonable Complainants

Our 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. The 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'*.

Examples: 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 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 school premises.

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.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave the school premises. In serious cases, the Head Teacher or the local authority 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. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. 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 Head Teacher or Chair of Governors. 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.

Complaints Form

Appendix 1

Please complete and return to	
who will acknowledge receipt and explain what action will be taken	
Your Name	
Pupil's Name	
Your relationship to the Pupil	
Address	
Postcode	
Daytime Tel Number	
Evening Tel Number	
Please give details of your complaint here	
What actions, if any have you taken to try and resolve your complaint	
What actions do you feel might resolve the problem?	
Are you attaching any paperwork?	
Signature	
Date	
For Office Use only	
Date acknowledgement sent	By Whom
Complaint referred to:	Date:

Model Complaints Procedure Flowchart

