

EASTINGTON PRIMARY SCHOOL

COMPLAINTS POLICY AND PROCEDURE

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Complaints Policy and Procedure

It is a requirement of section 29 of the 2002 Education Act that all governing bodies have procedures in place to deal with all complaints relating to their school.

Definitions

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 generally be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’

General Principles

At Eastrington Primary School, our Complaints Procedure is based on the following principles: -

- all genuine complaints will be considered.
- we encourage resolution and closure of problems by informal means wherever possible.
- responsibility for dealing with general complaints lies with the school. If a complaint is made to an individual governor, whether in writing or verbally, the complaint will be passed to the head teacher.
- an anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- to enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 calendar months after the event being complained of, will not be considered. Complaints submitted beyond this time will not be considered except in exceptional circumstances.
- all complaints will be treated with a high degree of confidentiality by both school staff and any governors who may become involved. We ask the complainant to do likewise and request that any complaint is not broadcast to the school community/discussed with other parents at school.
- whilst we recognise that some complaints may relate to serious or upsetting incidents, we will not accept threatening or harassing behaviour towards any member of the school community (further information relating to vexatious complainants is included in Appendix B)
- our complaints policy and procedure is accessible to all via our school website. A copy can also be requested at the school office.
- the governing body will seek advice from the Local Authority with regard to any procedural matters as necessary.

- complaints will only be reconsidered by a Governors' Complaints panel if the complainant is dissatisfied with the procedure, not the outcome.

What does the school expect of any person wishing to raise a concern?

The school expects anyone who wishes to raise concerns with the school to:

- treat all members of the school community with courtesy and respect;
- respect the needs of pupils and staff within the school;
- avoid the use of violence, or threats of violence, towards people or property;
- recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
- follow the school's complaints procedure.

Raising a concern or complaint

1 Informal Stage

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment, requested via the school office. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved at this informal stage.

In the case of serious concerns, it may be appropriate to address them directly to the head teacher.

2 Formal Stage

If your concern or complaint is not resolved at the informal stage you may choose to put the complaint in writing and pass it to the head teacher, who will be responsible for ensuring that it is investigated appropriately.

If the complaint is about the head teacher your complaint should be addressed to the Chair of Governors. Complaints about the Chair of Governors or any individual governor should be made by writing to the Clerk of the Governing Body.

If you are uncertain about who to contact or have difficulties with written contact, please seek advice and alternative arrangements from the school office.

If you wish to raise a formal complaint you should fill in the form in Appendix A. You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

Please pass the completed form, ensuring that it has been signed and dated, in a sealed envelope to the school office. The envelope should be addressed to the head teacher, the chair of the governing body or to the Clerk to the Governing Body, as appropriate. Complaints via email will not be accepted.

It is possible that your complaint will be resolved through a meeting with the head teacher (or chair). If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedure. In any case you should learn in writing, usually within five school days of the school receiving your formal complaint, of how the school intends to proceed. This notification will include an indication of the anticipated timescale.

Any investigation will begin as soon as possible and when it has been concluded, you will be informed in writing of its conclusion. The aim will be to complete the investigation within 10 school days. If, during the investigation, it is found that it is likely to take longer you will be informed in writing.

3 Third Stage

If you are not satisfied with the manner in which the process has been followed, you may request that the governing body's complaints committee reviews the process followed by the school, in handling the complaint. Any such request must be made in writing to the Chair of the Governing Body, within ten school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The aim will be to complete this process within 10 school days. When it has been concluded, you will be informed in writing of its conclusion. If it is anticipated that it will take longer, you will be informed in writing by the Chair of the Complaints Committee.

4 Fourth Stage

For most complaints, the procedure ends with the governing body and there is no fourth stage of complaint. However, parents who remain dissatisfied have the right to complain to the Secretary of State at the Department for Education.

Please note that the Department for Education will only follow up your complaint with the school or the Local Authority if they believe either might have acted unreasonably or failed to carry out a statutory duty.

The school will aim to respond to any request relating to a complaint to the DfE within 15 school days.

Special Educational Needs

If your complaint is about the way that a school is providing for your child's Statement of Special Educational Needs, you do have a fourth stage of complaint to the Local Authority. In this case, you can write to the Director of Children, Family and Adult Services at the Local Authority, detailing your complaint.

Parents who remain dissatisfied following further investigation by the Local Authority have the right to complain to the Secretary of State.

The contact details for the Secretary of State are below –

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

The school will aim to respond to any request relating to a complaint to the Local Authority or the DfE within 15 school days.

If a complaint is received during a period of school holidays, the complaint will be investigated within 10 days of the new term commencing. If a complaint is received in the week before a period of school holidays, the Headteacher will write to the complainant informing them whether there is sufficient time to investigate the complaint before the end of term, or that the complaint will be investigated within 10 days of the new term commencing.

Appendix A

Eastrington Primary School Formal Complaint Form

Please complete this form, ensuring that it is signed and dated, then return it in a sealed envelope, via the school office, addressed to the head teacher (or the Chair of Governors or the Clerk to the Governing body as appropriate), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (e.g. parent of a pupil on the school roll):

Pupil's name (if relevant to your complaint):

Your address:

Telephone numbers:

Daytime:

Evening:

e-mail address:

Please give concise details of your complaint, (including dates, names of witnesses etc.), to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional documents, if you wish.

Number of additional pages attached =

Eastrington Primary School
Formal Complaint Form (contd...)

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

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

Signed Date

School use:
Date form received:
Received by:
Date acknowledgement sent:
Acknowledgement sent by:

Complaint referred to:

Date:

Appendix B

Eastrington Primary School Policy for Handling Unreasonably Persistent, Harassing or Abusive Complainants

The head teacher and governing body at Eastington School are fully committed to the improvement of our school. We welcome feedback and will always try to resolve any concerns as quickly as possible. The main body of this document details the procedure parents should use if they wish to make a formal complaint.

Sometimes, however, complainants pursuing complaints or other issues treat staff and others in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community.

The aim of this appendix is to provide information about our school policy on unreasonably persistent complainants or harassment of staff.

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.

What is harassment?

We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

Behaviour may fall within the scope of this policy if:

- it appears to be deliberately targeted at one or more members of school staff or others, without good cause;
- the way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has a significant and disproportionate adverse effect on the school community.

Schools' responses to unreasonably persistent complaints or harassment

In cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach;
- inform the complainant in writing that the school considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints/Harassment Policy;
- require all future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken;
- inform the complainant that, except in emergencies, the school will respond only to written communication and that these may be required to be channelled through the Local Authority.

Physical or verbal aggression

The governing body will not tolerate any form of physical or verbal aggression against members of the school community. If there is evidence of any such aggression the school may:

- ban the individual from entering the school site, with immediate effect;
- request an Anti-Social Behaviour Order (ASBO);
- prosecute under Anti-Harassment legislation;

- call the police to remove the individual from the premises, under powers provided by the Education Act 1996.

Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/Harassment Policy. The school nevertheless reserves the right not to respond to communications from individuals subject to the policy.

Appendix C

Dealing with complaints

