

## Complaints Policy

### **Our Vision:**

*To ensure that every child receives the highest quality education that is engaging, enriching and inclusive, in an environment that works hard to develop, support and care for all its members,*

*with people that foster mutual respect and encouragement*

*in accordance with*

*Christian Values.*

This policy has been written following the new guidance issued by Gloucestershire County Council in December 2011

### **General Principles:**

- This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances
- To allow for a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, the school will not consider any complaint that was raised more than 3 months after the event

### **Raising a concern or complaint**

#### **Informal Stage**

Parents are invited to raise a concern firstly with the class teacher or the head teacher if it is a whole school concern. This may be in person or by telephone or letter. The teacher or head teacher will respond either in person, by telephone or by letter. If this does not resolve the concern, the complainant will need to come into school to a meeting with the Head teacher and possibly the staff concerned.

Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

If you are uncertain about whom to contact, please seek advice from the school office or the Clerk to the Governing Body.

If the complainant has raised a concern or complaint with the Head Teacher and remains dissatisfied they should request a face to face meeting with the Head Teacher (or chair of Governing Body) to discuss the issue more fully before moving to the formal stage. The complainant may bring a friend or ask for a parent governor to accompany them to the meeting if they so wish.

## **Formal Stage**

If your concern is not resolved at the informal stage you must put the complaint in writing and pass it to the Head Teacher, (or to the Clerk to the Governing Body, for the attention of the Chair, if the complaint is about the Head Teacher) who will be responsible for ensuring that it is investigated appropriately. A Complaint Form is provided to help you.

You should include details that might help 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 about what you hope might reasonably contribute to a resolution of the problem at this stage. Without this, it is much more difficult to proceed.

Please pass the completed form, in a sealed envelope to the Head teacher or to the Clerk to the Governing Body, as appropriate.

The Head Teacher (or Chair) may invite you to a meeting to discuss your complaint and to seek a resolution. If you accept that invitation, a friend may accompany you if you wish to help you in explaining the nature of your complaint.

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 referred to the Chair of Governors. In any case, you should learn in writing, usually within 5 days of the school receiving your formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale.

The Chair of Governors may invite you to a further meeting to discuss your complaint and to seek a resolution. Again, if you accept that invitation, a friend may accompany you to help you explain the nature of your complaint. In any case, you should learn in writing, usually within 5 working days of the Chair of Governors receiving your formal complaint, of the outcome.

If you are not satisfied with the way in which the process has been followed, you can request that the governing body reviews the process followed by the school in handling the complaint. You must make this request in writing to the clerk to the governing body, within 10 school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed. A Review Request form is provided for your convenience.

The school will always investigate an allegation or a complaint thoroughly and responsibly, irrespective of whether the complaint appears to be trivial or serious.

### **Preparing for an Investigation**

On receipt of any formal complaint, the school will send a written acknowledgment and commitment to investigate the complaint and notify the complainant of the outcome of the investigation in due course.

Where necessary, the investigator will confirm the nature of the complaint with the complainant eg through an initial meeting to establish a clear understanding of the complaint. Any member of staff against whom a complaint has been made should be notified that a complaint has been received and that the appropriate school procedure will be followed. It is usually not appropriate to provide the member of staff with details of the evidence on which the complaint is based until any investigation has been completed. However, the member of staff does need to be able to understand the nature of any allegations against them.

Once the nature of any complaint has been established, the school needs to determine which procedure is most appropriate, and to select an appropriate person to conduct any investigation.

### **Conducting the investigation**

The investigation must be carried out in accordance with the provisions of the relevant procedure.

Arrangements should be agreed so that accurate notes can be taken of all interviews and the outcome of the investigation be accurately recorded.

The complainant should be given the opportunity to offer documentation and to identify potential witnesses or sources of evidence.

The member of staff subject to the complaint should be advised that they may be accompanied by a friend or trade union representative when invited to be interviewed.

Where children are potential witnesses, discretion should be exercised over their involvement. Children should only be interviewed when the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available. Only in extreme circumstances will younger children be interviewed.

Any interviews should be conducted as soon as possible to ensure that recollections are as fresh as possible and to minimise the possibility that evidence will become tainted through witnesses discussing alleged incidents with other persons.

In conducting interviews, the investigator should prepare the questions to be asked prior to the interview. These can always be supplemented during the interview. The investigator should allow the interviewee to answer in his/her own way. Their responses should be listened to attentively. The interviewee should be given the opportunity of providing other relevant information at the end of the interview.

Interviewees should, however, be advised that their responses must be confined to the substance of the complaint.

The investigator will not reach conclusions or pass judgement until the investigation has been completed and their report is being written.

### **Concluding the investigation**

The report may contain:

- a brief outline of the process that has been followed.
- a statement of the complaint/concern.
- a summary of the findings, linked to the relevant evidence.
- any recommendations for future action.
- appendixes containing copies of witness statements and other evidence collected during the investigation.

The report of the investigation will usually be confidential to the school, as it is likely to contain sensitive personal information. If a request is received to release the report, under either the Data Protection Act or Freedom of Information, the school can seek advice from the Information Management Service at Shire Hall - 01452 425071.

A summary of the process undertaken and the outcome of the investigation may be provided to the complainant. Caution must be exercised when reporting to the complainant as revealing certain details may prejudice the ability of an employee to continue in post.

Following consideration of the report by the relevant body, any final recommendations may also be shared with the parties, unless there is good reason not to do. Wherever possible, recommendations should be constructive and not punitive.

The complainant should be advised that he/she might, if he/she is not satisfied that the appropriate procedure has been followed, request a review of that process by the governing body.

### **Review Process**

A panel of three members of the governing body will conduct any review of the process followed by the school. This will usually take place within 10 school days of receipt of your request.

The governors on the review panel will normally consider written submissions, but will sympathetically consider any reasonable requests to make oral representations.

The panel will first receive written evidence from the complainant of perceived failures to follow the procedure.

The panel will then invite representatives of the school (Usually the Head Teacher or the Chair of the Governing Body panel that has considered the matter), as appropriate, to make a response to the complaint.

The panel may also have access to the records kept of the process followed.

You, and the school representatives, will be informed in writing of the outcome, usually within 5 school days of the panel meeting.

The matter will then be closed as far as the school is concerned.

If you believe that the Governing Body has acted illegally or arbitrarily in handling the complaint, then you may make representations to the Secretary of State for Education.

### **The Secretary of State**

**Department for Education**

**Sanctuary Buildings**

**Great Smith Street**

**London SW1P 3BT**

**Telephone: 0870 000 2288**

**Mitcheldean Endowed Primary School Complaint Form**

Please complete this form and return it to Head Teacher  
(or Clerk to the Governing Body), who will acknowledge its  
receipt and inform you of the next stage in the procedure.



Your name:	
Your Address:	
Daytime telephone number:	
Evening telephone number:	

Relationship with school eg parent of a child on the school's roll	
Child's name (if relevant to your complaint):	

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

What do you hope might reasonably contribute to a resolution of the problem at this stage?

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Signature:
Date:

<b>School use:</b>			
Received by:		Date	
Acknowledgement sent by:		Date	
Complaint referred to:			
Name		Date	
Name		Date	
Name		Date	

**Mitcheldean Endowed Primary School Complaint**

**Review Request Form**

Please complete this form and return it to Head Teacher  
(or Clerk to the Governing body), who will acknowledge its  
receipt and inform you of the next stage in the procedure.



Mitcheldean Endowed  
Primary School

Your name:	
Your Address:	
Daytime telephone number:	
Evening telephone number:	

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Dear Sir/Madam

I submitted a formal complaint to the school on

Date:

My complaint was submitted to

Name:

and I received a response from

Name:

on

Date:

I have attached copies of my formal complaint and of the responses from the school.

I am dissatisfied with the way in which the procedure was carried out because:

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

Number of additional pages attached	
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What do you hope might reasonably contribute to a resolution of the problem at this stage?

Signature:

Date:

**School use:**

Received by:

Date

Acknowledgement sent  
by:

Date

Complaint referred to:

Name

Date

Name

Date

Name

Date

## **School Policy for Handling Unreasonably Persistent, Harassing or Abusive**

### **Complainants**

The Head Teacher and Governing Body are fully committed to the improvement of our school. We welcome feedback and will always try to resolve any concerns as quickly as possible. There is a procedure for parents and other stakeholders to use if they wish to make a formal complaint.

Sometimes, however, individuals treat staff and others in a way that is unacceptable in the pursuit of complaints or other issues. 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 leaflet is to provide information about our school policy on unreasonably persistent complainants or harassment of staff.

### **What do we mean by ‘an unreasonably persistent complainant’?**

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

### **Unreasonable behaviour may include:**

Actions that are

- out of proportion to the nature of the complaint, or
- persistent – even when the complaints procedure has been exhausted, or
- personally harassing, or
- unjustifiably repetitious

An insistence on

- pursuing unjustified complaints and/or
- unrealistic outcomes to justified complaints
- pursuing justifiable complaints in an unreasonable manner eg using abusive or threatening language; or making complaints in public; or refusing to attend appointments to discuss the complaint

### **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.

### **What does the school expect of any person wishing to raise a complaint?**

The school expects anyone who wishes to raise a complaint with the school to:

- treat all members of the school community with courtesy and respect.
- respect the needs of children 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.

### **Schools' responses to unreasonably persistent complaints or harassment**

This policy is intended to be used in conjunction with the school's complaints procedure. Taken together, these documents set out how we will always seek to work with parents and other stakeholders with a legitimate complaint to resolve a difficulty.

However, 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 Governing body.

### **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.

## Useful addresses

### Area Education Officers

[www.gloucestershire.gov.uk/aeo](http://www.gloucestershire.gov.uk/aeo)

### Customer Feedback Officer – (log of complaints reported by complainants)

[www.gloucestershire.gov.uk/complaints](http://www.gloucestershire.gov.uk/complaints)

Children and Young People's Directorate,  
Shire Hall,  
Gloucester,  
GL1 2TP

### Governor Services – (advice and training for governors)

[www.gloucestershire.gov.uk/schoolsnet/governors](http://www.gloucestershire.gov.uk/schoolsnet/governors)

Shire Hall  
Westgate Street  
Gloucester  
GL1 2TPTel. 01452 425113. Fax. 01452 427297.  
E-mail [governor.services@gloucestershire.gov.uk](mailto:governor.services@gloucestershire.gov.uk)

### Ofsted

Enquiries  
National Business Unit  
Royal Exchange Buildings  
St Ann's Square  
Manchester  
M2 7LA  
Telephone: 08456 404045

### The Secretary of State

Department for Education  
Sanctuary Buildings  
Great Smith Street  
London SW1P 3BT  
Telephone: 0870 000 22881

# Flowchart - Summary of complaints procedures

Concern raised and heard by staff member

Issue not resolved

Issue resolved

End of process

Complaint heard by Head Teacher at a face to face meeting

Informal Processes

Formal Processes

**Complaint to Head Teacher or Chair of governors**

- Complainant invited to the meeting by letter

Issue resolved

End of process

Issue not resolved

**Complaint heard by Chair of Governors**

- Complainant invited to the meeting by letter
- Complainant informed of outcome of investigation in writing

Issue resolved

End of process

Complaint about processes followed

**Review by Governor's Complaint Panel**

- Complainant sent written acknowledgement of complaint
- Complainant sent letter confirming panel decision

Issue resolved

End of process

Issue not resolved

Complainant given details how to refer complaint to DfE or Ofsted

School based complaints officer informed of the outcome

