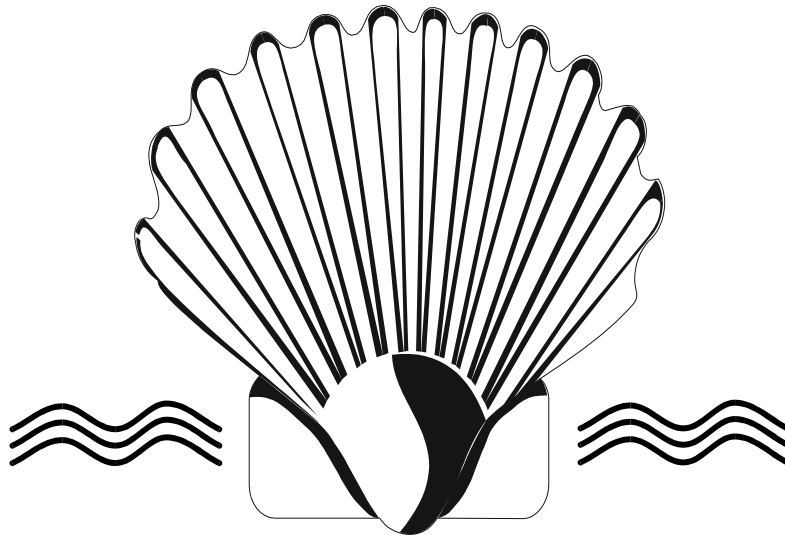


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DEEPING ST JAMES COMMUNITY PRIMARY SCHOOL



Complaints Policy

Deeping St James Community Primary School

Complaints by Parents – Procedures

In our school all staff are dedicated to giving all children the best possible education and caring properly for their health, safety and welfare at all times. We are committed to working closely with parents and believe that the school and parents must work together in partnership, each carrying out their particular responsibilities to help pupils gain the most from their time in school.

If you feel that something is not going quite as you would like it to, that we are doing something that you are unhappy with, or not doing something that you feel we should, please tell us about it.

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'*.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. We do take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns formally. In those cases, the school's formal procedure should be invoked through the stages outlined within this document.

Who can make a complaint?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions).

Below outlines the correct procedures for making a complaint.

The first step

Please arrange to discuss any concerns with your child's class teacher, or with the particular teacher concerned. We hope that most problems can be sorted out this way.

The second step

If, after speaking with your child's teacher, you do not feel that your complaint has been properly dealt with, then you need to discuss the matter with a member of our senior leadership team.

If you are still unhappy about the situation you raise the matter with the Headteacher, Mr Westley. In almost all cases we can sort things out satisfactorily this way.

The third step

After talking to the headteacher, unless the complaint is about the conduct of the head teacher, you make a formal written complaint to the head teacher. You will then receive a written response, or be invited into school to discuss your concerns within one week.

Taking matters further

If your complaint is about the conduct of the head teacher, or if you are dissatisfied with the head teacher's response to your formal complaint letter and want to take the matter further, then you can contact the school's governors.

You should send written details of your complaint, with any correspondence and evidence to support your complaint, to the Clerk to the Governors at the school address, marking your envelope 'Private and Confidential'. If, for some reason, you do not feel able to do this, you should contact the Clerk, via the

school, who will hear your concerns and help you to put together a written statement which you will be asked to sign.

Within two working weeks of the statement being received, the governors will investigate your complaint, through a complaints committee. This committee will consist of governors who have not been involved with the complaint in any way. You will be invited to submit evidence supporting your complaint. The Headteacher will also be asked to submit evidence. The committee will then meet to discuss the evidence and will make a decision. The Governors will then write to advise you of the outcome within one week of the meeting.

Complaints about Governors and their decisions

If your complaint is about the conduct of an individual governor, then you should refer the matter to the Clerk to Governors, as above, and it will be put to the Chair of Governors to look into and to respond to you (If it is about the Chair of Governors, then the Vice-Chair of Governors will do this).

The decision of the governors is usually final, but if you are dissatisfied with their response, or you believe that the governors have failed to follow agreed policies or procedures, you can refer your complaint to the Secretary of State for Education through the School Complaints Unit - see below.

The Role of the School Complaints Unit

If a complaint has completed the local procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State. The SCU will look at whether the complaints policy and any other relevant statutory policies were adhered to. The SCU also looks at whether statutory policies adhere to education legislation. However, the SCU will not normally re-investigate the substance of the complaint. This remains the responsibility of schools.

The SCU will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. If the SCU finds that the school has not handled a complaint in accordance with its procedure, we may request that the complaint is looked at again.

If legislative or policy breaches are found, the SCU will report them to the school and the complainant, and where necessary, ask for corrective action to be taken. The SCU normally also seeks written assurances as to future conduct. Failure to carry out remedial actions or provide written assurances could ultimately result in a formal Direction being issued by the Secretary of State in accordance with her powers under sections 496 and 497 of the Education Act 1996.

Schools may wish to contact the SCU for advice on whether they have acted reasonably; for example: in closing down a complaint from a serial complainant before the local procedure has been completed. However, the SCU will not be able to advise on how to resolve the complaint.

Further information can be obtained from the SCU by calling the National Helpline on **0370 000 2288** or going online at:

www.education.gov.uk/help/contactus

or by writing to:

Department for Education School Complaints Unit,
2nd Floor,
Piccadilly Gate Store Street,
Manchester,
M1 2WD.

Complaints not in scope of the procedure

The complaints procedure covers all complaints about any provision of facilities or services that a we provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to schools• Statutory assessments of Special Educational Needs (SEN)• School re-organisation proposals• Matters likely to require a Child Protection Investigation	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.
<ul style="list-style-type: none">• Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions .
<ul style="list-style-type: none">• Whistleblowing	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: whistleblowing@ofsted.gov.uk 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.
<ul style="list-style-type: none">• Staff grievances and disciplinary procedures	These matters will invoke the school's internal grievance procedures.
<ul style="list-style-type: none">• Complaints about services provided by other providers who may use school premises or facilities.	Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.

Deeping St James Community Primary School Policy for Unreasonable Complainants

Deeping St James Community 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.

Deeping St James Community 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 Deeping St James Community 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 the school grounds.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. We 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, the school can ask him/her to leave school premises. In serious cases, the headteacher 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. The parent has the opportunity to formally express their views on the decision to bar in writing.

The decision to bar will then be reviewed, taking into account any representations made by the parent and either confirmed or lifted. If the decision is confirmed the parent will 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 headteacher 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.