

Maple Primary School



Complaints Policy

2018/19

Reviewed: September 2018
Next Review: Autumn 2019.

MAPLE PRIMARY SCHOOL **GENERAL COMPLAINTS PROCEDURE**

Aim

To explain the procedures used by the school for dealing with complaints, problems or worries from all sections of the school community, as approved by the Governing Body.

Rationale

When dealing with all complaints, problems and worries the school will respect confidentiality and endeavour to be approachable, thorough and fair. It will keep all interested parties informed of any relevant developments, findings and decisions.

General Advice

It is important for any party who has a particular concern to let the school know at an early stage so that the issue can be dealt with fairly, quickly and informally; thereby preventing the need to make a formal complaint. Most problems can be resolved in this way. In the event of a formal complaint the school will follow this policy and guidance notes (DfES and Hertfordshire Local Authority).

Contact can be made either by telephone, letter, email or in person. When contacting members of staff for a personal discussion, please do so through the School Office or direct with the class teacher. With full teaching commitments, it may be difficult for the staff to see people at short notice and during lesson times. It is helpful if the staff are given an outline of what the meeting will be about, so that they can gather any relevant information available.

Filmed or recorded meetings / conversations / incidents which are made without the prior consent of all parties involved, will not be accepted as evidence in the event of a complaint being made.

Timescale

Complaints need to be considered and resolved as quickly and efficiently as possible.

A complaint must be raised within 3 months of the event/s being complained of. If a Formal Complaint is not raised within the 3-month time limit, the circumstances it relates to will not be considered, unless the complainant considers there are exceptional circumstances for the delay. In such a case an application to consider the complaint may be made to the Chair of Governors.

The Governors will not consider a complaint relating to a child who is no longer on the school's roll.

Procedures for Dealing with Complaints from Parents

If a parent/guardian has a complaint, problem or worry related to an aspect of school, they should be encouraged to take the following steps:

1. Arrange a meeting with the class teacher at a mutually convenient time, if relevant to the issue, where the problem can be dealt with at first hand. The class teacher should inform the Headteacher of the meeting as a matter of courtesy, observing confidentiality where necessary.
2. If the problem does not seem to be addressed and the parent/guardian still has concerns, then a meeting with the Headteacher should be arranged as soon as possible. The Headteacher will liaise with any staff as necessary and may ask another member of staff to be present (e.g. SEN Co-ordinator), depending on the nature of the concern, in order to solve the problem as fairly and quickly as possible.
3. If the parent/guardian is still unhappy then he/she should contact the Chair of Governors (via the School Office) to request an **informal** meeting. If the complaint concerns the Headteacher or an individual governor, the above procedure should also be followed. The Chair of Governors will meet with the parent/guardian informally and will try to resolve the problem.
4. Following an informal meeting with the Chair of Governors any unresolved issues may be investigated further, through the Formal Complaints Procedure – Stage 2.
5. At Maple Primary we believe in a non adversarial approach to hearing complaints. If the complaint cannot be resolved and moves to Stage 2 an independent complaints panel will be formed to hear the complaint. The Panel will consist of 3 members of the Governing Body, who have not been involved in hearing details of the complaint. Members of staff who are on the Governing Body cannot sit on the panel. The complainant and the respondent will give evidence to the Panel separately.

The complainant must put the complaint in writing to the Chair of Governors on the appropriate form, which is attached to this policy document. The complainant must decide who they want to call to the panel hearing and what evidence, in the form of witness statements they want included. This must be done 10 school days before the hearing date. The complainant/parent cannot insist that a witness attends.

The witnesses and the papers for the hearing will be agreed, by the Complaints Panel, at least 6 school days before the hearing date. All parties will receive the papers 5 school days in advance of the hearing. A clerk will be appointed to minute the hearing.

If the complainant has difficulty expressing themselves in written English, a member of the administrative or support staff or a governor (providing they are not connected with the matter being complained of in any way) will assist with the completion of the Complaint Form, if required.

6. Most complaints are resolved by this process. Should a complaint not be resolved, a further option is to move to Stage 3.

This can be done by contacting - The Secretary of State for Education, Department of Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

If the complaint concerns SEN provision the contact is - The Complaints Team, County Hall, Hertford, Herts. SG13 8DF

7. Further recourse must occur within 20 school days of the findings being communicated to the complainant.

Vexatious Complaints and unreasonable behaviour.

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

- Treat all members of the school community with respect and courtesy
- Respect all the needs of pupils and staff within the school
- Avoid violence, or threats of violence, towards people or property
- Follow the school's complaints procedure

Unreasonable behaviour may include:

Actions which are ...

- out of proportion to the nature of the complaint
- persistent even when the complaints procedure has been exhausted
- personally harassing

An insistence on

- pursuing unjustified complaints
- unrealistic outcomes to justified complaints
- making complaints in public or via a social networking sites such as Facebook
- refusing to attend appointments to discuss the complaint

In cases of unreasonably persistent complaints or harassment, the school may take some 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.
- Require all future meetings with a member of staff to be conducted with a second person/ member of staff present. In the interests of all parties, notes of these meetings may be taken.
- Inform the complainant/parent that, except in emergencies, the school will respond only to written communication and that they may be required to go through the Local Authority.

Procedures for Dealing with Complaints from Pupils

If pupils have a complaint, problem or worry related to any aspect of school, they should be encouraged to take any of the following steps:

1. Talk to their parent/guardian who can then approach the school on their behalf as outlined above.

2. Talk to their class teacher who will be able to deal with the issue at first hand. The class teacher should inform the Headteacher and other staff, if appropriate, as a matter of courtesy, providing confidentiality is not broken. In the case of a safeguarding issue confidentiality may be broken. The school will follow guidelines set out in its Safeguarding/Child Protection policies.

3. Talk to the Headteacher who can then liaise with all parties involved to solve the problem quickly.

4. Talk to a member of staff who they feel able to approach and this member of staff can then approach the Headteacher or class teacher on their behalf.

5. Talk to a friend who can then approach the Headteacher or member of staff on their behalf.

Procedure for Dealing with Complaints from Staff

If members of staff, teaching or non-teaching, have a complaint, problem or worry related to an aspect of school, they should be encouraged to take the following steps:

1. Arrange a meeting with the Headteacher to discuss the issue, as soon as possible, so that it can be dealt with fairly and quickly in an appropriate manner.

2. If the issue is felt by the Headteacher to be of significance to the Governing Body, then the Headteacher will notify the Chair of Governors in the first instance and appropriate action will then be taken. The member of staff must consent to the issue being taken to the Governing Body.

3. If it is an issue relating to the Governing Body, or an individual governor, then the Headteacher will inform the Chair and/or the Vice Chair of Governors, who will take the appropriate action to resolve the problem.

4. If it is an issue relating to the Headteacher, then the member of staff should first speak informally to the Deputy Headteacher, if appropriate. If the issue remains unresolved, the member of staff should then contact the Chair of Governors.

Procedures for Dealing with Complaints from the Wider Community

If members of the wider community have a complaint, problem or worry related to an aspect of school, they should be encouraged by whomever they approach to contact the Headteacher to discuss the matter. The Headteacher will seek to resolve this matter, after consultation with all relevant parties as appropriate. If the matter is not resolved after this first stage, a further meeting should be arranged with the Headteacher and, if necessary, the Chair of Governors, to discuss the issue further.

Procedures for Dealing with Complaints from Governors

If members of the Governing Body have a complaint, problem or worry related to an aspect of the school, they should be encouraged to take the following steps:

1. Take the opportunity at the Full Governing Body meetings, or Committee meetings, to voice their concerns so that issues can be dealt with openly and quickly.
2. If the issue is of a more sensitive nature, then they should approach the Chair and/or Vice Chair of Governors, who will take any necessary action to resolve the problem.

Complaints regarding compliance with General Data Protection Regulation (GDPR) legislation.

All schools are Data Controllers for the purposes of the General Data Protection Regulation ("GDPR"). Should the school receive a complaint concerning GDPR compliance, the written complaint should be forwarded to the Data Protection Officer (DPO) who will investigate the complaint and report back to the Head Teacher and complainant. If a breach is found to have taken place, the DPO will instigate the process to inform the Information Commissioner's Office (ICO).

The above procedures, do not replace any correct and agreed procedures set out in other school policies e.g. Staff Disciplinary and Grievance Policies, Whistleblowing Policy.

Complaints not within the scope of the procedure:

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 	<p>Concerns should be raised direct with local authorities (LA).</p> <p>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.</p>
<ul style="list-style-type: none"> • Exclusion of children from school 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/schooldiscipline-exclusions/exclusions .</p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>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:</p> <p>WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD.</p> <p>The Department for Education is also a prescribed body for whistleblowing in education.</p>
<ul style="list-style-type: none"> • Staff grievances and disciplinary procedures 	<p>These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities. 	<p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.</p>

Taken from the Department of Education 'Best Practice Advice for School Complaints Procedures 2016'

Guide to the Complaints Procedure

<p>Initial concern</p>	<p>Speak to the Class teacher</p>
<p>Stage 1</p>	<p>If not resolved at this stage, consider contacting the Headteacher to arrange a meeting to discuss the concern. The inclusion co-ordinator should attend if the matter concerns SEN. If not resolved....</p> <p>Request an informal meeting with the Chair of Governors.</p> <p>If the matter concerns the Headteacher, request an informal meeting with the Chair of Governors.</p> <p>All parties should seek to find a resolution</p>
<p>Stage 2 FORMAL</p>	<p>If unresolved, consider whether to move to a formal complaint. A formal complaint, must be put in writing to the Chair of Governors.</p> <p>The form, attached to this policy, must be completed by the complainant.</p> <p>A Panel will be convened to hear the complaint.</p> <p>The findings will be communicated to the complainant in writing.</p> <p>This is the end of the matter as far as the school is concerned.</p>
<p>Stage 3</p>	<p>For further recourse, a parent/complainant can contact: The Secretary of State for Education, Sanctuary Buildings, Bridge St, London. SW1P 3BT.*</p> <p>Or If SEN: The Complaints Team, County Hall, Hertford, Herts. SG13 8DF *</p> <p>* This must be done within 20 school days of receipt of the findings from the Complainants Panel.</p>

Maple Primary School - Complaint form

Please complete and return to the Chair of the Governing Body, who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Email address:

Please give details of your complaint.

**What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?**

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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: