



Ashleworth CE Primary School

Complaints Policy

Approved by:	Full Governing Body
Date:	22 May 2023
Next review due by:	May 2025

Complaints Policy Of Ashleworth CE Primary School

Under Section 29 of Education Act 2002 governing bodies of maintained schools are required to establish a general complaints procedure.

1. Introduction

Our objective is to provide a secure, calm and welcoming environment for pupils and staff. We recognise that these aspirations can only be achieved by the wholehearted commitment and support of the whole school community. Occasionally, situations will occur which prevent the fulfilment of those aims and give cause for complaint. In order to bring any such occurrences to a speedy and satisfactory conclusion, the school has adopted this Complaints Procedure. It is important that complaints are raised at the earliest possible opportunity to enable the matter to be dealt with speedily and effectively. An early informal approach is often the best means of resolution of minor problems. The Department for Education expect complaints to be made at the earliest opportunity and consider 3 months to be an acceptable timeframe to lodge a complaint.

Ashleworth CE Primary School endeavours to provide the best education possible for all of its pupils in an open and transparent environment. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised the school intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without Prejudice

In order to do so the Governing Body has approved the following procedure which explains what you should do if you have any concerns about the school. All members of staff will be familiar with the procedure and will be able to assist you.

2. Safeguarding

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy.

3. The Complaints Procedure

General Principles:

- This procedure is intended to allow parents, carers and other stakeholders 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 may not consider any complaint raised more than 3 months after the event.

Concern:

A concern can be defined as an expression of a worry about possible danger or apparent failure in respect of the school. A matter should be viewed as a concern if it is capable of being resolved locally and does not require a formal response.

(All concerns will be dealt with confidentially, although the staff member may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 1998. However, such notes would be able to be used to as evidence if further investigation was required, or if the concern became a formal complaint.)

Complaint:

A complaint can be defined as an expression of dissatisfaction with the school. It requires a formal response. The school will deal with any matter as a complaint when the person raising the matter requests the matter to be dealt with as a formal complaint or when informal attempts to deal with the concern have been exhausted and the person who raised the concern remains dissatisfied.

Stage 1 –

Informal Procedure

In the vast majority of cases a problem can and should be resolved by contacting the class teacher. The initial communication with the member of staff may be by email, telephone conversation or in person by appointment. Where this action does not lead to the problem being resolved then the complaint should be dealt with through the formal stages of this procedure.

If a complainant is concerned about anything to do with the school or the services it provides they should, in the first instance, discuss the matter with their child's class teacher, or the Head Teacher if the concern is about the teacher.

Should a complainant have a concern about the Head Teacher, s/he should first make an informal approach to the Chair of Governors.

Procedure for dealing with concerns

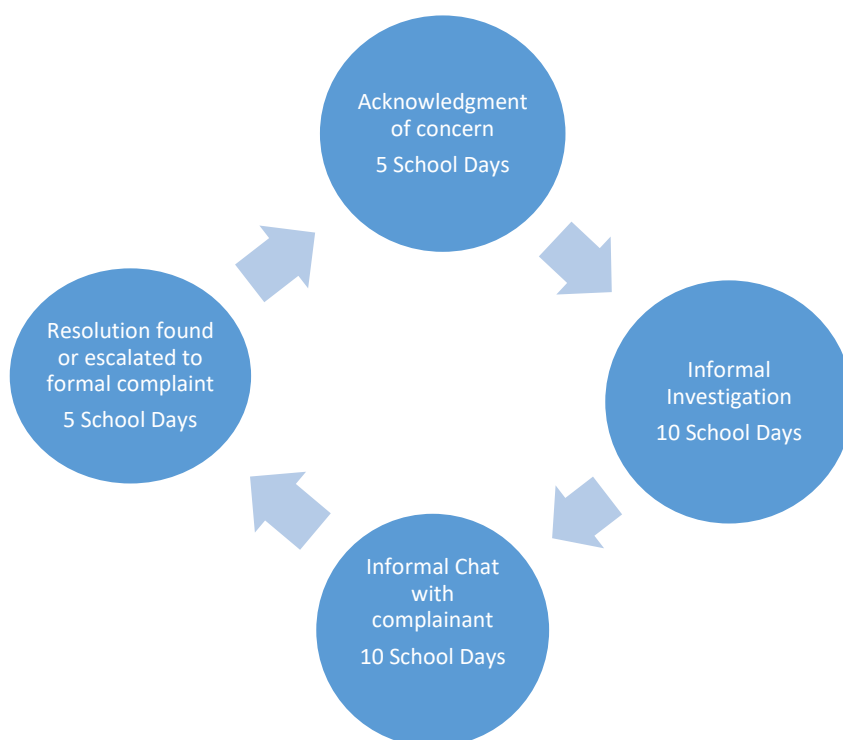
The teacher, Head Teacher or Chair will endeavour to resolve the concern informally, during the course of which investigation they may invite a third party in to observe any relevant meetings. The member of staff against whom the complaint has been made will be kept fully informed of the content of the complaint and will be given an opportunity to explain their actions.

During this period the parent will be regularly updated as to the progress of the investigation.

What to do if the matter is not resolved through informal discussion:

Where a complainant feels that a situation has not been resolved or that their concern is of a sufficiently serious nature a formal complaint should be made in writing, using the attached form, addressed to: the Head Teacher if a member of staff is involved: the Chair of Governors if the Head Teacher or a Governor is involved.

Timeline for Informal Procedure:



Ashleworth CE Primary School will endeavour to abide by the timeframes indicated for each stage but acknowledges that in some circumstances, this is not always possible due to the complexity of information needed to review a complaint or difficulties regarding individual's availability to deal with the complaint, for example. If it becomes apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the individual responsible for handling the complaint will contact the complainant as soon as possible and come to an agreed timeframe that works for all parties involved.

Stage 2 - Formal Procedure

How to take the matter further:

If the concern is not resolved at the informal stage a complainant must put the complaint in writing and pass it to the Head Teacher, (or to office, 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.

Please use the Complaint Form attached.

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

The Head Teacher (or Chair) may invite the complainant to a meeting to discuss the complaint and to seek a resolution. If the parent accepts that invitation, s/he may be accompanied by a friend, if they wish, to support them in explaining the nature of the complaint.

It is possible that the 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 the complainant should be informed in writing, usually within 10 school days of the school receiving the formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale.

The Chair of Governors will convene a panel consisting of three other governors who will look at the information provided by the complainant. Then the Chair of panel will invite the complainant to a meeting to discuss the resolution agreed by the committee. Again, if the complainant accepts that invitation, a friend may accompany them.

In any case, the complainant will be informed in writing, usually within 20 school days of the Chair of the committee receiving the formal complaint, of the outcome of the investigation.

The panel can:

- Dismiss the complaint in whole or in part;

- Uphold the complaint in whole or in part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Stage 3

If the complainant has completed stage 1 and stage 2 and remains dissatisfied then they have the right to refer the complaint to the Secretary of State (address below). 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.

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:

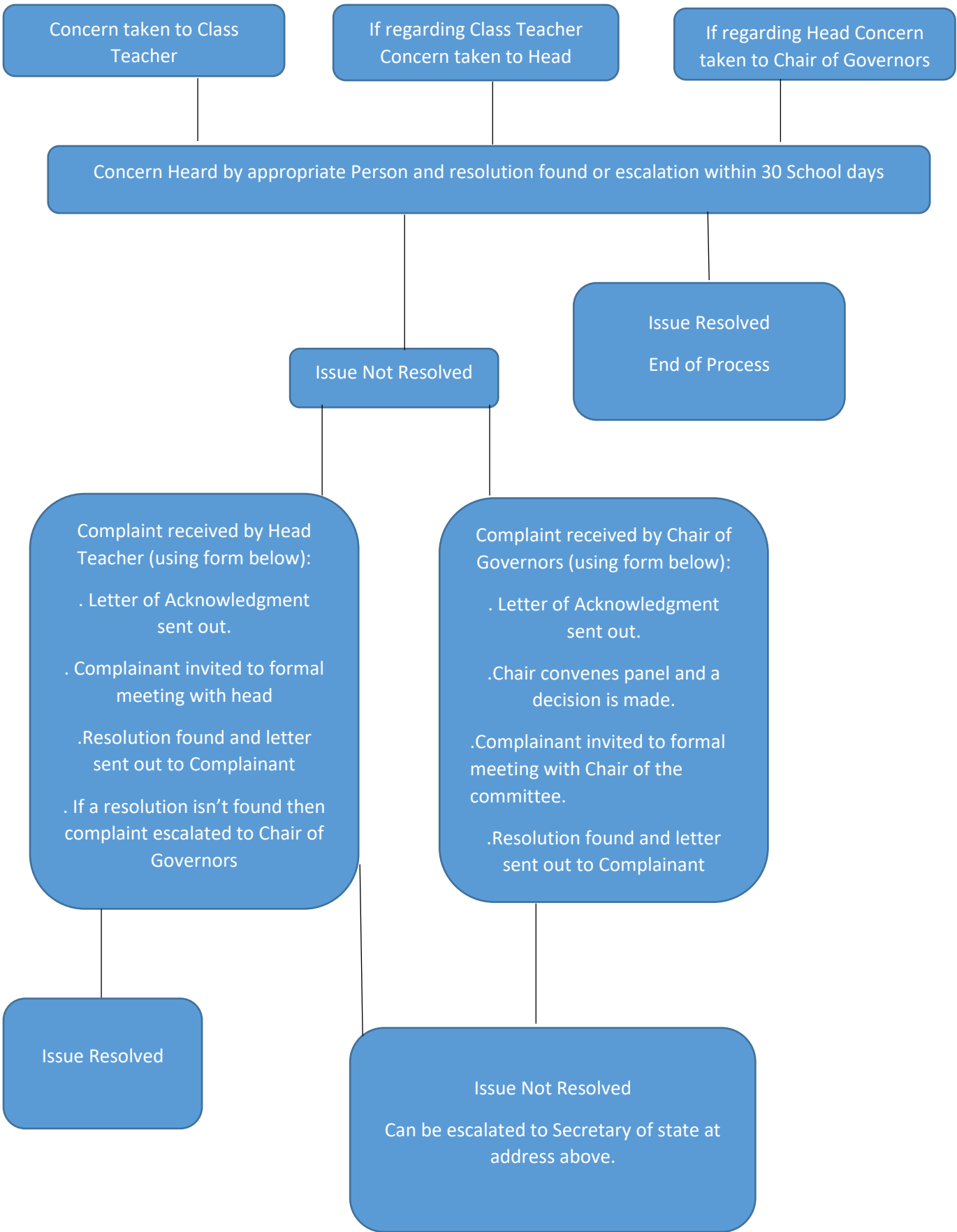
Department for Education
School Complaints Unit
2ndFloor, Piccadilly Gate
Store Street
Manchester
M1 2WD

Equalities.

This policy has been written to take into account the needs of all regardless of age, disability, race, religion, belief and gender.

In respect of adults this list also includes gender reassignment, marriage & civil partnership, pregnancy, maternity or paternity and sexual orientation.

Concerns and Complaints Flow Chart



Dealing with unreasonable, serial, persistent complaints

Ashleworth CE 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.

Ashleworth CE Primary School defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school 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 against the complaint. 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 Ashleworth CE 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 barring an individual from Ashleworth CE Primary School.

Complainants who Behave in an Unacceptable Way

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 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.

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 headteacher or Chair of Governors.

Please complete this form and return it to Head teacher (or in an envelope addressed to the Chair Of Governors), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your Name	
Your Address	
Telephone Number	
Email	

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

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:

What action, if any, have you already taken to try to resolve your complaint? (ie 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?

Signature:

Date