

## Beddington Infants' School Policy and Procedure for Complaints



### Introduction

In accordance with Section 29 of the Education Act 2002, all local authority (LA) maintained schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides. This procedure for Beddington Infants' School was based on good practice examples, and approved by the Headteacher and Chair of Governors in consultation with governors, including parent governors, and staff.

This complaints procedures should cover all complaints about any provision of facilities or services that the school provides with the exception of those listed below, for which there are separate (statutory) procedures.

- Admissions
- School re-organisation
- Matters likely to require a Child Protection Investigation
- Exclusions
- Statutory Assessments of Special Educational Needs
- Staff Grievances or disciplinary procedures
- Whistleblowing
- Complaints about services provided by other providers who may use the school premises or facilities

Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy.

Such complaints should first be made to the class teacher. If the concern continues the complaint should be shared with the Assistant Head, responsible for Inclusion followed by the Headteacher. If this cannot be resolved they will then be referred to this complaints policy. Our Additional Rights Policy (formerly Special Educational Needs and Inclusion Policy) includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

### **The difference between a Concern or 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. As a School we take all informal concerns seriously and make every effort to resolve the matter as quickly as possible. We actively encourage Parents/Carers to talk to us at the earliest moment when a concern arises. There are occasions when Parents/Carers would like to raise their concerns formally. In those cases, this formal procedure should be followed.

### **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). Schools must not limit complaints to parents or carers of children that are registered at the school.

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

- Informal Stage

Parents/Carers are encouraged to raise concerns by contacting their child's class teacher or the Headteacher.

This should be in person, phone, letter or email via the school office. (020 86477813 or [office@beddingtoninfants.org.uk](mailto:office@beddingtoninfants.org.uk))

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.

If your complaint remains unresolved, it should be raised with the Headteacher [or to the Chair of Governors, if the complaint is about the Headteacher] to investigate and respond to you.

In the case of serious concerns it may be appropriate to address them directly to the Headteacher [or to the Chair of Governors, if the complaint is about the Headteacher].

The school will give a prompt feedback in response to any complaint received. If you are uncertain about who to contact, please seek advice from the school office or the Clerk to the governing body.

- Formal Stage

If your concern or complaint is not resolved at the informal stage you must put the complaint in writing and pass it to the Headteacher, [or to the Clerk to the governing body, for the attention of

the Chair, if the complaint is about the Headteacher] who will be responsible for ensuring that it is investigated appropriately.

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. You may choose to use the Formal Complaints Form in Appendix A.

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 paperwork, in a sealed envelope to the Headteacher or to the Clerk to the governing body, as appropriate.

The Headteacher [or Chair] may invite you to a meeting to clarify your concerns and to seek an informal resolution. If you accept that invitation, you may be accompanied, by a friend (not a member of the legal profession or the media) if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the Headteacher [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 10 working days of the school receiving your formal complaint, how the school intends to proceed. This notification should 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.

If you are not happy with the response provided by the Headteacher [or Chair to Governors] the complaint can be referred to the governing body for review. Any such request must be made 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.

- Review Process

Any review of the process followed by the school or of the investigation of the complaint will be conducted by a panel of 3 members of the governing body. This will usually take place within 10 school days of receipt of your request.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

The panel will first receive written evidence from the complainant. The panel will then invite representatives of the school [usually the Headteacher 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 representative[s], will be informed in writing of the outcome, usually within 5 school days of the panel meeting.

For most complaints the decision of the governors is the last step in the procedure.

- The Secretary of State

If you are not satisfied with the response from the governing body you can contact the Secretary of State for Education via the DFE Helpline on 0370 000 2288 5

### **Recording Complaints**

Although it is common practice to request formal complaints be in a written form we are aware that Parents/Carers can make their complaint in the form of their choice (e.g. verbal, written electronic). (Equality Act 2010).

However in order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls will be kept and a copy of any written response added to the record. A record of the progress of the complaint and the final outcome will be stored by the school. The headteacher or complaints co-ordinator is responsible for these records and holds them centrally.

### **Unreasonable Complainants**

Beddington Infants' 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.

Beddington Infants' 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.

Parents/Carers 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 Parents/Carers 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 Beddington Infants' 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 site.

### **Barring from the School Premises**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. As a school we will therefore act to ensure they remain a safe place for children, staff and other members of their community.

If a parent/carer'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/carer 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/carer 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. 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.

### **Governing Body Review**

Complaints should not be shared with the whole governing body, except in very general terms, in case an appeal panel needs to be organised;

If the whole governing body is aware of the substance of a complaint before the final stage has been completed, schools should arrange for an independent panel to hear the complaint. The school may approach a different school to ask for help or the local Governor Services team at the LA, or the Diocese;

Parents/Carers/Complainants have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. Beddington Infants' School Governors should consider the request but ultimately, the decision is made by the governors.

The process of listening to and resolving complaints contributes to school improvement. The monitoring and review of complaints is a useful tool in evaluating the school's performance.

The governing Body will review the complaints procedure every two years, as stated on the policy. The Governors will also review this procedure in light of any new guidance issued by the Department for Education or legislative changes as appropriate.

Policy agreed March 2018

Review due March 2020



## Appendix A - Formal Complaints Form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken			
Your Name	Your relationship to the Child		
Child's Name	Child's Class		
Address			
Postcode			
Daytime Tel Number	Evening Tel Number		
Please give details of your complaint here			
What actions, if any have you already taken to try and resolve your complaint			
What actions do you feel might resolve the problem?			
Are you attaching any paperwork?    YES/NO			
Signature		Date	
<b>For Office Use only</b>			
Date acknowledgement sent:		By Whom:	
Complaint referred to:		Date:	