Leamington Community Primary School

Together we make a Difference

Complaints Policy






Completed by: Mr. P Vine
Date Issued: 22nd January 2023
Approved by Governors: 1st February 2024
Review Date: 1st February 2025

Courage Determination Friendship Honesty Respect

Leamington Community Primary School: Complaints Policy

Introduction:

We believe that our school provides a good education for all our children, and that the Headteacher and other staff work extremely hard to build positive relationships with all parents/carers. However, the school is obliged to have procedures in place in case there are complaints by parents/carers.

The following policy sets out the procedure that the school follows in such cases:

- If any parent is unhappy with the education that their child is receiving, or has any concern relating to the school, we encourage that person to talk to the child's class teacher immediately.
- We deal with all complaints in accordance with procedures set out by the LA. If the school cannot resolve any complaint itself, those concerned can ask the LA to intervene.
- All parents have the right, as a last resort, to appeal to the Secretary of State for Education, if they still feel that their complaint has not been properly addressed.

Aims and Objectives:

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved. When dealing with complaints we aim to:

- Be impartial and non-adversarial;
- Facilitate a full and fair investigation by an independent person or panel, where necessary;
- Address all the points at issue and provide an effective and prompt response;
- Respect complainants' desire for confidentiality;
- Treat complainants with respect and courtesy;
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law;
- Keep complainants informed of the progress of the complaints process;
- Consider how the complaint can feed into school improvement evaluation processes.

Legislation and Guidance:

This document meets the requirements of section 29 of the Education Act 2002, which states that 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. It is also based on guidance for schools on complaints procedures from the Department for Education (DfE), including the model procedure, and model procedure for dealing with unreasonable complaints.

In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

Roles and Responsibilities:

The complainant:

The complainant will get a more effective and timely response to their complaint if they:

- Follow the informal and formal procedures set out in this policy (see below);
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly;
- Ask for assistance as needed;
- Treat all those involved with respect;
- Not publish details about the complaint on social media.

The investigator:

Dependent on the stage of the complaint process (see below), an individual will be appointed to look into the complaint. They will:

- Interview all relevant parties, keeping notes;
- Consider records and any written evidence and keep these securely;
- Prepare a comprehensive report to the Headteacher or complaints committee which includes the facts and potential solutions

Clerk to the Governing Body:

Dependent on the stage of the complaint process (see below), the clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings;
- Arrange the complaints hearing;
- Record and circulate the minutes and outcome of the hearing.

Committee Chair:

Dependent on the stage of the complaint process (see below), the committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout;
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case.

Principles for Investigation:

When investigating a complaint, we will try to clarify:

- What has happened;
- Who was involved;
- What the complainant feels would put things right.

Time Scales:

The complainant must raise the complaint within 3 months (minus a day) of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months (minus a day)of the last incident. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved. When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant;
- Send the complainant details of the new deadline and explain the delay.

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements:

- Phone - 0300 123 4666;
- Email - enquiries@ofsted.gov.uk.
- Online contact form: https://www.gov.uk/government/organisations/ofsted#org-contacts.

The Complaints Process:

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed. Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

If a parent is concerned about the education that we are providing at our school, they should in the first instance, discuss the matter with their child's class teacher. Most matters of concern can be dealt with in this way. All teachers work extremely hard to ensure that each child is happy at school and is making good progress. Therefore, they would always want to know if there is a problem so that they can take action before the problem seriously affects the child's progress. If a parent is unhappy with the outcome of this action, they may also be signposted to the Deputy Headteacher or SENCO (depending on the nature of the concern).

Where a parent feels that a situation has not been resolved through contact with the class teacher/Deputy Headteacher/SENCO or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Headteacher. The Headteacher considers any such complaint very seriously and investigates each case thoroughly. Most complaints are normally resolved at this stage.

Should a parent have a complaint about the Headteacher, s/he should first make an informal approach to one of the members of the governing body, who is obliged to investigate it. Governors can be contacted via the school office. The governor in question will do all s/he can to resolve the issue through dialogue with the school, but if a parent is unhappy with the outcome, s/he can make a formal complaint, as outlined below.

Only if an informal complaint fails to resolve the matter should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint and how the school has handled it so far. The parent should send this written complaint to the Chair of Governors via the school office. The governing body must consider all written complaints within three weeks of receipt. A meeting will be arranged to discuss the complaint, where the person making the complaint will be invited to attend so that s/he can explain her complaint in more detail. The school will give the complainant at least three days' notice of this meeting. After hearing all the evidence, the governors will consider their decision and inform the parent about it in writing. The governors will do all they can at this stage to resolve the complaint to the parent's satisfaction. If the complaint is not resolved, a parent may make representation to the LA. Further information about this process is available from the school or from the LA.

If this is the case, a further meeting is chaired by an independent person, who considers all the evidence and makes a further judgement in an attempt to resolve the complaint. If any parent is still not content that the complaint has been dealt with properly, then s/he is entitled to appeal to the Secretary of State for Education. Ofsted can be contacted by:

- Phone - 0300 123 4666;
- Email - enquiries@ofsted.gov.uk.

Persistent Complaints:

Unreasonably persistent complaints:

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure;
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive;
- Knowingly provides false information;
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure;
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out;
- Changes the basis of the complaint as the investigation goes on;
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time;
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address;
- Limit the number of times the complainant can make contact, such as a fixed number per term;
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice;
- Put any other strategy in place as necessary.

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns;
- We have provided a clear statement of our position and their options;
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience.

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make. In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

Duplicate Complaints:

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account. If there are new aspects, we will follow this procedure again.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete;
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint.

Complaint campaigns:

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website;
- Sending a template response to all of the complainants.

Record Keeping:

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel. This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection. Records of complaints will be kept securely, only for as long as necessary and in line with data protection law and our privacy notices.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing body in case a review panel needs to be organised at a later point. Where the governing body is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing body, who will not unreasonably withhold consent.

Learning Lessons:

The governing body will review any underlying issues raised by complaints with the Headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

Monitoring and Review:

The governing body monitor the complaints procedure in order to ensure that all complaints are handled properly. The Headteacher logs all complaints received by the school and records how they were resolved. Governors examine this log on an annual basis. Governors take into account any local or national decisions that affect the complaints process and ensure any necessary modifications are made to this policy. This policy is made available to all parents/carers, so that they can be properly informed about the complaints process.

This policy is available on our school website or at the office upon request.