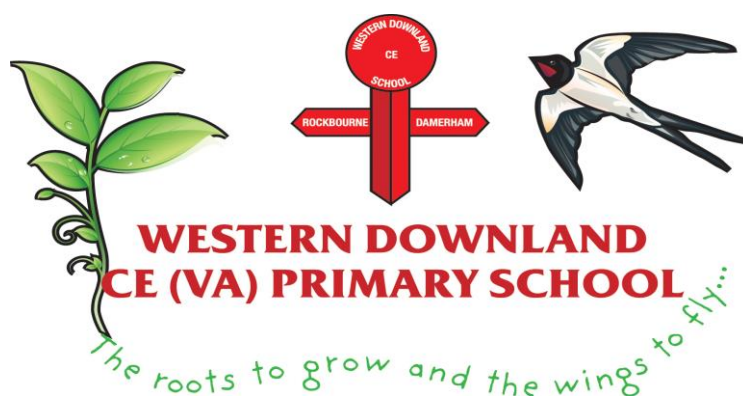


WESTERN DOWNLAND C.of E. (V.A) PRIMARY SCHOOL



COMPLAINTS POLICY

Reviewed September 2016
Next Review: September 2018

WESTERN DOWNLAND C.E. PRIMARY SCHOOL
 In partnership with parents we aim to provide:
The roots to grow and the wings to fly
Complaints Policy

Subject and Version of Document:	Complaints Policy V3
Author:	Governing Body
Persons/Committees etc consulted whilst document in draft	Governing Body
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By whom agreed:	Governing Body
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Principal Target Audience:	Parents and Carers & the general public
Other documents to refer to	"Best Practice Advice for School Complaints Procedures 2016", DfE January 2016

Amendments Summary:

Amend No	Page	Subject
1	1	Revised introduction (Jan 2014)
2	2	First bullet point added (Jan 2014)
3	1	Addition of footnote to clarify a "concern" and a "complaint" (Sept 2016)
4	2	Footnote to clarify who can make a complaint (Sept 2016)
5	4	Insertion of more detail on the Schools Complaint Unit (Sept 2016)
6	5	Insertion of section on unreasonable complainants (Sept 2016)
7	6	Insertion of role of governors in monitoring complaints and this policy (Sept 2016)

INTRODUCTION

At Western Downland Church of England (VA) Primary School, our aim is to provide a secure, effective and positive environment for pupil learning and development, where all individuals - adult and pupil - are respected and valued. To help ensure this we value the interest and involvement of parents and carers.

We are always grateful, when parents and others tell us where the School has been effective in learning, or successful in supporting a pupil and their family. Please share with us stories of success.

At the same time, we need to know if you have concerns¹ relating to the operation of the School. Where this is the case, we would encourage you to inform the appropriate member of staff, usually in the first instance, the class teacher. In this way we hope that concerns can be quickly addressed and wherever possible, resolved.

If you feel that you need to take a concern further, or to make a complaint, this Policy is intended to guide you through that process.

We believe this is the best way to ensure an effective learning environment at Western Downland School.

¹ 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 and a "complainant" is the person making the complaint.

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1. Aims

We aim to:

- Be impartial
- Have good professional working relationships with everyone
- Respond to all concerns and complaints in an open and consistent manner
- Resolve concerns through informal discussions at the earliest stage
- React promptly with well-defined timescales and named contacts
- Focus on resolution rather than blame
- Be accessible to all (please refer also to our Equalities policy)
- Ensure confidentiality and discretion
- Include fair and transparent investigative processes for staff as well as complainants
- Indicate other sources of advice e.g. CAB (Citizens Advice Bureau), Parent Partnership Services, ACE (Advisory Centre for Education), the LA complaints adviser
- Be forthright in dealing with vexatious, abusive, malicious and anonymous complaints

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

- The LA's decision on special educational needs (SEN) assessments and school placements
- School admissions and transfers
- Exclusions
- School re-organisation proposals
- Staff grievances and disciplinary procedures
- Financial impropriety or criminal activity (this is dealt with through the school's Whistleblowing Policy)
- Matters likely to require a Child Protection investigation.
- Complaints about services provided by other providers who may use school premises or facilities

Most concerns are dealt with informally to everyone's satisfaction. Failing this, outlined below is the process that needs to be followed.² It is expected that complaints will be made as soon as possible after an incident arises (although three months is generally considered to be an acceptable time frame in which to lodge a complaint)

2. The Process

- 2.1** The informal stage "How do I share my concern?" As soon as you have a concern, you are invited to:-
- 2.2** Informally speak with the appropriate and designated member of staff i.e. Teacher and/or classroom assistant/admin officer.
If the concern is about the Head Teacher, then you are advised to speak informally with the Head Teacher. Depending upon circumstances, you may wish to speak with the Chair of Governors.

² Please note that anyone can make a complaint and this policy is not just restricted to parents and carers of children registered at the school.

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Most concerns are dealt with informally, to everyone's satisfaction but failing this, the process is as follows:-

2.3 Stage 1. What do I do if the matter is not resolved through informal discussions?

- Parents should write to the Head Teacher, giving details of the concern and enclosing any appropriate paperwork.
- The Head Teacher will make a written response within seven working days of receipt.
- If the complaint requires an in-depth investigation, the Head Teacher will acknowledge this and inform you that a full response will take longer than usual. Standard practice is to investigate the complaint and issue a letter of response within twenty working days.
- The Head Teacher may invite you to a meeting and then summarise the main points in the follow up letter.

"I am still dissatisfied, how do I take the matter further?"

If you remain unsatisfied, the Head Teacher will refer you to

2.4 Stage 2. Chair of Governors

- The school has decided to nominate a governor to take responsibility for logging complaints. This will be the Chair of Governors.
- You should put your concerns in writing to The Chair of Governors, Western Downland C.E. (Aided) Primary School, Rockbourne, Fordingbridge, Hampshire SP6 3NA, explaining the reasons for pursuing the complaint beyond the Head Teacher's response and enclose any paperwork.
- The Chair of Governors will acknowledge the complaint or offer a full response within seven working days of receipt.
- If the complaint requires an in-depth investigation, the Chair of Governors will inform you that a full response may take longer than usual. Standard practice is to offer a response within twenty working days and will indicate at this stage how long it's likely take.
- The Chair of Governors may need to discuss the issue/s with you as a key to resolving the complaint and agreeing a way forward.
- The Chair of Governors will decide who is responsible for dealing with the issues involved.
- If your concern relates to the Head Teacher's conduct, the Chair of Governors will decide whether the matter should be dealt with through the complaints procedure or staff disciplinary procedure.

"I still remain dissatisfied. To whom do I appeal?"

2.5 Stage 3. The Governing Body's Complaints Panel

There is a complaints panel within the Governing Body

If you wish to appeal to the Governing Body, you must:-

- Outline your concern in writing in the first instance to the Chair of Governors who will notify the Governing Body. You will be expected to describe the issues in detail and say why you remain dissatisfied with the outcomes of the previous two stages.

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- We remind you here, not to write to all individual governors as this may make it difficult to set up an independent panel of governors who have not had prior involvement in your case.
- The Clerk to the Complaints Committee will arrange and facilitate all meetings between you and the Governing Body.
- The appeal panel will consist of three governors with no prior involvement in the case and the Chair of the panel will be designated before the meeting/s. They will be held in an informal atmosphere, with a formal agenda.
- The clerk of the complaints panel will inform you in writing of the panel's decision within two working days of the meeting. The letter will include:-
 - A summary of events
 - An outline of the main points of discussion
 - The reason for the decision
 - Proposed action or outcomes

If you wish to meet with the Head Teacher and the Chair of the Appeal Committee, there may be an opportunity to meet to agree a way forward.

If your complaints are related to the National Curriculum for the provision of religious education, you can appeal further to the Local Authority if you are still dissatisfied or to the Salisbury Diocesan Board of Education.

For general complaints, this is the final stage of the school's complaints procedure

If you believe that the Head Teacher's and the governors' actions have been unreasonable, or the correct process has not been adhered to, the only recourse is to the Secretary of State. It may be helpful to seek advice from the LA's complaints advisor at this point.

2.6 The Local Authority (LA)

The LA offers you a further right of appeal if you have exhausted the school's procedures, if the complaint is about the National Curriculum.

Please note – for general complaints about a school the LA clearly has no remit or powers beyond reminding schools of their legal obligations. Therefore, for *individual* general complaints which relate to internal school matters and you have exhausted the school's complaints procedure (that is you have completed stage three) there is no right of appeal to the LA as it has no powers to direct the school to change its decision.

There is no 'school ombudsman'. The local government ombudsman (LGO) will consider matters relating to the LA's responsibility but he cannot consider matters about the internal management of schools.

2.7 The Secretary of State and the role of the School Complaints Unit

If a complaint has completed the local procedures and you remain dissatisfied, you 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

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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, they may request that the complaint is looked at again.

3. Anonymous Complaints

Generally, we will not respond to anonymous complaints. Nevertheless, we will respond if the Head Teacher and the Chair of Governors feel that:-

- The issue and the fear of identification is genuine
- The issue is one of child protection

4. Unreasonable complainants

Western Downland 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.

Western Downland 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);

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- 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 Western Downland 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 Western Downland Primary school.

5. Governing Body Review of complaints

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

The process of listening to and resolving complaints contributes to school improvement. The monitoring and review of complaints is a useful tool in evaluating a school's performance. The governing body has a designated governor who reviews the complaints at regular intervals (annually) to inform improvements and the effectiveness of the complaints procedure.