

Barlows Primary School

Complaints Policy

Barlows Primary School

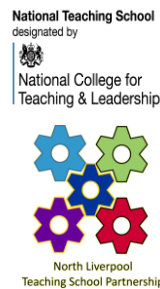


"To Give of our Best"

2017-2018

Reviewed and updated: September 2017
Approved by Governing Body: To be approved September 2017

"To give of our best, to work together, to value everyone and learn for life."



Barlows Primary School Complaints Policy

At Barlows Primary School, we work hard to build positive home school relationships with all our families. We have an open door policy in order to support pupils, parents and carers with a range of school related matters. It is our policy to try to resolve any concerns before they become a 'complaint' as quickly and as positively as possible. It is in everyone's interest that complaints are resolved at the earliest possible stage.

"The difference between a concern and 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'."

(DfE, Best Practice advice for schools Complaints Procedures January 2016)

At Barlows Primary School, we take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns formally. In such cases, the school's formal procedure should be invoked as outlined below:

Complaints procedure

Informal Procedure Stage1 (Concern) - Appointment with staff members other than the headteacher

In the first instance, the matter or concern should be discussed with the child's class teacher unless it is concern regarding a member of staff or the headteacher. This can be arranged in person via the school office or in writing. At this stage, we may need to clarify whether you're making a complaint, seeking information or have misunderstood a situation. At this stage a parent may be given a copy of this policy if it is deemed necessary by the school, or the parent requests a copy.

A minimum of two members of staff would be present at the meeting. This would usually be the class teacher and Phase Manager or supporting colleague. On occasion, it may be necessary to involve other members of the school team for example staff who support with SEND.

We would expect most concerns to be able to be resolved at this stage. However, if the matter has not been resolved and warrants further investigation, parents should make an appointment to meet with the headteacher. The appointment would be made at a mutually agreeable time as near to the request as possible. We aim to do this within 2 school days where feasible.

Informal Procedure Stage 2a (Complaint) - Appointment with the headteacher

If your concern is not resolved immediately and you confirm you wish to make a complaint, the opportunity to discuss the matter with the headteacher will be given. This excludes concerns or complaints made against the headteacher which are outlined in the Stage 2b below.

As outlined in Stage 1, the parent or carer should make an appointment to meet with the headteacher as soon as possible. This request should be made within 7 school days of the original

concern. An appointment would be made at a mutually agreeable time, as near to the request as possible. We aim to do this within 2 school days where feasible.

Informal Procedure Stage 2b (Complaint about the headteacher) - Appointment with the Chair of Governors

If the concern is against the headteacher, parents and carers have the opportunity to request an appointment with the headteacher to discuss their concern. However, if the parent wishes to make a complaint (as defined earlier in this policy) then this will be considered by the Chair of Governors.

Complaints of this nature must be made in writing, marked 'private and confidential' and addressed to the Chair of Governors as detailed below:

Mrs Fiona Chambers
C/o Mrs Val Wright (Clerk to governors)
Barlows Primary School,
Barlows Lane,
Fazakerley,
Liverpool,
L9 9EH

In the letter it should be made clear:

- why you are complaining:
- who you have spoken to already:
- what you want to happen as a result of their complaint.

Formal Procedure Stage 1 - (Complaint) Request to meet with the headteacher

As outlined in Stage 2a, the parent or carer should make an appointment to meet with the headteacher as soon as possible, following their dissatisfaction with the response from the staff members who dealt with the original concern. This request should be made in writing, within 7 school days of this original concern. The complaint should be put in writing for the headteacher's attention and marked 'private and confidential'.

Again, the letter should make clear:

- why you are complaining:
- who you have spoken to already:
- what you want to happen as a result of their complaint.

An appointment would be made with the headteacher at a mutually agreeable time, as near to the request as possible. We aim to do this within 2 school days where feasible.

At this meeting the headteacher would be accompanied by another member of staff or a school governor. On occasion, it may be necessary to involve other members of the school team for example staff who support with SEND.

Formal Procedure Stage 2 - Raising the issue with the Chair of Governors

If the parent or carer is dissatisfied with the resolution offered by the Headteacher, they have the opportunity to raise their concerns with the Chair of Governors. This should be done in writing within 7 school days of the meeting with the headteacher.

These complaints must be made in writing, marked 'private and confidential' and addressed to the Chair of Governors as detailed below:

Mrs Fiona Chambers
C/o Mrs Val Wright (Clerk to governors)
Barlows Primary School,
Barlows Lane,
Fazakerley,
Liverpool,
L9 9EH

Again, the letter should make clear:

- why you are complaining:
- who you have spoken to already:
- what you want to happen as a result of their complaint.

The Chair of Governors will acknowledge receipt of your complaint, where possible, in writing within 5 working days of the Chair of Governors receiving the complaint.

The Chair of Governors will arrange for the complaint to be considered and investigated in line with the school complaints policy. The Chair of governors or designated governor will consider the evidence presented to them and aim to respond within 28 working days. This may involve discussion with staff and/or pupils in order to ascertain the facts. On occasion, it may be necessary for further investigations to be carried out which may cause a delay in this process. The complainant will be informed of any delay.

Following this investigation, the Chair of Governors may invite the complainant to a meeting to discuss the concerns and outcome of the investigation. This will be offered as soon as the investigation is completed and will be within 10 working days of the conclusion of the investigation. Alternatively, if deemed more appropriate, the Chair of Governors may respond to the parent or carer in writing to confirm the outcome of their investigations.

The Chair of Governors will follow any discussion or meeting up with a response which will include what action, if necessary, the school proposes to take in order to resolve the matter.

If the complainant is still not satisfied with the resolution proposed or outcome of the Chair of Governors' investigations, they will be provided with the opportunity to raise their concerns with a panel of governors, who will form the Governing Body's Complaint's Committee.

Formal Procedure Stage 3 - Raising the issue with the Governing Body's Complaint's Committee

If the complainant wishes to take the matter further, the complaint must be made in writing, marked 'private and confidential' and addressed to the Chair of Governors as detailed below:

Mrs Fiona Chambers
C/o Mrs Val Wright (Clerk to governors)
Barlows Primary School,
Barlows Lane,
Fazakerley,
Liverpool,
L9 9EH

Again, the letter should make clear:

- why you are complaining:
- who you have spoken to already:
- what you want to happen as a result of their complaint.

The Chair of Governors should acknowledge receipt of the request for the complaint to be escalated, and a copy of the complaint should be sent to the headteacher and Clerk to the Governors.

The Chair of Governors will liaise with the Clerk to the Governors to arrange a panel of 3 governors to form the Governing Body's Complaint's Committee to consider the complaint. This will be based on governor availability.

All relevant correspondence regarding the complainant will then be circulated to the Governing Body's Complaint's Committee Panel, the parent and the headteacher at least 5 working days in advance of a scheduled meeting.

If the headteacher and/or the parent wish to call witnesses, the agreement of the Chair of the Governing Body's Complaint's Committee should be made in advance of the meeting. This should be done in writing at least 5 working days in advance of a scheduled meeting.

This should be addressed to the Chair of the Governing Body's Complaint's Committee as detailed below:

Chair of the Governing Body's Complaint's Committee
C/o Mrs Val Wright (Clerk to Governors)
Barlows Primary School,
Barlows Lane,
Fazakerley,
Liverpool,
L9 9EH

If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the responding party has time to respond to the new evidence.

Late evidence or witnesses should not be accepted unless there is a good reason for the lateness.

At least 5 working days prior to the scheduled meeting, the chair of the Governors Complaints Panel will write to the complainant outlining the arrangements and process at the scheduled meeting.

The Chair of the Governing Body's Complaint's Committee will follow any discussion or meeting up with a written response which will include what action, if necessary, the school proposes to take in order to resolve the matter.

If the complainant is still not satisfied with the resolution proposed or outcome of the Governing Body's Complaint's Committee, they have the opportunity to raise their complaint by contacting:

Secretary of State
Department of Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Telephone: 0370 000 2288
Web: www.gov.uk/dfe

Please note, in exceptional circumstances the Committee may decide, after taking further advice, from the Local authority, not to proceed to consider the complainant on the grounds that the complaint has already been dealt with or is malicious.

MALICIOUS OR VEXATIOUS COMPLAINTS

Where a Board of Governors consider the actions of a parent/group of parents to constitute frivolous or vexatious behaviour, they will seek advice from the Local Authority in order to protect staff further from such actions.

Unreasonable Complainants

Barlows 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.

Barlows 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);
- 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 Barlows 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 banning an individual from Barlows Primary School.

"Barring from the School Premises

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. 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."

(DfE, Best Practice advice for schools Complaints Procedures January 2016)

Reviewed: September 2016

Next Review Date: September 2017

This policy has been written in conjunction with the department for education Best Practice Advice for school Complaints procedures, January 2016.