

Complaints Procedure

What to do if you have a concern or complaint about Slimbridge Primary School

At Slimbridge Primary School, we like to be informed about how we are doing, whether well or badly. If you have a concern or complaint we always try to deal with it helpfully and reasonably. If we need to, we try to put things right as quickly as possible. If you have a concern or complaint about Slimbridge Primary School you need to take it up with the school itself. The Local Authority would not usually get involved in a complaint about a school unless the school had completed its own procedures first.

This complaints procedure is for general complaints. The school must follow other procedures for complaints or appeals about the curriculum, special educational needs provision, exclusions and admissions. Staff disciplinary action, child protection issues or criminal investigation will also need to be handled differently. We will advise you on the right process when you discuss your concern with us.

This policy covers the following areas:

- The complaints procedure at Slimbridge Primary School
- Vexatious complaints
- Abusive complaints
- Anonymous complaints
- Complaints for which a specific procedure is laid down
- Appendices: model incident reporting form and sample letters

Concern or complaint?

Staff and Governors should distinguish between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the number of concerns that develop into formal complaints.

Concerns should be handled, if at all possible, without the need for formal procedures. The statutory requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual staff member specifically concerned will receive the first approach. Staff should endeavour, whenever possible, to resolve issues on the spot, including apologising where necessary.

First step

The first step is informal. If you have a concern about the school, try to talk to someone at the school, preferably the person who is most closely involved. If you get in touch with one of the governors first of all they can give you only general advice. They may need to ask you to take up your concerns with the member of staff best able to help you, or with the Head Teacher.

Your concern can usually be settled quickly and without fuss by contacting the right person in the school. This could be your child's teacher, another member of staff or the Head Teacher.

If your concern cannot be sorted out in this way or you are not happy with the way it has been dealt with you should follow the formal complaints procedure.

Formal complaints procedure

The formal procedure will be followed when initial attempts to resolve the issue informally have proved unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Slimbridge School's complaints procedure is laid out in the attached flowchart, Annex A. It has three stages:

- Stage 1: a complaint may be heard by another teacher, appointed by the Head Teacher. (This stage may be omitted at the Head Teacher's discretion.) If the complaint cannot be resolved at Stage 1, it will be referred to the Head Teacher.
- Stage 2: the complaint is heard by the Head Teacher (the Head Teacher may delegate the task of collating information, but may not delegate the decision on action to be taken).
- Stage 3: If the complaint cannot be resolved by the Head Teacher it proceeds to Stage 3, which is a hearing by a Panel of school governors.

The Head Teacher (or nominee) will act as the school's Complaints Co-ordinator. If the complaint is against the Head Teacher, her (or his) role will be taken by the Chair of Governors.

In exceptional circumstances, or if a complaint has been raised against the Chair of Governors, the Complaints Co-ordinator may feel that a complaint is best heard by an independent body (or their appointed representative). The report belongs to the Governing Body and can be made available to an appeals Panel as might be required.

If the Governing Body cannot resolve complaint, the complaint may be referred to the Local Authority (LA). However, the LA's role is advisory, and it cannot overturn the decision of the Governing Body.

If a complainant tries to re-open an issue which has been through all three stages of this procedure, the Chair of Governors may inform him or her in writing that the procedure has been exhausted and that the matter is now closed.

Investigating complaints

At each stage, the person dealing with the complaint makes sure that they:

- respect the views of the complainant
- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or if further information is necessary)
- clarify what steps the complainant feels are needed to put things right
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open and impartial mind and be prepared to persist in the questioning
- keep notes of the interview(s)
- advise the parties concerned, including the school Complaints Co-ordinator, of the outcome.

Resolving complaints

At each stage in the procedure, the school wishes to keep in mind ways in which the complaint can be resolved. If appropriate, the school should acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint.

Time limits

Complaints should be considered and resolved as quickly and efficiently as possible. The complainant will be advised of the timescales at each stage of the procedure.

Recording complaints

The Head Teacher will be responsible for holding records of complaints, and reporting them periodically (without naming individuals) to the Governing Body.

Publicising the procedure

There is a legal requirement for the complaints procedure to be publicised. Slimbridge Primary School's Procedure will be available from the School's website and the availability of the complaints procedure should be mentioned in:

- the school prospectus
- the information given to new parents when their children join the school
- the information given to the children themselves
- the home-school agreement
- documents supplied to community users including course information or letting agreements

Awareness of procedure

All staff and governors should be aware of the complaints procedure. If the first approach is made to a governor, the governor should refer the complainant to the appropriate person and advise them about this procedure. Governors should not act unilaterally on an individual complaint outside the formal procedure nor be involved at the early stages in case they are needed to sit on a Panel at a later stage of the procedure.

Stage 3: complaint heard by Governing Body's Complaints Appeal Panel

The governors' appeal hearing is the last school-based stage of the complaints process. It must take an independent and impartial view of the complaint, irrespective of the outcome of previous stages.

The complainant should write to, or meet, the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will check that the correct procedure has been followed, and then convene a Governing Body Complaints Appeal Panel.

The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant.

Composition of Panel

Individual complaints would not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any Panel set up for a disciplinary hearing against a member of staff following a serious complaint

The Panel will be assembled on an ad hoc basis. It can be drawn from the full membership of the Governing Body and may consist of three or five people. The Panel may choose its own Chair.

It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the Panel, the Chair of Governors (or nominee) should aim to include a cross-section of the categories of governor and should be sensitive to the issues of race, gender and religious affiliation.

The remit of the Complaints Appeal Panel

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.

Conduct of the appeal to the Panel

The Chair of Governors, on appointing Panel members, will confirm that they are each suitable, and understand the required procedure. The Chair of Governors will also appoint a Secretary to the Panel who will act as the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- collate any written material and send it to the parties in advance of the hearing
- meet and welcome the parties as they arrive at the hearing
- record the proceedings
- notify all parties of the Panel's decision.

The hearing

The hearing should be held in private. The Chair of the Panel should acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The Panel Chair should therefore ensure that the proceedings are as welcoming as possible. The layout of the room and the general tone should be informal and not adversarial.

Extra care needs to be taken when the complainant is a child. Care must be taken to ensure that the child does not feel intimidated. The Panel must be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, he or she should be given the opportunity to say which parts of the hearing, if any, the child needs to attend.

The Chair of the Panel should ensure that:

- the remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption

- the issues are addressed
- key findings of fact are made
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- each side is given the opportunity to state their case and ask questions
- written material is seen by all parties.

If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

In conducting the hearing, the Panel should take the following into account:

- The hearing is as informal as possible. Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher and the witnesses after each has spoken.
- The Panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- The Chair explains that both parties will hear from the Panel within 10 working days.
- Both parties leave together and the Panel decides on the issues.

Areas not covered by this policy

| Exceptions | Who to contact |
|---|---|
| <ul style="list-style-type: none"> Admissions to schools Statutory assessments of Special Educational Needs (SEN) School re-organisation proposals Matters likely to require a Child Protection Investigation | <p>Concerns should be raised direct with LA. For school admissions, it will be the LA, who is the admission authority. Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.</p> |
| <ul style="list-style-type: none"> Exclusion of children from school | <p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> |
| <ul style="list-style-type: none"> Whistleblowing | <p>Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.</p> |
| <ul style="list-style-type: none"> Staff grievances and disciplinary procedures | <p>These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p> |
| <ul style="list-style-type: none"> Complaints about services provided by other providers who may use school premises or facilities | <p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.</p> |

Serial or persistent complainants

In rare circumstances a complainant might, having exhausted the complaints procedure, persist with the complaint. Complaints become serial or persistent when they are:

- repeatedly and obsessively pursued
- unreasonable or seeking unrealistic outcomes
- reasonable, but pursued in an unreasonable manner.

Governors may need to decide whether all future contacts should be directed to, and only dealt with by, a named individual, with correspondence restricted to, for example, letter only. If a conclusion has been reached about a complaint but the complainant continues to pursue it, the school may consider writing:

- to reiterate that the matter is concluded and there will be no further correspondence
- to say that, if correspondence continues, it will be read and filed but will receive no acknowledgment
- to give a short response referring to previous documents that have already dealt with the matter.

Abusive complaints

Verbal aggression can be as intimidating as physical aggression. All parties have a right to be treated courteously and with respect. If staff feel threatened, they should report their concerns to the Head Teacher, who will consider:

- writing to the complainant requesting that the behaviour cease
- setting restrictions for further contact with staff
- reporting the incident to the police.

If a telephone caller becomes aggressive or offensive, the person taking the call should explain that they will end the call if the behaviour persists. If they need to hang up, they should record this action and any further incidents.

Repeated abusive or aggressive contacts can be considered as harassment and the Head Teacher will consider reporting them to police.

A model recording form together with sample letters originally drafted by the Department for Education and Schools are now archived (<http://dera.ioe.ac.uk/6363/1/DfES-0504-2002.pdf>).

When writing to an abusive or serial/persistent complainant, the school will inform the complainant of:

- the decision and the action the school is taking
- what it means for his or her contacts with the school
- how long any restrictions will last
- how to contact the Local Government Ombudsman and Secretary of State.

A copy of the Complaints Policy will be enclosed with this letter.

Anonymous complaints

Generally, schools should not respond to anonymous complaints. Nevertheless, the Head Teacher or Chair of Governors will need to consider whether:

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

To report an issue, please contact the school.

Vexatious Freedom of Information requests

The School will respond to vexatious requests for information in line with guidance on the Information Commissioner's Office (ICO) website <https://ico.org.uk/media/1198/dealing-with-vexatious-requests.pdf>

Annex A

