



John Grant School

'Working together, to be the best that we can be.'

Complaints Policy

Policy Consultation & Review

This policy is posted on our school website and is available on request from the school office.

This policy will be reviewed in full by the Governing Body on an annual basis. This policy was last reviewed and agreed by the Governing Body in October 2016. It is due for review on October 2019.

Signature

Headteacher

Date:

Signature

Chair of Governors

Date:

Section 29 of the Education Act 2002 states that governing bodies are required to have in place a procedure for dealing with concerns and complaints.

A Procedure for handling concerns and complaints is set out in this document in bold print. Levels 1 and 2 of the procedure are informal.

Persons wishing to move to the formal levels 3 and 4 are advised to ask for a copy of the school's complaints procedure.

General guidance and information is provided in italics. Guidance is also provided on the procedure after each level. The guidance will also help to clarify for school staff, governors and parents what will happen at a Governors' Complaints Panel hearing.

Any member of the public who is concerned about any matter relating to the school may raise a concern using the procedure at Level 2, and following the procedure at Levels 3 as 4 as appropriate if resolution is not reached.

General Guidance

- *Research shows that someone experiencing an unhappy situation with an organisation is likely to tell up to 10 other people about his/her negative experience. In terms of the reputation of a school this will relate to people within the local community, other parents, friends and relatives.*
- *However, someone having a good experience of how an issue is handled will tell up to 10 people about his/her positive experience.*
- *How an issue is handled gives people a clear idea of how committed the school and governing body are to giving the best possible provision.*
- *Issues need to be dealt with by parents, carers or guardians and a school as calmly, courteously and as quickly as possible.*
- *School staff must always give consideration to their own safety*
- *Guidance and procedures are available regarding violence at work in Section 8 of the Children's Services Health and Safety Manual.*
- *Schools and governing bodies may wish to discuss a way of obtaining feedback from parents which could allow for some issues to be dealt with before parents feel it necessary to raise concerns with the school.*
- *Concerns and complaints should be viewed positively as data gathered can be used to inform school evaluation and future plans and strategy.*
- *Parents, carers and guardians are reminded to let teachers and headteachers know when the school has done something they are pleased with.*
- *Skills that can be used to show understanding of and to resolve the concern or issue are:*
 - Listening and probing for specifics*
 - Clarifying ambiguities*
 - Separating out multiple concerns*
 - Repeating back to check understanding*
 - Discussing realistic solutions*

It is important that the school keeps a written record of any meetings that take place regarding an issue or complaint.

Allegations of abuse against a member of the school staff must be reported to the headteacher immediately. Allegations of abuse against the headteacher must be reported to the chair of governors immediately. In all cases the Children's Services information taken from Safeguarding Children in Education (issued November 2005 ref:DfES/0027/2005) must be followed. Contact must be made by the headteacher or chair of governors with the Local Authority Designated Officer (LADO)

A Procedure for handling concerns and complaints

School name: John Grant School

All schools in Norfolk want their pupils to be healthy, happy and safe, and to achieve. They recognise that parents, guardians or carers play an important part in making this happen. Cooperation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in the school.

Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.

Level 1 – informal raising of a concern

Parents, carers or guardians should, in the first instance, make an appointment to speak to the class teacher or a head of year about the concern. It is best to resolve issues at this point.

Guidance on informal level 1:

- *Concerns should initially be handled informally in a manner that offers the best way of resolving issues.*
- *A class teacher or head of year should offer an appointment to discuss the issue as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. This can allow parties to remain calm. It will also show a commitment to resolving issues.*
- *It is important for parents to recognise that schools are busy organisations and that it may not be possible to offer an appointment straight away.*
- *The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.*

Level 2 – informal raising of a concern

Parents, carers or guardians dissatisfied with the result of the discussions with the class teacher or head of year should ask for an appointment to meet with the headteacher or, in a larger school, a member of the leadership team, a deputy headteacher or assistant headteacher.

If a resolution to the issue is proving difficult to find, the headteacher, a member of the leadership team, a deputy headteacher or assistant headteacher can speak to one member of the governing body about the issue who may be willing to offer informal intervention. However, there is no obligation on any governor to become involved at this level.

Guidance on informal level 2:

- *It is always best to resolve issues informally at the earliest possible time but if the person is not satisfied with the result of the talk with the teacher or head of year then he/she can ask for an appointment to meet with the headteacher or, in a larger school, a member of the leadership team, a deputy head or assistant headteacher.*
- *It is in everyone's interest, particularly the child or children, for concerns and complaints to be sorted out quickly and smoothly.*

- *The aim should be that discussions end on a positive note with no bad feeling.*
- *It is good practice for headteachers or member of the leadership team, a deputy head or assistant headteacher to write a letter to parents summarising what has been agreed regarding the issue.*
- *The headteacher, a member of the leadership team, a deputy head or assistant headteacher may feel that a particular governor's input would be helpful in bringing about a resolution but there is no obligation on any governor to become involved at this level.*

It is hoped that most concerns will have been resolved by now.

Level 3 – formal complaint letter to headteacher

An issue that has not been resolved through the informal levels 1 and 2 can become an official complaint.

Parents, carers or guardians wishing to move to level 3 must write a formal letter of complaint to the headteacher. The letter will need to set out clearly the issues which have previously been discussed and why the parent, carer or guardian considers the issue to be unresolved.

Headteachers should consider the complaint and discuss a resolution with the complainant. The headteacher should offer a resolution to the complainant in writing within 10 school days of receipt of the letter.

Guidance on level 3- formal:

- *An unresolved issue can now move to a formal complaint. This is a serious step to be taken. In consideration of future home/school relationships everyone concerned will need to negotiate an agreement and concentrate on finding a resolution to the issue.*

Concerns or complaints specifically about the headteacher.

The decision that the headteacher has made as a result of the complaint does not become a complaint about the headteacher. If the complainant feels the complaint has not been resolved he/she should proceed to Level 4, a Governors' Complaints Panel.

If, the concern or complaint is specifically about the headteacher and is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Chair of Governors. The school will provide the Chair of Governor's name and the complainant should write to him or her at the school address marking the envelope 'urgent, private and confidential'. The Chair of Governors should acknowledge the complainant's letter in writing within 5 school days of receipt and contact a Governor Support Service Officer for advice.

Level 4 – formal complaint requesting a Governors’ Complaints Panel.

Time Scales:

Receipt of complainant’s letter	Acknowledgement within 5 school days
Receipt of complainant’s letter	Governors’ Panel meeting within 15 school days (unless this goes into school holidays)
Written documentation sent to Governors’ Panel Members and complainant and headteacher	5 school days before meeting.
Governors’ Panel members decision communicated to all concerned	As soon as possible but within 10 school days of meeting.

Complainants wishing to move to level 4 of the formal complaints procedure will need to write a letter to the Chair of Governors to request that a Governors’ Complaints Panel meets to hear the complaint. This formal complaint letter must be received within 10 school days of the last meeting with the headteacher concerning the issue. The complainant should write to the Chair of Governors at the school address marking the envelope ‘urgent and confidential’. The letter will need to set out the complaint that has previously been formally discussed with the headteacher and show why the matter is not resolved.

Before the meeting:

The chair of governors should appoint a clerk to the Governors’ Complaints Panel, acknowledge the complainant’s letter in writing within 5 school days of receipt and arrange for a panel of governors to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the governors’ panel meeting. In this case the matter should be dealt with within 10 school days of the school reopening.

The headteacher should be given a copy of the complainant’s letter and written documentation should be requested from the school. The clerk should send both the complainant’s letter and the school documentation to the Governors’ Complaints Panel members, complainant and headteacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant and headteacher will be invited to attend the Governor’s Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

At the meeting:

The complainant and headteacher (or his representative) should provide all the relevant information they wish and the Governors’ Complaints Panel members should clarify any points. After the complainant and headteacher (or his representative) have provided all the information they wish, the chair will ask all parties to leave except the panel members and the clerk.

After the meeting:

The Governors' Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the Governor's Complaints Panel is final.

Guidance on level 4 - formal:

Before the meeting:

- *The formal complaints letter should be passed to the vice-chair if the chair will be unable to receive the letter within 5 days.*
- *Members of the Governors' Complaints Panel should have no prior knowledge of the complaint and it is, therefore, unlikely that staff governors will be members of the panel.*

At the meeting:

- *The Complaints Panel must be made up of at least three members and a clerk.*
- *Although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned.*
- *Everyone attending should be in the room at the same time*
- *Consideration may need to be given to the seating arrangements to make everyone feel equal and comfortable.*
- *The clerk should take notes of the meeting, listing who is present:*
 - Governors, stating who is the Chair of the Governors' Complaints Panel*
 - Headteacher (or his/her representative) and any other members of school staff*
 - Parents and anyone accompanying them e.g. friend*
 - Clerk*
- *The chair of the Governors' Complaints Panel should open the meeting stating the purpose and the format of the meeting to clarify this to all in attendance.*
- *People present should introduce themselves stating their reason for being at the meeting.*
- *The chair of the Governors' Complaints Panel should request a verbal statement from the complainant in support of his or her written letter of complaint and why s/he feels the issue has not been resolved. The Governors' Complaints Panel members can ask questions to make sure they understand the issue from the parent's point of view.*
- *The chair of the Governors' Complaints Panel should request a verbal statement from the headteacher (or his representative) in support of his/her written account of the complaint and the steps taken to resolve the issue. The Governors' Complaints Panel members can ask questions to make sure they understand the issue from the headteacher's point of view.*
- *The members of the Governors' Complaints Panel should make sure they fully understand the issues and ask any further questions to clarify any points that are still not clear to them.*
- *The chair of the Governors' Complaints Panel must ask the complainant and the headteacher (or his representative) if they are satisfied that they have provided all*

the information they wanted or if there is something they wish to add and if they feel they have had a fair hearing.

- *When the Governors' Complaints Panel members understand all the issues, the chair will ask all parties to leave except the panel members and the clerk.*

After the meeting:

- *The Governors' Complaints Panel members then discuss the issues in private and the clerk remains to record the decision.*
- *The Panel members will need to consider the information, come to a decision and suggest a way to resolve the issue taking into account the best interests of the child or children.*
- *When the Panel have reached a decision the Clerk will inform everyone concerned in writing as soon as possible, but in any event, within 10 school days of the panel meeting.*

The decision of the Governor's Complaints Panel is final.

Once a Governor's Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the chair of governors should inform the complainant that the matter is closed.

The decision of the Governors' Complaints Panel will not be investigated. If, however, the complainant feels that the School and Governors have not followed the school's complaints procedure correctly, he/she can contact...

The School Complaints Unit

The Role of the School Complaints Unit:

If a complaint has completed the local procedures and the complainant remains dissatisfied, they 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.

Further information can be obtained from the SCU by calling the National Helpline on 0370 000 2288 or going online at: www.education.gov.uk/help/contactus or by writing to: Department for Education School Complaints Unit 2nd Floor, Piccadilly Gate Store Street Manchester M1 2WD

Any complaints concerning the conduct of school staff will be handled in accordance with the schools internal disciplinary procedures. The details of such an investigation will remain confidential.

Some complaints regarding admissions, the curriculum or special educational needs are covered by statutory regulations. The headteacher or deputy headteacher can give information about these issues

Vexatious Complainants: *it is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are being difficult. Complainants can be frustrated and aggrieved and it is therefore important to consider the merits of the case rather than their attitude. Even though someone has made vexatious complaints in the past, it cannot be assumed that the next*

complaint is also vexatious. Each complaint must be considered as to whether it is vexatious or genuine. There is no way of avoiding evaluating each complaint.

Policy for Unreasonable Complainants

(Taken from the DfE “Best Practice Advice for School Complaints Procedures 2016”)

John Grant 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. 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 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 John Grant 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.

Please see the next page for flowchart relating to complaints

Flowchart of procedure for handling concerns and complaints:

