



Complaints Policy

Approved by:	C. Palmer	Date: April 2024
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1. Concerns and Complaints Policy

Since 1st September 2003 Governing Bodies (GBs) of all maintained schools in England were required, under Section 29 of the Education Act 2002, to have a procedure in place to deal with concerns or complaints relating to the school and to any community facilities or services (e.g Clubs) that the school provides. This does not limit complainants to parents or carers of pupils registered at St Paul's C.E. Primary School, a complainant could be by a member of the wider community or another stakeholder.

St Paul's C.E. Primary School is committed to providing the best education for our children and we want our pupils to be healthy, happy and safe, and to do well. We recognise the importance of establishing and maintaining positive relationships and effective communication with parents, carers and the wider community, and aim to ensure that they feel able to voice any concerns in an informal way. We are aware that there may be occasions where people have concerns or complaints and the following procedure sets out the steps that should be followed in order to resolve these as quickly and informally as possible. We believe that taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

Complainants are encouraged to follow through each stage of the procedure, as appropriate, in order to resolve their concerns. Throughout this process, we expect parents and staff to talk to each other with respect and to listen carefully to what each other has to say in order to deal with the matter in a mutually satisfactory manner.

Q: If I have a concern or a complaint – what should I do?

The Concerns and Complaints Procedure is outlined on the following page.

2. Flow Chart of Procedure for Handling Concerns & Complaints:



DfE Guidance (2021) defines a 'concern' as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought', and a 'complaint' as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'. They also note that certain complaints do not fall within the scope of this policy. These relate to school admissions, exclusions, staff grievances including whistleblowing, staff disciplinary procedures, statutory assessments of special educational needs, child protection investigations, external providers of activities, and general complaints about the national curriculum, all of which have specific separate processes or procedures.

Step 1: Informal Concern or Complaint

Please speak to a member of the office staff who can direct your complaint to the appropriate member of staff if required. Office hours are Monday to Friday 8:00am to 4:00pm.

For complaints against a member of staff, the complainant will not be informed of any specific action which has taken place, reassurance will be given that the matter is being dealt with following the relevant policies. A complainant has no right to the employment or disciplinary information about a staff member.

For issues relating specifically to academic progress or curriculum, please start by speaking to the class teacher. This is usually the best and quickest way of resolving issues.

Once the initial complaint has been made, only the points within this will be considered and it cannot be added to at any point.

- It is recommended that you make an appointment to speak to the class teacher (either in person or via the office) as soon as possible as this will give you and the teacher the opportunity to talk about the issue in an appropriate and confidential manner and without being interrupted (as may be the case at pick up or drop off to school)
- It is important to recognise that schools are busy organisations and it may not be possible to offer an appointment straight away. However, class teachers will do their best to accommodate any requests as soon as possible
- The purpose of this meeting should be to establish the nature of the concern and to seek a realistic resolution to the problem. It is helpful if prior to this meeting all parties consider what they think might resolve the issue
- It may be appropriate for the class teacher to make a brief written record of the concerns raised and any actions agreed
- Actions may include offering a clear explanation.
- Any concerns or complaints should be raised within three months unless there are exceptional circumstances

Step 2: Informal Concern or Complaint – Escalation

If you feel dissatisfied with the outcome of discussions you should make an appointment to see a member of the senior leadership team (i.e. an Assistant Headteacher) as appropriate. You can expect them to investigate your concerns, and to discuss the outcome with you and/or respond **within ten school days**.

- The purpose of this meeting should be to establish the nature of the ongoing concern, what has been discussed with the class teacher so far and any actions arising from the initial meeting.
- It is in everyone's interest, particularly the child or children, for concerns to be sorted out quickly and smoothly. However, it may be that the nominated staff member will need to look into what has happened since the initial meeting before they suggest how your concern might be resolved. If this is the case, it should be agreed how and within what timescale they will contact you to let you know the outcome of their enquiries and what actions they have taken/propose to take.
- It is good practice for the nominated staff member to make a brief written record of the concern discussed and any actions agreed, providing copies to you (the complainant).

It is hoped that most problems will have been resolved at this stage through the informal process.

Step 3: Formal concern or complaint – Headteacher

If you feel that the issue you have raised has not been properly resolved through the informal process and you wish to pursue it further you may raise it through the formal procedure.

To do this you must write a formal letter of complaint to the Headteacher (you may use the form in Appendix A as a guide). Your letter should set out clearly the concern which has previously been discussed and why you feel the issue is unresolved. It is also helpful if you can set out in your letter what resolution you are seeking.

Moving to the formal complaints procedure is a serious step. In consideration of future home/school relationships everyone concerned will need to concentrate on finding a resolution to the issue and negotiate an agreement as how best this can be achieved.

The Headteacher will consider the complaint and in doing so should:

- Establish what has happened so far, and who has been involved
- Clarify the nature of the complaint and what remains unresolved
- Meet or contact you if they need further information
- Clarify what you feel would put things right if this has not been set out in your letter
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Conduct any interview with an open mind and be prepared to persist in the questioning
- Keep notes of any interview for the record
- The Headteacher will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part.

Please note details relating to other individual children/staff (not related to the complainant) should be kept to a minimum and only that related to the specific issue.

It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated (please note where you are unhappy about the decision the Headteacher has made about your complaint, this does not become a complaint about the Headteacher; unless it is about their conduct – see Step 4).

The Headteacher will discuss the outcome of their consideration of your complaint with you and should send a written response **within 10 school days**. Where this proves unrealistic, you will be informed in writing and given an estimate of how long it will take to provide a response.

Step 4: Formal Concern or Complaint – Chair of Governors

If you are not satisfied with the response of the Headteacher or you have a concern or complaint that is specifically about the Headteacher, and which has not been resolved at the informal stage, then you must write a formal letter of complaint to the Chair of Governors. The School Office will pass this to the Chair of Governors immediately on receipt of the letter.

- The Chair of Governors should acknowledge receipt of the letter **within 10 school days** and, may contact the local authority for advice
- For complaints specifically about the Headteacher, the Chair of Governors will arrange for the complaint to be investigated, either by themselves or an appropriate independent investigator (following Step 3 procedures)
- In order to consider the complaint further the Chair of Governors or a third party not related to the complaint will investigate the concern and how it has been dealt with by the school
- As part of the investigation it may be necessary for the Chair of Governors to meet with the complainant and members of staff involved for fact finding
- The Chair of Governors should respond to the complainant **within a further 15 school days** to inform them of the outcome of their considerations

Step 5: Governing Body's Complaints Appeal Panel Hearing

If the complainant is not satisfied with the response of the Chair of Governors, the complainant needs to put the complaint in writing and send it to the school office for the attention of the Clerk to the Governing Body. A nominated governor, who has not been involved at any previous stage in the process, will convene a governing body complaints panel. The aim of these hearings is reconciliation and resolution.

As in previous steps, you should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is difficult to proceed. The clerk will seek similar written responses from the school, where this is necessary.

The clerk will convene a panel of 3 governors, who have not previously been involved with the complaint. A meeting of the panel will take place, usually **within 15 school days**, to consider the matter. The complainant (who may be accompanied by a friend if they wish) and the Headteacher acting as the school representative (who will be accompanied by a colleague, friend or representatives from their professional association) may be invited to attend this meeting in order to clarify the matter. As the panel meeting is intended to be investigatory, rather than adversarial, the persons giving evidence or making representations to the panel may attend separately. In addition, it is not generally appropriate for either parties to bring legal representation to this hearing as these committees are not a form of legal proceedings.

If the designated governor has been involved in attempting to resolve the complaint s/he may present information at the panel meeting, but will take no part in the decision making.

You should be informed of the panel's decision in writing, usually **within 5 school days** of the hearing. Consideration of the complaint by the governing body and the school, except for any actions that are agreed, will terminate at this point. If the complainant is not satisfied that the appropriate procedure has been followed, they may request a review of that process by another panel of the governing body.

The final stage of appeal is to the Secretary of State for Education. Complainants should be advised to write to The School Complaints Unit (SCU) at:

***Department for Education
2nd Floor, Piccadilly Gate
Manchester
M1 2WD***

Governing Body Review

The governing body will monitor the level and nature of complaints and review the outcomes on a regular basis (at least yearly) to ensure the effectiveness of the procedure and make changes where necessary. Complaint information shared with the whole governing body will not name individuals.

As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to the school's improvement. When individual complaints are heard, the school may identify underlying issues that need to be addressed.

Time Limits

Complaints need to be considered and resolved, as quickly, and efficiently as possible. Realistic time limits for each action within each stage will be set and notified to the complainant. However, where further investigations are necessary, new time limits can be set. The complainant will be sent details of the new deadline and an explanation for the delay.

Cut-off Limits: It is reasonable to expect parents/carers to make a complaint as soon as possible after an incident arises and **at least within three months**. There may, however be good reasons why this is not the case and consideration will be given to extending the cut off in exceptional circumstances.

Equality Act (2010): Under this act, complainants who have communication difficulties due to specific learning disabilities or language barriers, can request an alternative method of contact to Appendix A to raise a written complaint (Steps 3-5) from the school and every effort will be made to accommodate this request to the agreement of both parties.

Safeguarding Referrals

Schools have a duty to safeguard and promote the welfare of their pupils under Section 175 of the Education Act (2002). This includes making referrals to the appropriate organisation, usually Bradford Children and Families Trust, if they have a concern about the welfare of a child. It is not for the school to investigate or make a judgement about possible abuse or neglect but they must refer any concerns they may have.

As such, any response to or investigation in relation to a complaint about a safeguarding referral made by school staff will be limited to considering whether the appropriate action was taken at the time the referral was made on the basis of the information available to the referrer at that time and in accordance with the safeguarding policy.

Any allegations of abuse against a member of school staff must be reported to the Headteacher immediately. Allegations of abuse against the Headteacher must be reported to the Chair of Governors immediately.

Persistent, Vexatious and Unreasonable Complaints

St Paul's C.E. Primary School is committed to dealing with all complaints fairly and impartially and to providing a high- quality service to those who complain.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant. The aim of our policy is to limit the number of complaints that become protracted. However, there may be occasions when, despite all stages of the procedure being followed, the complainant remains dissatisfied or complainants behave in an unreasonable manner when raising and/or pursuing concerns.

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 act to protect staff from that behaviour, including that which is abusive, offensive or threatening. In these circumstances, the school may act in accordance with this policy.

Specifically, St Paul's C.E. Primary School expects parents/carers/wider community who wish to raise concerns or complaints to:

- Treat all school staff with courtesy and respect
- Respect the needs and wellbeing of the pupils and staff in the school
- Avoid any use, or threatened use, of violence to people or property
- Avoid any aggression or verbal abuse
- Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond
- Recognise that resolving a specific problem can sometimes take some time
- And in the case of a complaint, follow the school's complaint procedure outlined above

St Paul's C.E. Primary School defines unreasonable complaints 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'*. Specifically, a persistent complainant is a parent/carer/member of the wider community who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the School, and whose behaviour is unreasonable.

Such behaviour may be characterised by:

1. Refusing to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
2. Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved
3. Refuses to accept that certain issues are not within the scope of a complaint's procedure
4. An insistence upon pursuing unsubstantiated complaints and/or unrealistic or unreasonable outcomes
5. An insistence on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or good practice
6. 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 time-scales
7. Makes unjustified complaints about staff who are trying to deal with issues, and seeks to have them replaced
8. Changes the basis of the complaint as the investigation proceeds
9. Prolific correspondence or excessive email or telephone contact about a concern or complaint whilst the complaint is being dealt with, that results in frequent, lengthy, complicated and stressful contact with staff
10. An insistence on pursuing complaints in an unreasonable manner
11. An insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed (e.g. if the desired outcome is beyond the remit of the school because it is unlawful)
12. Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
13. 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 of Education if appropriate)
14. If the complainant's actions are obsessive, persistent, harassing, prolific or repetitious
15. If the complainant's actions are malicious, aggressive, use threats, intimidation or violence, use abusive offensive or discriminatory language, use falsified information or publish unacceptable information about the complaint in a variety of media (e.g. social media, newspapers)

For the purposes of this policy, harassment is the unreasonable pursuit of such actions as in (1) to (15) above in such a way that they:

- Appear to be targeted over a significant period of time on one or more members of school staff and/or
- Cause ongoing distress to individual member(s) of school staff and/or
- Have a significant adverse effect on the whole/parts of the school community and/or
- Are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, wellbeing and health.

Complainants should limit the number 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, noting that their behaviour is considered to be becoming unreasonable/unacceptable before applying an 'unreasonable' marking. If a complainant tries to reopen a previously resolved issue, the Chair of Governors will also inform them in writing that the procedure has been exhausted and that the matter is now closed.

If the behaviour continues, the Headteacher or Chair of Governors will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. If the behaviour is not modified, the school will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect on the school community:

- 1) Inform the complainant in writing that their behaviour is now considered by the school to be unreasonable/unacceptable, and therefore further action will be taken.
- 2) For complainants who excessively contact the school causing a significant level of disruption, we may employ specific methods of communication and limit the number of these in a communication plan. This may include all routine (non-emergency) contacts with the school being by letter only.
- 3) Inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interest of all parties.
- 4) In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police will be informed.
- 5) The complainant may be asked to leave the school premises immediately (if their behaviour is a cause for concern and may be placing pupils, staff and other members of the community at risk). Refusal may result in notification to the police.
- 6) The complainant may be barred from the school premises either temporarily or for a fixed time period subject to any representations that they wish to make. The School will always give the complainant the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed considering any representations made by the parent, and either confirmed or lifted. If the decision is confirmed, the complainant will 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. 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.
- 7) The school may consider taking legal action from Bradford Council on pursuing a case under Anti-Harassment Legislation.
- 8) All actions or sanctions imposed will be reviewed as appropriate (and at a minimum once in a school year).

APPENDIX A:

COMPLAINT FORM – STEP 3: FORMAL COMPLAINT

Please complete and return to the Headteacher, who will acknowledge receipt and explain what action will be taken.

Your Name	
Pupils Name	
Your Relationship to the Pupil	
Address	
Postcode	
Daytime tel. no.	
1. Please give details of your complaint	
2. What action, if any, have you already taken to try and resolve your complaint? (i.e. Who did you speak to and what was the response?)	

3. What actions do you feel will resolve the problem at this stage?

4. Are you attaching any paperwork? If so, please give details.

Signature

Date