

**St. Bartholomew's C of E Primary School  
Sydenham**



## **Complaints Policy & Procedures**

Agreed by the Governing Board: pending January meeting

Signed by: ROS SUTTON, Chair of Governors

Scheduled Review Date: *September 2021*

*This version supersedes all previous versions of this policy.*

This policy is written in conjunction with

<https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019>

## **POLICY STATEMENT**

1. As a Church of England School, Christian values are at the heart of all we do. We value our relationship with parents and all members of the school and local community.
2. If you have a concern we want to know about it so that it can be dealt with immediately. The definition of a concern is 'an expression of worry or doubt over an issue considered to be important and which reassurance are sought'. Most concerns can be dealt with easily and quickly, but to ensure all concerns are handled effectively the Governing Board has adopted the following Complaints Policy and Procedure.
3. Definition of a Complaint: for the purposes of this policy, a complaint is defined as 'a clear written or oral expression of dissatisfaction with the service that a school provides'.
4. The School's Complaints Policy & Procedure is devised with the intention that it will:
  - a) usually be possible to resolve problems by informal means;
  - b) be simple to use and understand;
  - c) treat complaints confidentially;
  - d) allow problems to be handled swiftly;
  - e) inform future practice so that a problem is unlikely to recur;
  - f) reaffirm the partnership between parents, staff and governors as we work together for the good of the pupils in the school;
  - g) ensure that the school's attitude to a pupil will never be affected by a parental complaint;
  - h) discourage anonymous complaints;
  - i) actively encourage strong home-school links;
  - j) ensure that any person complained against has equal rights with the person making the complaint;
  - k) be regularly reviewed

## **EXPRESSING A CONCERN: NOTES FOR PARENTS**

### **If you have a concern**

5. We would like you to tell us about it so that we can talk with you and see how best to resolve your concern. The majority of concerns can be resolved informally by speaking to a member of staff. We welcome suggestions for improving our work in the school. Whatever your concern, please know that we shall treat it as strictly confidential.

6. Be assured that no matter what you wish to share with us, our support and respect for you and your child will not be affected in any way; please do not delay telling us of your concern. It is difficult for us to investigate an incident or problem which is more than a day or two old properly.
7. After hearing your concern, we will act as quickly as we can; we will let you know the timescale within which you may expect a response. Please allow time for any action we may take to be effective.
8. Our procedure is in three stages outlined below commencing at paragraph 11.
9. Where a complaint is made about any of the senior leaders the Head will investigate the complaint.
10. Where a complaint is made about the Head, the Chair of Governors or a Governor nominated by the Chair, will investigate the complaint.
11. If an allegation of a child protection nature is made against a member of staff then the school will follow the procedures outlined in its Safeguarding Policy and refer the case to the Local Authority Designated Officer, for guidance and advice.

#### **What to do first (Stage 1 – informal)**

12. Please contact your child's class teacher, or other appropriate member of staff (see above), and arrange a time when you can discuss your concern. It may be possible for you to see the member of staff straight away but normally it is better to make an appointment so that you can sit and talk things through. It may be possible to give a response immediately, but where any investigation or information is required, a response will be given within five *school* days.
13. Once the member of staff has looked into the complaint he/she will seek to resolve the matter as appropriate. This might be:
  - a) an acknowledgement that the complaint is valid in whole or in part
  - b) an apology
  - c) an explanation
  - d) an admission that the situation could have been handled differently or better
  - e) an assurance that the event complained of will not recur
  - f) an explanation of the steps that have been taken to ensure that it will not happen again
  - g) an undertaking to review school policies in light of the complaint.
14. Resolution will also include trying to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

#### **What to do next (Stage 2- Formal)**

15. If you are still unhappy, ask for an appointment with the Headteacher within 10 school days of receiving a response under Stage 1. It is helpful if you can give a brief outline of

your concern on the School's complaints form when you make the appointment (**Annex B**).

16. After your discussion with the Headteacher you may have to wait a short time while investigations are carried out *depending on the nature of your complaint*. Every effort will be made to resolve the situation as quickly as possible and the Headteacher will send you a written response within 10 school days of your meeting. If it is not possible to respond within this timescale, the Headteacher will tell you when you can expect a response.

### **Duplicate complaints**

17. After a complaint has been through the full complaints procedure, the school may receive a duplicate complaint from the complainant's spouse, partner, grandparent or child. If the complaint is about the same subject, the school will tell the new complainant that the complaint has already been considered and the local process is complete. The complainant will be directed to the DfE if they are dissatisfied with how the school dealt with the original complaint.
18. The school will ensure however that any new aspects of the complaint are not overlooked and any new aspects will be investigated in line with this policy and procedure.

### **If you are still unhappy (Stage 3- Formal)**

19. The problem will normally be resolved by this stage. However, if you still have concerns and they have not been resolved you may ask for your complaint to be considered by the Complaints Panel of the Governing Board by writing to the Chair of Governors c/o The School. You will be invited to attend the panel meeting.
20. The Complaints Panel will be formed of three governors who have had no prior involvement in the complaint. You may bring a friend to the hearing if you wish.
21. They will listen to you, to the Headteacher and, if appropriate, any others involved and come to a decision.

### **Vexatious Complaints**

22. 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.
23. If the complainant tries to reopen the same issue, the Chair of the Governing Board will inform them in writing that the procedure has been exhausted and that the matter is now closed.
24. It should be noted that the Complaints Policy & Procedure is not to be used in a frivolous, vexatious or unreasonable manner. Such use is considered to be an abuse of process and the Complaints Policy & Procedure is an inappropriate mechanism to deal with it. A letter from the Chair of Governors/Headteacher will be sent to the complainant in this regard. Please refer to Annex B for further information.

**Summary of the Procedure (see also ANNEX A)**

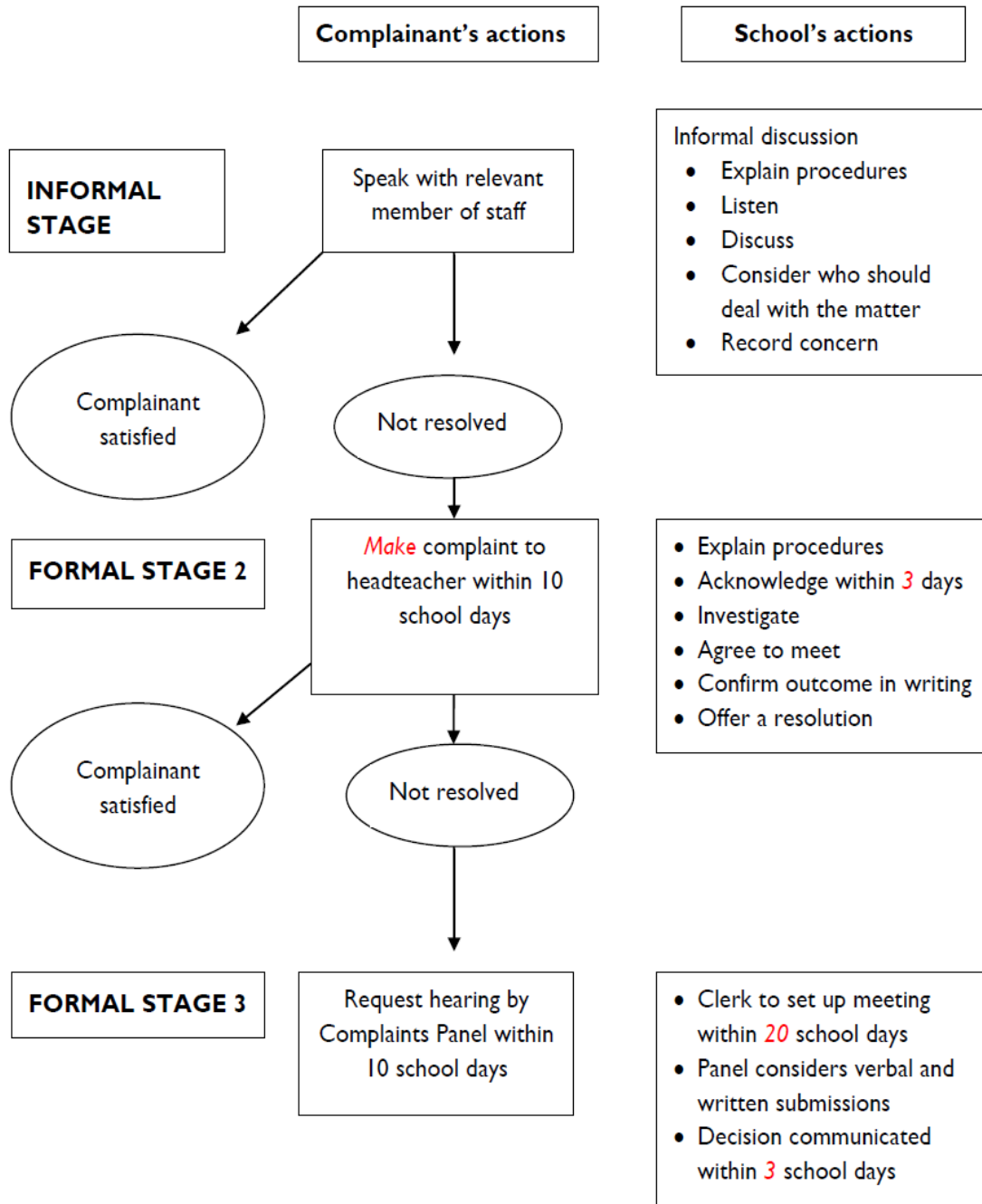
<b>Stage</b>	<b>Description</b>	<b>Timescale for receipt of complaint</b>	<b>Time-limit for School's response</b>
<b>Informal Stage 1</b>	Informal discussions with relevant member of staff and/or Headteacher		As soon as possible but no later than 5 school days.
<b>Formal Stage 2</b>	Written complaint to Headteacher (or Chair of Governors if complaint is about the Headteacher)	Within 10 school days of receipt of response to Stage 1	Acknowledge within 3 school days. Response normally within 10 school days.
<b>Formal Stage 3</b>	Governors' Complaints' Panel Hearing	Within 10 school days of receipt of response to Stage 2	Chair to acknowledge receipt within 5 school days. Hearing set up within 20 school days with 10 days' notice of meeting. Agenda and papers sent out 7 calendar days in advance. Decision letter within 3 school days.

*In all cases if any stage in the procedure is likely to take longer than publicised, parents will be informed of new timescales and the reasons for delay.*

**Monitoring and Review**

25. The Governing Board monitors the complaints procedure in order to ensure that all complaints are handled properly. All formal complaints received by the school are logged and each resolution recorded.
26. Governors receive a termly report on any complaints made through the formal procedures and keep this policy, and all school policies under review. If necessary changes to our Complaints Procedure will follow the review.
27. This policy will be reviewed annually by the Governors' in line with any changes to statutory policy made by the DfE.

**SUMMARY COMPLAINTS PROCEDURE**



<b>COMPLAINT FORM</b>	
<b><i>St Bartholomew's CE Primary School</i></b>	
When we receive a written complaint, we aim to acknowledge its receipt within 3 school days and send a full or interim response within 10 school days.	
Name of complainant:	Name of pupil (if relevant):  Relationship to pupil (if relevant):
Address:	
Postcode:	
Telephone (day):	Telephone (evening):
What is your complaint and how has it affected you?	
Are you attaching any paperwork? If so, please list below:	
Have you discussed this matter with a member of staff before filling in this form? If so, who did you speak to and what was the response?	
<b><i>What actions do you feel might resolve your concerns at this stage?</i></b>	
Signature:	Date:
<b>Please return this form to the main school office.</b>	
<b>Official use only:</b> Date acknowledgement sent: _____ By whom: _____	
Complaint referred to: _____ on _____	

**ANNEX B****Managing serial and unreasonable complaints**

St Bartholomew's 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 our 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.

St Bartholomew's defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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 and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence



- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 ask them to change it. For complainants who excessively contact St Bartholomew's 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 be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from St Bartholomew's.

### **Next Steps**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the School. They will consider whether the School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to: Department for Education Piccadilly Gate Store Street Manchester M1 2WD.