



## Queen's Inclosure Primary School Complaints Procedure

### Introduction

Queen's Inclosure Primary School is dedicated to providing the best possible education and support for its children. This means having a clear, fair and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible. Complaints are an opportunity for organisational learning to support the development of improved service delivery and welfare for our children.

This procedure explains the steps that will be followed whenever an issue arises that causes concern. Any person, including members of the general public, may make a complaint about provision of facilities or services that our school provides, unless separate statutory procedures apply.

A complaint may generally be defined as an expression of dissatisfaction about actions taken or *not* taken.

This procedure does not apply to complaints about:

- Admissions to school
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievance and disciplinary procedures
- Complaints about services provided by other providers who may use the school's premises or facilities

In these cases, there are other separate and statutory procedures.

The school will not respond to anonymous complaints under this procedure. However, the Headteacher and/or Chair of Governors will consider whether the issue and fear of identification are genuine and additionally will investigate if the issue is one of child protection.

For more information on our school's provision for protecting our children, please refer to our **Child Protection** policy and our **Allegations of Abuse against Staff** policy, both of which are available from the school office or via our website: <http://www.queensinclosure.hants.sch.uk/policies>

### When an issue or concern first arises

We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding. Initially, you should approach your child's class teacher as they will be best placed to help you directly or to let you know which other member of staff you should be speaking to.

The Chair of Governors reserves the right to refer complaints that are taken straight to them, back to the appropriate member of staff if it does not warrant the Governing Body's involvement at that point.

A concern should be brought to the attention of the school at the earliest opportunity after an incident arises to enable us to investigate the facts and resolve the matter as quickly as possible. This is particularly relevant before a school holiday, or where a child has left the school. **We ask that any issues or concerns are brought to our attention within 5 school days, unless in exceptional circumstances.**

### Initial Informal Meeting

When a concern has been received, you may receive a telephone call from the member of staff or Headteacher to discuss matters, or you may be invited to attend a meeting.

If invited to a meeting, you are welcome to bring a friend, partner or, in the case of a child who has raised a concern, a parent, along for support. It may or may not be appropriate for a child to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed and will make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure your concerns are dealt with appropriately and efficiently, but if an agreement cannot be reached, or if you are dissatisfied with the outcome, you can make a formal complaint to the Headteacher. If your complaint is about the Headteacher you should make your complaint in writing to the Chair of Governors. It is preferable for you to make your formal complaint in writing, but complaints can be made in person or by telephone.

There is no prescribed timescale for resolution at this stage given the importance of dialogue and informal discussion, although we expect to resolve most issues within **10 school days**.

If we cannot meet the timescales set out in this procedure, we will provide a clear explanation of the reason for this along with details of the indicative timescales.

## **Formal Complaints**

In order to ensure complaints are dealt with efficiently and effectively, Queen's Inclosure Primary School deals with formal complaints in three stages.

### **Stage 1 – Complaint heard by the Headteacher**

If you feel that your concern has not been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint to the Headteacher. It is preferable for you to make your formal complaint in writing and we provide a template proforma for you to complete, which can be accessed either via the school office or via download at: <http://www.queensinclosure.hants.sch.uk/policies>. However, complaints can also be made in person or by telephone.

The Headteacher will acknowledge your complaint in writing or offer a full response within **5 school days\***. If further investigation is required, the Headteacher will acknowledge receipt of your complaint within 5 school days and will advise you that a full response will be provided within **20 school days\***.

The Headteacher may invite you to attend a meeting to discuss your complaint and possible solutions, or to explain what has happened or will happen as a result of your complaint.

The Headteacher will keep a record of all interactions with you and other staff, of meetings and decisions made in reference to your complaint.

If your complaint is about a member of staff, the Headteacher will talk to that employee and invoke the relevant procedure if required. It will not be appropriate to inform you of the outcome of any investigation in relation to an individual member of staff, although it may be shared with the Governing Body.

The Headteacher will respond to you in writing within **20 school days\*** of receiving your complaint outlining their full response to your concern, and any action that has or will be taken. If the Headteacher has decided not to take any further action, they will explain what they have decided and how they reached that decision. You will also be advised of your right to take the matter further if you are not satisfied with the Headteacher's response.

*\*this timescale does not include INSET Days*

## **Stage 2 – Complaint heard by the Chair of Governors**

If, having spoken to the Headteacher, you are dissatisfied with the outcome of your complaint, you should write to the Chair of Governors within **10 school days**, explaining your concern and the steps that have resulted in you taking this course of action.

The Chair of Governors will acknowledge your complaint in writing or offer a full response within **5 school days**. If further investigation is required, the Chair of Governors will acknowledge receipt of your complaint within 5 school days and will advise you that a full response will be provided within **20 school days**.

The Chair of Governors, or an elected representative, may invite you to attend a meeting to discuss your complaint and possible solutions, or to explain what has happened or will happen as a result of your complaint. The complaint will not be shared with the whole Governing Body, except in very general terms, in case an appeal panel subsequently needs to be organised (See Stage 3).

The Chair of Governors will explain that the Governing Body has a strategic role, and is responsible for the school's strategic framework and the Headteacher is responsible for the internal organisation, management and control of the school and for advising on and implementing the Governors' policies. The Headteacher is solely responsible for making day to day decisions.

This stage offers an opportunity for achieving conciliation between all parties; discussions between the Chair of Governors and the Headteacher will be key to resolving the complaint and agreeing a way forward. The Chair of Governors will decide what powers are available to Governors in respect of the particular complaint, specifically to what extent the issues relate to responsibilities that:

- (a) are delegated to the Headteacher by the Governing Body; or
- (b) fall within the Governing Body's remit only; or
- (c) are within the Headteacher's Terms and Conditions of Employment and relate to the internal organisation, management and control of the school.

For delegated responsibilities and matters within the remit of the Governing Body, the Chair of Governors may look at the whole issue afresh. If the matter relates to the Headteacher's conduct, the Chair of Governors will decide whether the matter should be dealt with through the Complaints Procedure or Staff Disciplinary Procedure. Advice may be sought from the Local Authority and/or Education Personnel Services. For matters that are the Headteacher's responsibility, the Chair of Governors is empowered only to look at whether the Headteacher's decision or action was reasonable in the light of the information available at the time.

The Chair of Governors will keep a record of all interactions with you and any decisions made in reference to your complaint.

If the Chair of Governors has decided not to take any further action, they will explain what they have decided and how they reached the decision. You will also be advised of your right to take the matter further if you are not satisfied with the Chair of Governor's response.

## **Stage 3 – Complaint heard by Governing Body's Complaints Panel**

If you remain dissatisfied with the outcome of your complaint, you should write to the Clerk to Governors within **10 school days** of the outcome of stage 2, explaining your concern and the steps that have resulted in you taking this course of action.

The Clerk to Governors will acknowledge receipt of your request within **5 school days**. The complaints panel will usually be convened within **20 school days**. Where it is not possible to find a mutually convenient date within that timescale, all reasonable steps will be taken to agree a time and date mutually convenient to all parties.

The Clerk to Governors will arrange and facilitate the meeting of the complaints panel. You are entitled to an independent panel to hear your complaint and the complaints panel will consist of three Governors who have no former knowledge or involvement in the matter being considered. The chair of the panel will be nominated from within the group of panel members. All panel members will have access to, and will be

familiar with, this Complaints Procedure. The Clerk to Governors will confirm to all parties in writing, the date, time and venue for the meeting at least **10 school days** in advance.

The Clerk to Governors will request that you supply any paperwork you feel the panel will require to consider your complaint fully. The Headteacher (and Chair of Governors) will also be requested to supply copies of their responses from the previous stages of the procedure, and any further paperwork they consider the panel will require to consider the complaint fully. Copies of all paperwork will be distributed to all parties by the Clerk to Governors at least **3 school days** in advance of the meeting. No previously undisclosed evidence relating to the complaint should be introduced during the meeting.

You are welcome to bring a friend or partner to the meeting for support; equally the Headteacher or Chair of Governors is permitted to bring a colleague for support.

The main function of the Complaints Panel will be to:

- a) ensure the complaint has been properly handled by the Headteacher (and Chair of Governors)
- b) ensure that a sufficiently comprehensive investigation was carried out
- c) ensure that the correct procedure / policies were followed.

The panel will also review whether the Headteacher (and Chair of Governors) acted reasonably.

Within **5 school days** of the meeting, the clerk will inform you (and the Headteacher and/or Chair of Governors) in writing of the panel's decision. The letter will include a summary of the issues, an outline of the main points of discussion, the reasons for the decision and the proposed actions or outcome. The panel may suggest you meet with the Headteacher and/or Chair of Governors again to agree a way forward. The letter may set out recommendations which will be made to the Governing Body.

The panel's decision is the final stage in the complaints procedure. If you feel the school has acted unreasonably or has not followed the correct procedures in relation to your complaint, you may write to the Secretary of State using the following contact details:

School Complaints Unit, Department for Education,  
2<sup>nd</sup> Floor, Piccadilly Gate, Store Street, Manchester, M1 2WD

### **Unreasonable Complaints and Unacceptable Behaviour**

Queen's Inclosure Primary School is committed to dealing with all complaints fairly and impartially. Operating from a position of mutual respect, we aim to provide a high-quality service to those who complain and will not normally limit the contact complainants have with the school. The exception to this is unreasonable 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, including failure to meet/communicate with the Headteacher or Chair of Governors
- 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 school's 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 comments 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 a 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 or unreasonable 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/or by telephone

***In addition, we do not expect our staff to tolerate unacceptable behaviour, including that which is abusive, offensive or threatening, whether in person, in writing, by email and/or by telephone. A complaint may be deemed to be unreasonable if the person making the complaint does so:***

- 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 number of communications with a school while a complaint is being progressed to that which is necessary to provide relevant information. 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 recording the complaint as 'unreasonable'.

If the behaviour continues, the Headteacher (or in the case of a complaint against the Headteacher, the Chair of Governors) will write to the complainant, explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Queen's Inclosure Primary School causing a significant level of disruption or interruption, 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 the event of any serious incident of aggression or violence, the police will be informed and the concerns and actions taken will be put into writing immediately. Actions may include banning the aggressor from the school.***

### **Governing Body Review and Monitoring of Complaints**

The Headteacher will report annually to the Governing Body on the number of formal complaints received and the levels at which they were resolved. No details identifying the complainant or any member of staff will be published.

The Governing Body will review and evaluate complaints, no matter how far they are taken or what the outcome, to ensure that similar problems are avoided in the future or to see if they could have been managed any more efficiently.

### **Staff Complaints**

Staff who have a concern about a colleague or volunteer in school should refer to the **Whistleblowing Policy**.

The procedure for dealing with any other staff complaint or employment grievance is set out in the school's **Discipline Policy and the Grievance Procedure**.

### **Review Period**

The Governing Body will review this procedure every 2 years or sooner if there are any legislative changes or following a Complaint Panel meeting, to ensure that it met the requirement to provide a clear, fair and efficient complaints procedure.

**Review Date:** March 2023



**Appendix 1**

**Formal Complaint**

<b>Name of Complainant:</b>	
<b>Address:</b>	
<b>Telephone:</b>	<b>Email:</b>
<b>Outline of your complaint and how it has affected you (the complainant) or a child:</b>	
<b>Have you discussed the matter already with a member of staff? If so, with whom? What was the outcome?</b>	
<b>What would you like to happen as a result of your complaint?</b>	
<b>Signature:</b>	
<b>Date:</b>	

**For school use:**

<b>Date received:</b>	
<b>Date acknowledged &amp; by whom:</b>	
<b>Summary of action taken:</b>	