

Anson Primary School



Complaints Procedure for Anson Primary School

Next review date: November 2024

Date of policy: November 2023
Date of next review: November 2024

Signed: Mr Mitchell Clark:

A handwritten signature in black ink, appearing to read 'M. Clark', written over a circular scribble.

(Chair of Governors)

Signed: Mr Simon Pile:

A handwritten signature in black ink, appearing to read 'S. Pile', written in a cursive style.

(Headteacher)

Agreed by the Governing Body on 23rd November 2022 as recorded in the Governing Body meeting minutes of that date.

Headteacher: Mr. Simon Pile
www.ansonprimaryschool.com

Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

The procedure covers all matters relating to the life of the school including matters to do with the curriculum and religious worship - except admissions, exclusions, special educational needs and child protection for the following reasons.

- The local authority administers the admissions arrangements.
- Pupil exclusions are subject to a separate form of representation and appeals.
- The local authority has responsibility for assessing pupils requiring Education Health Care Plans (EHCP). Parents may appeal to a Tribunal independent of both the local authority and the school, as there are separate statutory arrangements for them.
- Child protection matters are also handled by the local authority. Thus complaints on these must be directed to the local authority.

Legislation and guidance

This document meets the requirements of section 29 of the [Education Act 2002](#), which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE), including the model procedure, and model procedure for dealing with unreasonable complaints.

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

Definitions and scope

Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day-to-day communication as far as possible
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints. This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint. Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school's support are within the scope of this policy. Such complaints should first be made to the class teacher/special educational needs co-ordinator (SENCO) or Headteacher.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

Roles and responsibilities

The complainant

- The complainant will get a more effective and timely response to their complaint if they:
- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect
- Not publish details about the complaint on social media

The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the Headteacher or The Complaints Committee which includes the facts and potential solutions

Clerk to the governing board

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

5. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved

- What the complainant feels would put things right

Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

Staged Arrangements

Stage 1

As is the case with a grievance, a complaint is best resolved by an informal discussion with the Headteacher or a member of the school staff. This is, more often than not, likely to resolve most complaints. The first port of call for parental complaints is the class teacher. A complaint that is not resolved by a staff member is referred to the Headteacher. It will be dealt with as soon as possible and within five working days where practicable.

Stage 2

Where a complaint is of a serious nature and has not been resolved informally, the complainant will be directed to the Chair of the Governing Body. The Chair of Governors will offer the complainant and respondent the opportunity to make their cases - orally and/or in writing, receiving any supplementary information that is relevant to the case and decide on what to do. A complaints form will be available for the complainant's use, but if he/she prefers to make the complaint in another way this will be respected. She or he will then inform both parties of the outcome, giving explanations of why a particular course of action was adopted. The Chair of Governors will acknowledge receipt of the complaint within one week, and deal with the complaint within 15 working days where practicable.

Stage 3

If the complainant is still not satisfied, she or he will be asked to put the complaint in writing formally to the governing body (for the attention of the Clerk) for consideration by a complaints panel. It is possible that, at this stage, the complaint may well include additional comments from the original one, such as dissatisfaction

with the action taken by the Headteacher and Chair of Governors in handling the original complaint. These may be offered in writing to the panel ahead of the meeting, or verbally at the meeting.

The panel of governors will be appointed by the full governing body and consist of three members, none of whom would have had anything to do with the complaint previously. The complaints panel will convene within 15 working days of receipt of the complaint or as soon as practicable thereafter. The Clerk to the governors will be responsible for convening the governor panel and for making the arrangements for the hearing.

Written evidence will be circulated to both parties and members of the panel before the meeting and the procedure will be as follows.

1. Introductions by the chairperson of the panel.
2. Complainant makes statement of complaint and background.
3. Questions to complainant by the Headteacher/Chair of Governors and members of the panel.
4. Headteacher/Chair of Governors makes statement.
5. Questions to Headteacher/Chair of Governors by complainant and members of the panel.
6. Headteacher/Chair of Governors makes final statement.
7. Complainant makes final statement.
8. Interested parties leave the meeting and the panel reaches a decision on whether the complaint is upheld or rejected. In either case, the panel may call for certain action to be taken by the school.
9. Both parties are informed of the decision no later than five working days after the hearing, including directions to the school as appropriate, to take remedial measures.

The decision of the panel of governors will be binding on the Headteacher, Chair of Governors and the school. If the complaint is a curricular one and the complainant is dissatisfied with the outcome, she or he may refer the matter to the Director of Children's Services of Brent. If the complaint is related to a non-curricular matter and the complainant is dissatisfied with the decision of the governing body, she or he may take the matter further to the Ombudsman on the grounds that the governing body has behaved unreasonably.

Should an investigation into a complaint lead to disciplining a member of staff, all those involved in the investigation or hearing will not participate in the disciplinary action that may follow, in order to maintain natural justice.

Complaints Procedures for Parents Anson Primary School

The Governing Body of Anson Primary School established a complaints procedure to deal as quickly as possible with **any concerns or worries that parents may have**. There are three stages for handling complaints, which are as follows. The school will use strenuous efforts to keep to the timetable stated.

Stage 1

<u>Normal Time</u>	<u>Dealing with the Complaint</u>
<u>Span</u>	

5 working days	If you have a complaint or a concern, you should speak directly with a member of staff. If a matter is about a member of staff, please make an appointment with that person. If the complaint is not resolved, take it up with the Headteacher. If the complaint is about the Headteacher, make an appointment to see her so that she can resolve the problem.
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Stage 2

<u>Normal Time</u>	<u>Dealing with the Complaint</u>
<u>Span</u>	

15 working days	If the complaint is unresolved by the Headteacher, you can ask for a complaint form from the school office, or write to the Chair of Governors and direct the letter to the school. You should receive an acknowledgement within five working days. The Chair of Governors will look into your complaint and invite the member of staff to give her or his point of view. With complex complaints, the Chair of Governors may ask the Headteacher for a written report. He or she will then write to you about his or her decision and inform you of any action he or she proposes to take.
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Stage 3

<u>Normal Time</u>	<u>Dealing with the Complaint</u>
<u>Span</u>	

30 working days	If you are still unhappy about the outcome, you may write a letter to the Clerk of the governing body, care of the school, and request that the governors investigate your complaint. A small
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panel of three school governors will invite you to a meeting. You will be able to put your side of the story to them. The Headteacher and Chair of Governors will also be present to give their points of view. The panel will decide on whether or not to uphold your complaint and on the action that the school should take. Its decision is binding on the Headteacher and Chair of Governors. You will receive a letter after the meeting to explain what the panel decided.

Unreasonable Complaints

In line with Department for Education 'Best Practice Advice for School Complaints Procedures 2016', Anson Primary School will address unreasonable complaints as follows.

Anson Primary 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 abusive, offensive or threatening behaviour.

Anson Primary School defines unreasonable complainants as 'those who, because of the frequency or nature of their contact with the school, hinder our consideration of their or other people's complaints'.

Please also note that the school does not respond to anonymous or multiple generic complaints.

A complaint may also be regarded as unreasonable when the person making the complaint:-

- refuses, despite offers of assistance, to articulate their complaint or to specify the grounds of a complaint or the outcomes sought by raising the complaint;
- refuses to co-operate with the complaints investigation process while still wishing the 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 of 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 telephone while the complaint is being dealt with.

A complaint may also be considered 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 social media websites and newspapers, whether conducted face-to-face, by telephone, in writing or through electronic means.

Complainants should limit the number of communications with the 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 the 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 usually be reviewed after 6 months if the complained process is ongoing.

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 barring an individual from Anson Primary School.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Anson Primary School will therefore act to ensure the School remains a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, Anson Primary School can ask the parent to leave the school premises. In serious cases, the Headteacher or the local

authority will notify the parent, in writing, that their implied licence to be on the school premises has been temporarily revoked, subject to any representations that the parent may wish to make. Anson Primary School will always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar will then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed, the parent 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 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, in which case independent legal advice must be sought.

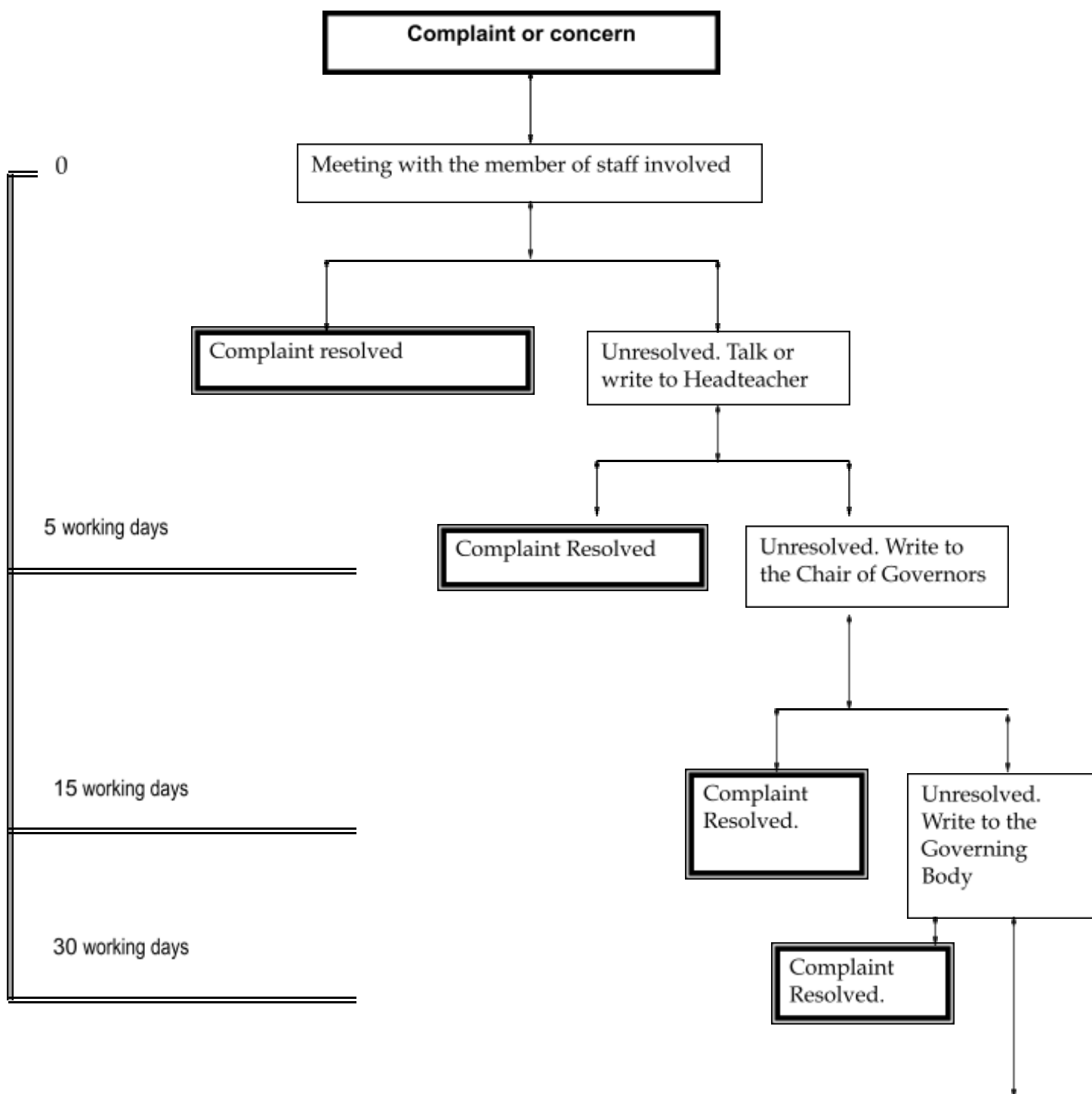
Finally

If the complaint you made has to do with the curriculum or religious worship and you are still dissatisfied with the decision of the panel, you can write to the Director of Children's Services, London Borough of Brent, Engineers' Way, Wembley HA9 0FJ

If the complaint is about a non-curricular matter - such as bullying, the length of the school day or something else - you may take it further with and write to the Local Government Ombudsman, 10th Floor, Millbank Tower, Millbank, London SW1P 4QP.

Overleaf is a chart that explains the different stages.

**Complaints Procedure for Parents to follow at
Anson Primary School**



Dissatisfied	
Curricular Complaint write to The Director of Children’s Services London Borough of Brent	Non-Curricular Complaint – write to Local Government Ombudsman

Complaints Form

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

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?

What actions do you feel might resolve the problem at this stage?

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

Signature:

Date:

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Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: