



Bramley Church of England Primary School

# Complaints Policy

APPROVED AND ADOPTED

Written by: *Richard Kemp-Williams*

Date: *February 2017*

Governors Signed \_\_\_\_\_ Date: \_\_\_\_\_

Staff Signed \_\_\_\_\_ Date: \_\_\_\_\_

Next Review Date: *February 2018*

## **Concerns and Complaints - an Introduction**

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be generally defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

### **(Best Practice Advice for School Complaints Procedures 2016 – DFE)**

Bramley Church of England Primary School ("The School") aims to work in partnership with parents and carers in the best interests of the children. Any issue raised with the School will be given careful consideration and will be always be dealt with fairly and honestly.

Parents and Carers are encouraged to bring their children into the classroom on a daily basis and to take every opportunity of talking with the class teacher. The School will provide sufficient opportunity for any concern or issue to be fully discussed, and aim to resolve it through open dialogue and mutual understanding. Most concerns or issues can be dealt with very effectively at this level and the Executive Head (or Head of School) will be informed as part of the standard communication protocol.

**NOTE: In all instances of the Executive Head being unavailable, the Head of School will deputise.**

### **Complaints against the School**

The School aims to:

1. Ensure that complaints are listened to sympathetically and treated with fairness and understanding
2. To deal promptly and effectively with any issues that arise from a complaint

The School is committed to an "Open Door" culture of full and open partnership with Parents and Carers. We aspire to form and maintain good channels of communication and welcome comments from Parents and Carers as an important part of our commitment to improve. We appreciate any issues being raised as soon as possible to enable us to follow through immediately and ensure that issues causing disquiet are managed effectively and prompt action taken in the early stages.

If a more formal complaint is received, the class teacher will immediately refer the matter to the Executive Head who will thereafter assume management of the situation.

The Executive Head will do their utmost to make themselves available for short meetings/interviews, however, if the situation is such that a longer time is needed (or the Executive Head is unavailable), an appointment will be made for the earliest mutually convenient time. The School aims for this appointment to be within 24 hours.

Any complaint received by the Executive Head will be treated in the strictest confidence and immediate action taken to investigate and/or address the issues raised. If the complaint is judged to be serious, the Executive Head will immediately inform the Chair of Governors.

All complaints are shared with the Chair of Governors during routine meetings. Depending on the individual circumstances, solutions and/or actions may be agreed with the complainant. It is always our intention that people should feel they have been listened to and their opinions valued, even if circumstances prevent any noticeable actions being taken immediately. We aim to resolve issues very

promptly and seek for any situation causing anxiety to be resolved (or a satisfactory Action Plan agreed) to the satisfaction of all parties within 14 school days.

In the unlikely event of a complainant feeling that a situation has not been resolved, the issue can be referred directly to the Chair of Governors, who will seek to resolve the situation to the satisfaction of all concerned. The procedure to be followed in the event of a complaint being made is summarised in the following stages.

#### Stage 1 - Informal Action

- Parents discuss concerns with the class teacher
- If the teacher is unable to deal immediately with the matter, a clear note is made, including the complainant's name, phone number and date, and the parent is contacted as soon as the matter has been investigated. The teacher may also consult the Executive Head at this stage
- The teacher ensures that the parent is clear what action or monitoring of the situation has been agreed
- If no satisfactory solution has been found, parents are asked if they wish their concern to be considered further

#### Stage 2 - Referral to the Executive Head

- The Executive Head acknowledges the complaint, either orally or in writing, within 3 school days
- A meeting is arranged with the complainant to clarify and supplement any information given
- The Executive Head investigates further, interviewing witnesses as appropriate. If the complaint concerns a pupil, the pupil in question would normally be interviewed with a parent present or - if this is not possible - with a member of staff who is not directly involved
- The Executive Head keeps written records of meetings, telephone conversations and other documentation
- Once all relevant facts have been established, the Executive Head responds. If the complaint was made in writing, a written response will be sent
- If the complainant is not satisfied, they are advised to write to the Governing Body (if the complaint is against the Executive Head, the Stage 2 procedures are carried out by the Chair of the Governing Body)

#### Stage 3 - Review by the Governing Body

- The Chair of Governors acknowledges receipt of the complaint, informing the complainant that the complaint is to be heard by a Panel (consisting of 3 members of the School's Governing Body) within 20 working days
- The Chair arranges to convene the Complaints Panel, members of which should have no prior involvement with the complaint, and a Chair will be elected. All relevant documentation regarding the complaint should be given to the members of the Panel as soon as possible
- The Chair of the Panel will inform all concerned of the date, time and place of the meeting at least 5 working days in advance. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend, and the right to submit further written evidence
- It is the responsibility of the Chair of the Panel to ensure that the meeting is properly minuted.
- After the meeting, the Panel will consider the evidence and a decision will be sent to the Headteacher and the complainant within 15 working days.

#### Stage 4 - Beyond the Governing Body

Complaints can be taken to the Secretary of State for Education (under the Education Act 1996) on the grounds that a Governing Body or LEA is acting or proposing to act unreasonably or has failed to discharge its duties under the Act.

#### Policy for Staff complaints against parents or other users of the school facilities.

The School aims to ensure that systems are in place to protect staff from inappropriate behaviour and/or complaint from Parents, Carers or other users.

Although staff seek to operate at all times with a calm, measured and non-threatening manner, there may be occasions when a Parent, Carer or other user responds inappropriately to a situation. In cases where the staff member feels they may be at potential risk of verbal or other abuse, they are to ensure that another member of staff is with them, as well as informing the school office that the interview is taking place. The member of staff should, wherever possible, conduct the meeting as close to the school office as possible, and/or have a telephone immediately beside them.

If the situation becomes uncomfortable or threatening in any way, the member of staff leading the meeting will immediately undertake the following escalatory actions:-

- a) The person will be warned that their manner is causing discomfort
- b) The person will be asked to leave the premises
- c) The police will be called to remove the person from the premises

If the Police are called to attend such an incident, a prosecution may be pursued for a Public Order Offence, which carries a fixed-penalty fine.

At the Executive Head's discretion, a follow-up letter will be sent, outlining the nature of the complaint being made against them and detailing steps which may be taken in future if the behaviour is repeated in addition to seeking to address the causal issues in written format.

Where a person has a track record of threatening behaviour in the school, they may be placed into the category of persistent/vexatious, and the following actions may be taken:

- a) Notification given that any further interviews will only be agreed to if agreed in advance and a member of the Governing Body is present
- b) Notification given that all further communication will only be accepted in written form
- c) Notification given of a ban from the school premises for purposes other than the delivery or collection of children