

Uppingham Church of England Primary School

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Complaints Policy September 2016

1 Introduction

All schools have a duty to have a complaints procedure and to publicise it to parents and pupils. This policy is based on the DfE Guidance "Best Practice Advice for School Complaints Procedures" (2016).

Complaints procedures should not be used for appeals and referrals that fall under other procedures and legislation and which are covered by other guidance, including:

- Admissions to schools
- Exclusions
- Statutory assessments of Special Educational Needs (SEN)
- Staff grievances and disciplinary procedures
- Child protection
- Whistleblowing
- School reorganisation proposals
- Matters likely to require a Child Protection Investigation
- Complaints about services provided by other providers who may use school premises or facilities.

2. Raising a concern or complaint

2.1 Informal stage

Parents can raise concerns by contacting their child's class teacher initially. This should be in person by appointment, letter or email, via the school office (01572 823245 or office@uppingham.rutland.sch.uk). Many concerns can be resolved by simple clarification of information and it is anticipated that most complaints will be resolved at this informal stage. If your complaint remains unresolved, it should be raised with the Headteacher (or the Chair of Governors, if the complaint is about the Headteacher) to investigate and respond to you.

In the case of serious concerns it may be appropriate to address them directly to the Headteacher (or the Chair of Governors, if the complaint is about the Headteacher).

The school will endeavour to give a prompt feedback in response to any complaint received.

If you are uncertain about who to contact, please seek advice from the school office or the Clerk to the governing body.

2.2 Formal Stage

If your concern or complaint is not resolved at the informal stage you must put the complaint in writing and pass it to the Headteacher, (or to the Clerk to the governing body for the attention of the Chair, if the complaint is about the Headteacher) who will be responsible for ensuring that it is investigated properly.

You should include details which might assist the investigation, such as the names of potential witnesses, dates and times or events, and copies of relevant documents. You may choose to use the Formal Complaints Form in Appendix A.

Please pass the completed paperwork, in a sealed envelope to the Headteacher or to the Clerk to the governing body, as appropriate. The Headteacher (or Chair) will invite you to a meeting to clarify your concerns and to seek an informal resolution. If you accept that invitation, you may be accompanied by a friend (not a member of the legal profession or media) if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the Headteacher (or Chair). If not arrangements will be made for the matter to be more fully investigated, using the appropriate procedure. In any case you should usually learn in writing, usually within 10 working days of the school receiving your formal complaint, how the school intends to proceed. This notification should include an indication of the anticipated time frame.

An investigation will begin as soon as possible and when it has been concluded, you will be informed of its conclusion. If you are not happy with the response provided by the Headteacher (or Chair of Governors) the complaint can be referred to the governing body for review. Any such request must be made in writing to the Clerk to the governing body, within 10 school days of receiving notice of the outcome. The procedure described below will be followed.

2.2.1 Review Process

Any review of the process followed by the school or of the investigation of the complaint will be conducted by a panel of three members of the governing body. This will usually take place within 10 days of receipt of your request.

The governing body will arrange a meeting to discuss the complaint, and will invite you to attend the meeting, so that you can explain the complaint in more detail. The school must give the complainant at least three days' notice of the meeting. After hearing all the evidence, the governors will consider their decision and you and the school representatives will be informed in writing of the outcome, usually within 5 days of the panel meeting.

For most complaints the decision of the governors is the last step in the procedure.

4. Monitoring and review

The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher logs concerns and complaints received by the school, and records how they were resolved. This is shared with governors.

This policy is made available to all parents and carers, so that they can be properly informed about the complaints process.

This policy will be reviewed every two years, or before if necessary.

Appendix A – Formal 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	
Relationship to Pupil	
Address	
Postcode	
Daytime Tel Number	
Evening Tel Number	
Please give details of your complaint	
What actions, if any have you taken to try and resolve your complaint	
What actions do you feel might resolve the problem?	
Signature	
Date	
For office use only	
Date acknowledgement sent:	By whom:
Complaint referred to :	Date:

Annex to Complaints Policy

Policy for dealing with Unreasonably Persistent Complaints, Harassment or Aggression

The Headteacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the School's Complaints Procedure. The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant. The school is extremely committed to promoting positive relationships with all members of the school community, regardless of age, sex, religion, ability or culture and it welcomes the opportunity to address and resolve issues that may arise.

However, there are rare occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the school and directly or indirectly the overall well-being of the children or staff in the school. In these exceptional circumstances the school may take action in accordance with this policy.

1. What does the school expect of any person wishing to raise a concern?

The school expects anyone who wishes to raise concerns with the school to:

- treat all members of the school community with courtesy and respect;
- respect the needs of pupils and staff within the school;
- avoid the use of violence, or threats of violence, towards 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 to a complaint;
- recognise that resolving a specific problem can sometimes take time;
- follow the school's complaints procedure (and for staff members to follow the appropriate internal staff procedure).

2. What do we mean by 'unreasonably persistent complainants'?

For the purpose of this policy, an unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include the following (not an exhaustive list):

- actions which are obsessive, persistent, harassing, prolific, repetitive;
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;
- uses Freedom of Information requests excessively and unreasonably;
- an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- an insistence upon pursuing complaints in an unreasonable manner;
- an insistence on only dealing with the Headteacher on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters;
- an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school because it is unlawful.
- making what appears to be groundless complaints about staff dealing with the complaint and seeking to have them replaced.
- abusive or threatening behaviour or language towards school staff.
- failing to specify grounds of the complaint, despite offers of assistance from the school.

3. What is harassment?

We regard harassment as including the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress, rather than to seek a resolution.

Behaviour may fall within the scope of this policy if:

- it appears to be deliberately targeted at one or more members of school staff or others, without good cause;

- the way in which a complaint or other issue is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has an unjustifiably significant and disproportionate adverse effect on the school community.

4. School's responses to unreasonably persistent complaints or harassment

This policy is intended to be used in conjunction with the school's complaints procedure. Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty.

However, in cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach;
- inform the complainant in writing that the school considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints/ Harassment Policy;
- require any future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken;
- inform the complainant that, except in emergencies, the school will respond only to written communication and that these may be required to be channelled through a third party chosen by the school, for example the Local Authority or County Solicitor;
- inform the complainant that, with the exception of urgent communication regarding their child in school, the school will respond to their correspondence on a 6 weekly basis only;
- take legal advice on pursuing a case under Anti-Harassment legislation.

Legitimate new complaints will always be considered in an appropriate time frame, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/ Harassment Policy. The school nevertheless reserves the right not to respond to communications from individuals whose conduct falls within the scope of this policy.

5. Physical or verbal aggression

The governing body will not tolerate **any** form of physical or verbal aggression against members of the school community. If there is evidence of any such aggression the school may:

- ban the individual from entering the school site, with immediate effect;
- request an Anti-Social Behaviour Order (ASBO);
- take legal advice on pursuing a case under Anti-Harassment legislation;
- call the police to remove the individual from the premises, under powers provided by the Education Act 1996.

6. Right of appeal

All persons who are notified by the school that they are being dealt with under this procedure have the right of appeal. Appeals must be addressed to the Chair of Governors under confidential cover, care of the school. The Chair of Governors will consider each appeal on its merits, consulting with the Headteacher as appropriate. The outcome of the appeal should be notified to the appellant and copied to the Headteacher within 10 working days of receipt.