

# Gonerby Hill Foot Church of England Primary School

## COMPLAINTS BY PARENTS – PROCEDURE

### Introduction

In this school all staff are dedicated to giving all children the best possible education and caring properly for their health, safety and welfare at all times. We are committed to working closely with parents and believe that school and parents must work together in partnership, each carrying out our own particular responsibilities to help pupils gain the most from their time in school. However, the school is obliged to have procedures in place in case there are complaints by parents. The following policy sets out the procedure that the school follows in such cases.

If any parent is unhappy with the education that their child is receiving, or has any concern relating to the school, we encourage that person to talk to the child's class teacher immediately.

We deal with all complaints in accordance with procedures set out by the LA.

### Aims and Objectives

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully investigated, and then resolved.

We have developed a Complaints Procedure which we hope you will find easy to follow:

#### The first step:

Please arrange to discuss any concerns with your child's class teacher, or with the particular teacher concerned. We hope that most problems can be sorted out this way.

#### The second step:

If, after speaking to your child's teacher, you do not feel that your complaint has been properly dealt with, or if your concern is about the conduct of a particular teacher, then you should discuss the matter with that teacher's manager. In our school this is the Headteacher. In almost all cases we can sort things out satisfactorily in this way.

#### The third step:

If you are still not happy and do not feel that your complaint has been properly dealt with, you should make a formal written complaint to the Headteacher. A response to a written complaint will be with you in 7 working days, or as soon as practicable.

#### Taking matters further:

If your complaint is about the conduct of the Headteacher, or if you are dissatisfied with the Headteacher's response to your formal complaint letter, then you will need to contact the governors.

You should send written details of your complaint, with any correspondence and evidence to support your complaint, to the Clerk to the Governors at the school address, which is Gonerby Hill Foot Church of England Primary School, Gonerby Hill Foot, Grantham, NG31 8HQ. If, for some reason, you do not feel able to do so, you should contact the Clerk, via the school, who will record your complaint as a statement for you to sign.

The governors will investigate your complaint and write to advise you of the outcome.

### The final stage:

The decision of the governors is normally final; however, if you are dissatisfied with the governors' response, you can take your complaint to a final stage, the Secretary of State for Education. You must do this in writing, either by post to:

School Complaints Team  
Department for Education  
Castle View House  
East Lane  
Runcorn, WA7 2GJ

Or, by using the online School Complaints form. This can be accessed at:

<http://www.education.gov.uk/b00212240/guidance-on-making-a-complaint-about-a-school/how-to-complain-to-the-department-about-a-school>

You should be aware that the Secretary of State for Education will usually only consider a complaint once the school's internal processes have been exhausted. For the Secretary of State to intervene in a matter, he would also need to be sure that:

- The school has acted or proposes to act unreasonably in the exercise or performance of its functions under certain legislation
- Or, the school has failed to carry out a duty at all under certain legislation.

Before submitting your complaint, please read the guidance section on making a complaint about a school. This can be accessed at:

<http://www.education.gov.uk/b00212240/guidance-on-making-a-complaint-about-a-school>

Please note that, unless your complaint is about the governors' response or lack of response, your complaint will generally have to be considered first by the governing body of the school.

### Time Limits

You should make the school aware of your complaint as soon as possible after the matter or incident has occurred that you wish to complain about. Usually, we would expect you to do this within three months of the incident occurring and if you do not contact the school within that time, we will not usually consider your complaint.

If your complaint relates to a continuing act, then occurrences outside of the three month time limit will usually be considered alongside the more recent occurrence.

If you feel there are exceptional circumstances that have prevented you from meeting the time limit, you can provide an explanation of these circumstances along with your complaint so that Governors can take them into account.

The final decision rests with Governors as to whether your complaint will be considered when it is raised outside of the three month time limit.

### Unreasonable Complainant Behaviour

Staff and Governors are keen to ensure that all genuine complaints are dealt with fairly and promptly and in accordance with our agreed procedures. We would again emphasise that most matters can be resolved by discussing issues with our staff at the informal stages of our procedure.

Regrettably, there are times when parents raise issues with or about staff in ways which are unacceptable. This can cloud the concern at the heart of the complaint, which may result in the delay or hindrance of a resolution. It can also have an adverse effect on pupils, staff and the effective running of the school.

Examples of behaviours that we consider to be unacceptable are as follows:

- Using abusive or threatening language and/or behaviour.
- Making excessive demands on staff time and resources in pursuit of a complaint, whether in person, by phone, email or letter.
- Harassing individual staff members in a way which appears intended to cause personal distress rather than to find a resolution.
- Refusing to cooperate with the complaints procedure as set out in this policy.
- Persisting in repetitious complaints when these have been previously determined under the school complaints procedure.
- Changing the basis of the complaint as the consideration proceeds and/or making unjustified complaints about those trying to deal with the complaint.
- Pursuing unreasonable outcomes which are disproportionate to the nature of the matters in hand.
- Electronically recording meetings, telephone calls and conversations without the prior knowledge and consent of the other persons involved.

The school expects that any person wishing to raise a concern or complaint will:

- Follow the school complaints procedure.
- Treat all members of the school community with courtesy and respect.
- Recognise the time constraints that staff operate under and allow them a reasonable amount of time in which to respond / address any issues.

Where a parent raises a complaint in a manner which the school feels is unreasonable, actions may be taken to remedy this. The actions will be proportionate to the nature of the behaviour and may include:

- An informal approach to inform the parent that the behaviour is unacceptable and needs to be modified.
- A formal written communication advising the parent that the behaviour is unacceptable and appropriate action may be taken if the behaviour is not modified.
- Setting limitations on the method and frequency of contact with staff / school personnel.
- Refusing to register and process further complaints about the same or similar subject matter where the matter has already been determined, or where complaints are vexatious, or where complaints are personally harassing and deliberately targeted at one or more members of staff without good cause.
- Setting limitations on the parent's access to the school site.

It should be noted that parents do not have an automatic right to enter school grounds and may be banned from entering the school site with immediate effect after an incident where behaviour has been verbally and/or physically aggressive.

Any restrictions placed on a parent as a result of this policy will be time limited, with a specified date as to when the restrictions will be reviewed and potentially lifted.

Again, we would emphasise that the Headteacher and Governing Body are committed to ensuring a full and fair consideration of all legitimate complaints and we recognise that the majority of parents will conduct themselves in accordance with this policy. However, we reserve the right to take any necessary actions under this policy in those rare cases where a parent does not.

## **Governors Complaints Procedure**

- If a parent is not satisfied with the response from the Headteacher regarding their complaint or if their complaint is about the Headteacher, then he/she is entitled to take their complaint to the Governing Body.
- All complaints to the Governing Body must be in writing and should include full details of the complaint, enclosing any supporting evidence. This should be sent to the Clerk to the Governors, care of the school. The Clerk will then ensure the complaints process is started as soon as practicable (a complainant can request that the Clerk to the Governors write down the complaint on their behalf where writing a letter is difficult).
- A minimum of three governors should be selected to form a complaints committee to investigate and consider the complaint. It is recommended that the Chair of Governors is not on this committee. Those governors chosen should ideally have no knowledge whatsoever of the details surrounding the complaint or of the complainant themselves.
- It is appreciated that this may not always be possible. However, the Governing Body should always try to find impartial governors whenever possible.
- Once the complaints committee has been formed, they must then decide how they wish to investigate the complaint.
- The governors effectively have two options available. They can choose to deal with the complaint by means of an oral hearing or through written representations, but in making their decision they must be sensitive to any needs the complainant has. The LA advises that, wherever possible and appropriate, it should be through written representations.
- If the governors choose to have an oral hearing, the parent will be invited to attend a meeting where they will be able to put their complaint personally to the governors. The Headteacher should also be present to respond to the complaint. Teachers should not attend. If their evidence is needed, it should either be obtained via the Headteacher, or where this is not appropriate, by a governor either before or after the meeting with the parent. The governors will only make a decision about the complaint once they have heard the parent's and the school's evidence.
- The structure of such a meeting should be flexible. However, it is anticipated it will follow a similar process to exclusion or admission appeals. The complaints committee should have familiarised themselves with the written complaint before the meeting opens and will have an opportunity to ask any questions, as will the Headteacher. The complaint should then be responded to by the Headteacher with questions from both parties being permitted. Each party can then be asked to summarise their position. Both parties will then leave to allow the governors to make their decision in private.
- Both the complainant and Headteacher are entitled to bring a representative with them if they wish. Although it would not normally be necessary, either party may bring a legal representative if they wish. Either party intending to bring a representative would be expected to contact the clerk to the governors before the hearing to notify them.
- If the governors do not wish to hold an oral hearing - that decision being at the discretion of the complaints committee - the investigation will proceed by way of written representations.
- Should the governors choose to adopt this procedure, the clerk to the governors will write to the complainant, outlining the procedure.
- The complaint will be forwarded to the Headteacher who will then have 7 working days in which to respond.
- That response will then, in turn, be sent to the complainant for comment, any responses to be provided within 7 working days.
- Finally, that response will go to the Headteacher who has 7 working days in which to respond to the clerk.

- A copy of the Headteacher's final response should be sent to the complainant with the advice that it is only for their information and that any further response from the parent will not be considered except in exceptional circumstances.
- All the responses are then put before the complaints committee for consideration.
- For the avoidance of doubt, all communication should be through the clerk to the governors, neither party should send their response to the other directly.
- Regardless of which method is adopted, the complaints committee must take a robust approach and not simply endorse the decision of the Headteacher without any consideration of the evidence.
- The complaints committee must have all the necessary evidence they feel is necessary for them to make their decision. If they are not satisfied and require further evidence from either party, they should adjourn and request that information. The complaints committee should only make their decision if they are satisfied they have sufficient evidence with which to make a final decision.
- The decision of the complaints committee should be given to the complainant in writing within five working days of the decision. Providing the procedures as laid down in the complaints policy are followed then there is no right of appeal following this decision.
- The decision letter should outline the nature of the complaint, the factors taken into consideration and the decision of the complaints committee. There is therefore no need for minutes to include any other information.
- Under the Data Protection Act, parents can request to have sight of all documents relating to their complaint, subject to restrictions as detailed in Section A06 of this handbook.

**The school will keep all correspondence in strictest confidence and this will not show on your child's records.**

**Adopted: April 2014**

**Review: April 2016**

## Flowchart – Formal Complaint to Governors

## **MODEL COMPLAINT FORM**

**Please complete and return to the Headteacher or the Clerk to Governors depending on the stage of your complaint. You will receive an acknowledgement and an explanation of the process.**

**Your name:**

**Pupil's name:**

**Your relationship to the pupil:**

**Your address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give details of your complaint.**

**What action, if any, have you 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 only**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date of referral:**