Complaints Procedure

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<th>Document Version</th>
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<td>Reason for Issue</td>
<td>Statutory</td>
</tr>
<tr>
<td>Document Author</td>
<td>Mike Wallace</td>
</tr>
<tr>
<td>Creation Date</td>
<td>Sept 2019</td>
</tr>
<tr>
<td>Approved by</td>
<td>Governing Body</td>
</tr>
<tr>
<td>Approval date</td>
<td>December 2019</td>
</tr>
<tr>
<td>Review frequency</td>
<td>In response to legislation Monitor implementation annually – T&amp;L committee</td>
</tr>
<tr>
<td>Document location</td>
<td>Websites</td>
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<td>MW</td>
<td>Approved</td>
<td>Creation for FPPF</td>
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Complaints Procedure

Preamble

The Complaints Procedure is available to all parents and staff members.

There are four stages to the Complaints procedure to enable all parties to express their views and concerns and for these to be fully investigated at each stage. All staff are aware of the procedures to follow if they receive a complaint.

The following are examples of ways in which a complaint can be resolved at any stage:

- An apology
- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that the event complained of will not recur
- An explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review School policies in the light of the complaint.

Stage One - Informal

It is in everyone’s interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the School can be crucial in determining whether the complaint will escalate.

The view of a complainant will be respected if he/she is having difficulty in discussing a complaint with a particular member of staff. If this is the case, the matter will be immediately be referred to the Executive Headteacher. If the complaint is about the Executive Headteacher the Chair of Governors will be notified straight away.

Similarly if a member of staff directly involved feels too compromised to deal with a complaint, then the Executive Headteacher will immediately be notified.

If the first approach is made to a Governor they will immediately contact the Executive Headteacher. The school must respond to the complainant within 5 school working days.

When a complaint is received it is necessary to establish what has happened so far and who is involved. Clarify the nature of the complaint and what remains unresolved. The complainant should be met or contacted as soon as possible, to establish what the complainant feels would put things right. Those involved should be interviewed, allowing them to be accompanied if they wish. Interviews should be conducted with an open mind and notes taken. If a satisfactory outcome has not been reached, the complainant must inform the school within 10 school working days. The complaint will then move to Stage Two.
Stage Two – Formal – Heard by Executive Headteacher

Encourage complainants to state what action they feel might resolve the problem at any stage by completing Appendix 3 below. An admission that the School could have handled the situation better will not be an admission of negligence. An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

All complaints will be acknowledged in writing within 3 school working days, with the outcome of the investigation. If a satisfactory outcome has not been reached, the complainant must inform the school within 10 school working days. The complaint will then move to Stage Three.

Stages Three – Formal – Heard by Chair of Governors

Every attempt should be made to settle the complaint verbally to the complainant’s satisfaction. If the complainant is not satisfied with the response of the Executive Headteacher or the complaint is about the Executive Headteacher, the complainant should write to the Chair of Governors to request that their complaint is considered further. All complaints to the Chair of Governors will be acknowledged in writing within 10 school working days, with the outcome of the investigation (some investigations may take longer than anticipated. In these circumstances, the governor investigating will write to complainant within the initial 10 school working days to update them). Once investigated by the Chair of Governors, the complainant will receive a letter with his/her conclusion. If a satisfactory outcome is still not reached, the complainant can write to the Clerk to the Governors within 10 school working days, and ask that it is put before the Appeal Panel – Stage Four.

Stage Four – Formal – Appeal Panel

The remit of the Panel is to

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the School’s systems or procedures to ensure that problems of a similar nature do not recur.

The Chair will convene a Governing Body Complaints Panel which will be recorded by the Clerk. The Clerk will be the contact point of the complainant and set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible. Written material will be collated and sent to all parties in advance of the hearing. The Clerk will meet and welcome parties as they arrive at the hearing, record proceedings and notify all parties of the Panel’s decision.

The Chair of the Panel will ensure the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption. Ensure all issues are addressed, key findings of the facts are made and parents and others who may not be used to speaking at such a hearing will be put at ease. The hearing will be conducted in an informal manner.
with each party treating the other with respect and courtesy. The Panel will be open-minded and act independently. No member of the Panel will have a vested interest in the outcome of the proceeding, nor any involvement in an earlier stage of the procedure.

The Panel will take the following points into account:
- The hearing is as informal as possible
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint and be followed by their witnesses.
- The Executive Headteacher may question both the complainant and the witnesses after each has spoken
- The Executive Headteacher will explain the School’s action and be followed by the School’s witnesses.
- The complainant may question both the Executive Headteacher and the witnesses after each has spoken.
- The Panel may ask questions at any point.
- The complainant is invited to sum up their complaint.
- The Executive Headteacher is invited to sum up the School’s action and response to the complaint.
- The Chairman explains that both parties will hear from the Panel within a set time scale.
- Both parties leave together while the Panel decides the issues.

Extra care will be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The Panel will need to be aware of the views of the child and given them equal consideration to those of adults. Where the child’s parent is the complainant, it will be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child will need to attend.

Confidentially will be retained at all times. Complaints will be investigated fully and fairly with complainants being kept informed of progress.

All points of the issue will be addressed with an effective response and appropriate redress where necessary. The Executive Headteacher and Governors will ensure that the outcome of a complaint will be used to improve the running of the School.

The Chair of the above Panel needs to ensure that the complainant is notified of the Panel’s decision in writing with the Panel’s response (including reasons for the decision) within 7 school working days. The letter needs to explain the further right of appeal to the Secretary of State for Education.

**Final Stage – Further right of progressing complaint**

The final stage of appeal is to the Secretary of State for Education. Complainants should be advised to write to The School Complaints Unit (SCU) at:

**Department For Education, 2nd Floor, Piccadilly Gate, Manchester, M1 2WD**
Recording of Complaints

All complaints will be recorded however received and retained by the Headteacher.

It should be ensured that the complainant and the School have the same understanding of the matter.

The Governing Body should regularly review the level and nature of complaints and the outcomes to ensure the effectiveness of the procedure. Complaints reported to the Governing Body should not name individuals.

A copy of the form to be completed for a complaint is attached. Appendix 2

Unreasonable Complaints

Furze Platt Primary federation 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 that behaviour, including that which is abusive, offensive or threatening.

Furze Platt Primary federation defines unreasonable complainants as ‘those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people’s 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;
- 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 for 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 by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

• 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 numbers of communications with a 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 Executive 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 Furze Platt Primary Federation 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.

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 banning an individual from Furze Platt Primary Federation.

Appendix 1: Flowchart
Appendix 2: Informal Stage Record Form
Appendix 3: Formal Stage Complaint Form
### Appendix 1 - Flowchart

#### STAGE ONE: INFORMAL
- Complainant to proceed to Stage 2 by informing the school within 10 school working days
- **Expression of concern to member of staff / Response within 5 school days**
  - Satisfactory outcome reached?
    - No: Go to stage 2  Yes: No further action

#### STAGE TWO: EXECUTIVE HEADTEACHER’S INVESTIGATION
- Complainant makes verbal/written complaint to Executive head teacher
- Investigation conducted and outcome reported to complainant. **Response within 3 school days**
  - Satisfactory outcome reached?
    - No: Go to stage 3  Yes: No further action

#### STAGE THREE: CHAIR OF GOVERNORS/ GOVERNORS INVESTIGATION
- If the complainant is not satisfied with the response of the Executive head teacher or the complaint is about the Executive head teacher, the complainant should write to the Chair of Governors to request that their complaint is considered further.
- Investigation conducted and outcome reported to complainant.
  - Satisfactory outcome reached?
    - No: Go to stage 4  Yes: No further action

#### STAGE FOUR: GOVERNORS’ APPEAL PANEL
- If the complainant is not satisfied with the response of the Chair. The complainant usually needs to write to the Clerk to the Governing Body giving details of the complaint and asking that it is put before the appeal panel (**Response within 5 school days**). The Chair, or if the Chair has been involved at any previous stage in the process, a nominated governor, will convene a GB complaints panel.
  - The governors’ appeal hearing is the last school-based stage of the complaints process and is not convened merely to rubber-stamp previous decisions.

#### FINAL STAGE: FURTHER RIGHT OF PROGRESSING COMPLAINT
- The final stage of appeal is to the Secretary of State for Education.
- Complainants should be advised to write to The School Complaints Unit (SCU) at:
  - **Department for Education**, 2nd Floor, Piccadilly Gate, Manchester, M1 2WD

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**Appendix 1 . Continued....**

**Time Limits:** Complaints need to be considered, and resolved, as quickly and efficiently as possible. This procedure requires that specific time limits for all action within every stage are observed. Where further investigations are necessary, new time limits should be set and the complainant would need to be informed of this change and the reason.
Appendix 2 - Informal Record Form

<table>
<thead>
<tr>
<th>Furze Platt Primary Federation Record Form</th>
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<tr>
<td>Complainant: Name: Child/Parent/Staff/Visitor</td>
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<tr>
<td>Person recording information:</td>
</tr>
<tr>
<td>Concern:</td>
</tr>
<tr>
<td>Action to be taken: Who:</td>
</tr>
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<td>Other persons informed: Resolution Achieved</td>
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Appendix 3: Formal Stage Complaint Form

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<tr>
<td>Pupil name:</td>
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<tr>
<td>Relationship to the pupil:</td>
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</tr>
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<td>Address:</td>
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</tr>
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<td></td>
</tr>
<tr>
<td>Telephone numbers:</td>
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Please provide details of your complaint:

What action have you already taken to try and resolve your complaint?
Appendix 3 – Continued.....

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

Are you attaching any paperwork? If so, please provide details

Signature:
Date:

Official use
Date acknowledgement sent:
By who:

Referred to:
Date: