



General Complaints Policy

PS 1/2017

INTRODUCTION

This policy applies to most general complaints which this school is likely to receive from parents. It also meets the Circular 6/94 requirement to have a school policy about complaints concerning SEN provision within the school. It may also be used for considering complaints made by pupils. It should be considered together with the Sheffield Local Authority document 'School complaints: a brief guide for parents and carers' which is on the school website and is also included in this document as an appendix. This policy also makes reference to The Department for Education's [best practice advice document for school complaints procedures](#) (2016) and has been updated in accordance with Department for Education advice.

It is not intended to cover those aspects of school life for which there are specific statutory requirements: in particular, arrangements under s409 of the Education Act 1966 for complaints about the delivery of the National Curriculum and the provision of Collective Worship and Religious Education. Parents who are not satisfied with the LA's decision about special needs assessments may appeal to the SEN Tribunal. Concerns about schools' admissions and exclusions also have specific appeal rights.

In addition, allegations of child abuse, financial improprieties or other criminal activities and complaints about contracted staff need to be dealt with through different procedures.

Some complaints about general matters of policy, such as the overall resourcing of the school, also need to be dealt with differently.

General Principles: The Right Approach

As part of the general home/school policy, parents and pupils are encouraged to express their views on what goes on within our school, so that staff are aware of potential difficulties, and many problems can be prevented from arising. Complaints should be treated seriously and courteously and given the time they require to be heard. It is important to the school that complainants have confidence in these procedures and know that their case will be investigated impartially.

Certain general underlying principles should be observed whenever concerns or complaints are raised.

Definition of a Complaint at Bradway Primary School.

The definition of a complaint within the terms of the procedures described here is an expression of dissatisfaction in writing by parents or carers of children who attend the school, or from neighbours of the school or school community affected by the services the school provides. After initial investigation of a complaint, a decision may well be made to use the discipline, capability or other appropriate procedure. Anonymous complaints will not normally be considered under the procedure set out here. The procedure set out in the following pages outlines the stages both formal and informal through which a complaint made against the school will proceed. At all stages, the aim is resolution to the satisfaction of both parties and a mutual understanding of the problems believed to exist in order that improvements can be made where necessary. Where agreement and resolution cannot be reached, the aim of the procedure is to ensure that all parties are treated fairly and equitably. Conciliation or mediation between school and complainant can be considered at any time within the informal or formal stages as set out in this guide. We reserve the right not to consider complaints that:

- are malicious (that is, they are instituted without sufficient grounds and serving only to cause annoyance)
- use obscenities, racist or homophobic language
- contain personally offensive remarks about members of our staff
- are repeatedly submitted with only minor differences after we have fully addressed the complaint.

Advice and Conciliation Service Sheffield

Aims of the Service

The Advice and Conciliation Service is an impartial Service based within Children, Young People and Families and aims to help all partners and agencies become more responsive to comments, complaints, criticisms and suggestions from parents and carers, young people and other service users. We aim to investigate and resolve issues through mediation and to promote conciliation towards resolving difficulties. The Service offers support to parents and carers who are dissatisfied with the service they have received from a school. We provide information, help and advocacy to parents, carers and others by suggesting approaches and ways of dealing with issues, to reduce the number of referrals that might otherwise become formal complaints. We provide

- Impartial information, guidance and support to parents, carers, schools and others relating to a range of educational issues
- Advice on rights, roles and responsibilities.
- Advice on the procedures for making and responding to complaints and appeals for information.
- Independent mediation and impartial support to parties involved in conflict. The Advice and Conciliation Officer can be contacted on Sheffield 0114 2053938 / 2053939.

1. Publicity

At Bradway Primary School we believe that parents should always know how they can raise concerns or lodge a formal complaint. Information about complaints procedures is easily accessible and well publicised through information given to parents when their child starts school. A copy of this policy can be found on the school website.

A summary of how the school deals with complaints will also be included in the information which is given to new parents when their children join the school.

If parents contact the Local Authority with their concerns when the school's internal procedures have not been fully exhausted, they will be referred back to the school. Guidance on Local Authority procedures can be found on their website: <http://www.education.gov.uk/b00212240/guidance-on-making-a-complaint-about-a-school>

2. Procedures should be as speedy as possible - consistent with fairness to all concerned. Each stage of the procedure should have known time limits. Where it is not possible to meet these, information about progress must be given to the complainant. Care should be taken not to drag things out with unnecessary bureaucracy.

3. Support for complainant. As part of the general publicity about complaints procedures, it is important for parents to know where they can go for information, advice and advocacy, if they require it. Ideally, support should be offered from individuals and organisations who are clearly separate from those complained against, such as Parents' Advice Centres, Citizens Advice Bureaux, Community Relations Councils, refugee support organisations and other local advice centres. However, useful help often comes from individual governors or LA officers (e.g. specially designated complaints officer, Education Welfare Officer, Parent Partnership Officer), providing they are able to remain apart from any later stages in the procedure where they might otherwise be called upon to make a judgement on a complainant's disagreement with the school.

Parents raising concerns or complaints are invited to be accompanied by a friend, a relative or a representative at any stage of the procedure.

4. Support for a person complained against. We will ensure that staff who may be questioned as part of a complaints procedure investigation will feel they are being treated in a fair way, and that they too will have an opportunity to put their case. They will be told about the procedure and be kept informed of progress. There is a crucial balance to be maintained between supporting the individual so that his/her rights and reputation are protected, and investigating a complaint thoroughly and impartially.

The complaints procedure is distinct from formal disciplinary proceedings for staff and this needs to be made clear to all concerned. There may be

occasions where a complaint launches a disciplinary procedure which puts the complaints procedure on hold. If so the complainant will be informed of this and any non-disciplinary aspects of the complaint will be dealt with by the usual complaints procedures; the complainant will be “up-dated” every three weeks on the likely further delay. It may be clear after the disciplinary procedures have been completed, that particular responses to the complainant are required (e.g. an apology or an explanation of new policies to avoid a similar problem again).

5. Confidentiality. It is very important to treat conversations and correspondence with discretion. It is vitally important that parents feel confident that their complaints will not penalise their child. However, from the outset, all parties to a complaint will need to be aware that some information may have to be shared with others involved in the operation of the complaints procedure.

Anonymous complaints will usually be disregarded unless somebody is prepared to substantiate them, but the danger in this is that they may relate to something quite serious. If the foreseen eventuality occurs, to the detriment of the school, the complainant may surface subsequently and say that s/he alerted the school even though the complaint was unsigned. It will be at the Headteacher or Governing Body’s discretion to decide whether the gravity of an anonymous complaint warrants investigation.

6. Redress. If the outcome of the complaint procedure shows the school is at fault, it is often sufficient to provide redress in the form of an acknowledgement that the complaint is valid. Alternatively, it may be appropriate to offer one or more of: an apology, an explanation, a promise that the event complained of will not recur, an undertaking to review school policies or practices in the light of the complaint, or, in appropriate circumstances, financial compensation. Fear of litigation should not prevent us from admitting to parents when mistakes have been made, but advice should be taken from the LA if litigation could be possible.

7. Staff awareness and training. School staff, including non-teaching staff, should be familiar with the procedures so that they can advise parents about their operation. Potentially a great many staff are involved in handling complaints, especially at the informal level. Their confidence in doing so depends on their having clear information about the procedures, reassurances that senior staff are committed to the procedures and some basic training in the practical interpersonal skills needed in dealing with people who are upset or angry (see Appendix A) All school staff should have clear information about which staff have which responsibilities at school so that parents do not get continually passed from one to another.

8. Record keeping. If complaints are to contribute to raising the quality of education, then they need to be recorded and monitored termly by senior staff and governors. We undertake a monitoring exercise of this type through the Headteacher’s termly report to the Governing Body.

Recording begins at the point when a concern or initial complaint has become the kind of complaint that can not be resolved on the spot but needs investigation and/or consultation with others in the school and will require a later report back (either orally or in writing) to the parent. Even at this early stage any complaints should be notified to the Headteacher.

Recording at the earliest stages need only be a very basic record of the complaint, giving the date, name of parent and general nature of the complaint.

9. Vexatious complaints (adapted from DfE best practice advice 2016)

Bradway 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 that behaviour, including that which is abusive, offensive or threatening.

Bradway Primary School 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 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 Bradway Primary 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. 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 Bradway Primary School.

10. Barring from the School Premises (adapted from DfE best practice advice 2016)

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

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any

representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should 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 or email, 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; independent legal advice must therefore be sought.

Bradway Primary School Complaints Procedure

In order to investigate complaints as fully as possible, the Governing Body of Bradway Primary School have implemented a staged approach.

STAGE ONE : THE FIRST CONTACT

Guidelines for Dealing with Concerns and Complaints Informally.

- 1.1 The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straight away through the class teacher or school secretary or Headteacher, depending on whom the parent first approached.
- 1.2 Parents must feel able to raise concerns with members of staff without any formality, either in person, by telephone or in writing. On occasion it may be appropriate for someone to act on behalf of a parent.
- 1.3 At first it may be unclear whether a parent is asking a question or expressing an opinion rather than making a complaint. A parent may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.
- 1.4 Parents will be given an opportunity for discussion of their concern with the appropriate member of staff who will clarify with the parent the nature of the concern, and reassure them that the school wants to hear about it. The member of staff may explain to the parent how the situation happened. It can be helpful to identify at this point what sort of outcome the parent is looking for.
- 1.5 If the member of staff first contacted cannot immediately deal with the matter, s/he must make a clear note of the date, name, contact address or 'phone number.
- 1.6 Any member of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. S/he will check later to make sure the referral has been successful.
- 1.7 On major issues the Headteacher may decide to deal with concerns directly at this stage.

- 1.8 If the concern relates to the Headteacher, the parent should be advised to contact the Chair of the Governing Body.
- 1.9 The staff member dealing with the concern should make sure that the parent is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing only if this seems the best way of making things clear.
- 1.10 Where no satisfactory solution has been found within 10 days, parents should be asked if they wish their concern to be considered further. If so they are given clear information, both orally and in writing, about how to proceed and about any independent advice available to them. (see Appendix B)

STAGE 2: Referral to the Headteacher for Investigation

- 2.1 At this stage it has become clear that the concern is a definite complaint. In some cases the Headteacher has already been involved in looking at the matter; in others it is his/her first involvement. In either case, it is helpful for the Headteacher to use guidelines to ensure consistency among cases, and to make sure that nothing happens at this stage which could make it difficult for later stages to proceed smoothly.
- 2.2 As the Headteacher has responsibility for the day-to-day running of the school, it is the Head's responsibility for the implementation of a complaints system, including decisions about involvement at various stages. One of the reasons for having "stages" in a complaints procedure is to reassure complainants that their grievance is being heard by more than one person. The Headteacher should make arrangements to ensure that their involvement will not predominate at every stage of a particular complaint. For example arrangements may be made for other staff to deal with parents' concerns at stage 1 while the Headteacher deals with contacts with parents at stage 2. Even at that stage the Headteacher may designate another member of staff to collect some of the information from the various parties involved. In some cases, the Headteacher, may be so involved at stage 1 that stage 2 has to be carried out by the Chair of the Governing Body.

The procedure for school to use at Stage 2.

- 2.3 The Headteacher (or designate) acknowledges the complaint orally or in writing within 3 working days of receiving the written complaint. The acknowledgement gives a brief explanation of the school's complaint procedure and a target date for providing a response to the complaint. This should normally be within 10 working days; if this proves impossible, a letter is sent explaining the reason for the delay and giving a revised target date.

The Advice and Conciliation Service may become involved and enable an agreed way forward. A mediated meeting between the complainant and the school to discuss a solution may be suggested if both parties are in agreement. The aim here is to seek an early resolution to the complaint for the benefit of the child, parents or carers and the school. Prolonging a complaint longer than is necessary is of no benefit to any of the parties involved. Such involvement is not however intended to compromise the formal complaints procedure. A complainant reserves the right to invoke more formal procedures should this be thought necessary to resolve matters.

- 2.5 The Headteacher (or designate) provides an opportunity for the complainant to meet him/her to supplement any information provided previously. It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf; and that interpreting facilities are available if needed.
- 2.6 If necessary, the Headteacher (or designate) should interview witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil should also be interviewed. Pupils would normally be interviewed with parents/guardians present. In some situations, circumstances may prevent this e.g. where this would seriously delay the investigation of a serious/urgent complaint or where particular circumstances mean that a pupil has specifically said s/he would prefer that parents or guardians were not involved. In such circumstances another member of staff with whom the pupil feels comfortable should be asked to attend. If a member of staff is complained against, the needs of that person will be borne in mind. (see par. 4 under General Principles).
- 2.7 The Headteacher (or designate) keeps written records of meetings, telephone conversations, and other documentation.
- 2.8 Once all the relevant facts have been established, the Headteacher (or designate) will then produce a written response to the complainant, or may wish to meet the complainant to discuss/resolve the matter directly.
- 2.9 A written response includes a full explanation of the decision and the reasons for it. Where appropriate, this includes what action the school will take to resolve the complaint. If a complainant is not satisfied with the written response to the investigation by the Headteacher they can contact the Chair of Governors who will review the actions taken and may conduct a follow up investigation of their own. The complainant is advised that should s/he wish to take the complaint further s/he should notify the Chair of the Governing Body within five weeks of receiving the outcome letter.
- 2.10 If a complaint is against the action of the Headteacher, or if the Headteacher has been very closely involved at stage 1, the Chair

of the Governing Body should carry out all the stage 2 procedures

STAGE 3: Review by the Governing Body

3.1 Guidelines

3.1.1 It is anticipated that complaints will rarely reach this stage. It is, however, important that should they do so, any appeal is not only independent and impartial but that it should be seen to be so. All complaints reaching Stage 3 will have done so because the complainant has not been satisfied with the response provided by the Head Teacher (or Chair of Governors if the original complaint had been about the Head Teacher) at an earlier stage of the procedure. The panel will consist of two governors who have had no prior knowledge of or involvement in the complaint and one person independent of the local governing body and trust.

3.1.2 As this is the last stage at which a resolution may be reached, every effort should be made to either mediate or conciliate. Parents or carers may therefore wish to seek assistance from the Advice and Conciliation Service, particularly if contact has not previously been made.

3.1.3 Appeals should normally be made in writing. In exceptional circumstances, the school may consider progressing a verbal complaint where there are believed to be sufficient grounds for doing so. The appeal should state clearly why it is felt that the complaint has not been resolved satisfactorily and, wherever possible, supported by documentary evidence or witness statements.

3.1.4 In the unlikely event of pupils needing to be interviewed, care will need to be taken to ensure that parental permission is obtained. In all instances a single governor should interview the pupil and parents or carers should be given the opportunity to attend but, if they are unable to do so, a nominated member of staff should accompany the pupil.

3.2 The procedures for use at Stage 3

3.2.1 Upon receipt of a written request by a complainant for the complaint to proceed to Stage 3, the procedures outlined below should be followed:

1. The Chair of the Governing Body should write to the complainant acknowledging receipt of the written request.
2. The acknowledgment should inform the complainant that a panel consisting of two governors and one person independent of the school/trust will investigate the complaint within 20 school working days of receipt of the request.

3.2.2 The acknowledgement should also explain that the complainant has the right to submit any further information or documentation relevant to the complaint. Any such documentation must, however, be received in sufficient

time for this to be sent to the Chair or Panel members charged with conducting the investigation.

3.2.3 Governors who have had no prior involvement with the complaint should be chosen. Generally speaking, it is not appropriate for the Head Teacher or other staff members to have a place on the panel. Governors may wish to bear in mind the advantages of having a parent or carer (who is also a governor) on the panel. Governors should be sensitive of issues of race, gender and religious affiliation.

3.2.4 The Chair should ensure that the Panel hears the complaint within 20 school working days of receiving the request. All relevant correspondence regarding the complaint should be given to each Panel member as soon as the composition of the Panel has been determined.

3.2.5 The Chair should write and inform the complainant, Head Teacher, relevant witnesses and Panel members of the date, time and venue of the meeting, at least 10 school working days in advance. The details of the complaint available at that time should also be sent in writing to the Head Teacher.

3.2.6 Notice of the Panel meeting sent to the complainant should also inform him/her of their right to be accompanied to the meeting by a friend, advocate or interpreter. This notice should also explain how the Panel meeting will be conducted and of the complainant's right to submit further written evidence to the Panel at least 5 school working days in advance of the meeting. The Chair should also invite the Head Teacher to attend and prepare a written report for the Panel in response to the complaint.

3.2.7 The Head Teacher may invite members of staff who have been directly involved in matters or issues raised by the complainant to respond in writing or, at the discretion of the Panel Chair, to attend the meeting in person. All concerned, including the complainant, should receive all relevant documentation, including the Head Teacher's report, at least 5 school working days in advance of the meeting.

3.2.8 It is the responsibility of the panel Chair to ensure that the meeting is properly minuted.

3.2.9 The aim of the Panel meeting shall be to resolve the complaint and achieve reconciliation between the school and the complainant. It has to be recognised, however, that whilst the intention is to ensure that any complaint, which reaches this stage, is seen to have been treated seriously, it may not be possible to make recommendations that fully satisfy the complainant.

3.2.10 The Panel should be sympathetic to the fact that some parents and carers will not be used to dealing with groups of people in formal situations such as this and may, therefore, feel intimidated by the setting. It is suggested therefore that the Chair ensures proceedings are as informal as the circumstances allow.

3.2.11 Should either party wish to produce previously undisclosed or uncirculated documentation, it is in the interests of natural justice to adjourn the meeting to allow sufficient time for each party to consider and respond to this.

3.2.12 At Stage 3, the complainant and the Head Teacher, together with any other staff who are involved with the complaint should be interviewed separately in order that the Panel can form a clear and independent view of the complaint. The interviews, which can be arranged to run consecutively, should allow for:

- The complainant to explain the nature of their complaint(s)
- The Head Teacher to explain the school's response to the complaint
- Panel members to have an opportunity to question both complainant and Head Teacher
- All parties to have a right to call witnesses (subject to the approval of the Chair) and the Panel the opportunity of questioning all witnesses
- Parents and carers, Head Teacher and staff to have the right of representation at the meeting if they so wish

3.2.13 The Chair should explain to the complainant and the Head Teacher that the Panel will consider its decision and a written response sent to both parties within 15 school working days.

3.2.14 The Panel will consider the complaint and all the evidence presented and

- a) Reach a unanimous or at least a majority decision on the complaint;
- b) Decide upon the most appropriate course of action to be taken to resolve the complaint and,
- c) Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not arise in future.

3.2.15. Recommendations should be reported to the Governing Body at an appropriate time and a written statement outlining the decision of the Panel should be sent to the Head Teacher and complainant. Should any action need to be taken against a member of staff, in order to protect their rights, the phrase 'Appropriate action has or will be taken' should be used.

3.2.16 Governors should ensure that a copy of all correspondence and accompanying notes are kept on file. These records should be kept separately from the pupil's personal records.

STAGE 4: Review by the LA

4.1 Some LAs do not get involved but others are willing to investigate complaints brought by parents of children at county schools. Two models are in fairly wide usage: independent panels and mediation services.

- 4.2 In the former case, if a complainant wishes to go beyond the governors' complaints panel, the LA will set up an independent arbitration panel consisting of a councillor, a governor and a parent, none of whom would have had a connection with the school or the complainant. The members of the arbitration panel would be advised by a senior officer and would all have received training in or have previous experience of the working of appeals committees. Both parties would be encouraged to agree ahead of time to abide by its findings; if not, the arbitration panel can only express a view about the complaint and the means of resolving it. The arbitration panel has no legal basis for imposing its will.
- 4.3 Where mediation services are available, the statement sent to the complainant must explain that the decision of the Governing Body Panel is final but that there is an LA team of officers who offer consultation, investigation and mediation services at the request of either party.

STAGE 5: Beyond the LA

- 5.1 **The Secretary of State:** Complaints can be taken to the Secretary of State for Education and Employment under section 496 of the Education Act 1996, on the grounds that a Governing Body or LA is acting or proposing to act unreasonably, or under Section 497 of the same Act, on the grounds that either the Governing Body or the LA for more information in order to consider the complaint. These powers relate to County Schools and Voluntary Schools and Grant-Maintained Schools and City Technology Colleges.
- 5.2 **The Local Government Ombudsman:** Complaints about the maladministration of Local Authority services including the way it operates any general school complaints procedures could be made to the Ombudsman. However the Ombudsman does not look at internal school management matters and usually expects that thorough attention has been given to a complaint locally before investigation by the Ombudsman.

Approved by the Governing Body: February 2017

To be reviewed in accordance with the School Improvement Plan

Stages for Handling Complaints

Expression of concern to member of staff



Satisfactory outcome reached?



No



Yes



No further action



Complainant makes written complaint to Headteacher



Investigation conducted and reported to complainant



Satisfactory outcome reached?



No



Yes



No further action



Complainant can ask for review of Headteacher's investigation by the Chair of Governors



Satisfactory outcome reached?



No



Yes



No further action



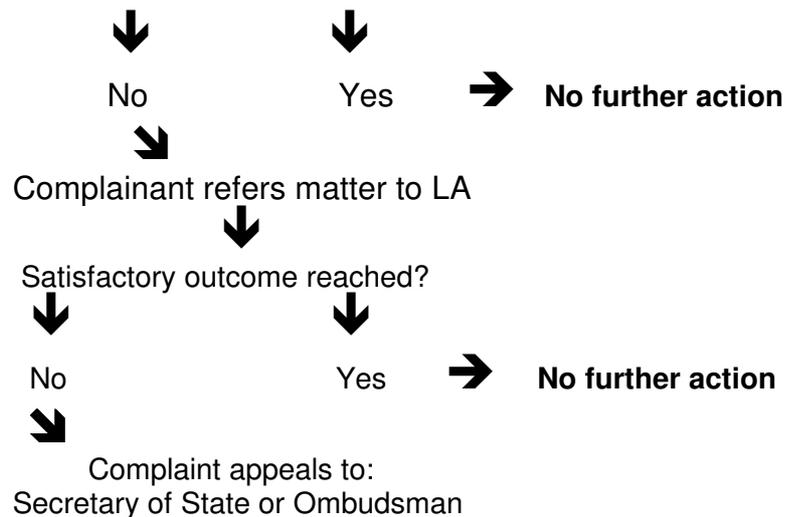
Complainant makes formal complaint to GB
Complaints Panel



Panel meeting of Governors
Complainant and Headteacher attend



Satisfactory outcome reached?



Appendix A: How to Listen to Complaints

As soon as you realise that you are listening to a complaint, remember these points:

Don't pass the buck	Try not to keep transferring an angry person from one place to another. Make sure you know the contact person for anything you cannot deal with yourself.
Don't be flippant	First impressions count. You and the school may be judged on your immediate reaction.
Treat all complaints seriously	However small or trivial it may seem to you, the complaint will be an important problem for anyone who takes the trouble to complain.
Treat every complaint individually	Even if you have already received several similar complaints the same day, it is probably the person's first chance to have their say.
Be courteous and patient	Be sympathetic and helpful, but do not blame other colleagues.
Say who you are	If you are unknown to the person, introduce yourself.
Ask for their name and use it	Anonymous complaints are acceptable only where there are special circumstances.
Take time to find out exactly what the problem is	It is easy for someone to forget to tell you an important detail, particularly if they are upset or annoyed.
Don't take the complaint personally	To an angry or upset person, YOU are the school, and the only one they can put their feelings to right now.
Stay cool and calm	Do not argue with the person - be polite and try to find out exactly what the person thinks is going wrong, or has gone wrong.

Check you are being understood

Make sure that the person understands what you are saying. Don't use jargon - it can cause confusion and annoyance to someone "not in the know"

Don't rush

Take your time. Let people have their say, and let off steam if they need to. Listen carefully and sympathetically to their problems before replying and attempting to find a solution or offer a next step.

Bradway Primary School

School Complaints A Brief Guide for Parents and Carers

Children Young People and Families

Revised Edition Autumn 2013



School Complaints

Advice to Parents/Carers about making a complaint

If you have comments or concerns please let your school know. We welcome suggestions for improving our work in schools. We understand a common fear is that the school's relationship with you and your child/children will be affected if you express dissatisfaction. We wish to assure you that by having an effective complaints procedure, we would hope to be able to minimise problems, provide the school with helpful information and to treat complaints as constructive suggestions to improve standards and prevent cause for further complaint. For schools, the definition of a complaint within the terms of the procedures referred to here is an expression of dissatisfaction by parents or carers of children who attend a Sheffield school, or from neighbours of the school or school community affected by the services the school provides.

1. What to do first

Many concerns arise from misunderstandings and are best dealt with positively in discussion with the staff at the school. This is best done by speaking with your child's class or form teacher. All staff will make every effort to resolve your concern quickly and informally. They will make sure that they understand what you feel went wrong and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not necessarily mean that in every instance they will agree with your point of view but the response should help

both you and the school to understand both viewpoints. It may also prevent a similar problem arising in the future.

2. What to do next

Should you remain dissatisfied with the teacher's initial response, you can make a complaint to the Head Teacher. This is best done in writing or by making an appointment to discuss the problem. You may find it helpful at this stage to have a copy of the full School Complaints Procedure as this explains in detail what procedures should be followed. (This is available from the School Office). The Head Teacher will ask to meet with you for a discussion of the problem and you may take a friend or someone else with you if you wish.

The Head Teacher will conduct a full investigation of your complaint and may interview members of staff or pupils involved. You will then receive a written response to your complaint. This will hopefully resolve the matter. However, should you remain dissatisfied, the Head Teacher should give you detail and of ways to take matters further.

3. If you are still unhappy

If you are still not satisfied, you may wish to contact the Chair of Governors and request that they look again at your complaint and the Head Teacher's response. The Chair of Governors will seek to clarify your concerns and undertake their own independent investigation; this may well involve speaking with members of staff and others. Once their investigation has been concluded, you will then receive a written response to your complaint. This will hopefully resolve the matter.

Should you remain dissatisfied with the response from the Chair of Governors, you can ask for your complaint to be referred to a Governing Body Complaints Review Panel. This will comprise a group of three governors from the school who, as far as is possible, have no previous knowledge of the problem and who will therefore be able to give it fresh assessment. You will be invited to attend a meeting and speak to the Panel in person. The full School Complaints procedure explains how these meetings operate.

4. Further Action

The Advice and Conciliation Service

Before any action is considered it is essential that you discuss your concerns with the Advice and Conciliation Service. The Advice and Conciliation Service is an impartial Service based within Children and Young People's Services and aims to help all sections of the Service in Sheffield become more responsive to comments, complaints, criticisms and suggestions from parents and carers, young people and other service users. The Advice and Conciliation Officer can be contacted on Sheffield 0114 2053938/2053939.

The Department for Education

Complaints about school are almost always settled within school but, complaints about maintained schools not resolved by the school can be referred to the Secretary of State for Education.

Should you believe that either the Local Authority or Governing Body has acted unreasonably you can take your complaint to the Secretary of State for Education. 'Unreasonably' for these purposes means that you believe the school has acted in such a way that no reasonable school would act. This is a high threshold to overcome.

If your complaint is about a local authority maintained school, that is. it is not an academy or Free School, and you feel your complaint has not been resolved satisfactorily by the school's governors, you can refer your complaint to 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>

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>

Academies

If your complaint is about an academy and you feel it has not been resolved satisfactorily by the academy's governors or trustees, you can also make your complaint to the School Complaints Team, who will refer it to the Education Funding Agency. The Education Funding Agency is the arm of the Department for Education which oversees academies. However, you must make your complaint in writing in the first instance to the Department for Education as above.

Is there a time limit for complaining?

You should complain to the school as soon as possible and certainly within three months. If you do not contact the school within that time, normally no further action will be taken in respect of your complaint. However, any exceptional reasons you may give for not meeting this time limit will always be taken into account and any decision to hear a complaint after this time will be at the discretion of the Chair of Governors.

Dealing with Unreasonably Persistent Complainants and Vexatious Complaints

The Headteacher and Governing Body are fully committed to the improvement of the school. Feedback from parents and carers is welcomed and schools will always do their utmost to resolve any that are brought to their attention as quickly as possible. The formal procedure for parents and carers should always be followed should you wish to make a complaint.

Occasionally, however, parents and carers in raising issues with staff or others do so in a way that is unacceptable. Whilst it is recognised that some complaints may well relate to what are considered serious and distressing incidents, threatening or harassing behaviour towards any members of the school community, be this staff, school governors, parents, pupils or others will not be tolerated.

The full School Complaints Procedure available from the school gives further details about how the school will always seek to work in a positive way with parents, carers and others to resolve complaints at the earliest opportunity. It also gives information about what action may be taken in respect of those complaints which appear unreasonably persistent and instances where the behaviour of the complainant gives cause for concern.

Model School Complaints Form

Your name:

Pupil's name:

Your relationship to the pupil:

School:

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:

For Official use by the school

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Guidance on Making a Complaint

Try to resolve issues with the school informally at first. If matters are not resolved to your satisfaction you can make a formal complaint, however, at all times, please remember that matters can often be dealt with more easily if you bear in mind the following:

- **Speak to the right person**

Try to speak with the member of staff best able to advise you and best able to deal with your concerns. This is often your child's class teacher in the first instance. If they are unable to deal with an issue immediately they may suggest making an appointment at a more convenient time for both parties to discuss matters more thoroughly.

- **Be courteous**

Conduct yourself in a professional manner and try to discuss your concerns in a calm but firm manner. Try to understand the other's point of view and do not present yourself in an aggressive manner.

- **Say who you are**

If you are unknown to the member of staff, introduce yourself.

- **Ask for the member of staff's name and use it**

If the member of staff you first approach is unable to deal with the matter ask for the name of the member of the school's staff who will be able to assist you.

- **Take your time to explain exactly what the issues are**

It is often easy to forget to give all the details of your concern, particularly if you are upset or annoyed. You may wish to write a list of the issues you need to discuss before you approach school.

- **Stay cool and calm**

Do not argue with the member of staff who receives your complaint. Be polite and respectful. Try to be clear about exactly what it is that you believe the issue to be.

- **Check you are being understood**

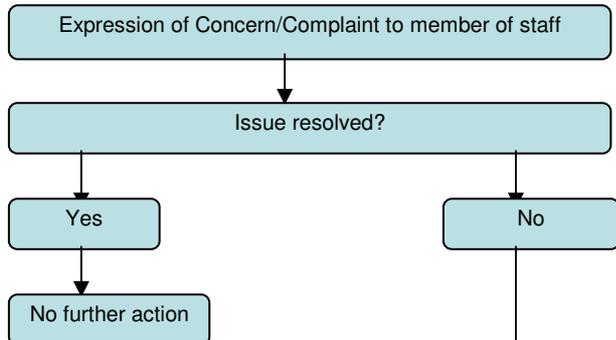
Make certain that the member of staff understands what you are saying and what the issue is that has given rise to your concerns.

- **Don't rush**

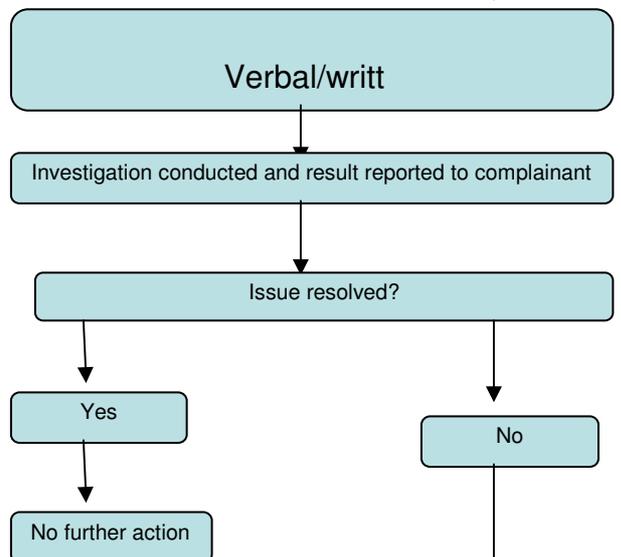
Take your time. Try to explain to school what your concern is and more importantly what you would like school to do to resolve this. Try to ensure the school understand your viewpoint before demanding a solution or suggesting the next step.

Flowchart Summary of Stages of Complaints Procedure

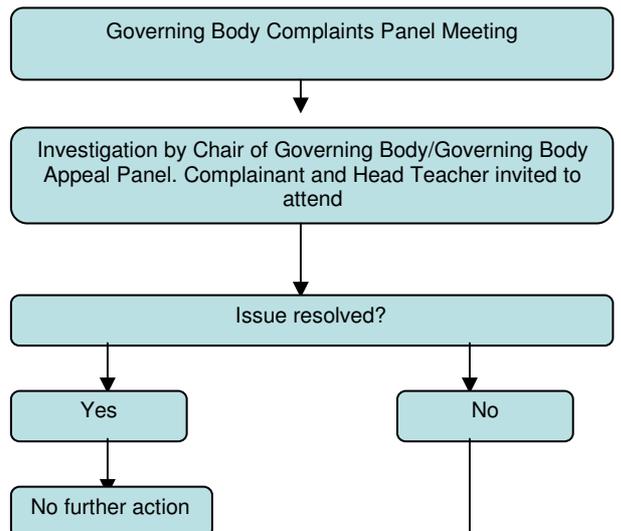
Stage 1:
Informal



Stage 2:
Head Teacher/Chair of Governing Body Investigation



Stage 3:
Governing Body Appeal Panel



Beyond the Local Authority

