

# Complaints Policy



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Ratified by Governors	11 <sup>th</sup> March 2021
Reviewed	13 <sup>th</sup> March 2025
Date for Review	March 2026
Signed – Chair of Governors	Trevor Anderton
Signed – Headteacher	Catherine Clayton-Young

**This policy has been impact assessed by Mrs Clayton-Young in order to ensure that it does not have an adverse effect on race, gender or disability equality.**

## **Policy on Complaints**

### **1 Introduction**

- 1.1 We strive to provide a good education for all our children. The headteacher and staff work very hard to build positive relationships with all parents and people in the community. However, the school is obliged to have procedures in place in case there are complaints by anyone. The following policy sets out the procedures that the school follows in such cases.
- 1.2 If anyone unhappy with the education that their child is receiving, or have any concerns relating to the school, we encourage them to talk to the child's class teacher immediately.
- 1.3 We deal with all complaints in accordance with procedures laid down by the LA. If the school itself cannot resolve a complaint, those concerned can refer the matter to the LA.
- 1.4 All parents have the right, as a last resort, to appeal to the Secretary of State for Education, if they still feel that their complaint has not been properly addressed.

### **2 Aims and objectives**

- 2.1 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. In all cases, we put the interests of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

### **3 The complaints process**

- 3.1 If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. In our experience, most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.
- 3.2 Where parents feel that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the headteacher. The headteacher considers any such complaint very seriously, and investigates each case thoroughly. Most complaints are normally resolved by this stage.
- 3.3 Should any parents have a complaint about the headteacher, they should first make an informal approach to one of the members of the governing body, who is obliged to investigate it. The governor in question will do all s/he can to resolve the issue through a dialogue with the school, but if parents are unhappy with the outcome, they can make a formal complaint, as outlined below.
- 3.4 Only if an informal complaint fails to resolve the matter should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint, and how the school has handled it so far. The parent should send this written complaint to the chair of governors.
- 3.5 The governing body must consider all written complaints within three weeks of receipt. It will arrange a meeting to discuss the complaint, and will invite the person making it to attend the meeting, so that s/he can explain the complaint in more detail. The school gives the complainant at least three days' notice of the meeting.
- 3.6 After hearing all the evidence, the governors will consider their decision and inform the parent about it in writing. The governors do all they can at this stage to resolve the complaint to the parent's satisfaction.

- 3.7 If the complaint is not resolved, a parent may make representation to the LA. Further information about this process is available from the school or from the LA. A further meeting is chaired by an independent person, who considers all the evidence and makes a further judgement in an attempt to resolve the complaint.
- 3.8 If any parent is still not content that the complaint has been dealt with properly, then s/he is entitled to appeal to the Secretary of State for Education.
- 3.9 If anyone has a complaint about school in general they must ask to speak to the Headteacher. They will be asked to complete a complaints form and this will be taken seriously. If this is not resolved at this stage, then the steps above will be followed from 3.3.

#### **4 Parents of children with SEND**

- 4.1 The complaints procedure for SEND mirrors the procedure outlined above. Should a parent or carer have a concern about the special provision made for their child they should in the first instance discuss this with the class teacher. If the concern continues then the SENCO and Headteacher should be brought into the discussion process. If concerns cannot be resolved at this level they should be put in writing to the SEND Governor. Advice for parents can be sought from the LA, from the Parent Partnership Service or SENDIASS.

#### **5 Monitoring and review**

- 5.1 The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The headteacher logs all complaints received by the school, and records how they were resolved. Governors examine this log on an annual basis.
- 5.2 Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.
- 5.3 This policy will be reviewed every year, or before if necessary.

#### **6 Equality Impact Assessment**

- 6.1 Under the Equality Act 2010 and 2017 we have a duty not to discriminate against people on the basis of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. This policy has been equality impact assessed and we believe that it is in line with the Equality Act as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

## School Complaint Form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

If applicable, name of child(ren) at school:

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?)

Your relationship to the school, e.g. parent, carer, neighbour, member of public:

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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

**Official Use:**

**Date of acknowledgement sent:**

**By Whom:**

**Complaint referred to:**

**Date:**

## **Sharing your concerns about your child's education A Parents' Guide**

Griffin Park School recognises that at times things can go wrong. This guidance will help you understand how to resolve concerns you may have about your child's education.

The school has procedures for dealing with concerns or complaints and we value any feedback about our services, including compliments and suggestions. If you are concerned about any aspect of your child's education, you should contact the Headteacher at the school.

The school's governing body has overall responsibility for the school and for ensuring the well-being of pupils and that all pupils receive an appropriate and high standard of education.

The Headteacher is responsible for making decisions on a daily basis about the school's internal management and organisation. So you should contact the school if you are concerned about an issue such as:

- Your child's academic progress
- Special education needs provision
- Your child's welfare
- Bullying
- Something that has happened in school;

### **How do I complain to the school?**

First, we hope you will speak to the relevant member of staff as soon as you have a concern. This will be the class teacher (primary).

This informal approach is nearly always the quickest and most effective way of resolving your concerns.

If you feel that your concern has not been resolved, then it is important to speak to or write to the Headteacher who will look into your concern.

If you are unhappy with the Headteacher's response you should write with your complaint to the Chair of Governors/Clerk to the Governing Body at the school address. Mark your envelope 'FOR IMMEDIATE ATTENTION' – Private and Confidential.

### **This is how your complaint will be handled**

**Within 5 working days** the chair of governors will clarify the nature of your complaint by asking you to complete a complaint form and will offer help in completing the form, if appropriate

**Within 5 working days of receiving the form** the Chair will decide whether mediation should be offered to help you and the Headteacher explore possible resolution.

If mediation is agreed, the chair of governors will endeavour to set up the meeting **within 10 working days**. If that timescale is not possible you will be told the reason.

If mediation is not deemed appropriate or if it is not successful, the Chair of Governors or Clerk will set up a panel of governors to meet **within 15 working days** of receipt of complaint form to consider your complaint. The clerk will provide details of the hearing and will request any further information you may wish to provide.

The complaints panel will consist of three governors who (as far as possible) will have no prior knowledge of the events being complained of. The panel will be supported by a clerk who will take notes during the hearing and will stay with the panel while they make their decision in case governors need to be reminded about responses to a particular question. The panel will hear the complaint impartially and make their decision based on the facts and the evidence they have been provided with.

**Five working days** before the hearing the clerk will send to you, the complainant, the Headteacher and the three panel members, copies of all papers submitted by both sides so that there is sufficient time to read the evidence before the hearing (which must be submitted to the clerk seven days before the hearing).

### **At the hearing,**

1. You and the Headteacher will be invited into the room where the panel is being held at the same time.
2. After introductions, you, the complainant will be invited to explain your complaint,
3. The Headteacher may question you
4. The panel will question you

5. The Headteacher will be invited to explain the school's actions
6. You, the complainant may question the Headteacher
7. The panel will question the Headteacher
8. The panel may ask questions at any point.
9. You, the complainant will then be invited to sum up your complaint.
10. The Headteacher will then be invited to sum up the school's actions and response to the complaint.
11. The chair will explain that you and the Headteacher will hear from the panel **within five working days**.
12. Both you and the Headteacher will leave together while the panel decides on the issues.
13. The clerk will remain with the panel.

## **POLICY FOR HANDLING UNREASONABLY PERSISTENT, HARASSING, VEXATIOUS, UNREASONABLE OR ABUSIVE COMPLAINTS**

The head teacher and governing body are committed to the improvement of our school. We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible. There is a procedure for parents/carers to use if they wish to make a formal complaint.

Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable and or behave in an unacceptable manner. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening, inappropriate or harassing behaviour.

The aim of this policy is to clarify the process for dealing with unreasonable complainants or parents who do not act appropriately.

### **What do we mean by ‘an unreasonable complainant’?**

An unreasonable complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include parents and carers who pursue complaints in an unreasonable manner and those who do not act in an appropriate manner towards staff at the school.

Unreasonable behaviour may include:

- Actions which are
  - Out of proportion to the nature of the complaint, or
  - Persistent – even when the complaints procedure has been exhausted, or
  - Abusive comments of a personal nature, or
  - Unjustifiably repetitious or
  - Obsessive, harassing, or prolific
- Prolific correspondence or excessive email or telephone contact about a concern or complaint.
- Repetitious complaints where the complainant has no view about what would satisfy him/her and/or no intention to resolve the complaint.
- Acting in a way not in line with the school aim of reaching a resolution and working with the school
- Using Social Media in order to complain publicly about the school or a member of staff, whether named or implied
- An insistence on
  - Pursuing unjustified or unmeritorious complaints and/or
  - Unrealistic outcomes to unjustified complaints
- An insistence on
  - Pursuing justifiable complaints in an unreasonable manner e.g. using abusive or threatening language;
  - Making complaints in public; or
  - Refusing to attend appointments to discuss the complaint.

### **What is ‘harassment’?**

We regard harassment as 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 seek a resolution.

Behaviour will fall within the scope of this policy if:

- It appears to be deliberately targeted over a significant period of time at one or more members of school staff or others.
- The way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes ongoing distress to school staff or others;
- It has a significant and disproportionate adverse effect on the school community.
- Actions are pursued aggressively or in any manner not appropriate to an effective resolution
- Canvassing other parents for their support in complaints, for example, on social media

### **What can you expect from the school?**

Anyone who raises informal or formal issues and complaints with the school can expect the school to:

- Follow the School's complaints procedure
- Respond within a reasonable time;
- Be available for consultation within a reasonable time limit, bearing in mind the needs of pupils at the school and the nature of the complaint
- Respond with courtesy and respect;
- Attempt to resolve problems using reasonable means in line with the School's complaints procedure, other policies and practice and in line with guidance from Blackburn with Darwen LA;
- Keep those involved informed of progress towards a resolution.

### **What the school expects of you**

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

- Treat all staff with courtesy and respect
- Respect the needs of pupils and staff within the school;
- Never to use violence (including threats of violence) towards people or property;
- 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 some problems may not be resolved in a short time;
- Follow the school's complaints procedure.
- Stay confidential and refrain from posting negatively on social media outlets;
- Speak politely and respectfully using appropriate language and avoid any aggression or verbal abuse, including name-calling
- Raise concerns/complaints in an appropriate place and at an appropriate time (for example not in front of other parents or pupils and not in an open public space)
- To be prepared to work towards a resolution and in partnership with the school

### **School's responses to unreasonably persistent complaints, vexatious complainants, unreasonable 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 and reach a resolution.

However, in cases of unreasonably persistent complaints or harassment, the school may take any 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 all future meetings with a member of staff to be conducted with a third 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.
- Inform the complainant in writing that his/her behaviour is now considered to fall under the terms of this policy and that any complaint will not be investigated further until it is pursued in a manner the School considers to be reasonable
- Place restrictions on the individual's access to school and/or school staff.
- Cease all correspondence and communication with the complainant other than that necessary for the health and safety of any child/adult in school.
- Involve the policy
- Involve officers of the local authority

The school has a duty of care to staff and pupils and will take emergency measures should these become necessary in extreme cases.

### **Physical or verbal aggression**

The school and governing body will not tolerate **any** form of physical or verbal aggression or personal harassment against school staff. If staff are subject to this type of aggression the school may:

- Prohibit the individual from entering the school site, with immediate effect;
- Inform the individual that communication with them will cease other than in an emergency
- Prosecute under Anti-Harassment legislation.

### **7. Time frame and Review**

If a complainant's harassing/persistent behaviour is modified and is then resumed at a later date within a reasonable period of time, the school may resume the process identified above.

If a complainant's harassing/persistent complaining behaviour is modified and the complaint still lies within the time limit specified within the Schools complaints policy, the School will use its discretion and may resume the investigation of the complaint. The School will review as appropriate, and at a minimum of once a year, any sanctions applied in the context of this policy

Legitimate new complaints, if not pursued in a harassing or unreasonable way, will still be considered, even if the person making them is (or has been) subject to the vexatious or persistent complaints policy. The school nevertheless reserves the right not to respond to communications from individuals subject to the policy.