

# OLD PALACE PRIMARY SCHOOL

## **Concerns and Complaints Policy**

### Aims:

At Old Palace the staff team work hard to provide the best possible education for the children and to build positive relationships with parents and families. We welcome suggestions for improving our work in school and meet termly with Parent Council representatives to hear regular parent feedback. Despite the best intentions, problems may sometimes arise. These are often the result of misunderstandings which can be quickly addressed. If you have a concern, please tell us about it as soon as possible, as it is difficult for us to investigate an incident or problem properly if it took place some time ago. When parents and school employees treat each other with mutual respect and support, this provides a very good role model for all the children and allows the vast majority of concerns to be resolved informally.

### General Principles:

- . This procedure is intended to allow concerns or complaints to be raised relating to the school, or the services that it provides.

Complaints will be dealt with in a fair, open and honest manner. As far as is practically possible, complaints will be treated as confidential, unless safeguarding concerns are raised.

- . To allow for a proper investigation, concerns, complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 6 weeks after the event will not be considered.
- . Any anonymous concerns or complaints will not be investigated under this procedure, unless there are exceptional circumstances.

Complaints not in the scope of this procedure are identified in Appendix 2

### How to share a concern

#### Informal Stage

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. Most matters of concern can be dealt with in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they always

want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress

Where a parent feels that a concern has not been resolved by the class teacher (or in cases where the parent feels uncomfortable about approaching the class teacher directly) the concern should be raised with the Assistant Headteacher leading the phase. They will ask for as much information as possible to help them investigate the concern, provide a timescale as to when they will make contact and seek clarification on what actions the person raising the concern would like the school to take and why they feel the class teacher has not resolved the concern satisfactorily.

In the case of serious concerns, for example those regarding child protection, an appointment should be made to see the Headteacher straightaway by contacting the school office. An appointment to see the Headteacher should also be made in cases where the actions taken by the Phase Leader are deemed to have not resolved the concern.

At the time of requesting the appointment, office staff will ask for as much information as possible regarding the concern, in order to allow the Headteacher to decide how best to investigate the concern. The Headteacher will then make contact, within two working days to discuss the concern directly. In the case of concerns regarding school dinners these will be referred to Tower Hamlets Catering Services, who provide and manage this service.

### Sharing a concern about the Headteacher

Should a parent have a concern about the Headteacher, they should first make an informal approach to the Chair of Governors, who can be contacted via the school office. The Chair will attempt to resolve the issue through a dialogue with the school, but if a parent is unhappy with the outcome, they can make a formal complaint as outlined in this policy.

### Sharing a concern about a governor

Should a parent have a concern about a governor, they should first make an informal approach to the Chair of Governors, who can be contacted via the school office. The Chair will attempt to resolve the issue through a dialogue with the governor in question and the school, but if a parent is unhappy with the outcome, they can make a formal complaint.

In the case of a concern relating to the Chair of Governors this should be raised with the Vice-Chair of Governors, who can also be contacted via the school office.

## What to do if the matter is not resolved through informal discussion

### Formal Stage

If the concern is not resolved at the informal stage, the complainant must put the complaint in writing and hand this into the school office, addressed to the headteacher.

The letter must include details which will assist the investigation, such as names of potential witnesses and dates and times of events. Copies of any relevant documents should also be enclosed.

It is very important that a clear statement is included which explains why it is felt that the actions taken by the school have not resolved the situation. This should be followed by a statement outlining what it is felt that the school should now do to resolve the concern. Without this, it is much more difficult to proceed.

The Headteacher will send a letter confirming receipt of the complaint and will set out how the school will proceed with handling the complaint and the timescales involved. The school aims to resolve all formal complaints within 10 working days of these being received by the school.

The Headteacher may invite the complainant to a meeting to clarify the complaint and to seek an informal resolution. It is likely that the Headteacher will also invite other members of staff directly involved in the child's education to the meeting. In such cases parents will be informed of who will be attending the meeting in advance. Parents are welcome to bring along a friend or family member to offer support, or may request the presence of one of the parent support workers. Following the meeting the Headteacher will provide a written response detailing the discussion and the actions agreed.

If the complaint is about the Headteacher, the letter of complaint should be sent to the Chair of Governors, c/o the school office. The Chair of Governors will acknowledge receipt of the letter and will be responsible for ensuring that the complaint is properly investigated.

If the complaint is about an individual governor, the letter of complaint should be sent to the Clerk of Governors, c/o the school office. The Clerk will acknowledge receipt of the letter and will be responsible for ensuring that the complaint is forwarded to the appropriate person to investigate the matter.

### How to take the matter further

If a complainant is not satisfied with the manner in which the process has been followed, they may request that the governing body reviews the process followed by the school in handling

the complaint. Any such request must be made in writing to the clerk to the governing body, via the school office, within 10 working days of receiving notice of the outcome of the initial response to the formal letter of complaint. This request should include an outline of the complaint, as formally discussed with the Headteacher, an explanation as to why the matter is not resolved and details of what action it is believed would resolve the complaint.

## Review Process

Any review of the process followed by the school will be conducted by a panel of 3 members of the governing body, who will form a Governors' Complaint Panel. This will usually take place within 15 working days of receipt of the written request. When selecting governors for the panel, the school will attempt to gain a balance of gender and ethnicity. A governor may not sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it, or have an external interest in the outcome. Where all governors have had prior involvement an independent panel will be called.

At least 5 working days before the meeting, the clerk will send copies of the complainant's letter and any documentation supplied by the school to all parties who will be attending. At the meeting, the complainant and Headteacher will provide all the relevant information they wish and the panel will seek clarification as required. All parties will then be asked to leave, except for the panel members and the clerk.

The panel will write to all concerned within 10 working days to explain their decision and to suggest a solution to the problem, if appropriate. The decision of the panel is final and the matter will then be closed as far as the school is concerned.

If the complainant believes that the governing body has acted illegally or arbitrarily in handling the complaint, then they may make representations to the Schools Complaint Unit, which considers complaints on behalf of the State for Education. They have a duty to consider all complaints raised, but will only intervene where the governing body has been found to have acted unlawfully or unreasonably.

## Unreasonable Complainants

Old Palace 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.

Old Palace 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 co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- seeks an unrealistic outcome;
- 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;
- 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;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- seeks to targeted over a period of time one or more members of staff, causing on-going distress to individual member(s) of school staff and/or the whole/parts of the school community
- makes excessive demands on school time by frequent, lengthy and complicated 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;
- 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.

Where the actions of a complainant are believed to be unreasonable, the Headteacher or Chair of Governors will meet with the complainant informally to discuss the situation.

Should the behaviour continue, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. A limit may be placed on contact with the school, which will normally be reviewed after 6 months.

### **Physical/Verbal Aggression**

The school will not tolerate any form of physical or verbal aggression against school staff, pupils and other parents. This includes making threats, intimidation and the use of abusive, offensive or discriminatory language.

If staff or other stakeholders are subjected to this type of behaviour, the School will:

- Ask the person to leave the premises
- Inform the police
- Place a temporary ban on the person entering the school premises
- Allow the complainant an opportunity to comment in writing, before taking a decision on whether to extend or withdraw the ban, in consultation with the local authority

### **Monitoring and Review**

The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher logs all formal complaints received by the school and records how they were resolved. Governors examine this log on an annual basis.

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 via the school website, so that they can be properly informed about the complaints process.

**What should I do if I wish to raise a concern or make a complaint?**

**Speak to your child's class teacher**

In the case of general concerns these can also be raised with the class' Parent Councillor.



**Speak to the relevant Assistant Headteacher (Line Manager)**

If the action taken by the class teacher has not resolved the concern, then please speak to the Assistant Headteacher responsible for your child's year group. They will arrange for you to be contacted to update you on what action has been taken



**Arrange to speak to the Headteacher or Deputy Headteacher**

If the concern continues, this then needs to be referred to a senior leader. To allow the issue to be investigated fully please provide the Office staff with as much information as possible. This will be treated as confidential. Once the matter has been investigated they will contact you to discuss the matter further.



**Send a written complaint to the Headteacher**

If the issue is still not resolved a letter of complaint should be sent to the headteacher. Please include as much information as possible including dates and the names of witnesses. Please also explain why the previous action taken by the school has not solved the problem and what action it is felt is needed. The school will reply within 10 working days.



**Refer the matter to the Governors Complaint Panel**

In the unlikely case that the issue is still not resolved the matter can be referred to a panel of governors. A request should be made in writing within 10 working days of the headteacher's final response. The complainant will then be invited to the meeting to put their case to the panel. The decision of the panel is final.

## Complaints not in scope of the procedure

A complaints procedure should cover all complaints about any provision of facilities or services that a school provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

| <b>Exceptions</b>   | <b>Who to contact</b>   |
|---|---|
| <ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs (SEN)</li> <li>• School re-organisation proposals</li> <li>• Matters likely to require a Child Protection Investigation</li> </ul> | <p>Concerns should be raised direct with local authorities (LA).</p> <p>For school admissions, it will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.</p>  |
| <ul style="list-style-type: none"> <li>• Exclusion of children from school</li> </ul>   | <p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p>  |
| <ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>  | <p>Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> or by writing to:</p> <p>WBHL, Ofsted<br/>Piccadilly Gate<br/>Store Street<br/>Manchester M1 2WD.</p> <p>The Department for Education is also a prescribed body for whistleblowing in education.</p> |
| <ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities.</li> </ul>  | <p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.</p>   |