



Limehurst Primary School School Complaints Procedure

Last Updated: February 2020

Next Review: February 2021

Senior Leader Responsible for Policy: Mr Roberts

Overview

From 1st September 2003 Governing Bodies of all maintained schools and maintained nursery schools in England are required, under section 29 of the Education Act 2002, to have in place a procedure to deal with complaints relating to the school and to any communities facilities or service that the school provides.

Introduction

Limehurst strives to provide a good education for all our children. The Headteacher and staff work very hard to build positive relationship with all parents and carers. However, there are occasions where regardless of everyone's best efforts, disagreements occur. In this instance school needs to make information easily available to any parents/carers or eligible others who may wish to progress a **formal complaint**. The following policy sets out the procedures that will be followed in such cases.

If any of the parents or carers is unhappy with the education that their child is receiving, or have any concerns relating to the school, we encourage them to talk to the class teacher immediately. (An appointment may be made before or after the school day).

Limehurst follows the guidance set out by the Department for Education and the Local Authority in regard responding to complaints and representations received. Advice and support may be sought from the Local Authority as appropriate in respect of the complaints process.

Definitions- what is the difference between a Concern and a Complaint?

A 'concern' may be defined as '**an expression of worry or doubt over an issue considered to be important for which reassurances are sort**'. A 'complaint' may be generally defined as '**an expression of dissatisfaction however made, about actions taken or a lack of action**'. A complaint may be 'informal' or 'formal'.

Who can make a complaint within this policy?

Any person, including members of the general public, may make a complaint about a school provision or service, unless separate statutory procedures apply (i.e. exclusions or admissions). Some complaints fall outside the school's complaint procedures, for example, staff grievances or disciplinary procedures.

Aims and objectives

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible. We aim to resolve any complaints through dialogue and mutual understanding, and in all cases we put the interest of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed and will try hard to identify a satisfactory resolution.

Stage 1 – Concern/Complaint heard by Staff member, usually the class teacher

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 informal way. All teachers work very hard to ensure that each child is happy at school, and are 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.

If a concern or complaint cannot be resolved by discussion with the class teacher, or the member of staff involved is unable to deal with a concern or complaint, then it may be referred to another staff member. The member of staff will usually be more senior in responsibility: The ability to consider the concern or complaint objectively and impartially is crucial. Any complaint received will be logged, including the date received, and feedback will be given as appropriate regarding any action the school has taken to try to resolve the issue. On some occasions a complaint raised may require investigation, or discussion with others, in which case an informal but informed response will be returned. The majority of concerns will be satisfactorily dealt with in this way. However, if matters remain unresolved in order to progress to the next stage of the process the complainant will need to contact the **Head Teacher**.

Stage 2- Complaint heard by Head Teacher

Where the complaint concerns the Head Teacher the complainants may refer the matter directly to the Chair of Governors.

Where parents or carers feel that a situation has not been resolved through contact with the class teacher or senior staff member or that their concern is of a sufficiently serious nature, they should make an **appointment to meet with the Head teacher to discuss their complaint.**

The Head Teacher will acknowledge receipt of any complaint usually within 5 working days and will agree and record the details of the complaint, and any outcome that is being sought that would resolve matters. The Head Teacher will investigate each case thoroughly, including speaking with other pupils and staff involved where this is felt to be appropriate.

When the Head Teacher has concluded the investigation into the complaint a further meeting may be offered to discuss any outcome, and a written response to the complaint will be sent out usually within 25 working days. The complainant will be updated as required and informed if there will be any delay.

Most complaints will be resolved by this stage, however if this is not the case then the complainant will need to write to the **Chair of the School Governing Body** setting out the details of their complaint.

The complainant needs to write to the Chair of Governors care of the school office - marked FAO-Chair of Governors – Private & Confidential.

Stage 3 Complaint heard by Governing Body complaint appeal panel

The Chair of Governors will acknowledge receipt of the complaint usually within 10 working days, and may arrange to meet with the complainant to see if a resolution can be found. If the Chair of Governors cannot resolve matters, then the complainant may request that he/she arrange for a **Governing Body Complaint Appeal Panel** to hear the complaint and review the actions that the school have taken to try to resolve matters.

Upon receiving a request to convene a Complaint Appeal Panel the Chair of Governors or a nominated governor will arrange for 3 governors who have not had prior involvement in the complaint to form a panel.

The Complaint Appeal Panel will be clerked (The clerk may be a member of the school staff). The clerk will formally write to the complainant, the Head Teacher and any other relevant staff or witnesses and inform them;

- Of the date, time and venue of the Complaint Panel Meeting
- Of the aims and objectives of the Panel and how it will be conducted;
- That any documentation they wish the Panel to consider must be returned to the clerk no later than 5 school days before the Panel takes place;
- Arrange for the information packs to be received by those attending the Panel no later than 2 days prior to the meeting.
- How and when the Panel will reach a decision.

The Remit of the Complaints Appeal Panel

The Panel can;

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or part;
- Recommend appropriate action to be taken to resolve the complaint;
- Recommend changes to the schools practice, policies or procedures to ensure that problems of a similar nature do not occur again.

It is acknowledged that there may be occasions where the Panel cannot facilitate a resolution or requested outcome, and in these cases it may only be possible for the Panel to establish the facts, ensure the complainants feel that their concerns have been taken seriously, they have been listened to and identify an appropriate way forward. Advice may be sought as appropriate and in line with any Service Level Agreement, from Local Authority Officers regarding the complaint matters or process.

After hearing from both parties and reviewing the information available the Panel will consider their decision and inform the complainant of the outcome in writing usually within seven working days.

The Governing Body Complaint Appeal Panel is the final stage in the school complaint process, and following notification of the outcome the school will consider the complaint to be closed. If parents remain dissatisfied with the way that the school has dealt with their complaint then they have the right to contact the Secretary of State for Education and information in respect of this can be found on the Department for Education website.

Please note that complaints against the Chair of Governors or any Governor should be made by writing to the Clerk of the Governing Body.

Timelines

Complaints need to be considered and resolved as quickly and efficiently as possible. Limehurst expects the vast majority of complaints to be made as soon as possible after an incident arises, **with a three month 'window' to lodge a complaint** (although school will hear complaints beyond this period if exceptional circumstances are in evidence).

Unreasonable Complaints

Limehurst 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 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.

Limehurst 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 outcomes sought
- Refuse to co-operate with the complaints investigation process
- Refuse to accept that certain issues are not within the scope of the complaints procedure
- Insist on the complaint being dealt with in a way not recognised as 'good practice'
- Introduce trivial or irrelevant information of which they expect school to comment on
- Make unjustified complaints about staff who are trying to deal with the issue, or seek to have them replaced
- Change the basis of the complaint as the investigation proceeds
- Refuse to accept the findings of the investigation where the schools complaint procedure has been fully implemented
- The complainant seeks an unrealistic outcome

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, that is judged;

- Maliciously

- Aggressively
- Using threats, intimidation or violence
- Using abusive, offensive or discriminatory language
- Knowing to be falsified information
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers

Serial or Persistent Complaints

The complaints process will aid in the speedy resolution of most complaints, however there may be occasions where an agreed resolution cannot be reached and it is only possible to agree an acceptable way forward. It should be noted that once a complaint reaches the end of the school complaint procedure it cannot be reopened and reinvestigated. If the complainant tries to reopen the same issues, the Chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. A complaint may be considered by the school to be 'serial or persistent' when:

- It is repeatedly and obsessively pursued.
- An unreasonable or unrealistic outcome is sought.
- It is reasonable, but is pursued in an unreasonable manner.

Limehurst will not tolerate behaviour from complainants that is deemed offensive or threatening, or which is considered to pose a risk to either staff or pupils. The school will take such steps as necessary to manage behaviour of this kind and may seek legal advice.

Where the complainants contact with school is unreasonably demanding, or the frequency of contact is judged to impede the day to day running of the school, then contact with school may be subject to a management plan to aid in the resolution of the complaint.

If a complainant contacts the school repeatedly but making substantially the same point each time advice will be sought from Local Authority Officers in line with the Service Level Agreement in respect of the management of and response to complaints of this nature. School will stop responding in regard a specific 'complaint' if all reasonable steps to address the complainants needs have been taken and the complainant has been given a clear statement of the school's position and any potential options.

School will inform the complainant in writing if they are no longer prepared to respond to a 'repeat' complaint. Ultimately school will contact legal services for advice if a complaint persisted to the point that school consider it harassment.

Monitoring and Review

The Governors monitor the complaints procedure, in order to ensure that all complaints received are appropriately responded to. The Head Teacher logs all complaints received by the school, and records the outcome and any learning from the complaint. 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 and carers, so that they can be properly informed about the complaints process.

Complaints not in scope of a 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.

Exceptions	Who to contact
<ul style="list-style-type: none"> <input type="checkbox"/> Admissions to schools <input type="checkbox"/> Statutory assessments of Special Educational Needs (SEN) <input type="checkbox"/> School re-organisation proposals <input type="checkbox"/> Matters likely to require a Child Protection Investigation 	<p>Concerns should be raised direct with local authorities.</p>
<ul style="list-style-type: none"> <input type="checkbox"/> Exclusion of children from school 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p>
<ul style="list-style-type: none"> <input type="checkbox"/> Whistleblowing 	<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: whistleblowing@ofsted.gov.uk or by writing to:</p> <p>WBHL, Ofsted Piccadilly Gate Store Street 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"> <input type="checkbox"/> Staff grievances and disciplinary procedures 	<p>These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>

OLDHAM COUNCIL



**Limehurst Community Primary School
Whitebank Road
Oldham
OL8 3JQ**

**Telephone 0161 770 3140
Fax No. 0161 770 5740**

E. Mail info@limehurst.oldham.sch.uk

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

Your name:

Pupil's name.....

Address:

.....

.....

Postcode.

Daytime telephone number:

Evening telephone number:

Please give details of your complaint. If you have more than one complaint please complete an individual sheet for each complaint. Please see attached.

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

Official use

Date and acknowledgement sent:

By who:

Complaint referred to:

Date:

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.

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