



Complaints Policy

Blaise Primary and Nursery School

Blaise School Governor Information	
Model Policy	No
Local Changes	
Customisation*	
Reviewed by	
Originally Adopted	Autumn 2008
Last Reviewed	December 2022
Approved	Autumn 2019
Next Review Date	December 2025
* additions made to policy (eg local detail) but not a change to any policy structure	

History of most recent Policy changes – Must be completed

Date	Page	Change	Origin of Change e.g. TU request, change in legislation
27/11/13	2	Amend Chairman to Chair	
23/11/16	All	Abbreviation LA and CYPS defined	Resources 23/11/16
21/11/18	Annex	New section - Policy for dealing with Unreasonably Persistent Complaints, Harassment or Aggression	Resources 21/11/18
November 2019	All	Updated to include latest DfE Guidance	Governorhub – November 2019

Complaints Policy

Rationale

The school complaints policy is in place to ensure that parents/carers and others are able to express their concerns in an open and honest way in accordance with a published procedure.

Please note this is **NOT** to be used for reporting:

- safeguarding or child protection concerns in the first instance, as these are covered by the schools Safeguarding and Child Protection policy.

- Whistle-blowing, as this is covered by our Whistle-blowing policy
- Staff grievances

The complaints procedure is designed to

- encourage resolution of problems by informal means wherever possible
- be easily accessible and well-publicised
- be simple to understand and use
- be impartial
- be non-adversarial
- allow swift handling, with established time limits for action, and keep people informed of progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality
- address all the points at issue, and provide an effective response and appropriate redress, where necessary
- provide information to school's Leadership team so that services can be improved

Complaints about services provided by other providers who use the school site, should be directed to those providers.

Investigating complaints

At each stage, the person investigating the complaint will make sure that they

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them if unsure of further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview

Equality Statement

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Procedure

The deadline for making a complaint is three months after the incident. Where appropriate school will make exceptions to this.

Stage 1 Informal Stage (Concern raised with class teacher or member of staff responsible for the area of concern)

Any problem or concern should be raised promptly with the class teacher/ or member of staff responsible for the area or action you are concerned about. All staff will make every effort to resolve your problem promptly at this informal stage. Most concerns and potential complaints can best be resolved through informal discussion with the Head Teacher or relevant member of staff. If your concern is more serious you may prefer to make an appointment to discuss it with the Head Teacher. If the first approach is made to a governor, the governor would need to refer the complainant to the appropriate person and advise them about the complaints procedures.

Stage 2 (Head Teacher)

If you are dissatisfied with the response of the member of staff (or the Head Teacher if they have been involved at the informal stage) then you may wish to put your concerns to the Head Teacher as a complaint in writing. You should make it clear if you wish the matter to be dealt with as a complaint. If you need support in submitting a complaint, please contact the school office and support will be arranged. An acknowledgement will be sent to the complainant within 48 hours of receipt of the written complaint. The Head Teacher will investigate the complaint and provide a written response. This will normally be within 10 school days of your letter, but you will be kept informed if, for example, more time is needed to complete the investigation.

If your original concern was about an action by the Head Teacher personally, and you have already discussed it at the informal stage, then you should put your complaint in writing to the chair of governors (stage 2).

Stage3 (Chair of Governors)

If you are not satisfied with the Head Teacher's response, you need to write to the chair of governors, giving details of the complaint. The chair's name and how to contact him/her is available from the school office. The chair will convene a governing body complaints panel to investigate your complaint. This will normally be arranged within fifteen school days of your complaint being received, depending on the availability of all concerned. You may be invited to speak to the panel at a meeting and be accompanied by a friend or representative. After the meeting you will be advised of the outcome in writing, this will normally be within 10 school days of the meeting. The letter will also indicate whether there are any further rights of appeal and, if so, to whom they need to be addressed.

The governors' appeal hearing is the last school-based stage of the complaints process. For most complaints the decision of the governors is the last step in the procedure.

Individual complaints would not be heard by the whole Governing body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The School Complaints Unit (SCU)

Complainants who have exhausted the school's complaints procedure, and are still unsatisfied, can refer their complaint to the School Complaints Unit (SCU), which is part of the Department for Education (DfE). The SCU will determine whether the school adhered to its own policies, and whether that policy (and any other relevant statutory policies) adhere to legislation or statutory guidance.

Other Complaints

There is a specific procedure for complaints about the school curriculum under Section 23 of the Education Reform Act 1988 and matters relating to it.

In general these are dealt with in a similar way to other complaints. However, there are some specific differences –

You may complain either to the Local Authority or the Governing Body in the first instance.

The complaint will be investigated by whichever of these is responsible for the matter complained about. The Governing body will inform both the complainant and the Local Authority of the outcome of its investigation.

There is a right of appeal to the Local Authority, and then to the Secretary of State.

If you are in doubt whether your complaint comes into this category, or would like a copy of the full procedure for complaints relating to the school curriculum, please contact the school.

In general, internal school matters are the responsibility of the school governing body. However, you may have a complaint which relates to something which is the Local Authority's responsibility. Arrangements for complaining to the Council are summarised in a separate Leaflet available from the Local Authority.

The Local Authority will provide advice to parents and schools on best practice procedures for dealing with complaints. The Local Authority will, where appropriate, check to make sure that the complaint has been reasonably dealt with. Where required, Local Authority officers may play a role in helping schools to investigate and resolve particular complaints.

School admissions and exclusions

Separate complaint and appeal procedures exist for these matters, and appropriate information is available on request from the school.

Complaints about failure to assess a child's special educational needs

There is a separate appeal procedure for these matters, and appropriate information is available on request from the school.

Complaints against school staff

If your complaint amounts to or includes an allegation against a member of staff, this may need to be considered under the school's disciplinary procedure for employees, rather than the complaint procedure. You will be advised if these procedures are to be used in dealing with your complaint.

A complaint about the Local Authority

Procedures for complaining about the Local Authority are set out in a separate Leaflet about the Council's complaints procedure. A copy of this Leaflet is available from the school, libraries and Council offices. Complaints should be made in the first instance to the head of the service or section concerned. If you are still not satisfied you may complain to the Director of Children and Young People Service.

Conclusion

By the school having a clear, published procedure, the governors hope that this will help resolve problems and confirm good working relationships between all people involved with the school.

Annex to Complaints Policy

Policy for dealing with Unreasonably Persistent Complaints, Harassment or Aggression

The Head Teacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the School's Complaints Procedure.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant. The school is extremely committed to promoting positive relationships with all members of the school community, regardless of age, sex, religion, ability or culture and it welcomes the opportunity to address and resolve issues that may arise.

However, there are rare occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the school and directly or indirectly the overall wellbeing of the children or staff in the school. In these exceptional circumstances the school may take action in accordance with this policy.

1. What does the school expect of any person wishing to raise a concern?

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

- treat all members of the school community with courtesy and respect;
- respect the needs of pupils and staff within the school;
- avoid the use of violence, or threats of violence, towards people or property;
- avoid any aggression or verbal abuse;
- 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 resolving a specific problem can sometimes take time;
- follow the school's complaints procedure (and for staff members to follow the appropriate internal staff procedure).

2. What do we mean by 'unreasonably persistent complainants'?

For the purpose of this policy, an unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include the following (although this is not an exhaustive list):

- actions which are obsessive, persistent, harassing, prolific, repetitious;
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;
- use of Freedom of Information requests excessively and unreasonably;
- an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- an insistence upon pursuing complaints in an unreasonable manner;
- an insistence on only dealing with the Head Teacher on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters;
- an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school because it is unlawful.
- making what appears to be groundless complaints about staff dealing with the complaint and seeking to have them replaced.
- abusive or threatening behaviour or language towards school staff.

- failing to specify grounds of the complaint, despite offers of assistance from the school.

3. What is harassment?

We regard harassment as including 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 to seek a resolution.

Behaviour may fall within the scope of this policy if:

- it appears to be deliberately targeted at one or more members of school staff or others, without good cause;
- the way in which a complaint or other issue is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has an unjustifiably significant and disproportionate adverse effect on the school community.

4. School's responses to unreasonably persistent 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.

However, in cases of unreasonably persistent complaints or harassment, the school may take some 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 any future meetings with a member of staff to be conducted with a second 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 and that these may be required to be channelled through a third party chosen by the school, for example the Local Authority Solicitor;
- inform the complainant that, with the exception of urgent communication regarding their child in school, the school will respond to their correspondence on a 6 weekly basis only;
- take legal advice on pursuing a case under Anti-Harassment legislation.

Legitimate new complaints will always be considered in an appropriate time frame, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/ Harassment Policy. The school nevertheless reserves the right not to respond to communications from individuals whose conduct falls within the scope of this policy.

5. Physical or verbal aggression, abusive or insulting behaviour, or language

The governing body will not tolerate any form of physical or verbal aggression against members of the school community.

If there is evidence of any such aggression the school may:

- ban the individual from entering the school site, with immediate effect;
- take legal advice on pursuing a case under Anti-Harassment legislation;
- call the police to remove the individual from the premises, under powers provided by the Education Act 1996.

Aggressive, abusive or insulting behaviour, or language

A school may consider that aggressive, abusive or insulting behaviour, or language from a parent/carer presents a risk to staff or pupils. It is enough for a member of staff or a pupil to feel threatened. In such a circumstance, schools have a power in common law to bar the parent/carer from the premises.

6. Right of appeal

All persons who are notified by the school that they are being dealt with under this procedure have the right of appeal. Appeals must be addressed to the Chair of Governors under confidential cover, care

of the school. The Chair of Governors will consider each appeal on its merits, consulting with the Head Teacher as appropriate. The outcome of the appeal should be notified to the appellant and copied to the Head Teacher within 10 days.



Blaise Primary & Nursery School

Clavell Road, Henbury, Bristol BS10 7EJ

School Complaints Procedure - Complaint Form

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

Your name :

Pupil's name:

Your relationship to the pupil:

Address :

Postcode:

Daytime 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:

Name in Capital letters

Date

For official use only

Date acknowledgement sent:

By whom:

Complaint referred to:

Action :

Date :