



## Dove Bank Primary School

# COMPLAINTS POLICY

This policy was approved by the Governing Body of Dove Bank Primary School at their meeting on.....

Signed..... Chair of Governors

Version	Date	Author	Reason for Change
0.1	6/2016	FS	New Policy
0.2	10/2020	AF	Reviewed Content

Review Frequency	Next Review Date
Every 3 years	10/2023

## Introduction

Dove Bank is committed to working in close partnership with all members of the school community. The school places great value on the role which parents and carers can play in supporting children's learning. Staff and governors actively encourage a positive relationship between the school and the families of children who attend the school.

We also aspire to have good relations with our neighbours and the wider community.

### Our policy aims:

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint
- To make sure everyone at Dove Bank Primary School knows what to do if a complaint is received
- To make sure all complaints are investigated fairly and in a timely way
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired
- To gather information which helps us to improve what we do

Where any concerns are brought to our attention, we aim to address these as quickly, sympathetically and efficiently as possible.

Most issues can be effectively resolved through the school's day to day communication between parents and the school staff; it is hoped that all concerns will be settled amicably at this stage.

However, for those situations where this is not the case, we have a more formal process to investigate and deal with complaints.

Our complaints procedure is detailed on the following pages:

### Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Dove Bank Primary School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

### 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 sought'*.
- A **complaint** may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

### How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to Mr Cheesman (the headteacher) via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to Mrs Sarah Pennelli (the Chair of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Mr Roger Stead (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this policy. If you require help in completing the form, please contact the school office. You can also ask third party organisations such as Citizens Advice to help you.

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.

### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

### **Time scales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this timeframe if exceptional circumstances apply.

### **Complaints received outside of term time**

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### **Scope of this Complaints Procedure**

This procedure covers all complaints about any provision of community facilities or services by Dove Bank Primary School, other than complaints that are dealt with under other statutory procedures, including those listed below:

<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</li><li>• School re-organisation proposals</li></ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with <a href="https://www.leicestershire.gov.uk/education-and-children/schools-colleges-and-academies/school-admissions">https://www.leicestershire.gov.uk/education-and-children/schools-colleges-and-academies/school-admissions</a>

<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</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> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint.</p> <p>However, the complainant will be notified that the matter is being addressed.</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. Please contact them direct.</p>
<ul style="list-style-type: none"> <li>• National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Dove Bank Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## **Resolving complaints**

At each stage in the procedure, Dove Bank Primary School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. Dove Bank Primary School operates a 4-Stage complaints procedure outlined below:

### **Stage 1: Informal concern**

- An initial concern should be raised with the class teacher or the member of staff concerned. This can be done in writing, by telephone or in person by appointment. The vast majority of concerns can be dealt with at this stage. It would be helpful to identify at this point what outcome you are looking for in order for us to address your concern quickly and effectively.
- If you are not a parent/carer of a child at our school, please start at Stage 2 and contact the headteacher to discuss your concerns.

### **Stage 2: Formal complaint to the headteacher**

- If your concern is not resolved at the informal stage you can make a formal complaint to the headteacher, within 10 school days of Stage 1 being concluded. Your complaint should be made in writing, indicating your desired outcome from the complaint (a form is enclosed for this purpose).
- Your complaint will be acknowledged within 5 school days and will include an indicative date for a written response. The headteacher will be responsible for ensuring that your complaint is investigated appropriately. They may meet with you to clarify details of your complaint and the resolution that is being sought. The headteacher will investigate the complaint further and make every effort to resolve the issue.
- Dependent upon the nature of the issues raised, the matter will either continue to be dealt with through the school complaints procedure, or by other procedures such as the disciplinary or safeguarding procedures. If this happens you will be informed of this fact but you will not be advised of the outcome of these proceedings.
- On conclusion of the investigation, the headteacher will write to you with all appropriate information in relation to the complaint and information on any outcome(s). The response should also inform you of the next stage of the procedure in case you are not satisfied with the response.

### **Stage 3: Formal complaint to the chair of governors**

- If you are dissatisfied with the headteacher's response or your complaint concerns the conduct of the headteacher, then you can make a formal complaint to the chair of governors.
- Your complaint should be made in writing to the chair of governors, care of the school, within 10 school days of the date of the headteacher's response to you. Please provide a copy of the written complaint, a copy of the headteacher's letter concluding Stage 2 and give details in writing of why you are not satisfied with the outcome.
- At this stage the chair of governors will generally handle the complaint but can delegate this to a nominated governor. In exceptional circumstances, the chair of governors may commission an independent investigator to undertake an investigation on behalf of the school.
- You will receive an acknowledgment of receipt of your complaint within 5 school days and an indicative timescale for response.
- The governor will investigate the complaint and make every effort to resolve the issue. They may meet with you if they need clarification or further information is necessary.
- On conclusion of the investigation you will receive a written response of the outcome reached and the process for appeal.

#### **Stage 4: Formal complaint complaints appeal panel**

- If you remain dissatisfied with the response to your complaint, you may request that it is reviewed by the complaints appeal panel by writing to the clerk to the governing body within 10 school days of the date of the letter notifying you of the outcome of Stage 3.
- The clerk will write to acknowledge receipt of your complaint within 5 school days. The letter will explain the process which is to be followed and information about the how the panel will operate.
- The clerk will convene a governing body complaints appeal panel and ask you to provide details of your appeal and any relevant supporting evidence.
- The panel will usually consist of 3 governors from the school. These governors will have no previous knowledge of the complaint. If this is not possible for any reason, then alternative arrangements will be made and communicated to you.

The remit of the complaints appeal panel is to:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

You will be notified in writing of the panel's decision, usually within 5 days. The letter will confirm the end of the school's and governing body's involvement with the complaint and explain any further rights of appeal.

#### **Next Steps**

If complainants have completed the school procedure and believe the school did not handle the complaint in accordance with the published complaints procedure or have acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Dove Bank Primary School. They will consider whether Dove Bank Primary School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.

## **Managing serial and unreasonable complaints**

The 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.

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 complaints procedure has been fully and properly implemented and completed including referral to the DfE.
- 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.
- Uses threats to intimidate.
- Uses abusive, offensive or discriminatory language or violence.
- Knowingly provides falsified information.
- Publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 ask them to change it. For complainants who excessively contact Dove Bank 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 be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Dove Bank Primary School.

### **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.



## Dove Bank Primary School Formal Complaint Form

**Your name:**

**Pupil's name (if relevant):**

**Your relationship to the pupil (if relevant):**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give details of your complaint, including whether you have spoken to anybody at the school about it.**



**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 acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**