

RIVERSDALE PRIMARY SCHOOL

Complaints Policy

Date:

Review Date:

Signed: _____ (Governor)

Signed: _____ (Headteacher)



Whilst we are very proud of our school, we know that no one gets things right all of the time. We are committed to working with you to provide the absolute best for all of our children and this includes responding quickly and proportionately to concerns that you raise. This policy sets out what the school will do if you wish to raise that concern informally, or to make a formal complaint.

This policy has been reviewed against the DfE advice to meet the standards set out in Education Regulations. Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the Education and Skills Act (2008) requests them.

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, and the complaint will be recorded.

Complaints receive 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.

Withdrawal of a complaint:

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

COMPLAINTS AND CONCERNS

The majority of issues raised by parents/carers, or students are concerns rather than complaints. Riversdale Primary School is committed to taking concerns seriously at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and avoiding recourse to formal procedures. However, in those instances where a parent does not feel a concern has been addressed, or it is of sufficient gravity, then the school's formal complaints procedure should be used.

The prime aim of Riversdale's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Complaints are dealt with using a staged approach. Our Complaints Policy has six main stages:

STAGE 1: RAISING A CONCERN

Concerns can be raised with the school at any time and by any communication method. Anyone, including members of the public can raise a concern, not just parents and carers of children at Riversdale. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent, though these would normally only be accepted where the complainant is unable to do so themselves. Concerns may also be raised during the school's normal Parental Consultation Evenings, or other arranged meetings with specific staff.

On some occasions, the concern raised may require investigation, or discussion with others, in which case there will be an informal but informed response, usually within three school days from the initial contact. It is anticipated that the vast majority of concerns will be satisfactorily dealt with in this way. If further time is required to find a resolution, this extension will be mutually agreed with all parties.

Complainants can often feel frustrated because the resolution being sought may not include details of any consequences issued against third parties, in order to protect third party confidentiality. The complainant may be assured that the school will have issued consequences as appropriate in compliance with our policies and procedures.

However, if you are not satisfied please contact the school within ten school days of the outcome and state what your ideal resolution would be. If it is not possible to resolve the issue, it may be necessary to proceed to the next stage.

STAGE 2: MAKING A FORMAL COMPLAINT

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

Formal complaints should be addressed in writing by using Appendix A of the Complaints Policy. Complaints against school staff (except the Headteacher) should be made in the first instance, to Amy Roberts (the Headteacher) via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher or an individual Governor should be addressed to Rev. Ian Tattum (the Chair of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, or the whole Governing Body, should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

The School will normally acknowledge receipt of the complaint within two school days of receiving it and pass it to an appropriate designated member of staff. This complaint will be reduced to Stage 1 if the complainant has not previously given the school the opportunity to resolve the concern raised. In some cases, it may be possible to report immediately on the action the school has taken to resolve the issue.

Where this is not possible, a face-to-face meeting may be convened to discuss the matter further with the appropriate members of staff, to allow the complainant to air their grievances and present all the relevant information with the hope that a resolution can be reached. This meeting will take place within ten school days of the receipt of the formal complaint.

If the Investigating Officer feels the matter is too serious to be dealt with at Stage 2, then it may be passed directly to Stage 3. The aim will however always be to resolve the matter as speedily as possible.

Formal complaints will be confidential except where the Secretary of State or an inspecting body requires access to such statements.

The complainant has ten school days from the date of the outcome letter or email to notify the school if they wish to proceed to Stage 3.

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

STAGE 3: FURTHER INVESTIGATION

If the matter has not been resolved at Stage 2, the school should be notified in writing by using Appendix A of the Complaints Policy within 10 school days of the outcome letter. The school will normally acknowledge receipt of the complaint within two working days. The Investigating Officer will undertake a further investigation.

Following the investigation, the school will normally give a written response within ten school days.

If you remain dissatisfied with the outcome, you need to let the school know in writing by using Appendix A of the Complaints Policy within ten school days of receiving the outcome response.

At this stage a further face to face meeting will be arranged with the Headteacher within ten school days of receipt of the escalation to allow the complainant to air their grievances and present all the relevant information with the hope that a resolution can be reached.

In cases where the complaint concerns the conduct of the Headteacher, both the Governance Professional to the Governors and the Headteacher will be informed of the complaint and the Governors will arrange for the matter to be further investigated. The school will normally give a response in writing within ten school days.

The complainant has ten school days from the date of the outcome to notify the school if they wish to proceed to Stage 4.

STAGE 4: APPEALS TO CHAIR OF GOVERNORS

If the matter has still not been resolved at Stage 3, the complainant should send their written complaint to the Chair of Governors by using the Appendix A in the Complaints Policy , c/o The Governance Professional to the Governors at the school address who will acknowledge receipt within 2 school days of receipt of this. The Chair of Governors may request that a face-to-face meeting is held within ten school days and a written outcome will be issued within 10 school days of that meeting. Alternatively, following a further investigation, the Chair may respond directly to the complainant in writing within 10 school days of receipt of Appendix A.

The complainant has ten school days from the date of the outcome letter to notify the school if they wish to proceed to Stage 5.

STAGE 5: APPEAL TO INDEPENDENT GOVERNORS' COMPLAINT PANEL

If the complaint is not resolved following the response from the Chair of Governors, the complainant may request an Independent Governor Complaints Appeal Panel to consider the complaint. This will be acknowledged within 2 school days. This will normally occur within 20 school days. The panel will consist of at least three people who were not directly involved in the matters detailed in this complaint, one of whom must be independent of the management and running of the school. The panel will allow the complainant to attend and be accompanied at a panel hearing if they should wish. The roles and responsibilities of the panel and the format of the appeal hearing are detailed in Appendix C. The panel hearing can be in person or by an online meeting, if preferred and agreed by all parties.

The aim of the appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the panel's decision in writing within three working days of the date of the hearing.

The letter will also contain details of any further rights of redress available. Outcomes from the hearing may include but are not limited to:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on 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
- The outcome letter will be received within 5 school days of the panel hearing.

The appeal hearing is the last school-based redress. The findings and recommendations of the panel will be available for inspection on the school premises by the proprietor and the headteacher. A complainant may

move to Stage 6.

STAGE 6: APPEAL TO THE DEPARTMENT FOR EDUCATION

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they 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 5.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Riversdale Primary School. They will consider whether the 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, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

LOCAL AUTHORITY INVOLVEMENT

Local Authorities are not part of the formal statutory process for school complaints, however Riversdale School works closely with Wandsworth Local Authority and Governors believe there can be value in using a mediation process for some complaints. Therefore, if both parties are in agreement, the Governing Board of Riversdale School has agreed to offer Local Authority mediation at a stage before a complaint is escalated to the Secretary of State for Education.

Mediation is an effort to bring the two parties together; it does not formally reinvestigate and Wandsworth LA mediation service cannot impose a resolution to a complaint. Wandsworth's involvement in mediation shall be time limited to no more than six weeks and school term times will need to be taken into consideration. Should a resolution fail to be reached within this time period, you will be advised of your right to escalate your complaint to the Secretary of State for Education.

RECORDING OF COMPLAINTS

The school will record the action it takes as a result of complaints regardless of whether they are upheld. A form for recording the timeline of a complaint is attached in Appendix B; this is for office use only.

However, at the end of each meeting a summary will be made by the Chair of the meeting to ensure that all parties have the same understanding of what has been discussed and agreed. The Governance Professional will hold these notes in a Complaints file.

LEARNING LESSONS

The Governors will review any underlying issues raised by complaints with the Headteacher and leadership team as appropriate, and respecting confidentiality, identify areas of improvement that the school can make use of its procedures or practices to improve systems.

The Governing Board will monitor the effectiveness of the complaints procedure to ensure complaints are handled properly.

The Headteacher will report to the Chair of Governors on the frequency and nature of formal complaints, the effectiveness of the resolutions and any subsequent actions. The complaints policy will be reviewed annually.

POLICY FOR HANDLING PERSISTENT, VEXATIOUS, HARASSING OR ABUSIVE COMPLAINANTS

The Headteacher 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 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. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour.

Persistent Complaints

Where a complainant tries to re-open an issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the Chair of Governors (or another other appropriate person in the case of a complaint about the Chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstances in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's concern,
- The redress sought by the complainant is incompatible with the complaints procedure, or goes against good practice, other school policies or current procedures,
- The complainant has already been given a clear statement of the school's position and their options,
- The complainant is contacting the school repeatedly but making substantially the same points each time.

Vexatious Complaints

The school will consider a complaint vexatious where we have reason to believe a complainant is contacting the school with the intention of causing unnecessary or repeated disruption or inconvenience. This might include making an excessive number of calls, leaving repeated voicemail messages or sending multiple emails to the school, insisting on immediate responses or attempting to pursue multiple complaints simultaneously.

A vexatious complainant may be identified for example, as a person who makes detrimental, personal or abusive comments regarding the school or persons employed by the school, directly in person, by phone, in emails or on social media. A person who inappropriately escalates a complaint externally at the same time as, or instead of, following the school's complaints procedures might also be deemed to be a vexatious complainant.

Whilst all complaints will be investigated, any complainant's vexatious behaviour or harassment of staff or students will also be logged, to allow any repeating pattern of these types of behaviour to be identified.

Schools have a duty to safeguard the health, safety and well-being of staff and students. Parents and carers that act in ways that may cause harm to the safety, mental health and/or the well-being of staff or students may be dealt with separately.

What do we mean by 'an unreasonably persistent complainant'?

An unreasonably persistent 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.

Unreasonable behaviour may include:

- actions which are out of proportion to the nature of the complaint, or
- personally harassing, or
- unjustifiably repetitious and/or
- an insistence on pursuing unjustified complaints and/or
- unrealistic outcomes to justified complaints and/or
- an insistence on pursuing justifiable complaints in an unreasonable manner (eg using abusive or threatening language; or
- making complaints in public or on social media; 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 matters appear 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, without good cause;
- 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, interfering with the daily business of the education of pupils.

What can you expect from the school?

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

- keep in touch regularly in writing over
- how and when problems can be raised with the school
- details of the school's complaints procedure
- details of the school's Unreasonably Persistent Complaints/Harassment Policy.

And to

- respond within a reasonable time;
- be available for consultation within a reasonable time limit, bearing in mind the needs of pupils;
- respond with courtesy and respect;
- attempt to resolve problems using reasonable means in line with the school's complaints procedure

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;
- avoid the use of 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.

School's responses to unreasonably persistent complaints or harassment:

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 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 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.

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 will not tolerate any form of physical or verbal aggression against school staff. If staff are subject to this type of aggression the school may:

- ban the individual from entering the school site, with immediate effect;
- request an Anti-Social Behaviour Order (ASBO);
- prosecute under Anti-Harassment legislation.

Legitimate new complaints will always be considered, 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 subject to the policy.

APPENDIX 1: Complaint Form

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

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, if any, have you already taken to try to resolve the issue? Who did you speak to and what was their response?

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

Please give details of any attachments to this form. These may include a more detailed account of the complaint, copies or correspondence or emails.

Signature:

Date:

Official use:

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

APPENDIX 2: Recording of Complaints

All resolutions must respect the confidentiality of third parties, therefore any consequences issues may not be disclosed to the complainant(s).

Complaint Log:

Stage 1 informal response within 3 school days from the initial contact as agreed	Or escalation if wished within 10 school days of receipt of outcome move to Stage 2
Date of initial contact	
Acknowledged by	
Delegated to	
Reply method	
Reply Date	
Summary	

Further Stages:

Stage 2 First Formal complaint in writing using Appendix A to school		Stage 3 Part 1: Further complaint in writing to school.	
Escalation/Resolution	<i>Concern unresolved</i>	Escalation/Resolution	<i>further investigation</i>
Date		Date	
Acknowledged by <i>within 2 school days of receipt</i>		Acknowledged by <i>within 2 school days of receipt</i>	
Delegated to		Delegated to	
Time for Resolution	<i>10 school days</i>	Time for Resolution	<i>10 school days</i>
Type for resolution	<i>Face to face meeting within 10 days of receipt of complaint</i>	Type for resolution	<i>Response in writing 10 days from receipt of escalation</i>
Author of Resolution		Author of Resolution	
Date of Resolution		Date of Resolution	
Time for Escalation	<i>10 school days from receipt of outcome</i>	Time for Escalation	<i>10 school days from receipt of outcome</i>

Stage 3 Part 2: Further complaint in writing to Headteacher		Stage 4: Formal complaint in writing to Chair of Governors	
Escalation/Resolution	<i>follow up meeting</i>	Escalation/Resolution	<i>further investigation</i>
Date		Date	
Acknowledged by <i>within 2 school days of receipt</i>		Acknowledged by <i>within 2 school days of receipt</i>	
Delegated to		Delegated to	<i>Chair of Governors</i>
Time for Resolution	<i>10 school days</i>	Time for Resolution	<i>10 school days</i>
Type for resolution	<i>Face to face meeting</i>	Type for resolution	<i>Face to face meeting or response in writing within 10 days of escalation</i>
Author of Resolution		Author of Resolution	
Date of Resolution		Date of Resolution	
Time for Escalation	<i>10 school days from receipt of outcome of meeting</i>	Time for Escalation	<i>10 school days</i>

Stage 5: Appeal Panel		Governor Panel Decision	
Escalation/Resolution	<i>Impartial Hearing</i>	Outcome	
Date			
Acknowledged by <i>within 2 school days of receipt</i>			
Delegated to	<i>Panel Members</i>		
Time for Resolution	<i>20 school days</i>	Time for Resolution	<i>5 school days</i>
Type for resolution	<i>Panel hearing</i>	Type for resolution	<i>Decision in Writing</i>
Author of Resolution		Author of Resolution	<i>Chair of Panel</i>
Date of Resolution		Date of Resolution	
Time for Escalation	<i>Not Applicable</i>	Time for Escalation	<i>Not Applicable - End of school based procedure</i>

**Stage 6: Formal Appeal
to EFSA**

Escalation/Resolution

Yes/No

**Details (where
applicable)**

Complaints against Head Teacher

If the complaint concerns the conduct of the Head Teacher, both the Secretary to the Trustees and the Headteacher will be informed.

3 Part 1: Complaint against Headteacher	
Escalation/Resolution	<i>Delegated by Chair of Governors to:</i>
Date	
Time for Resolution	<i>10 school days</i>
Type for resolution	<i>Response in Writing</i>
Author of Resolution	<i>Chair of Governors</i>
Date of Resolution	
Time for Escalation	<i>10 school days</i>

Persistent Complaints

Where the complaints policy and processes have been exhausted, the complainant is informed in writing that the matter is closed. No further responses needed.

Vexatious Complaints

Please see the Parental Engagement Policy; whenever the Parental Engagement policy is enacted, the Headteacher and the Chair of Trustees are notified.

APPENDIX C – ROLES AND RESPONSIBILITIES FOR A STAGE 5 COMPLAINT

The Clerk to the Governing Body is the main point of contact and is required to:

- Set the time, date and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- Collate any written material and distribute to the parties in advance of the hearing
- Meet and welcome all parties as they arrive
- Record the proceedings
- Notify all parties of the panel's decision

The Chair of the Governing Board should:

- Ensure correct procedure has been followed
- Identify a chair for the panel
- Ask the Clerk to arrange a panel

The Chair of the Panel should:

- Explain the remit of the panel to all parties and ensure each party has a chance to present their case
- Ensure that no member of the panel has a stake in the outcome of the proceedings, nor was involved in any earlier stages of the procedure
- Ensure that the issues are addressed
- Ensure that key findings of the facts are made known to all parties
- Ensure that parents and others who may not be used to speaking at such hearings are put at ease
- Ensure that the hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- Ensure that the panel keeps an open mind and acts independently
- Ensure that all parties see written material
- Ensure that the complainant is notified of the panel's decision in writing along with details of any further rights of redress available as a school based resolution has been exhausted

Format for the Panel Hearing

- The hearing will be as informal as possible. Witnesses will only be required to attend for the part of the meeting in which they give their evidence
- After introductions, the complainant will be invited to explain their complaint followed by their witnesses
- The Headteacher and designated senior members of staff may attend the meeting and question both the complainant and the witnesses after each has spoken
- The panel may ask questions at any point
- At the end of the hearing, the complainant will be invited to sum up their complaint
- The Headteacher will be invited to sum the school's actions and response to the complaint
- The Chair of the panel will confirm that both parties will hear from the panel within a set time scale of 10 working days.

This process completes the school-based redress of the complaint