

# 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.

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

A concern or complaint can be made in person, in writing or by telephone. Anyone, including members of the public can make a complaint, 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 to do so, though these would normally only be accepted where the complainant is unable to do so themselves.

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.

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.

### **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.

### **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 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.

The majority of concerns from parents, carers and others are handled under the following general procedures. The procedure is divided into four stages:

**Stage 1:** Informal Stage. Aims to resolve the concern through informal contact at the appropriate level within school.

**Stage 2:** The first formal stage at which written complaints are considered by the Headteacher, who has special responsibility for dealing with complaints and who may appoint a senior member of staff as investigating officer.

**Stage 3:** The second formal stage at which complaints are considered by the Chair of Governors.

**Stage 4:** The third stage at which complaints are reviewed by a panel consisting of at least 3 impartial governors who have not been involved with the complaint before. The panel will review and comment upon the way the complaint has been dealt with.

## **A more detailed explanation of the procedure (not involving complaints about the Headteacher or the Chair of Governors):**

**Stage 1:** Resolving concerns or complaints informally. Concerns should be handled, if at all possible, without the need for formal procedures. A conversation with us will often sort out any problem before it becomes too large to cope with. If your child or you are unhappy or worried about something that has happened at school, the first person to talk to is the class teacher. A note would help at this time or a telephone message that we can pass on. If the concern is serious or private an appointment should be made and it is important to raise any concerns as soon as possible after they arise. Staff will always try to see you when you ask. However, they do run clubs both at lunchtimes and after school as well as have professional meetings that they must attend. Wherever possible they will meet with you within three school days. If you make an appointment, please tell them the nature of your concern as this does help.

Please do not feel that the school will think that your question, worry or concern is silly. The school will respect your views if you indicate that you would have difficulty discussing a concern or complaint with a particular member of staff. In such cases please contact the Headteacher. If the member of staff to whom you have addressed your complaint feels too compromised to deal with a complaint, the complaint may be referred to another staff member to ensure objective and impartial handling of your complaint. Whoever is handling your complaint will acknowledge receipt and provide you with an estimated time within which you can expect a response. We are all here to work together to help your child. Whatever your concerns are, we can only deal with them if we know about them.

**Stage 2:** Referral to the Headteacher. If your concern cannot be resolved informally, you may request that your complaint be referred to the Headteacher. They 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 or contact you (if unsure or if further information is necessary); clarify what you feel 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 keep notes of the interview. They will also feed back to you as to what actions have been taken as a result, normally within 15 school days. You will be encouraged to set out your complaint in writing. 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 like the Citizens Advice to help you.

**Stage 3:** Review by the Chair of Governors If you are not satisfied with the response that you have received from the school at Stage 2, please put your complaint in writing to the Chair of Governors, at the school address within 10 school days except in exceptional circumstances. The school will ensure that the letter reaches the Chair of Governors as a matter of urgency, or in his/her absence the deputy chair of governors. An acknowledgement will normally be provided within three school days of receipt of the complaint by the Chair of Governors. Each complaint will be considered on its own merits, and a written response reviewing the complaint will normally be provided within 20 school days of receipt by the Chair of Governors. The Chair of Governors may consult with other governors to decide on the appropriate action to be taken. This could include 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; and recommend any changes to the school's systems or procedures to ensure that problems of a similar nature do not recur. At any stage the person handling your complaint may consider it appropriate that one or more of the following be offered: an apology; an explanation; an admission that the situation could have been handled differently or better; an assurance that the event complained of will not recur; an explanation of the steps that have been taken to ensure that it will not happen again; an undertaking to review school policies in light of the complaint.

**Stage 4:** If you are not satisfied with the response resulting from Stage 3, you should write to the Governing Body Clerk, care of the School Office, within 10 school days of receiving the response. The clerk will then be the point of contact for the appeal. A minimum of three governors will then be invited to form a panel. Governors who have detailed prior knowledge of the complaint, or are involved in some other material way,

will not be on this panel. The panel members will have access to the existing record of the complaint's progress.

The complainant will be invited to a meeting (normally within 20 school days) with the panel to explain the complaint in more detail, and may be accompanied by a suitable companion if they wish. Please note this companion can be a relative or a friend, but their role is supportive; they will not be present to provide evidence.

Any evidence in relation to the appeal must be submitted by both parties within 5 working days.

The complainant will be given at least 5 school days' notice of the date and time of the meeting, though the review panel reserves the right to convene at their convenience rather than that of the complainant. The panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to be present or explain information. Both the panel and the complainant will have the opportunity to set out written or oral submissions prior to the meeting.

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered. The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the Headteacher. The school will inform those involved of the decision in writing within three school days.

The appeals panel will:

- Dismiss all or part of the complaint
- Uphold all or part of the complaint
- Decide on the appropriate action to be taken to resolve the complaint
- Evaluate all the evidence available and recommend changes to the school's systems or procedures

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 4.

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](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.

**Complaints about the Headteacher and/or Members of the Governing Body:**

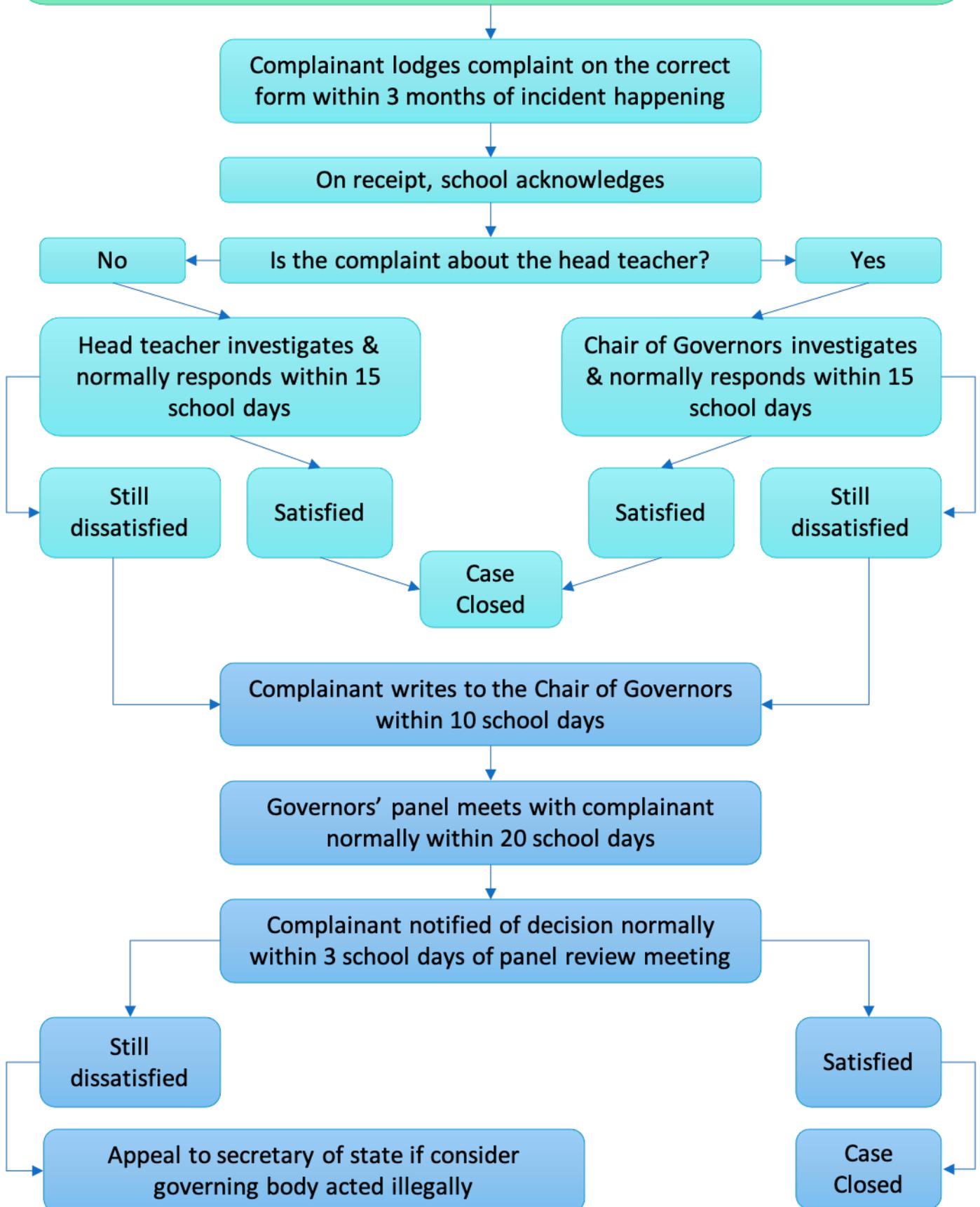
Complaints about the Headteacher or members of the governing body (other than the Chair) should be addressed to the Rev. Ian Tattum, Chair of the Governing Body and sent via the School Office, marked Private and Confidential. These will be dealt with under Stage 3. Complaints about the Chair of the Governing Body and/or the majority or whole Governing Body should be addressed to the Clerk to the Governing Body via the School Office, marked Private and Confidential.

On the next page is a diagram which shows how the system works...

## Informal Stage

### Pre-complaint: Dealing with Concerns

Informal discussion between complainant and school staff.



## **Policy for Handling Unreasonably Persistent, 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.

### **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
- persistent – even when the complaints procedure has been exhausted, 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.

## **Complaint Form:**

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

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>  <b>Postcode:</b>  <b>Day time telephone number:</b>  <b>Evening telephone number:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>

**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:**