

# William Gilpin CE VA Primary School

## Complaints Policy

We encourage regular dialogue between parents, staff and pupils. This procedure is not a substitute for day-to-day communication on minor problems or issues, which arise.

### **This Procedure Outlines the Process to be Followed Where a Complaint Exists.**

#### **Preliminary Stage**

Normally, a complaint should be raised with the class teacher or another member of staff. If either the member of staff or the parent feels that it would be inappropriate for that member of staff to deal with the complaint, the issue can be referred to the Headteacher or Chair of Governors. If the matter is resolved, it can be recorded in writing if the parents or member of staff wish. A complaints form exists for this purpose. If the issue is not resolved, proceed to Stage 1.

#### **Stage 1: Complaint Heard by Headteacher.**

If the Headteacher has not already been involved, they will become so at this stage. They will gather evidence and decide what action is to be taken. If the issue is not resolved proceed to Stage 2.

#### **Stage 2: Complaint Heard by Chair of Governors.**

The complainant needs to write to the Chair of Governors. They will review the case and the actions taken up to this point. Discuss the situation with the Headteacher and if necessary meet with the Headteacher and complainant to discuss ways to resolve the complaint. Write to the complainant giving reasons for conclusions reached. If the issue is not resolved proceed to Stage 3.

#### **Stage 3: Complaint Heard by Governing Body Complaints Appeal Panel.**

The complaint will be passed to the Chair of the Complaint Appeal Committee. A complaints panel will then be convened. This is the last school-based stage of the Complaints Process.

The Panel can:

- 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.

The complainant will be notified of the panel's decision in writing.

The school deals with all complaints in accordance with procedures set out by the Local Education Authority. If in the very rare circumstance, a parent remains dissatisfied with the outcomes and wishes to pursue the complaint, those concerned can ask the LA to intervene.

#### **Stage 4 - Local Education Authority**

The Local Education Authority offers a further right of appeal for parents who have exhausted the school's procedures, if the complaint is about:

- The National Curriculum and related matters.
- Provision of collective worship and Religious Education.

For general complaints about a school, the Local Education Authority has no remit or powers beyond reminding schools of their legal obligations. Therefore, for individual general complaints, which relate to internal school matters and have exhausted the School's own Complaints Procedure, there is no right of appeal to the Local Authority, because it has no powers to direct the school to change its decision.

All parents have the right, as a last resort, to appeal to the Secretary of State for Education, if they still feel that their complaint has not been properly addressed.

### **Vexatious Complaints**

In rare circumstances, a complainant might, having exhausted the Complaints Procedure, persist with the complaint. Complaints become vexatious when they are:

- Repeatedly and obsessively pursued; or
- Unreasonable or seeking unrealistic outcomes; or
- Reasonable, but pursued in an unreasonable manner.

Governors may need to decide whether all future contacts should be:

- Directed to, and only be dealt with by, a named individual.
- Restricted, for example, to letter only.

If a conclusion has been reached about a complaint, but a complainant continues to pursue it, the School may wish to consider writing:

- To re-iterate that the matter is concluded and that there will be no further correspondence.
- To say that, if correspondence continues, it will be read and filed but will receive no acknowledgement; or
- To give a short response referring to previous documents that have already dealt with the matter.

### **Abusive Complaints**

Verbal aggression can be as intimidating as physical aggression. All parties have a right to be treated courteously and with respect. If Staff feel threatened, they should report their fears to the Headteacher, who will consider:

- Writing to the complainant requesting that the behaviour cease.
- Setting restrictions for further contact with staff; and/or
- Reporting the incident to the police.

Consideration will be given to filing a Violent Incident Report form and seeking advice from the Local Education Authority.

If a telephone caller becomes aggressive or offensive, the person taking the call should explain that they will end the call if the behaviour persists. If they need to hang up, they should record this action and any further incidence.

Repeated abusive or aggressive contacts can be considered as harassment and the Headteacher will consider reporting them to the police.

The Headteacher may seek further advice from Legal Services in the Chief Executive's Department.

### **Anonymous Complaints**

The School will not respond to anonymous complaints. Nonetheless, the Headteacher and/or Chair of Governors will consider whether:

- The issue and the fear of identification are genuine.
- The issue is one of Child Protection.

**This policy will be reviewed in the Spring Term 2018.**

**Signed:**

**Chair of Governors**

**Date:** February 2017

## **Appendices**

### **The Governing Body's Complaints Panel.**

If the complainant wishes the Governing Body's complaints panel to hear the case, the request should be made in writing to the Clerk to the Governing Body, via the school address and should include information about the:

- Nature of the original complaint.
- Steps taken by the Headteacher or designated member of staff to deal with the matter and the Headteacher's response.
- Chair of Governors' response.
- Reasons for pursuing the complaint beyond the Chair of Governors.

The school will notify the Local Education Authority of a parent's request and copy the relevant information to the Assistant County Education Officer (Standards and Improvement Branch).

### **The Complaints Panel Meeting.**

The clerk will arrange a meeting within 20 days of the request and inform parents about the process and agenda. The complaints panel will consist of three governors with no previous involvement in the matter. For complaints specifically about the National Curriculum, Religious Education and related matters, members will, where possible, be drawn from the Governors' Curriculum Committee.

Parents will be given the opportunity to submit additional supporting information prior to the meeting. The panel will then meet with all parties to consider both written and oral submissions.

### **An Example of a Typical Agenda Would be:**

1. Introductions.
2. Oral submissions by the complainant.
3. Questions from the school.
4. Oral response by the Headteacher and Chair of Governors.
5. Questions by the complainant.
6. Brief summary by the complainant, with no new information.
7. Brief summary by the school, with no new information.

Parents will then be notified of the panel's decision in writing within a stated timescale.

### **The Local Education Authority Procedure.**

If a parent is not satisfied with the decision of the Governors' complaints panel they may appeal to the Local Education Authority. The letter of complaint should include copies of information submitted to the Governors' complaints panel and the panel's decision letter and should explain the reason for appealing to the Local Education Authority.

### **This Should be Sent to:**

Assistant County Education Officer Standards and Improvement Branch  
County Education Office  
The Castle, Winchester  
SO23 BUG

The Local Education Authority will acknowledge the request within five days and arrange for a panel of elected Members of the Schools' Monitoring Panel to consider written submissions within 20 days of the date of request. Members of the panel will have had no recent involvement or connection with the school.

The Local Education Authority panel may request relevant information from the Education Department. Parents will also have the opportunity to submit additional information in support of their complaint. The Local Education Authority will inform parents of its decision in writing within 7 days of the panel meeting.

**Complaints Related to Religious Education:**

If the complaint is about religious education and worship in a voluntary aided school or worship in a voluntary controlled school, the appropriate Diocesan Board of Education/Schools Department will arrange a panel of three persons who have had no involvement or connection with the school.

The panel will consider written submissions on the complaint within 20 days of the request. Parents will also have the opportunity to submit additional information in support of their complaint.

The Diocesan Board of Education/Schools Department will inform the parents of its decision in writing within 7 days of the meeting.

**William Gilpin C.E. (Voluntary Aided) Primary School  
Complaint Form**

Please complete and return to.....(Headteacher in the first instance) who will acknowledge receipt and explain what action will be taken.

**Your name:**

**Pupil's name:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Mobile:**

**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:**

**Date:**

**Official use  
Date Acknowledgement sent:**

**By Whom:**

**Complaint referred to:**

**Date:**