



St Margaret's Anfield Church of England Primary School



SCHOOL COMPLAINTS PROCEDURE

St Margaret's Anfield CE Primary School is committed to providing the best education for all, giving our pupils every opportunity to be healthy, happy, safe and to do well. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We are aware that there may be occasions where people have concerns or complaints and the following procedure sets out the steps that should be followed in order to resolve these as quickly and informally as possible.

School Boards of Governors are required, under Section 29 of the Education Act 2002, to have in place a procedure for dealing with complaints. It is expected that all complaints will be referred to the school in the first instance. In situations where it has not been possible to settle a complaint through this process, the Local Authority may be able to advise parents/carers and the school in order to help resolve difficulties, but will not be able to become involved if the steps set out below have not been followed.

STEP 1 – INFORMAL

Please start by discussing your concerns with the class teacher. This is usually the best and quickest way of resolving issues.

- It is recommended that you make an appointment to speak to the class teacher as soon as possible as this will give both parties the opportunity to talk about the issue in an appropriate manner and without being interrupted.
- It is important to recognise that schools are busy organisations and it may not be possible to offer an appointment straight away.
- The purpose of this meeting should be to establish the nature of the concern and to seek a realistic resolution to the problem.
- It is good practice for the class teacher to make a brief written report of the concern raised and any actions agreed.
- If you are dissatisfied with the outcome of the meeting with the class teacher, you should contact the main office to arrange an appointment with the Phase Leader.

STEP 2 – INFORMAL

If you feel dissatisfied with the outcome of discussions with the class teacher and Phase Leader, please ask for an appointment to meet with the Headteacher (Mrs L J Hughes), Deputy Headteacher (Mrs W Jones-Ward or one of the Assistant Headteachers (Miss H Cragg and Miss R King).

- The purpose of the meeting should be to establish the nature of the ongoing concern, what has been discussed with the class teacher so far and any actions arising from the initial meeting.
- It is in everyone's interest, particularly the child or children, for concerns to be sorted out quickly and smoothly. However, it may be that the Headteacher or Senior Leader will need to look into what has happened since the initial meeting before they can suggest how your concern might be resolved. If this is the case, it should be agreed how and within what timescale they will contact you to let you know the outcome of their enquiries and what actions they have taken/proposed to take.
- It is good practice for the Headteacher or Senior Leadership Team to make a brief written record of the concern discussed.

It is hoped that most problems will have been resolved at this stage through the informal process.

STEP 3 – FORMAL - complaint letters to the Headteacher

If you feel that the issue you have raised has not been resolved through the informal process and you wish to pursue it further you may raise it through the formal procedure. To do this you must write a formal letter of complaint to the Headteacher (you may use the form attached as Appendix 1). Your letter should set out clearly the concern which has previously been discussed and why you feel that the issue is unresolved. It is also helpful if you can set out in your letter what resolution you are seeking.

Moving to the formal complaints procedure is a serious step. In consideration of future home/school relationships everyone concerned will need to concentrate on finding a resolution to the issue and negotiate an agreement as to how this can best be achieved.

The Headteacher will consider the complaint and in doing so should:

1. Establish what has happened so far and who has been involved
2. Clarify the nature of the complaint and what remains unresolved
3. Meet or contact you if they need further information
4. Clarify what you feel would put things right if this has not been set out in your letter
5. Interview those involved in the matter allowing them to be accompanied if they wish
6. Conduct any interview with an open mind and be prepared to persist in the questioning
7. Keep notes of any interview for the record

The Headteacher will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid or has no substance in whole or in part. It may be appropriate to offer one or more of the following:

1. An apology
2. An explanation
3. An admission that the situation could have been handled differently or better (n.b. this is not an admission of negligence)
4. An assurance that the event complained of will not recur.
5. An explanation of the steps that have been taken to ensure that it will not happen again.
6. An understanding to review policies in light of the complaint.

In the case of a complaint that is deemed to not have any substance and is therefore considered to be unfounded or unsubstantiated the following may be applicable:

- The Headteacher will discuss the outcome of their consideration of your complaint with you, within 20 school days.
- If you are still dissatisfied, you can request a review by completing the School Complaint Review Request Form (Appendix 2)
- The Governors' Complaints Committee will become involved at this stage.

CONCERNS OR COMPLAINTS SPECIFICALLY ABOUT THE HEADTEACHER

Where you are unhappy about the decision the Headteacher has made about your complaint, this does not become a complaint about the Headteacher. If you feel that the complaint has not been resolved you should move to Step 4 of the procedure.

If you have a concern or complaint that is specifically about the Headteacher and which has not been resolved at the informal stage, then you must write a formal letter of complaint to the Chair of Governors. The school will provide you with the Chair of Governors' name and you should write to him or her at the school address, marking the envelope urgent, private and confidential.

The Chair of Governors should acknowledge receipt of the letter within 5 school days.

TIME LIMITS, EXCLUSIONS AND VEXATIOUS COMPLAINTS

Time limits

Complaints need to be considered and resolved as quickly and efficiently as possible. As such, complaints made under the procedure must only relate to incidents or concerns occurring within the last **12 months**. Your complaint will not usually be able to be considered if your child no longer goes to the school.

Exclusions to the policy:

- **Safeguarding referrals** – schools have a duty to safeguard and promote the welfare of their pupils under section 175 of the Education Act 2002. This includes making referrals to the appropriate organisation, usually Local Authority Children's Social Care Services, if they have a concern about the welfare of a child. It is not for the school to investigate or make a judgement about possible abuse or neglect but they must refer any concerns they may have. As such, complaints about safeguarding referrals made in accordance with a statutory duty will not be considered under this procedure.
- **Allegations of abuse** – allegations of abuse against a member of school staff must be reported to the Headteacher immediately. Allegations of abuse against the Headteacher must be reported to the Chair of Governors immediately. Liverpool Safeguarding Children Board 'Arrangements for Managing Allegations of Abuse Against People Who Work With Children Or Those Who Are In Positions Of Trust' must be followed.

Vexatious complaints

The majority of complaints are resolved through a properly managed complaints procedure. However, there are occasions when:

- Despite all stages of the procedure having been followed, the complainant remains dissatisfied. If a complainant tries to reopen the same issue, the Chair of Governors may write informing them that all stages of the procedure have been exhausted and the matter is considered to be closed.
- Occasionally, complainants behave in an unreasonable manner when raising and/or pursuing concerns. In these circumstances the school may take action in accordance with Appendix 3 of this procedure.

STEP 4 – Complaints not resolved through the formal procedure

If you think the school or school's Board of Governors is acting unreasonably you can write to the Secretary of State for Education. This should be a last resort and you should highlight in your letter the steps you have already taken to resolve the problem. The DfE will not usually be able to investigate your complaint if your child no longer goes to the school when the incident took place.

Further information is available on the Directgov website, where you may find the page on children's welfare at school helpful.

ST MARGARET'S ANFIELD CHURCH OF ENGLAND PRIMARY SCHOOL FORMAL COMPLAINT FORM

Please complete this form and return it via the school office, to the Headteacher who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (eg parent of a pupil on the school roll):

Pupil's name (if relevant to your complaint):

Your address:

Telephone number:

Daytime:

Evening:

e-mail address:

Please give concise details of your complaint (including dates, names of witnesses etc) to allow the matter to be fully investigated.

You may continue on separate pages or attach additional documents, if you wish.

Number of additional pages attached

ST MARGARET'S ANFIELD CHURCH OF ENGLAND PRIMARY SCHOOL FORMAL COMPLAINT FORM

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

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

Signed _____ **Date** _____

School use:

Date form received:

Received by:

Date acknowledgement sent:

Acknowledge sent by:

Complaint referred to:

Date:

ST MARGARET'S ANFIELD CHURCH OF ENGLAND PRIMARY SCHOOL COMPLAINTS REVIEW REQUEST FORM

Please complete this form and return it to the Headteacher who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Yours address:

Telephone number:

Daytime:

Evening:

e-mail address:

Dear Sir/Madam

I submitted a formal complaint to the school on and am dissatisfied by the procedure that has been followed.

I received a response from on

I have attached copies of my formal complaint and of the response(s) from the school.

I am dissatisfied with the way in which the procedure was carried out because

You may continue on separate paper or attach additional documents, if you wish

Number of additional pages attached

ST MARGARET'S ANFIELD CHURCH OF ENGLAND PRIMARY SCHOOL COMPLAINTS REVIEW REQUEST FORM

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

Signed _____ Date _____

School use

Date form received

Received by

Date acknowledgement sent

Acknowledge sent by

Complaint referred to

Date

POLICY FOR HANDLING UNREASONABLY PERSISTENT, HARASSING OR ABUSIVE COMPLAINANTS.

The Headteacher and Board of Governors are fully 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/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 towards any members of the school community.

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 persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include:

- Actions which are:
 1. Out of proportion to the nature of the complaint,
 2. Persistent – even when the complaints procedure has been exhausted
 3. Personally harassing
 4. Unjustifiably repetitious

- An insistence on:
 1. Pursuing unjustified complaints
 2. Unrealistic outcomes to justified complaints,
 3. Pursuing justifiable complaints in an unreasonable manner (eg using abusive or threatening language)
 4. Making complaints in public or via a social networking site such as Facebook or Twitter,
 5. Refusing to attend appointments to discuss the complaint,

What is 'harassment'?

We regard harassment as the unreasonable pursuit of issue or complaints particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a solution.

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 issues is pursued (as opposed to the complaint itself) causes undue distress to school staff or others.
- It has a significant and disproportionate adverse effect on the school community.

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
- Recognise the time constraints under which members of staff in schools work and allow the school reasonable time to respond to a complaint
- Follow the school's complaints procedure.

School's response to unreasonably persistent complaints or harassment.

The 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 that their behaviour is deemed 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 and that these may be required to be channeled through the Local Authority.

Physical and Verbal Aggression

The Board of Governors 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.
- Request an Anti-Social Behaviour Order (ASBO)
- Prosecute under Anti-Harassment legislation.
- Call the police to remove the individual from the premises, under powers provided by the Education Act 1996.

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.

Reviewed by the Governing Body January 2016

Updated to include new staff November 2016