



## TWESELDOWN INFANT SCHOOL COMPLAINTS PROCEDURE

### Introduction

Tweseldown Infant School is dedicated to providing the best possible education and support for its pupils. This means having a clear, fair and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

### 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 Tweseldown Infant 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'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Tweseldown Infant School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

### Scope of Complaints Procedure

This procedure does not apply to complaints about:

- Admissions to school
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievance and disciplinary procedures
- Complaints about services provided by other providers who may use the school's premises or facilities

In these cases, there are other separate and statutory procedures. For more information on our school's provision for protecting our pupils, please refer to our **child protection** policy and our **allegations of abuse against staff** policy, both of which are available from the school and on our website.

## **Anonymous Complaints**

The school will not respond to anonymous complaints under this policy, however, the headteacher and / or chair of governors will consider whether the issue and fear of identification are genuine or the issue is one of child protection.

## **Timescales**

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. If we cannot meet the timescales set out in our policy in order to respond to any complaint raised, we will provide a clear explanation of the reason for this along with details of the indicative timescales. If a complaint is made outside of term time, it will be deemed to have been received on the first school day after the holiday period.

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

A concern or complaint can be made in person, email, in writing or by telephone. Complaints should not be made through social media. 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.

This policy explains the steps that will be followed whenever an issue arises that causes concern. Any person, including members of the general public, may make a complaint about provision of facilities or services that our school provides, unless separate statutory procedures apply.

This is the only way to make a complaint to our school. Please do not use social media but follow the process listed below.

## **Withdrawal of Complaint**

If a complainant wishes to withdraw their complaint at any stage, we will ask them to do so in writing.

## **When an issue or concern first arises**

Please approach your child's *class teacher* first as they will be best placed to help you directly or by letting you know which other member of staff you should be speaking to. Then you will be directed appropriately.

We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding. We will take your concerns seriously and make every effort to resolve the matter as quickly as possible.

## **Initial informal meeting**

When a concern has been received, you will either receive a phone call or will be invited to a meeting from the member of staff or headteacher to discuss your concerns.

If invited to a meeting, you are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent along for support. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed and will make a written record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed (a member of the office staff may take minutes).

All staff will do their best to ensure your concerns are dealt with appropriately and efficiently, but if an agreement cannot be reached, or if you are dissatisfied with the outcome, you can make a formal complaint. There is no prescribed timescale for resolution at this informal stage given the importance of dialogue and informal discussion, although we expect to resolve most issues within **10 school days**.

### **Formal Complaints**

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 addressed in the first instance, to 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 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 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 like the 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.

In order to ensure complaints are dealt with efficiently and effectively, *Tweseldown Infant School* deals with formal complaints in two stages.

#### **Stage 1 – Complaint heard by the Headteacher**

If you feel that your informal complaint has not been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint to the headteacher. It is preferable for you to make your formal complaint in writing and we provide a proforma for you to complete at the end of this policy, but complaints can be made in person or by telephone.

The headteacher will acknowledge your complaint in writing or offer a full response within **5 school days**. If further investigation is required, the headteacher will acknowledge receipt of your complaint within 5 school days and will advise you that a full response will be provided within **20 school days**.

The headteacher may invite you to attend a meeting to discuss your complaint and possible solutions, or to explain what has happened or will happen as a result of your complaint (a member of the office staff will take minutes).

The headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.

If your complaint is about a member of staff, the headteacher will talk to that employee and invoke the relevant procedure if required. It will not be appropriate to inform you of the outcome of any investigation in relation to an individual member of staff.

The headteacher will respond to you in writing within **20 school days** of receiving your complaint outlining their full response to your concern, and any action that has or will be taken. If the headteacher has decided not to take any further action, they will explain what they have decided and how they reached the decision. You will also be advised of your right to take the matter further if you are not satisfied with the headteacher's response.

## **Stage 2 – Complaint heard by Governing Body's Complaint Panel**

If, having spoken to the headteacher, you are dissatisfied with the outcome of your complaint, you can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints panel, which will be formed of three impartial governors. This is the final stage of the complaints procedure. To do so, you should write to the Clerk of the Governing Body via the School Office within **10 school days**, explaining your concern and the steps that have resulted in you taking this course of action. You may use the proforma at the end of this policy if you wish.

The Clerk will record the date the complaint is received and will acknowledge your complaint within **5 school days**. They will aim to convene a meeting within **20 school days** of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Tweseldown Infant School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs. If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. The chair of the panel will ensure the meeting is conducted in a relaxed manner whilst

adhering to the formal agenda. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

*Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

At least **10 school days** before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least **5 school days** before the meeting.

Any written material will be circulated to all parties at least **3 school days** before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken. The meeting will follow the format in Appendix 2. Where the Governing Body Complaint Panel deem it appropriate, the complainant may be offered the opportunity to meet with the panel immediately prior to the meeting to clarify the detail of the complaint and the outcomes sought.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Tweseldown Infant School with a full explanation of their decision and the reason(s) for it, in writing, within **5 school days** of the meeting being held. The letter will include a summary of the issues, an outline of the main points of discussion, the reasons for the decision and the proposed actions or outcome. The panel may suggest you meet with the headteacher and / or chair of governors again to agree a way forward.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be heard by a committee of independent governors.

### **Next Steps**

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 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Tweseldown Infant School. They will consider whether Tweseldown Infant 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.

### **Unreasonable Complaints**

*Tweseldown Infant 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. Operating from a position of mutual respect, 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.

*Tweseldown Infant School* defines unreasonable complaints as “those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people’s complaints”.

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 school’s 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 comments 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 a complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- 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

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously
- aggressively
- using threats, intimidation or violence
- using abusive, offensive or discriminatory language
- knowing it to be false
- using falsified information
- publishing unacceptable information in a variety of media such as in social media websites and newspapers

Complainants should limit the numbers of communications with a school while a 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 asking them to change it. For complainants who excessively contact Tweseldown Infant School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This communication plan will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Tweseldown Infant School.

### **Governing Body review and monitoring of complaints**

The headteacher will report annually to the governing body on the number of formal complaints received and the levels at which they have been resolved. No details identifying the complainant, or any member of staff will be published.

The governing body will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more efficiently.

### **Staff Complaints**

Staff who have a concern about a colleague or volunteer in school should refer to the **whistleblowing** policy which is available the school office.

The procedure for dealing with any other staff complaint or employment grievance is set out in the school's **staff discipline, conduct and grievance** policies which are *available in Manual of Personnel Practise*.

### **Complaints Policy Review**

The governing body of Tweseldown Infant School will review this policy every year, or sooner if there are any legislative changes. The governing body of Tweseldown Infant School will also review this policy following a complaint panel meeting to ensure that it met the requirement to provide a clear, fair and efficient complaints procedure.

Date of Latest Review: Autumn 2022

Date Ratified by Full Governing Board: Autumn 2022

Signed by Chair of Governors:



*Signed by Head Teacher:*

Next review date: Autumn 2023

Member of staff responsible: Headteacher

Governing Body or Governor(s)/Committee(s) responsible:



**Complaint Form**

<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:**

## **TWESELDOWN INFANT SCHOOL**

### **MEETING of the GOVERNORS' COMPLAINT PANEL**

On [DATE]

[TIME]

#### **A G E N D A**

1. Introduction by the Committee chair and explanation of the procedures
2. Submission by the complainant
3. Questions by headteacher
4. Questions by governors
5. Submission by headteacher
6. Questions by complainant
7. Questions by governors
8. Summing up by headteacher
9. Summing up by complainant
10. Decision by Governors' Complaint Panel

(Made in private after discussion when all other parties have left the room, except the clerk)