



## Complaints Policy

### 1 Introduction

1.1 The staff and governors of Greentrees Primary School (“Greentrees”) believe the school provides a high standard of education and care for all children, and that the Headteacher and staff work hard to build positive relationships with all pupils, parents and carers.

The School will always strive to avoid complaints arising by acting swiftly when potentially difficult or contentious situations arise. If an incident has occurred which may give rise to concern, the Headteacher will contact parties involved to explain or clarify what has occurred and how the situation will be rectified or resolved. If necessary, an apology will be given. The Headteacher will always respond promptly when a parent or carer raises a concern, whether verbally or in writing, in an effort to prevent escalation into a formal complaint. However, the school is required to have procedures in place for responding to complaints from parents and carers. The procedure will also be used in relation to its community facilities and/or school services held on the site. The following policy sets out the procedure that the school follows in such cases.

1.2 If any parent or carer is unhappy with the education or care that their child is receiving, or has any concern relating to the school and its policies, they are encouraged to talk to the child’s class teacher immediately.

1.3 Greentrees deal with all complaints in accordance with procedures set out by the Local Authority (LA). If the school cannot resolve any complaint itself, all concerned may approach the LA for advice.

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

1.5 It should also be recognised that there are rare occasions when the school has a complaint against a parent or carer; their behaviour may be unreasonable and verging on harassment. Procedures for managing such behaviour are also outlined in this policy.

### 2 Aims and Operation

#### 2.1 Greentrees aims:

- To be fair, open and honest when dealing with any complaint and to give careful consideration to all complaints and deal with them as swiftly as possible;

- To resolve any complaint through dialogue and mutual understanding, and in all cases, put the interests of the child, or the school's pupils in general, ahead of all other issues.
- To provide sufficient opportunity for any complaint to be fully discussed, and subsequently resolved.

An anonymous complaint will not be investigated under this procedure, unless exceptional circumstances exist such as highlighting a weakness in safeguarding or child protection.

To allow for a proper investigation to take place, complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event which prompted the complaint will not be considered.

To help achieve a fair outcome that does not compromise data protection it is important that the subject matter of any complaint should remain confidential to the parties concerned.

### 3 The Complaints Process

#### Complaints – Informal Dialogue

3.1 If you, as the parent or carer, is concerned about anything to do with the education or care that Greentrees are providing at the school, you should, in the first instance, discuss the matter with your child's class teacher. Most matters of concern can be dealt with in this way. All teachers work hard to ensure that each child is happy at school, and is making good progress; they always want to know if there is a problem, so they can take action before the problem seriously affects the child's educational or developmental progress.

3.2 If the concern is serious, or it feels awkward to approach the teacher or it has not been resolved by the teacher, then it may be appropriate to address this directly with the Headteacher, either by discussion or, if preferred, in writing. When the concern is about the Headteacher, please contact the Chair of the Governing Body.

The Headteacher considers any such complaint very seriously and will investigate each case thoroughly. Most complaints are normally resolved at this stage and Greentrees hopes to achieve this through informal dialogue whether it's in writing or by discussion,

#### Formal Complaint – Single Governor Participation

3.3 Where you feel you have a formal complaint about your child's education or care, or the Headteacher, then a formal approach to one of the members of the governing body. The Governor will do what they can to resolve the issue through a dialogue with the school, but if you remain unhappy with the outcome, you can repeat your complaint for it to be considered by a Panel of Governors.

#### Formal Complaint – Governors Complaint Panel

3.4 Ideally, your complaint will be made in writing and will include:

- what it is about,
- how you understand the school has handled it so far,

- any changes made
- why you feel it is unsatisfactory and
- what steps will provide resolution for you.

Please write to the Chair of Governors or when you would like to use another way of using the Complaints Panel, please let the School Office Staff know so they can arrange for the Clerk to the Governing Body to meet with you and take full details from you.

At this stage, the Chair of Governors will arrange to form a Panel of 3 or 5 governors. As far as practically possible, these governors will not have a connection with those concerned in the complaint or know about its content. This stage will take place within 10 school days of receipt of the complaint.

The review process will normally start with a meeting of the Panel to consider the material provided to them. However a request to hear the evidence from you in person (or from someone with you) will be considered.

The governing body must respond to all complaints within three weeks of receipt.

The Panel will arrange a meeting to discuss the complaint, and will invite the person making the complaint to attend the meeting, so that they can explain the complaint in more detail. The governing body will give at least three days' notice of the meeting.

The Panel will also invite representatives of the school - usually the Headteacher,- to make a response to the complaint.

In making their decision the Panel will have access to all the records kept in relation to the procedures followed to date.

3.6 After reading and/or hearing the evidence, the Panel will consider their decision and will inform the parent of the decision, with their reasons, in writing. The Panel will do all they can at this stage to resolve the complaint to the parent's satisfaction. The Panel hopes to give its decision on the same day, though if the hearing is long or the issues are complex, then the Panel may decide to meet again to reach their decision at a later date.

The complainant and the school representative[s] will be informed in writing of the decision made by the Panel, usually within five school days of the Panel meeting to address the issue. *Decisions or outcomes are not made during any face to face meeting with complainants or respondents.*

Once the Complaints Panel has delivered its conclusion the matter will then be considered closed. Governor decisions are final.

If you believe the Complaint Panel and/or the Governing Body has acted illegally, unreasonably, or arbitrarily in handling the complaint, then your next step is to make representations to the Secretary of State for Education. Only if the procedure has not been followed fully can a complainant pursue the matter.

3.7 If a complaint concerning the curriculum is not resolved, a parent may make representation to the Local Authority.

Further information about this process is available from the school or from the Local Authority. A further meeting is chaired by an independent person, who considers all the evidence and makes a further judgement in an attempt to resolve the complaint.

#### **4 Procedure for vexatious behaviour and complaints**

##### **Purpose of this procedure**

A small percentage of people will correspond with or complain to the school or governing body in a way that could reasonably be described as obsessive, harassing or repetitious. This behaviour takes up a disproportionate amount of time and resources, and diverts attention away from the teaching and learning of the school's children. It can result in stress for staff and governors.

However, vexatious behaviour may occur without the existence of a complaint (informal or formal) and which takes up a disproportionate amount of time and resources as described in this section's opening paragraph.

A complaint becomes vexatious, only after the School's complaints procedure has been completed and you continue to contact the School using the same or similar material which has been reviewed through the three stages described earlier.

This procedure is designed to address vexatious behaviour and complaints and it is intended to help understand how the school and its governors may act in providing their response and in the management of the behaviour and the complaint.

It is important that the use of this procedure does not prevent people from accessing school services to which they have an entitlement, and it is designed to ensure that their rights are protected, while ensuring that scarce resources are used fairly and effectively, and that governors and staff receive a reasonable degree of protection from the stress that can be caused by vexatious correspondence and complaints.

This procedure is not designed to address violent or threatening behaviour which needs an urgent response.

Please bear in mind that designating complaints and behaviour as vexatious is a very serious step, and is undertaken as a last resort. For that reason, it is essential that the decision to make correspondence or complaints vexatious is evidence-based and reviewed regularly.

##### **Defining vexatious behaviour or complaints**

Vexatious or persistent complaints and behaviour can be characterised in the following ways:

- Behaviour which is obsessive, persistent, harassing, prolific, repetitious and/or;
- Displays an insistence on pursuing unmeritorious issues and/or unrealistic outcomes beyond all reason;
- Displays an insistence upon pursuing meritorious complaints or issues in an unreasonable manner;

- A “scatter gun” approach, with copies of letters being sent to several recipients on a regular basis, often including the media, the MP, the Chief Executive and Leader of the Council, the department and/or service directors, and external regulators;
- Repeated and/or frequent requests for information, whether or not those requests are made under access to information legislation.

### **Implementing the Procedure**

If staff or governors identify behaviour or complaint they believe includes these characteristics, and which they believe may be vexatious, they should first discuss their concerns with the Chair of Governors.

When the chair agrees with the assessment, the chair should prepare a brief statement of why the governors consider the complaint or behaviour to be vexatious, and include the effect upon the teaching and learning of the school's children, upon staff and the governors of the school.

This statement will include a list of the requests, letters, visits, phone calls, email including the dates, initial and secondary recipients and a one-line description of its purpose or subject.

### **Steps in Handling Behaviour and Complaints Assessed as Vexatious**

1. The Chair of Governors will write to the individual/organisation indicating that their complaints and/or behaviour has been assessed as vexatious and giving the reason(s) for that decision.
2. This letter will state that future correspondence will go direct to the Chair of Governors who will consider whether it raises any substantive new issue(s).
3. When no new issues are raised, the reply will indicate this is the case and that no substantive reply will be provided. This reply will also include details of the right to complain about this decision to the Secretary of State for Education.
4. When new issues are raised, again the reply will indicate this and provide a timeframe within which the substantive answer will be given.
5. Identifying new issues does not change the assessment of vexatious behaviour or complaint and therefore the handling of further contacts.
6. The decision determining the behaviour/complaint will be reviewed at 6-monthly intervals and the individual/organisation notified of the review decision.
7. There is no internal route of appeal against the decision that behaviour or a complaint is vexatious.
8. Where there is vexatious behaviour that includes unscheduled visits to the school or approaches to staff or governors, then in the absence of a timed meeting being accepted, and the visitor does not end their visit or approach voluntarily, then the school reserves the right to call the Police.

### **Internal School Actions**

1. The Chair of Governors will notify colleagues and members of staff who are likely to be a point of focus of this determination and provide their contact details so that inquiries/correspondence can be forwarded – unanswered – to the Chair.

### **No New Issues**

2. Subsequent inquiries/correspondence that raise no new substantive issues can be acknowledged and will repeat the decision of the contact being treated as vexatious. When these contacts occur in rapid succession (many in a single week, for example), it is reasonable for one reply to acknowledge several contacts.
3. It is recommended that after two or three such acknowledgments, no further acknowledgment is provided and this is relayed in the final acknowledgment to be sent.
4. It is the responsibility of the Chair of Governors to keep a note of the substantive reason for the absence of response (refer to examples of behaviour for guidance)

### **New Issues Identified**

5. When new and substantive issues are raised, the Chair of Governors in consultation with the Headteacher, will identify the material to be provided and if necessary the sender.
6. There will be an agreed timeframe for providing the material if it cannot be included in the Chair's acknowledgment, and these details will be included in the reply.

### **Reviewing the Decision**

Six months after the individual/organisation has been advised that their complaint and/or behaviour is vexatious, that decision will be reviewed.

The Chair of Governors will meet the Governing Body and the Headteacher to consider whether there has been any improvement in the vexatious behaviour over that time.

The Chair of Governors will write to the individual/organisation advising them of the outcome of the review.

If the review concludes that the behaviour has changed and no longer reflects the criteria described earlier in this section, then the review meeting may decide to lift the response restrictions, to modify them or arrange further review.

If the review concludes there has been no significant improvement, the behaviour/complaint will continue to be treated as vexatious, and will be reviewed every six months.

**Further Guidance**

If you have concerns about a particular correspondent, please discuss them with the Head of Governor Services. Please do not hesitate to contact them to discuss specific issues or questions.

**5 Monitoring and Review of Complaints Content and Complaints Procedure**

5.1 The governing body monitor the complaints procedure, in order to ensure that all complaints are handled appropriately. The Headteacher logs all complaints received by the school and records how they were resolved. Governors examine the log on an annual basis.

5.2 Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is available to all parents, so they can be properly informed about the complaints process.

*This policy is reviewed by the Steering Committee and approved by the Full Governing Body.*

<b><u>Does any aspect of this policy impact adversely on any pupil or adult with a disability?</u></b>	
<b><u>No</u></b>	No further action required
	What issues may arise?
	How will these be resolved?
<b><u>Does any aspect of this policy give rise to gender issues?</u></b>	
<b><u>No</u></b>	No further action required
	What issues may arise?
	How will these be resolved?

### Form for Complaint to the School

Please complete this form and return it to Headteacher or the Chair of the Governing Body, who will acknowledge its receipt within two working days and inform you of the next stage in the procedure.

Your name: .....

Relationship with school [such as a parent of a pupil of the school]:

.....

Pupil's name [ if relevant to your complaint ]:

.....

Your Address:

Daytime telephone number: .....

Evening telephone number: .....

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 paper, or attach additional documents, if you wish.

Number of Additional pages attached =



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?

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Signature:

Date:

School use:
Date Form received:
Received by:
Date acknowledgement sent:
Acknowledgement sent by:

Complaint referred to:			
Date:			

**Request Form for Review by the Governors' Complaint Review Panel**

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

Your name: .....
Your Address:
Daytime telephone number: .....
Evening telephone number: .....

Dear Sir
I submitted a formal complaint to the school on .....and I am unhappy with the procedure that has been followed.
My complaint was submitted to .....and I received a response from ..... on .....
I am unhappy with the way in which the procedure was followed because:
You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached:
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What actions do you feel might resolve the problem at this stage?
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Signature:

Date:

School use:
Date Form received:
Received by:
Date acknowledgement sent:
Acknowledgement sent by:

GPS Complaints Policy – November 2011 (reviewed February 2015)

Request referred to:			
Date:			