

# SHEFFORD LOWER SCHOOL SCHOOL COMPLAINTS PROCEDURE



## Rationale:

Our core purpose is to make excellent provision for children's learning so that each child does as well as they can. We recognise that children can only learn well when all their needs are met, including social, emotional and health needs. We work in partnership with parents/ carers and other stakeholders to do this effectively.

It is important to us to know about any concerns so that children are safe, happy and making progress and that parents and carers are happy with our school.

## General Principles:

- This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides.
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- The vast majority of concerns or complaints can be resolved at the informal stage by raising the matter with a member of staff, or with the Headteacher, at the school.
- Complaints that are not resolved informally should be raised formally with the Headteacher (unless the complaint is about the Headteacher, in which case it should be addressed to the Chair of Governors. Complaints about the Chair of Governors should be referred to the Vice-Chair of Governors).
- Complaints may be both discussed informally or raised formally with the Headteacher. Formal complaints to the Headteacher should be made in writing, using the Formal Complaint Form at Appendix 1.
- If you remain dissatisfied having raised your complaint formally with the Headteacher, you may wish to ask the Chair of Governors to review your complaint, using a formal Complaint Form, via the school office, marking the letter private and confidential. The Chair of Governors may decide to delegate any resulting enquiry to another Governor.
- To enable a proper investigation, concerns or 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 that is being complained of, will not be considered.

## The Process:

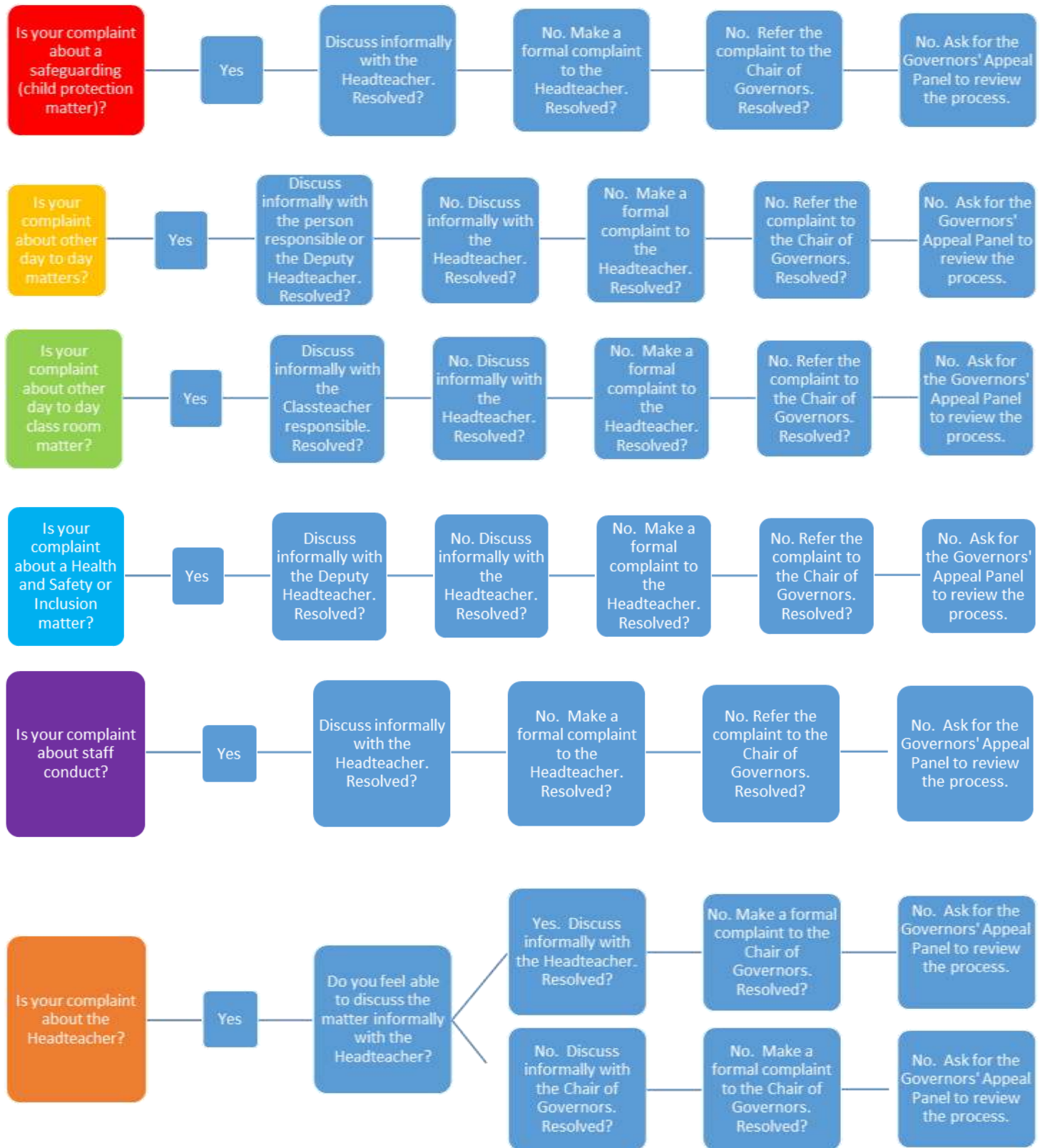
We hope to resolve your complaint as quickly as possible. We will acknowledge receipt of your complaint within 3 school working days and will arrange to meet with you to discuss your concern as soon as possible. If you are making a formal complaint, we will usually let you know how we intend to investigate it within 5 school working days. Circumstances allowing, we will endeavour to complete any investigation so that we can let you know the outcome within 10 school working days. However, some complaints require the school to seek independent/ external advice and may take longer. We will inform you if this is likely to be the case and will keep you informed of progress.

The flowchart on the following page will help you decide the best person to speak to, depending on what your complaint is about. Pages 3-4 explain what you may expect to happen at each stage.

You always have:

- The option to take complaints that you feel are serious directly to the Headteacher.
- An option to resolve your complaint informally.
- An option to make a formal complaint if you remain unhappy.
- The option to ask for the process to be reviewed by the Governing Body Appeals Panel if you are not happy with the way the school has responded.

The flow chart below illustrates the procedure and who you should talk to about your complaint:



## **Complaints in relation to pupil exclusions**

Parents may ask for the decision to exclude their child to be reviewed by the Governing Body. However, the Headteacher has the discretion to decide appropriate consequences, including fixed period exclusions, and the Governing Body would only expect to review these decisions in exceptional circumstances e.g. in the event that the policy had not been followed or an allegation of misconduct.

The Governing Body will consider any such representations in accordance with Annex A in the following guidance document: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/269681/Exclusion\\_from\\_maintained\\_schools\\_academies\\_and\\_pupil\\_referral\\_units.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269681/Exclusion_from_maintained_schools_academies_and_pupil_referral_units.pdf)

Parents wishing to make representations should write to the Clerk to the Governing Body, via the school office and marked private and confidential, asking for the decision to exclude to be reviewed by the Governing Body and giving the reasons for making the request.

If your complaint is because you believe the Headteacher has not followed the school's policies in respect of the exclusion, please make your complaint in writing, marked private and confidential, to the Chair of Governors, via the school office.

Other complaints relating to exclusions are likely to fall into the categories above, e.g. staff conduct, the Headteacher's conduct, in which case the processes above should be followed.

### **Informal Stage**

It is normally appropriate to communicate directly with the member of staff concerned so that they have an opportunity to resolve the matter informally. This may be by letter, by telephone or in person by appointment, requested via the school office. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concerns it may be appropriate to address them directly to the Head Teacher (or, if the complaint is about the Headteacher, to the Chair of the Governing Body).

If you are uncertain about who to contact, please seek advice from the school office, the Headteacher or the Clerk to the Governing Body.

### **Formal Stage**

If your concern or complaint is not resolved at the informal stage you may choose to make a formal complaint. A Formal Complaint Form is attached at appendix 1 to help you to include the information that will be needed.

Formal complaints should be made to the Headteacher, who will be responsible for ensuring that it is investigated appropriately. If the complaint is about the Head Teacher, you should forward your complaint to the Chair of the Governing Body. This should be done in writing via the school office, addressed to the Chair of Governors and marked private and confidential.

### **Making a formal complaint:**

A Complaint Form is provided to assist you (appendix 1, and is also available electronically on the school's website or VLE pages).

You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

If you have already raised your complaint informally, please explain the actions you have taken, the outcomes to date and why you feel the matter is still unresolved.

It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

Please pass the completed form/ complaint in a sealed envelope, marked private and confidential, to the school office. The envelope should be addressed to the Head Teacher (or, if the complaint is about the Headteacher, to the Chair of the Governing Body).

The Head Teacher (or Chair) may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the Head Teacher (or Chair). If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedures. In any case you should learn in writing, usually within 5 school working days of the school receiving your formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale, however this can vary depending upon the type of complaint.

Any investigation will begin as soon as possible and when it has been concluded, you will be informed in writing of the outcome. Once a response has been sent then the matter will be considered closed.

If your complaint has been dealt with by the Head Teacher and you are still not satisfied with the outcome you may ask for your complaint to be reviewed by the Chair of Governors. The Chair of Governors' will always aim to resolve the matter amicably but reserves the right to convene a Governors Panel, consisting of 3 Governors to review the matter.

Please send a copy of your original complaint to the Chair of Governors, together with a written explanation giving the reasons you remain dissatisfied and explaining what would constitute a satisfactory outcome to your complaint.

## Appeals Process

If you are still not satisfied with the outcome provided by the School then you can appeal by writing to the Chair of the Governors, within 5 school working days of receiving notice of the outcome. You need to include a statement specifying why you wish to appeal the decision made by the School. A Complaint Appeals Request form is provided for your convenience.

For the process please see Appendix 4

## Equal Opportunities

This policy will be implemented in a fair and objective manner and without prejudice to any person regardless of their ethnicity, age, religious faith, gender, sexual orientation or disability. If you need this policy produced in another format please let the school know.

## Monitoring and Review of this policy

The implementation of this policy will be monitored by the governing body. This policy will be reviewed every 3 years or earlier if the occasion arises.

<b>Date reviewed</b>	October 2017
<b>Next review date</b>	October 2020
<b>Headteacher</b>	Tracey Callender
<b>Chair of Governors</b>	Val Thompson

**Appendix 1**

**Sheffield lower School Formal Complaint Form**

Please complete this form and return it to the school office marked private and confidential, addressed to the Head Teacher (or Chair of Governors), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name: .....

Relationship with school (e.g. parent of a pupil on the school roll):

.....

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

.....

Your Address:

Telephone numbers

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 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?

Signature:

Date:

School use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:			
Date:			

**Appendix 3**

**Sheffield Lower School Complaint Appeals Request Form**

If you feel your complaint is not resolved and you would like to appeal to the Governing Body to review it, 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:

Telephone numbers:

Daytime:

Evening:

e-mail address:

Dear Sir

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

My complaint was submitted to ..... and 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 =
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What actions do you feel might resolve the problem at this stage?

Signature:

Date:

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

Request referred to:			
Date:			



## Appendix 4

### Governing Body Meetings

#### Complaints Appeals Panel

A meeting of the panel will take place, usually within 10 school working days of receipt of a written request, to consider the matter.

The appeal will be conducted by a panel of 3 members of the Governing Body.

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 review will normally be conducted through a consideration of written submissions, but reasonable requests, from any of the parties, to make oral representations will be considered by the Chair of Governors. The Chair of Governors will decide whether a Written Submission or Oral Hearing is appropriate and his/her decision is final.

#### Written Submission Process

The panel will first receive written evidence from the complainant. The complainant should clearly explain why they are unhappy with the outcome and what would constitute a satisfactory outcome to the complaint.

The panel will then invite representatives of the school to supply a written statement as a response. This could be the Headteacher, Chair of Governors or independent advisors used by the School depending upon the type of complaint.

The panel will have access to all the relevant information.

The complainant and the school representative(s) will be informed in writing of the outcome, usually within 5 school working days of the panel meeting.

Once a decision is made by the panel, the matter will then be closed as far as the school is concerned.

#### Oral Hearing Process

Subject to the Chair of Governors agreeing to an Oral hearing.

A meeting of the panel will take place, usually within 10 school working days of receipt of a written request, to consider the matter.

The appeal will be conducted by a panel of 3 members of the Governing Body.

#### The Process:

Panel meetings are intended to be investigatory, rather than adversarial, the persons giving evidence or making representations to the panel will attend separately.

The complainant (who may be accompanied by a friend if they wish) will present their case to the panel and explain clearly why they are unhappy with the outcome and what would constitute a satisfactory outcome to the complaint.

The person appointed to investigate the complaint will be invited to attend this meeting in order to make representations. (they may where appropriate be accompanied by workplace colleagues or representatives from their professional associations).

The Panel reserves the right to call other professionals/advisors to the Panel.

The panel will have access to all the relevant information.

The complainant and the school representative(s) will be informed in writing of the outcome, usually within 5 school working days of the panel meeting.

Once a decision is made by the panel, the matter will then be closed as far as the school is concerned.

## Appendix 5:

### Example letters that may be used in response

#### a) Response to spurious complainant

Dear

Following receipt of your communications and careful consideration of the same, I regret that I am unable to deal with this matter under the Governing Body's Complaints Procedure as:

*[It will be appropriate to include SOME of the following statements]*

- You have not identified any specific actions of which you might complain
- Your concerns are presented as conclusions rather than specific actions of which you complain.
- The concerns that you identify relate to historical actions and any evidence which might have enabled an objective investigation of your complaint is no longer available.
- The substance of your complaint has been addressed under this procedure already.
- The concerns that you raise do not fall within the scope of this procedure.
- You have not identified any potential sources of evidence which might allow the matter to be investigated.

If you wish my decision to be reviewed then you may take advantage of the procedure set out in the school's Formal Complaint Procedure, by writing to the Chair of the Governing Body.

Yours sincerely,

Head Teacher  
Or Chair of Governing Body

#### b) Acknowledgement of receipt of formal complaint *and* invitation to meet

Dear .....

I have received your formal complaint, dated ..... I am grateful that you have brought this to my attention.

The school and Governing Body take any complaint most seriously. Therefore I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. Please telephone....., in order to arrange an appointment./ I can offer you an appointment at .... on ,..... Please let me know if this is convenient.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place. This should begin within 5 days of our meeting.

Yours sincerely,

Head Teacher  
Or Chair of Governing Body

**c) Acknowledgement of receipt of formal complaint referred by a third party [e.g. LA, Diocese, MP]**

Dear .....

I have received a copy of the documentation that you sent to ..... setting out a complaint about ..... . This has been passed to the school as it has responsibility for these matters.

The school and Governing Body take any complaint most seriously. Therefore I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. Please telephone ....., in order to arrange an appointment./ I can offer you an appointment at ..... on ..... . Please let me know if this is convenient.

Meanwhile I would be grateful if you would complete and return the Formal Complaint Form that is enclosed, along with details of the school's complaints procedure.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place. This should begin within 5 days of our meeting.

Yours sincerely,

Head Teacher  
Or Chair of Governing Body

**d) Acknowledgements of receipt of formal complaint and advising complainant that the matter has been referred**

Dear .....

I have received your formal complaint, dated ..... . I am grateful that you have brought this to my attention.

However, the matters that are of concern to you are the responsibility of the Governing Body/ LA/ service provider, so I have forwarded your documentation to ..... . You should be contacted, in the near future, to be advised of how they intend to proceed.

If I can be of any further assistance, please do let me know.

Yours sincerely,

Head Teacher

## **e) Acknowledgements of receipt of formal complaint and advising complainant that the matter is being dealt with under a confidential school procedure**

Dear .....

I have received your formal complaint, dated ..... I am grateful that you have brought this to my attention.

The school and Governing Body take any complaint most seriously. Therefore I have initiated an immediate investigation. It is possible that the investigator will wish to meet with you to clarify the evidence that you have provided so far. If so, he/she will write to you to make suitable arrangements.

As your concerns relate to the conduct/capability of a member of staff, the investigation will be carried out under the school's personnel procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the member of staff concerned.

OR

As your concerns relate to the behaviour of a pupil, the investigation will be carried out under the school's pupil conduct and disciplinary procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the parents of the child concerned.

In due course, I may be able to provide you with some information about the outcomes of the investigation and the processes that have been followed, but in any event will let you know when the matter has been concluded.

If I can be of any further assistance, please do let me know.

Yours sincerely,

Head Teacher  
Or Chair of Governing Body

## **f) NOTIFICATION OF DECISION REGARDING FORMAL COMPLAINT**

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I/the panel have/has concluded that: *(Select from the following)*

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld. If you are able to provide additional evidence forthwith I/we will reconsider this decision.  
**or**
- The concern is not substantiated by the evidence in that .....
- or**
- The concern was substantiated in part/in full, as ..... The school will review its practices/procedures..... with the intention of avoiding any reoccurrence. Parents will be informed in due course of any policy changes.  
**or**
- In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur.  
**or**
- In order to address fully the matters of concern that you identified, the panel recommended that the Governing Body should review its ..... policy, as a matter of urgency. We are confident that this should prevent similar concerns arising in future.

I hope that we may now put this matter behind us and work together for the benefit of your child's progress.

Yours sincerely,

Head Teacher/Chair of Governing Body/Chair of Panel

**g) APPEALS OUTCOME NOTIFICATION**

Dear

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Appeal Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint.

Summary of reasons .....

Therefore, the matter is now closed as far as the school is concerned.

**Or**

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Appeals Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint except .....

Therefore, the following action will be taken .....

Once this action has been completed the school will consider the matter to be closed.

**Or**

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Appeals Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint except .....

However the panel determined that this procedural failure did not affect the outcome of the consideration of your complaint so, while we regret this error, we will now consider this matter to be closed as far as the school is concerned.

Yours sincerely,

Chair of Complaints Appeals Panel

c.c. Head Teacher  
Chair of Governors

## Appendix 6

### Paragraph for Inclusion in School Prospectus

#### Raising Concerns and Resolving Complaints

From time to time parents, and others connected with the school, will become aware of matters which cause them concern. To encourage resolution of such situations the Governing Body has adopted a "School Complaints Procedure".

The procedure is devised with the intention that it will:

- Usually be possible to resolve problems by informal means
- Be simple to use and understand
- Be non-adversarial
- Provide confidentiality
- Allow problems to be handled swiftly through the correct procedure
- Address all the points at issue
- Inform future practice so that the problem is unlikely to recur.

Full details of the procedure may be obtained from the School Office, the School Website, or from the Clerk to the Governing Body.

## Appendix 7

### **Leaflet that could be sent to persons who make spurious/vexatious or abusive complaints, if the policy is adopted by the Governing Body**

#### **Shefford Lower School Policy For Handling Unreasonably Persistent, Harassing Or Abusive Complainants**

The head teacher and Governing Body 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 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 towards any members of the school community.

The aim of this leaflet is to provide information about our school policy on unreasonably persistent complainants or harassment of staff.

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
  - 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
- an insistence on
  - pursuing unjustified complaints and/or
  - unrealistic outcomes to justified complaints
  - pursuing justifiable complaints in an unreasonable manner (eg using abusive or threatening language; or
  - making complaints in public or via a social networking site such as Facebook; 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 matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

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 a reasonable time to respond to a complaint;
- follow the school's complaints procedure.

Schools' responses to unreasonably persistent complaints or harassment

This 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 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 and that these may be required to be channelled through the Local Authority.

Physical or verbal aggression

The Governing Body 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.