

PRIDE IN EXCELLENCE

CONCERNS AND COMPLAINTS POLICY

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Headteacher and Clerk to Board of Governors

Version

2

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CONCERNS AND COMPLAINTS POLICY

At Purley Oaks Primary School we work hard to establish and maintain good relationships with children, parents and the community based on mutual respect and a willingness to listen to the views of others and respond constructively.

Who can make a complaint?

This complaint procedure is not limited to parents/carers of children that are registered at our school. It can be used by any person, including members of the general public, who wish to make a complaint about any provision of facilities or services that are provided at our school unless separate statutory procedures apply (see page 5 for such examples).

Complaints about services provided by other providers who may use our school premises or facilities, should have their own complaints procedure and they should be contacted directly.

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 'dissatisfaction about an event that has happened, failed to happen, or the way in which something was handled'.

It is in everyone's interests that concerns and complaints are resolved at the earliest opportunity. The vast majority of concerns can be resolved informally, without the need to use the formal stages of the complaint procedure. Concerns are taken seriously and every effort is made to resolve matters on a timely basis, often by the clarification of issues or the provision of information without resorting to any formal procedures.

Most concerns can be resolved by speaking to a relevant member of staff. They may be contacted:

1. at the beginning or end of the school day. Class teachers are available on the playground
2. by telephone in the school office
3. by email or by message via Bromcom

We expect staff to respond by the next working day to any parental/carer concerns wherever possible. Teachers will be teaching during the day, but a message can always be left with the office.

We particularly value the opportunity to solve problems face to face. This allows for real time interaction, immediate feedback and a deeper understanding of the issue. It reduces the chance of misunderstanding, fosters stronger relationships and can lead to quicker more collaborative solutions.

Occasionally stakeholders may have difficulty discussing a concern with a particular member of staff. In these cases, they will be referred to another staff member. Similarly, if the staff member directly involved feels unable to deal with a concern, another staff member may be involved. The ability to consider the concern objectively and impartially is vital. If a concern still remains, then a member of the Senior Leadership Team (SLT) may be consulted to continue to seek a satisfactory outcome for all.

How to make a complaint

If the issue remains unresolved, the next step is to make a formal complaint. A complaint may also be made by a third party acting on the original complainant's behalf, as long as they have appropriate consent to do so.

Complainants must not approach individual governors to raise concerns or complaints. They have no authority to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

Complaints

- against school staff (except the Head Teacher) should be made to the Head Teacher via the school office and marked as private and confidential. The Head Teacher may investigate the complaint or nominate a member of staff as investigating officer but the decision outcome rests with the Head Teacher.
- complaints that involve or are about the Head Teacher, should be in writing addressed to the Chair of Governors via school office marked private and confidential or sent to the Chair's school email address: governors@purleyoaks.croydon.sch.uk. The Chair will arrange for the complaint to be investigated by a suitably skilled governor or an independent investigator who will provide a formal written response after concluding their investigation.
- complaints about the Chair of Governors, any individual governor or the whole governing board should be addressed to the Clerk to the Governing Board via the school office marked private and confidential. The Clerk will arrange for the complaint to be investigated by a suitably skilled governor or independent investigator who will provide a formal written response after concluding their investigation.

For ease of use, a template complaint form is included at the end of this document (page 11).

If at any point a complaint is withdrawn, it must be confirmed in writing.

Anonymous complaints

Anonymous complaints will not normally be investigated. However, the Head Teacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Timescales

Complaints should be raised within one month of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Complaints made outside of this time frame will be considered if exceptional circumstances apply.

Complaints made outside of term time, will be treated as having been received on the first school day after the holiday period concerned.

If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or Tribunals, this may impact on the school's ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against the school in relation to the complaint, consideration will be given as to whether to suspend the complaints procedure in relation to the complaint until those legal proceedings have concluded.

Scope of this complaints procedure

The procedure described does not include complaints covered by a separate statutory procedure, such as those listed below:

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admission to schools • Statutory assessments of special educational needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Croydon Local Authority.</p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH) – 020 8255 2888 at the Croydon Local Authority</p>
<ul style="list-style-type: none"> • Exclusion of child from school 	<p>Further information about raising concerns about exclusion can be found at : Behaviour in schools: sanctions and exclusions: Exclusions - GOV.UK</p> <p>Note: complaints about the application of the school’s behaviour policy can be made through the school’s complaints procedure. A copy of this policy can be found on our school website.</p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all employees, including temporary staff and contractors. The local authority publish guidance and can be contacted schoolwhistleblowing@croydon.gov.uk or https://protect-advice.org.uk/advice-line/</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the school’s internal grievance procedures</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school’s internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises of facilities 	<p>Providers should have their own complaints procedure to deal with complaints about services. Please contact them direct</p>

<ul style="list-style-type: none">• National Curriculum – content	Please contact the Department for Education at: www.education.gov.uk/contactus
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Resolving complaints

At each stage in the procedure, the focus will be on resolving the complaint. If appropriate, the complaint may be upheld in whole or in part. In addition, complainants will be offered one or more of the following:

- an explanation
- an admission that the situation could have been handled differently, or better.
- assurances that efforts will be made to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology

Complaint Procedure

Please also see flow chart on page 10.

Stage 1 - Informal Stage

In most cases concerns can and wherever possible should be resolved by contacting the school. Initial communication may be by telephone conversation, in person by appointment or in writing. Face to face interaction will always be prioritised and encouraged.

Stage 2 – Formal Complaint

If unresolved at the informal stage, concerns are then raised formally with the Head Teacher (unless they are about Head Teacher – see page 4 second paragraph). The school's complaint form, will need to be completed, setting out the nature of the complaint, what remains unresolved and what outcome is being sought. The complaint should be acknowledged within 3 school days and within this response, the Head Teacher may request further information required to support investigation and resolution of the complaint. The Head Teacher may wish to meet with the complainant if this has not already happened at Stage 1.

Note: The Head Teacher may delegate the investigation to another member of the school's senior leadership team (who will have no prior knowledge of the complaint) but not the decision to be taken.

In conducting the investigation the Head Teacher (or investigator) will:

- establish scope of what is and what is not being investigated and the reasons for this (for example elements may relate to a separate procedure such as exclusion)
- determine who they need to meet with as witnesses to establish the facts and ensure the investigation is fair and balanced.
- allow witnesses to be accompanied to any meetings that take place during the investigation
- maintain a written record of any meetings/interviews with witnesses and other relevant parties along with other evidence/findings.

At the conclusion of the investigation, the Headteacher will aim to provide a formal written response within 20 school days of receipt of the complaint. If this deadline cannot be met the Head Teacher will contact the complainant with an update and revised response date.

Once the Head Teacher is satisfied that the investigation into the complaint has been concluded and they have reached a decision on the issue (s) raised, the Head Teacher will write to the complainant to inform them of:

- actions taken to investigate the complaint
- a full explanation of the decision made and the reason(s) for it
- any actions that will be taken as a result of the complaint (except in the case of any action taken against an individual member of staff which would remain confidential)
- advise the complainant of how to escalate the complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint was about the Head Teacher or any member(s) of the Governing Board, Stage 2 will be dealt with as described on page 4.

Stage 3 – Governor Complaints Panel

If having received the letter from the Head Teacher, the complainant is dissatisfied with the outcome at Stage 2 they can escalate the complaint to Stage 3 – a meeting with members of the governing body's complaint panel. This will be formed of the first three, impartial, governors available. This is the final stage of the school complaint procedure.

A request to escalate the complaint to Stage 3 must be made by writing to the Clerk to the Governing Board (email will be provided by school) within 10 school days of the decision from the school. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

In the letter to the Clerk the complainant will need to clearly explain why they are unhappy with the Head Teacher's response and what outcome they are seeking. The Clerk will acknowledge receipt of the letter within 5 school days and invite the complainant to submit any further written material for the panel's consideration.

The complainant will be responsible for redacting any information they send to the school which they deem as personal information that cannot be shared.

The complaint panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The Clerk will aim to inform the complainant of the date, time and venue of the Governor Complaint Panel meeting at least 10 school days before the meeting takes place. The Clerk will aim to convene a meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. If the offer of three proposed dates are rejected without good reason, the Clerk will decide when to hold the meeting and it will proceed in the complainant's absence on the basis of written submissions from both parties.

If the complainant attends the meeting in person, they may bring a companion to provide support. The Department for Education recommends that neither the complainant nor the school brings legal representation. The panel hearing is a mechanism for conflict resolution and reconciliation.

The procedure for the hearing will be explained by the Panel Chair at the time of the meeting.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, and outcomes will not be shared with you.

The Governor Complaint Panel will be formed of three, impartial governors who will not have had any prior knowledge or involvement, either directly or indirectly, in the issue which is the subject of the complaint. These governors are usually members of the governing board but can be governors from other schools. The purpose of the governor complaint panel is to scrutinise the handling of the complaint and determine if policies, procedures and actions were appropriate.

All written material will be circulated to all parties at least 3 school days before the date of the meeting. The panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint made. 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 complaint panel will consider the complaint and all the evidence presented. The panel 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 panel 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 Panel Chair will provide the complainant with a full explanation of the panel's decision and the reason(s) for it, in writing, within seven school days.

The response will also advise on how to escalate the complaint should the complainant remain dissatisfied (see below).

Final complaint stage

If all attempts to resolve the complaint have been unsuccessful and the complainant believes the school did not handle the complaint in accordance with published complaints procedure or it acted unlawfully or unreasonably in the exercise of their duties under education law, the Department for Education may be contacted after completion of Stage 3 (as described above).

The Department for Education will not normally reinvestigate the complaint or overturn the panel's decision. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint. Contact details will be included in the Panel Chair's letter.

Serial/unreasonable complaints

The school is committed to dealing with complaints fairly and impartially, and to providing a high quality service to those who complain. The contact complainants have with the school will not normally be limited. However, we do not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

We define unreasonable behaviour as that which hinders consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on

- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints 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 that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unreasonable outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

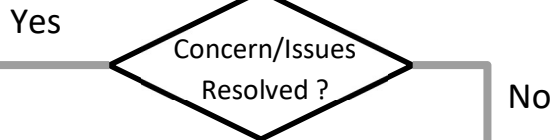
If the behaviour continues, the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Purley Oaks Primary School causing a significant level of disruption, methods of communication may be specified and the number of contacts limited in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, the police will immediately be informed and our actions will be communicated in writing. This may include barring an individual from Purley Oaks Primary School.

Flow chart for complaint process

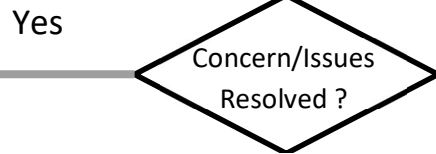
Stage One – Informal

Speak to the class teacher or other staff member as appropriate. Explain your concerns. Give them as much information as possible in order to help them respond to your concerns. Engage with any other member of staff who may be able to address the concerns, including members of the senior leadership team (SLT)



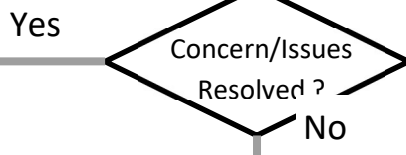
Stage Two – Formal Complaint

Write to the Headteacher using our complaint form (or send form to chair of Governors if against Head Teacher) – your complaint will be acknowledged within three school days. An investigation will be carried out and the outcome communicated to you within 20 school days.



Stage Three – Governor Complaint Panel

Make formal complaint to the Governing Body complaint panel within 10 school days of the decision from the school. Your letter addressed to the Clerk to Governing Board should state why you remain dissatisfied and what outcome you are seeking. Clerk will acknowledge receipt within 5 school days and explain next steps.



No further action

You can refer your complaint to Department for Education . The DfE will not normally reinvestigate or overturn a decision. They will consider whether school has adhered to education legislation and any statutory policies connected to the complaint.

Please turn to next page

What action(s) do you feel might resolve the problem at this stage?

Are you attaching any paperwork to this form? If so, please give details below:

Your signature:

Date:

Official use

Date acknowledgement sent:

Complaint referred to (if applicable):

Date: