

Oakmeadow CE Primary and Nursery

Complaints Procedure



Reviewed and adopted: June 2016

Next Review – June 2019

Policy on Complaints

At Oakmeadow we recognise the UNICEF Convention on the Rights of Children

Article 3 –The best interests of the child must be a top priority in all actions concerning children.

It is our intention that while investigating all informal concerns or formal complaints, the needs of any child(ren) involved remain central to the procedure.

Compliments

These are always welcome and very encouraging to teachers and staff. The school encourages feedback or opinions from pupils and parents/carers. In practice this dialogue is continuous, sometimes directly and also indirectly. It may not always be possible to act immediately but pupils and the school always benefit so please don't hold back.

Concerns

It is natural that parents may, occasionally, be concerned about an aspect of their child's education or welfare at school. This could include issues concerning the school's approach to aspects of the curriculum, homework, behavioural problems or any other issue.

The school welcomes enquiries from parents about any matter. Teachers and staff will explain the school practices and policies, and how they affect the pupils. The vast majority of concerns will be handled by the class teacher or by the subject co-ordinator if this is more helpful.

The school also has a parent council to support communication between home and school and as a 'parent voice'. They meet termly. In addition there are suggestion/feedback and enquiry boxes which are positioned at the key stage 1 door and in after school club. We welcome you to use these.

Policy on Complaints

1 Introduction

- 1.1 We strive to provide an outstanding ~~good~~ education for all our children. The headteacher and staff work very hard to build positive relationships with all parents and carers. However, the school has procedures in place in case there are complaints by parents or guardians. The following policy sets out the procedures that the school follows in such cases.
- 1.2 If any parents or carers are unhappy with the education that their child is receiving, or have any concerns relating to the school, we encourage them to talk to the school immediately. They are welcome to bring support, in a family member or friend, and support groups for parents are available from family information service
[\(\[http://www.shropshire.gov.uk/early-years-and-childcare/shropshire-family-information-service-\\(0-19\\)/\]\(http://www.shropshire.gov.uk/early-years-and-childcare/shropshire-family-information-service-\(0-19\)/\)\)](http://www.shropshire.gov.uk/early-years-and-childcare/shropshire-family-information-service-(0-19)/).
- 1.3 We deal with all complaints in accordance with procedures laid down by the Department for Education ("DfE"). If the school itself cannot resolve a complaint, those concerned can refer the matter to the DfE.

Extract from 'Best practice advice for school complaints' (2016).

Complaints not in scope of the procedure

Our complaints procedure covers all complaints about any provision of facilities or services that we provide with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to schools• Statutory assessments of Special Educational Needs (SEN)• School re-organisation proposals• Matters likely to require a Child Protection Investigation	<p>Concerns should be raised direct with local authorities (LA).</p> <p>For school admissions, it will depend on who is the admission authority (either the school or the LA).</p> <p>Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.</p>
<ul style="list-style-type: none">• Exclusion of children from school	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions</p>

<ul style="list-style-type: none"> • Whistleblowing 	<p>Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD.</p> <p>The Department for Education is also a prescribed body for whistleblowing in education.</p>
<ul style="list-style-type: none"> • Staff grievances and disciplinary procedures 	<p>These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities. 	<p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.</p>

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

2 Aims and objectives

- 2.1 Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. *In all cases, we put the interests of the child above all else.* We provide sufficient opportunity for any complaint to be fully discussed, and then resolved. It is important that when communicating a concern or complaint that we are clear what the concern or complaint is, who is involved and what you feel will support in moving the situation forward positively.

3 The complaints process

- 3.1 If a parent is concerned about anything to do with the education that we are providing at our school, they will need to, in the first instance, discuss the matter with their child's class teacher (or headteacher). In our experience, most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress. **(Stage 1)**

- 3.2 Where parents or carers feel that a situation/concern has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the headteacher. The headteacher considers any such complaint very seriously, and investigates each case thoroughly. Most complaints are normally resolved by this stage. **(Stage 2 – formal complaint initiated to the head teacher)**
- 3.3 Should any parents or carers have a complaint about the head teacher, they should first make an informal approach to the chair of the governing body, who is obliged to investigate it. The chair will do all s/he can to resolve the issue through a dialogue with the school, but if parents or carers are unhappy with the outcome, they can make a formal complaint to the chair of the complaints committee, as outlined below. This is stage 3 – stage 2 is skipped in this instance
- 3.4 Only if the above actions fail to resolve the matter, then a formal complaint **(Stage 3)** will need to be made to the chair of governors. This complaint must be made in writing, stating the nature of the complaint, and how the school has handled it so far. The parent should send this written complaint to the chair of governors. This information can be gained at the point of discussion with the chair of governors. School will provide an impartial scribe for this if necessary.
- 3.5 The chair must consider all written complaints within 15 school days of receipt. They will arrange a meeting to discuss the complaint, and will invite the person making it to attend the meeting, so that s/he can explain the complaint in more detail. The school gives the complainant at least three days' notice of the meeting. Should the investigation need additional time, the complainant will be notified and given justified reasons for this extension
- 3.6 After hearing all the evidence, the chair will consider their decision and inform the parent about it in writing. The chair will do all they can at this stage to resolve the complaint to the parent's satisfaction. If the complaint is not resolved at this point the decision may be taken to call a meeting of the Governors Complaints Committee to hear the complaint. **(Stage 4)**
- 3.7 If the complaint is not resolved from this process, a parent may make representation to the DfE. Further information about this process is available from the school or from the LA. 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.
- 3.8 If any parent is still not content that the complaint has been dealt with properly, then s/he is entitled to appeal to the Secretary of State for Education and Skills.

The 'best practice (2016)' document also provide the following information to protect all members of the school community.

Serial and Persistent Complainants

Schools should do their best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where a school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, schools will need to act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for schools to recognise when they really have done everything they can in response to a complaint. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. However, schools must be careful that they do not mark a complaint as 'serial' before the complainant has completed the procedure.

Note: *The Department for Education does not itself use the term 'vexatious' when dealing with serial or persistent correspondents as it could potentially be inflammatory. However, it is a recognised term. In the context of Freedom of Information (FOI) requests, the Upper Tribunal concluded that 'vexatious' could be defined as the '...manifestly unjustified, inappropriate or improper use of a formal procedure.' An exemption therefore exists in Section 14(1) of the Freedom of Information Act 2000. However, this exemption can only be applied to requests themselves, and not the individuals who submit them.*

More information about dealing with vexatious requests for information is available on the Information Commissioner's Office (ICO) website.

Under no circumstances should an individual be marked as serial for exercising their democratic right to refer their complaint to their local MP regardless of which stage the complaint has reached. The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

Is it time to stop responding?

The decision to stop responding should never be taken lightly. A school needs to be able to say yes to all of the following:

- The school has taken every reasonable step to address the complainant's needs;*
- The complainant has been given a clear statement of the school's position and their options (if any); and*
- They are contacting the school repeatedly but making substantially the same points each time.*

At Oakmeadow we believe there should be no reasons for ‘persistent or serial complainants’ as we endeavour to always resolve issues and seek a positive outcome for the best interest of our children.

4 Monitoring and review

- 4.1 The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The headteacher logs all complaints received by the school, and records how they were resolved. Governors examine this log on an annual basis at an annual complaints committee meeting.
- 4.2 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 made available to all parents and carers, so that they can be properly informed about the complaints process.
- 4.3 This policy will be reviewed every two years, or before if necessary.
- 4.4 The governors will review roles and responsibilities (Appendix 2) alongside the policy.

Reviewed: May 2016

Next review: May 2019

FLOWCHART FOR PROCEDURES FOR A COMPLAINT/CONCERN ABOUT YOUR CHILD AND THEIR EDUCATION:

STAGE 1

Informal

This is where a concern or issue will be discussed with the child's class teacher (or head teacher if necessary). In our experience, most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.

If you are happy the complaint is dealt with and has had a positive outcome *there will be no further action.*

If you feel there has not been a positive resolution *then stage 2 will be applicable.*



Stage 2:

Formal Complaint

(Stage 2 – formal complaint initiated to the head teacher)

Where parents or carers feel that a situation/concern has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the head teacher and complete a formal complaints form (appendix 1). The head teacher considers any such complaint very seriously, and investigates each case thoroughly. Most complaints are normally resolved by this stage. It is important as much information is given to ensure the complaint can be resolved quickly and positively.

If you are happy the complaint is dealt with and has had a positive outcome *there will be no further action.*

If you feel there has not been a positive resolution *then stage 3 will be applicable.*

NB: If your complaint is regarding the Headteacher, this stage will be missed out and you should proceed straight to stage 3.



Stage 3:

Formal Complaints – Chair of Governors

Only if the above actions fail to resolve the matter, then a formal complaint **(stage 4)** will need to be made to the governing body complaint committee. This complaint must be made in writing, stating the nature of the complaint, and how the school has handled it so far. The parent should send this written complaint to the chair of this committee. This information can be gained at the point of discussion with the chair of governors. School will provide an impartial scribe for this if necessary.



Stage 4:

Formal Complaint – Complaints Committee

**FLOWCHART FOR PROCEDURES FOR A COMPLAINT/CONCERN ABOUT YOUR CHILD AND
THEIR EDUCATION:**

Should any parents or carers have a complaint about the head teacher, they should first make an informal approach to the chair of the governing body, who is obliged to investigate it.

The chair will do all s/he can to resolve the issue through a dialogue with the school, but if parents or carers are unhappy with the outcome, they can make a formal complaint to the chair of the complaints committee, as outlined above.

Appendix 1

Stage 2: Formal Complaint

Complaint form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Email contact:

Please state preference for communication: email/phone/letter

Please give details of your complaint:

What action have you already taken to try and resolve the complaint?
(Who did you speak to and what was the response?)

Complaint form (continued)

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:

The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:-

- co-operates with the school in seeking a solution to the complaint;
- expresses the complaint in full as early as possible;
- responds promptly to requests for information or meetings or in agreeing the details of the complaint;
- asks for assistance as needed;
- treats all those involved in the complaint with respect.

The Head teacher or chair of the committee (should it be at stage 3):

The headteacher (or chair of complaints) should:-

- ensure that the complainant is fully updated at each stage of the procedure;
- ensure that all people involved in the complaint procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- liaise with staff members, headteacher, Chair of Governors and Clerk to ensure the smooth running of the complaints procedure;
- keep records;
- be aware of issues regarding:-
 - sharing third party information;
 - additional support - this may be needed by complainants when making a complaint including interpretation support.

The Investigator (this will be a senior member of staff, if not the head teacher)

The Investigator is the person involved in Stages 1 and 2 of the procedure. The Investigator's role can include:-

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
 - consideration of records and other relevant information;
 - interviewing staff and children/young people and other people relevant to the complaint;
 - analysing information;
- effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;

- identifying solutions and recommending courses of action to resolve problems;
- being mindful of the timescales to respond; and
- responding to the complainant in plain and clear language.

The person investigating the complaint should make sure that they:

- conduct interviews with an open mind and be prepared to persist in the questioning;
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.

Oakmeadow has a complaints committee.

This consists of the following Governors:

Paul Firth	(Parent Governor)
Keith Winter	(Foundation Governor)
Sam Blackburn	(Parent Governor)