

SHELTON INFANT SCHOOL

COMPLAINTS POLICY

At Shelton Infant School, we undertake to provide a friendly and safe environment in which pupils will be helped to achieve their potential, both academically and socially. We recognise that sometimes things can go wrong and parents, carers and members of the public may need to make a complaint or raise concerns they have with the school.

It is important to distinguish between a concern and a complaint. The *'Best Practice Guidance for School Complaints Procedures Updated 2020'* published by the Department for Education makes the following distinction – "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 generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'."

This policy tells you what to do if you wish to make a complaint.

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. Shelton Infant School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

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 in the formal stages of the procedure.

An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances. These would include serious concerns such as child protection issues or bullying allegations, where the school would either involve appropriate external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.

INFORMAL STAGE

The complainant is normally expected to arrange to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment. 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. An unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith. Any dispute in relation to the "reasonableness" may be determined through the review process.

Most complaints/issues can be resolved informally and quickly by discussion with the member of staff concerned or the Head teacher.

Parent/carers should make an appointment to discuss their concerns with the member of staff who knows about the issue or incident. If the complaint relates to a pupil, ideally the member of staff concerned should be directly involved with the pupil, for example, the class teacher.

The member of staff may write notes during the meeting. Parents/carers can ask for a copy of these notes.

Alternatively parents/carers can write to the member of staff or the Head teacher outlining the issue clearly. Any complaint/issue that is put in writing should be written clearly outlining all the issues. All complaints will be acknowledged in writing within 3 – 5 working days.

FORMAL STAGE

There are three formal stages:

Stage 1

If a parent/carer or other complainant is still dissatisfied after the informal stage, they can refer the matter to the Head teacher. This can be done in writing, as this will often make the situation clear to all involved parties. Alternatively, the complaint may be made in person or by telephone.

The Head teacher will offer a meeting with the parent/carer or other complainant at a mutually convenient time. At the meeting, and through discussion, the Head teacher will clarify what the issues are. The hopes of what the parent/carer is trying to achieve will also be discussed. Together all parties will agree an acceptable outcome. This should be to the satisfaction of all parties involved. These should be written down and agreed by all parties so there is no misunderstanding. Again parents/carers should be given a copy of this.

If the issue is complex the head teacher may need to speak to other staff and pupils to investigate the concerns. This should happen within 10 school days. If this timescale cannot be met the head teacher should inform the parent/carer that this will take longer, explain the reasons for this and give a timescale for when the investigation will be completed.

STAGE 2

After meeting with the head teacher if the complaint is still not resolved to the parent/carer's satisfaction, the complaint can be referred to the Chair of Governors. This will usually be in writing to the Chair at the school address. The Head teacher can also refer the complaint to the Chair of Governors.

If the head teacher is the subject of the complaint, the complaint should go straight to the chair of governors and miss out Stage 1. The chair of governors may ask for the complaint to be put in writing (if this has not already happened).

The chair of governors will offer to meet with the parent/carer or other complainant, at a mutually convenient time on school premises.

The chair of governors has 15 school days to investigate the complaint. If it cannot be resolved within this time, the chair will inform the complainant and explain why it is taking longer. Reasons for this may be that the complaint is complex and needs more time or someone involved is absent. The chair of governors should, however, give a realistic timescale for when the complaint should be resolved. The chair should inform the complainant of when it is expected that the investigation should be completed.

If the complaint is against the Chair of Governors or a/some governor(s) the clerk should arrange for the complaint to be heard. This may be done by a suitably skilled and impartial member of the governing body. If the complaint cannot be resolved by this governor it will be referred to a committee of members of the governing body.

STAGE 3

If the complaint is still not resolved to the parent/carer's satisfaction, or the Chair of Governors feels that it is necessary, s/he can set up a complaints committee to consider the complaint. The chair of governors will decide if this is appropriate.

If the chair of governors can resolve the complaint there is no need to hold a Complaints Committee meeting. As far as possible it is recommended that Complaints Committees are a last resort.

The chair of governors can appoint an investigating officer to gather evidence and conduct preliminary interviews on the chair's behalf. The investigating officer will provide a detailed report of his/her investigation of the complaint. Parents/carers should be given a copy of this report. It is important that the investigating officer is seen as impartial. If the investigating officer is another governor, s/he cannot be a member of the associated complaints committee.

The complaints committee should be made up of three members of the school's governing body. Sometimes governors need to be brought in from other schools' governing bodies because the school's governors are 'tainted' because they have prior knowledge of the complaint.

The complaints committee should meet at a time convenient to all parties. The complainant, the head teacher, the chair of governors and any member of staff the complaint is about will be invited to the meeting. Any person invited can bring a friend or supporter if they wish. The complaints committee will consider any written material, and also give the person making the complaint and the head teacher, chair of governors and staff an opportunity to state their case and to question others present. The committee will ensure that all present are treated fairly. The meeting will be minuted by the clerk to governors.

The committee can:

- Uphold the complaint in whole or part
- Dismiss the complaint in whole or part.

If the complaint is upheld in whole or 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 the school with a full explanation of their decision and the reason(s) for it in writing within five school days.

If after this school based process the complaint is still not resolved to the complainant's satisfaction they can contact the Department for Education. The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

If a complaint is not from a parent/carer of a pupil of the school (an example being a member of the public) these should be made directly to the head teacher, preferably in writing.

All complaints will be recorded formally by the school in a central log.

It should be noted that schools do not need to consider complaints made more than three months after the incident/situation.

If a complaint is made about an issue that took place over three months ago the school will write to the complainant explaining why this is the case.

Serial and Unreasonable Complainants

Shelton 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 our school. However, 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.

Shelton Infant School defines unreasonable behaviour as that which hinders our 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 and unrealistic 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 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 ask them to change it. For complainants who excessively contact Shelton 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 will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the school.