



St Gabriel's CE Primary School

Complaints Procedure

INTRODUCTION

We strive to provide a good education for all our children. All staff work very hard to build positive relationships with all parents. However, the school is obliged to have 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.

If any parents 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 child's class teacher immediately. We recognise that there is a difference between a concern and a complaint and will always aim to resolve any issues quickly and effectively.

We deal with all complaints in accordance with Department for Education procedures, following the latest guidance (Best Practice Advice for School Complaints Procedures 2016).

AIMS AND OBJECTIVES

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.

THE COMPLAINTS PROCESS

1. If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. 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.
2. Where parents feel that a situation 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.
3. Should any parents have a complaint about the Headteacher, they should first make an informal approach to one of the members of the Governing Body, who is obliged to investigate it. The Governor in question will do all s/he can to resolve the issue through a dialogue with the school, but if parents are unhappy with the outcome, they can make a formal complaint, as outlined below.
4. Only if an informal complaint fails to be resolved should a formal complaint be made to the Governing Body. This complaint should 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.
5. Complaints should not be shared with the whole Governing Body, except in general terms, in case an appeal panel needs to be organised. A Governor complaints panel must consider all written complaints within three weeks of receipt. It 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.

6. After hearing all the evidence, the Governors will consider their decision and inform the parent about it in writing. The Governors do all they can at this stage to resolve the complaint to the parent's satisfaction.
7. If a complaint has completed the school's procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State. The School Complaints Unit (SCU) considers complaints in England on behalf of the Secretary of State. The SCU will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. Further information can be obtained from www.education.gov.uk/help/contactus

MONITORING AND REVIEW

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 are advised of all complaints and their outcomes. The monitoring and review of complaints can be a useful tool in evaluating school's performance.

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, so that they can be properly informed about the complaints process.

Revised: **December 2016** (with reference to Best Practice Advice for School Complaints Procedures 2016 – addition of Appendix: Policy for Unreasonable Complaints)

Appendix

Policy for Unreasonable Complaints

This policy is taken from the DfE Best Practice Advice for School Complaints 2016

St Gabriel's 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 the 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.

St Gabriel's defines unreasonable complainants as '*those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints*'.

A complaint may be regarded as unreasonable when the person making the complaint:-

- 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 while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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 unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;

- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a 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 asking them to change it. For complainants who excessively contact 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 usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school premises.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.