

Woodmancote School

Complaints Policy

Designated Members of Staff: G Tucker/Staff and Finance Committee

Woodmancote School is a welcoming school and relationships with parents, neighbours and the community are good and we receive very few complaints. However, problems sometimes arise from misunderstandings which are easily addressed. Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher. When parents and teachers treat each other with mutual respect and support, this provides a very good role model for all our children.

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 generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. Woodmancote School takes informal concerns seriously and makes every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns formally.

Who can make a complaint?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions).

In the first instance parents (or anyone with a concern) should speak to the class teacher. If, having spoken to the class teacher, parents still have concerns, they should see the Headteacher. He will investigate the problem and discuss his findings with them so that everyone can find a way forward together which serves the best interest of both the school and the child. In the unlikely event of the problem remaining unresolved parents can put their complaint in writing and, if necessary, could subsequently refer it to the Chair of Governors.

Ref: [Section 29](#): Additional functions of governing body (Education Act 2002)

95. The section re-enacts section 39 of the SSFA. It requires governing bodies to establish a procedure to deal with complaints not covered by existing statutory requirements in relation to delivery of the National Curriculum, provision of collective worship and religious education (RE), SEN assessments, admissions and exclusions.

The procedure to be followed in the event of a complaint being made is summarised in the following stages. Confidentiality will be maintained by all school staff.

Stage 1: Informal Action

- Parents discuss concerns with the class teacher
- If the teacher is unable to deal immediately with the matter, a clear note is made, including complainant's name, phone number and date, and the parent is contacted as soon as the matter has been investigated. The teacher will also consult the Headteacher at this stage.
- The teacher ensures that the parent is clear what action or monitoring of the situation has been agreed.
- If, for whatever reason, the parents prefer to talk to the Headteacher, then they can contact him via the office.
- If no satisfactory solution has been found, parents are asked if they wish their concern to be considered further.

Stage 2: Referral to the Headteacher

- The Headteacher acknowledges the complaint, orally or in writing, within 3 school days
- A meeting is arranged with the complainant to clarify and supplement any information given.
- The Headteacher investigates further, interviewing witnesses as appropriate. If the complaint centres on a pupil, the pupil would normally be interviewed with a parent present or, if this is not possible, with a member of staff who is not directly involved.
- The Headteacher keeps written records of meetings, telephone conversations and other documentation.
- Once all relevant facts have been established, the Headteacher responds. If the complaint was in writing, a written response will be sent.
- If the complainant is not satisfied, they are advised to write to the governing body

If the complaint is against the Headteacher, the Stage 2 procedures are carried out by the Chair of the Governing Body.

If the complaint is against the Chair of Governors or any individual governor, the complainant needs to write to the Clerk.

Stage 3: Review by the Governing Body

- The Chair acknowledges receipt of the written complaint, informing the complainant that the complaint is to be heard by a Committee of three members of the School's Governing Body within 20 school days.
- The Chair arranges to convene a Complaints Panel elected from members of the Governing Body. The members should have no prior involvement with the complaint and they should elect a Chair for the committee. All relevant documentation regarding the complaint should be given to the members of the committee as soon as possible. The complainant has the right to request an independent panel, if they believe there is likely to be bias in the proceedings. This request will be made to the Chair. The School will consider the request, but the Chair have the final decision.

- The Chair of the Committee will write and inform all concerned of the date, time and place of the meeting at least 5 school days in advance. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend and the right to submit further written evidence.
- It is the responsibility of the Chair of the Committee to ensure that the meeting is properly minuted.
- After the meeting, the Committee will consider the evidence and a written decision will be sent to the Headteacher and the complainant within 15 school days.

Stage 4: Beyond the Governing Body

- If, having pursued the complaint through the Headteacher and The Governing Body, the complainant still feels the issue is not resolved their complaint can be taken to the Secretary of State for Education under Education Act 1996 on the grounds that a Governing Body is acting or proposing to act unreasonably or has failed to discharge its duties under the Act.

The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State.

If the SCU finds that the school has not handled a complaint in accordance with its procedure, the SCU may request that the complaint is looked at again.

Further information can be obtained from the SCU by calling the National Helpline on **0370 000 2288** or going online at: www.education.gov.uk/help/contactus or by writing to:

- Department for Education School Complaints Unit 2nd Floor, Piccadilly Gate Store Street Manchester M1 2WD
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Serial and Persistent Complainants (Appendix B)

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

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is a poor use of the 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 will 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, the school will not mark a complaint as 'serial' before the complainant has completed the procedure.

An individual will not 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 will be against the subject or complaint itself rather than the complainant.

Signed..... (Chair of *G*overnors)

Reviewed: October 2016 in line with Best Practice Advice for School Complaints Procedures 2016

Reviewed: October 2017

Next Review: October 2018

Appendix B

Policy for Unreasonable Complainants

Woodmancote 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 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.

Woodmancote School 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 Woodmancote School