



## Complaints Policy



**Life in all its fullness, John 10:10**

*Our vision is for all our children:*

*to be resilient, knowledgeable and confident communicators.*

*to grow in kindness and empathy.*

*to be inspired, creative learners.*

<i>Date of last review and future reviews</i>	<i>Updates / changes since last review</i>	<i>Chair of Governors</i>
<i>This policy was agreed by governing body in ..... and supersedes all previous policies relating to this area. Implementation is with immediate effect and review is at the Headteacher's discretion.</i>	<i>Dealing with complaints process (informal and stage 1) has been simplified</i>	<i>Maria Parker</i>

### Who Does This Policy Apply To?

This policy applies to any pupil attending St. Margaret's Lee Church of England Primary School, their parents or carers, people resident in the community around the school, and those using or affected by school facilities, services or activities.

### Dealing with Complaints – Informal procedures

We believe that most concerns can be effectively resolved without the need for formal procedures. Therefore we encourage pupils, parents, carers or others to whom this policy applies to raise matters of concern informally with the relevant class teacher, or, if they relate to the whole school, with the headteacher. Below is an example of the informal stages of complaint:

1. Often complaints can be resolved through a conversation with the relevant staff member. For complaints against another child, we encourage wherever possible for parents and carers to first try to resolve with the parent /carer of the child directly.
2. If, after discussion with the teacher or parent/carers, the complaint is not resolved, it should be put into writing and sent as an email to [confidential@stmargaretslee.lewisham.sch.uk](mailto:confidential@stmargaretslee.lewisham.sch.uk), stating on the subject line who the message is for. The content of the email should be concise and stick to the following two key points:
  - a. What is your complaint?
  - b. How would you like this complaint to be resolved?
3. The recipient of the email will acknowledge it as soon as possible, investigate the complaint and aim to respond 'in person' either by arranging a meeting or by discussing over the phone. This will be followed by confirmation of an agreed resolution to the complaint in writing within two working days.
4. All complaints and subsequent agreed resolution are shared with all relevant staff (e.g. senior leaders, teaching assistant, cover teachers) to ensure consistency



5. If no resolution can be found, the matter should be addressed through the formal complaints procedure.

## Formal procedures

Stage 1: Complaint heard by the headteacher (or chair of governors if complaint is about the headteacher)

1. The formal complaint should be put into writing and sent as an email to [confidential@stmargaretslee.lewisham.sch.uk](mailto:confidential@stmargaretslee.lewisham.sch.uk), stating on the subject line *Formal complaint: FAO Headteacher*. The content of the email should be concise and stick to the following three key points:
  - a. What is your complaint?
  - b. How would you like this complaint to be resolved?
  - c. Why you are dissatisfied with the resolution suggested by the class teacher.
2. The recipient of the email will acknowledge it as soon as possible, investigate the complaint and aim to respond 'in person' either by arranging a meeting or by discussing over the phone. This will be followed by confirmation of an agreed resolution to the complaint in writing within two working days. This may take longer, depending on the complexity of the complaint.
3. All complaints and subsequent agreed resolution are shared with all relevant staff to ensure consistency.
4. If no resolution can be found, the complaint should be heard by a complaints panel of the governing body (stage 2), within 15 working days.
5. All complaints heard by the headteacher are anonymised and shared at the next full governing body meeting to help the governors to work strategically to prevent further complaints of a similar nature.

Stage 2: Complaint to be heard by the Complaints Panel of the Governing Body

1. The formal complaint should be put into writing and sent as an email or handed in to the office to [confidential@stmargaretslee.lewisham.sch.uk](mailto:confidential@stmargaretslee.lewisham.sch.uk), stating on the subject line *Stage 2 Formal complaint: FAO Chair of Governors*. The content of the email/letter should be concise and stick to the following three key points:
  - a. What is your complaint?
  - b. How would you like this complaint to be resolved?
  - c. Why you are dissatisfied with the resolution suggested by the headteacher.
2. The chair of governors will acknowledge receipt as soon as possible
3. A panel will consist of three governors who have no prior involvement in the complaint or the circumstances surrounding it and selected so far as possible to be independent of the complainant, a cross section of the categories of governor and sensitive to the issues of protected characteristics.
4. The Clerk to the Governing Body should set up the hearing within 20 school days of receipt by the Chair of Governors of the complaint, giving at least 10 school days notice of the Hearing to: the Panel, the complainant, the Headteacher, the Chair of the governing body, sending them the following:
  - a. an invitation to attend the Hearing including details of the date, time and place of the Hearing
  - b. a request that copies of any written papers which people may wish to be considered be sent to the Clerk by a specified date to allow distribution to others
  - c. a request for the names of any witnesses to be called
  - d. a statement saying that the complainant may wish to be accompanied by a friend and asking for the name of any such friend
  - e. where appropriate, an enquiry as to whether or not it would be helpful for an interpreter to be available
  - f. an enquiry as to whether access should be provided



- g. a summary of the procedure to be followed at the Hearing
5. The Hearing will be as informal as possible, and all parties will act respectfully towards each other and the Panel. The aim of the Hearing will be to try to identify a resolution to the complaint and a way forward, rather than necessarily to aim to apportion blame.
  6. Witnesses are only required to attend for the part of the Hearing in which they give their evidence. The Hearing will be clerked by the Clerk to the Governing Body, or another person appointed by the Panel, who should be present throughout the Hearing and after the parties have left.
  7. Unless there are exceptional reasons not to do so, the Hearing will proceed according to the following outline:
    - After introductions, the complainant is invited to explain their complaint and how the school has not addressed/resolved the complaint sufficiently, and be followed by their witnesses.
    - The Headteacher may question both the complainant and the witnesses after each has spoken.
    - The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
    - The complainant may question both the Headteacher and the witnesses after each has spoken.
    - The Panel may ask questions at any point.
    - The complainant is then invited to sum up their complaint.
    - The headteacher is then invited to sum up the school's actions and response to the complaint.
    - Both parties leave together while the panel decides on the issues.
  8. The panel can:
    - dismiss the complaint in whole or in part
    - uphold the complaint in whole or in part
    - decide on the appropriate action to be taken to resolve the complaint
    - recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.
  9. The Decision of the Panel will be sent to all parties within 5 school days of the Hearing. The Panel's decision is the final decision of the school-based stages.

## **Managing serial and unreasonable complaints**

If a complainant tries to reopen the same issue as has been dealt with previously in accordance with this Policy, even if to the dissatisfaction of the complainant, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed

The school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain.

If a complainant tries to reopen the same issue as has been dealt with previously in accordance with this Policy, even if to the dissatisfaction of the complainant, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

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.

The 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 an 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 the 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.