

Heathmere Primary School – Complaints Policy

Heathmere



**Respect Resilience
High expectations**

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Role: Headteacher
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Heathmere Primary School is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any concerns and complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

This policy explains that procedure, and the steps that it outlines should be referred to and followed by all pupils and their parents whenever an issue arises that causes them concern.

This policy does not apply to complaints about: admissions, exclusions and staff disciplinary proceedings.

If there is an allegation or concern of a safeguarding nature, the school will seek advice from the Local Authority and if needed will refer the case to Wandsworth Children's Services. If it is decided that there is cause for an official investigation, the decisions by the Local Authority will supersede those made by the school and outlined in this policy. Further information is available in the school's Safeguarding and Child Protection Policy.

Expectations

A person who raises a concern or a complaint against the school can expect the school to:

- Let the person know where to find this policy
- Make a copy of this policy available on request
- Respond within a reasonable timescale
- Be available, within reasonable timescales, to consult on the concern or complaint
- Liaise in a respectful manner at all times
- Attempt to resolve the matter using reasonable means in line with this policy
- Keep them informed of progress towards a resolution

The school expects a person who raises concerns or complaints to:

- Raise the concern or complaint within a reasonable timescale
- Be available, within reasonable timescales, to consult on the concern or complaint
- Liaise in a respectful manner at all times
- Respect the needs and well-being of all pupils in the school
- Attempt to resolve the matter and recognise that this can take some time

Differences between concerns and complaints

Stage 1 and Stage 2 are considered to be concerns. Once the issue moves to Stage 3, it will be classed as a complaint.

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Concerns and Complaints against the Headteacher or Chair of Governors

Where the concern or complaint relates to the Headteacher or the Chair of Governors, alternative arrangements will be put into place to allow the concern or complaint to be considered appropriately. These arrangements will be notified to the complainant following the receipt of the concern or complaint.

Stage 1: Raise the concern with a member of staff

- You should always try and discuss your concern with the member of staff most closely involved in the first instance
- *The concern should be raised as early as possible*
- The school recognises that sometimes this may be difficult, and understands if you wish to discuss your concern with another member of staff. This member of staff will discuss the issue with the member of staff involved
- You will receive a verbal or written response within 5 working days*
- If more time is required to investigate the concern, this will be shared with you

Stage 2: Meet with a senior member of staff

- If you feel that your concern has not been resolved, you may request a meeting with a senior member of staff
- *This meeting should be requested within 15 working days of the concern being raised at Stage 1*
- Either an Assistant Headteacher, the Deputy Headteacher or the Headteacher will meet with you to discuss the concern and agree a way to move forward. This meeting will take place within 5 working days*

Stage 3: Written complaint to the Headteacher

- If you feel that your concern has not been resolved at Stage 2, you should submit a written complaint to the Headteacher either by email or through the office
- *The letter should be written within 15 working days of the meeting that took place at Stage 2*
- This letter should include:
 - The details of the complaint, being as specific as possible
 - What action, if any, you have already taken to resolve the complaint
 - What actions you feel may resolve the issue
- The Headteacher will respond to acknowledge the receipt of your complaint within 5 working days*
- The Headteacher will make every effort to resolve the situation and will write to you with a response to the complaint within 15 working days of receiving the formal complaint*

Stage 4: Written complaint to the Chair of Governors

- If you feel that your concern has not been resolved at Stage 3, you should submit a written complaint to the Chair of Governors either by email or through the front office
- *The letter should be written within 15 working days of the Headteacher's response at Stage 3*
- This letter should include:
 - The details of the complaint, being as specific as possible
 - The reason why you feel the complaint hasn't been resolved at Stage 3
 - What actions you feel may resolve the issue
 - A copy of your initial Stage 3 complaint and the Headteacher's response at Stage 3. If you don't provide this, the Chair of Governors will request for the Headteacher to provide it

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- The Chair of Governors will respond to acknowledge the receipt of your complaint within 5 working days*
- The Chair of Governors will make every effort to resolve the situation and will write to you with a response to the complaint within 15 working days* of receiving the formal complaint. It is likely that the Chair of Governors will request a meeting with you and the Headteacher

Stage 5: Written appeal to the Board of Governors

- If you feel that your concern has not been resolved at Stage 4, you should submit a written complaint to the Clerk of Governors either by email or through the front office
- *The letter should be written within 15 working days of the Chair of Governor's response at Stage 4*
- This letter should include:
 - The details of the complaint, being as specific as possible
 - The reason why you feel the complaint hasn't been resolved at Stage 3 and Stage 4
 - What actions you feel may resolve the issue
 - A copy of your Stage 3 complaint and the Headteacher's response at Stage 3 and a copy of your Stage 4 complaint and the Chair of Governor's response at Stage 4. If you don't provide this, the Clerk will request copies from the Headteacher and Chair of Governors
- The Clerk will respond to acknowledge the receipt of your complaint within 5 working days*
- A panel of 3 members will be formed from the Governing Body to hear the complaint. No members of the panel will have any previous knowledge of the complaint. The panel will select their own chair. The remit of the appeal is to:
 - Dismiss the complaint in whole or part
 - Uphold the complaint in whole or part
 - Decide of 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.
- The panel meeting will be convened within 25 working days* of the Stage 5 complaint being received
- You will receive a written response from the panel within 5 working days* of the panel meeting
- This letter will confirm the end of the involvement by the school and governing body and explain any further rights of appeal

Wandsworth Local Authority

Local Authorities are not part of the formal statutory process for school complaints. However, Heathmere Primary School works closely with Wandsworth Local Authority and governors believe there can be value in using a mediation process for some complaints. If both parties are in agreement, Governors have agreed to offer Local Authority mediation at this stage before a complaint is escalated to the Secretary of State for Education.

Mediation is an effort to bring the two parties together; it does not formally reinvestigate or propose remedies. Wandsworth Local Authority mediation service can not impose a resolution to a complaint. Wandsworth involvement in mediation shall be time limited to no more than six weeks; school term times will need to be taken into consideration. Should a resolution fail to be reached within this time period, the complainant will be advised of their right to escalate their complaint to the Secretary of State for Education.

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Appendix: Overview of School Concerns and Complaints Procedure

Depending on the nature of the issue raised, the process may be expediated and advanced through stages.

Stage 1: Talk to a member of staff

Raise your concern as soon as possible
*School will respond within 5 working days**

Stage 2: Meet with a senior member of staff

Request the meeting within 15 working days of the Stage 1 response
*School will arrange a meeting within 5 working days**

Stage 3: Write to the Headteacher

Write within 15 working days of the Stage 2 response
*The Headteacher will respond within 15 working days**

Stage 4: Write to the Chair of Governors

Write within 15 working days of the Stage 3 response
*The Chair of Governors will respond within 15 working days**

Stage 5: Complaints Appeal Panel

Write within 15 working days of the Stage 2 response
*A panel will convene within 25 working days**
*The panel will give a written response within 5 working days of the meeting**

Stage 6: Follow the Government Guidance

www.gov.uk/complain-about-school

*The school will endeavour to remain within these timeframes, however where this is not possible, the complainant will be kept informed and provided with appropriate new timescales

Working days refer to days when the staff members are expected to be at school. They do not include weekends or school holidays but do include teacher training days

Should a written complaint be received during school holidays or when the school is otherwise closed, it will be progressed in accordance with this policy within 5 working days of when the school re-opens

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Persistent or Vexatious Complaints and/or Harassment

Definition of a persistent or vexatious complaint

For the purposes of this policy, a persistent/vexatious complainant is someone who frequently raises or complaints about issues, either formally or informally, and whose behaviour is unreasonable. Such behaviours may be characterised by:

- Actions which are obsessive, persistent, harassing, prolific, repetitious
- Prolific or excessive contact (in person, by post, email or telephone) about an issue or concern
- Using Freedom of Information requests excessively and unreasonably
- An insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes
- An insistence upon pursuing complaints in an unreasonable manner
- An insistence on only dealing with one particular member of staff on all occasions, irrespective of the issue and the level of delegation in the school to deal with such matters
- An insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed e.g. if the desired outcome is beyond the remit of the school

Definition of harassment

For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in the points above in such a way that they:

- Appear to be targeted over a significant period of time on one or more members of the staff and/or
- Cause ongoing distress to individual members(s) of staff and/or
- Have a significant adverse effect on the whole/part of the school community and/or
- Are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health; and/or affecting the recipient's ability to do his/her job by taking up a disproportionate amount of time

School actions in the case of persistent or vexatious complaints and/or harassment

In the first instance the school will verbally inform you that your behaviour is considered to be becoming unreasonable or unacceptable and, if it is not modified, action may be taken in accordance with this policy. This will be confirmed in writing. If the behaviour is not modified, the school will take some or all of the following actions as necessary, having regard to the nature of your behaviour and its affect on the school community:

- Inform you in writing that your behaviour is now considered by the school to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy
- Inform you that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties
- Inform you that, except in emergencies, all routine communication between yourself and the school should be by letter or email only
- In the case of physical or verbal aggression, take advice from HR/Legal Services and consider warning you about being banned from the school site; or proceed straight to a temporary site ban
- Consider taking advice on pursuing a case under anti-harassment legislation
- Consider putting in place a specific procedure for dealing with your complaints

Legitimate, new complaints may still be considered even if the person making them is, or has been, subject to the policy for dealing with Persistent or Vexatious Complaints and/or Harassment.

