



# Harden Primary School Academy Trust

## COMPLAINTS POLICY

At Harden Primary 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 believe that we work very hard to build positive relationship with all parents and others and that we can keep complaints to a minimum by forging strong positive relations with everyone connected with the school and by having in place very good lines of communication.

However we are aware that under the Education Act 1996 parents have the right to complain directly to the Local Authority about any matter relating to the school's curriculum and any issue relating to the general educational that we provide and therefore under Section 39 of the School Standards and Framework Act we are required to have in place clear procedures to deal with complaints made against the school or individuals connected with it.

A copy of this policy can be found on the school website. Hard copies are also available from the school office.

## OUR AIM

- To uphold the standards of courtesy and reasonableness that should characterise all communication between the School and persons who wish to express a concern or pursue a complaint.
- To deal with any complaint against the school or any individual connected with it by following the correct procedures.
- To support the well-being of students, staff and everyone else who has legitimate interest in the work of the School, including governors and parents.
- To deal fairly, honestly, openly and properly with those who make persistent or vexatious complaints and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment.
- To work with other schools to share good practice in order to improve this policy.

## PROCEDURE

### Informal Stage

The majority of complaints/issues can be resolved informally 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, in the first instance the class teacher or alternatively Assistant Head Teacher, Wellbeing Manager or a member of the SLT



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depending on the nature of the concern. The member of staff will usually write notes during the meeting. A copy of these notes can be requested by the parent/carer.

### Formal Stages

There are three school-based formal stages (see overview of process at Appendix A):

#### Stage 1

If a parent/carer is dissatisfied after the informal stage, they, or the member of staff can refer the matter to the Head Teacher. This should be in writing, as this will often make the situation clear to all involved parties.

The Head Teacher will offer a meeting with the parent/carer or other complainant at a mutually convenient time to discuss and clarify what the issues are and what the parent/carer wants to achieve.

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, explaining the reasons for this and giving a timescale for when the investigation will be completed. Harden Primary School Academy Trust together all parties will agree an acceptable outcome that is to the satisfaction of all parties involved. This should be written down and agreed by all parties so there is no misunderstanding and all parties should receive a copy.

#### 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 should 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 will offer to meet with the parent/carer or other complainant, at a mutually convenient time.

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 explaining the reasons for the delay and when it is expected that the investigation will be completed. Reasons for the delay may be that the complaint is complex and needs more time or someone involved is absent through sickness or holidays.

#### Stage 3



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If the complaint remains unresolved 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. As far as possible it is recommended that Complaints Committees are a last resort.

The Chair of Governors will appoint a member of the Governing Body as 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 will be given a copy of this report. It is important that the investigating officer is seen as impartial so s/he will not be a member of the associated Complaints Committee.

The Complaints Committee is made up of three members of the Harden Primary School's Governing Body. One member of the panel will be independent of the management and running of Harden Primary School Academy.

The Complaints Committee will 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 recorded by the Clerk to Governors and everyone present will be given a copy of the minutes.

The Committee will give its decision, in writing, within five school days after the meeting, along with the reasons for its decision.

If after this school-based process the complaint is still not resolved to the parent/carer's satisfaction, they should write to the Secretary of State for Education if it is a general complaint or to the Local Authority if the complaint is about the curriculum and is a curriculum related matter.

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 one year after the incident/situation.

If a complaint is made about an issue that is over a year old the school will write to the complainant explaining why this is the case.



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## VEXATIOUS COMPLAINTS

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the GB is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

## WHO IS A PERSISTENT COMPLAINANT?

For the purpose of this policy, a **persistent complainant** is a parent/carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the School and whose behaviour is unreasonable. Such behaviour may be characterised by:

- a) actions which are obsessive, persistent, harassing, prolific,
- b) repetitious
- c) prolific correspondence or excessive e-mail or telephone contact
- d) about a concern or complaint
- e) an insistence upon pursuing unsubstantial complaints and/or
- f) unrealistic or unreasonable outcomes
- g) d) an insistence upon pursuing complaints in an unreasonable manner
- h) e) an insistence upon repeatedly pursuing a complaint when the
- i) outcome is not satisfactory to the complainant but cannot be
- j) changed, for example, if the desired outcome is beyond the remit of
- k) the school because it is unlawful.

For the purpose of this policy, **harassment** is the unreasonable pursuit of such actions as in (a) to (e) above in such a way that they:

- a) appear to be targeted over a significant period of time on one or more members of school staff and/or
- b) cause on going distress to individual member(s) of school staff and/or
- c) have a significant adverse effect on the whole/parts of the school community and/or
- d) 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,



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whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health.

### **THE SCHOOL'S ACTIONS IN CASES OF PERSISTENT OR VEXATIOUS COMPLAINTS OR HARASSMENT**

In the first instance the School will verbally inform the complainant that his/her behaviour is considered to be becoming unreasonable and/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 the complainant's behaviour and the effect of this on the school community:

- a) Inform the complainant in writing that his/her behaviour is now considered by the School to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy
- b) Inform the complainant 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
- c) Inform the complainant that, except in emergencies, all routine communication with the complainant to the School should be by letter only (in the case of physical or verbal aggression) refer to Joint Local Authority-Police Guidance for Schools, "Dealing with Abuse, Threats and Violence Towards School Staff", and consider warning the complainant about being banned from the School site; or proceed straight to a temporary ban.
- e) Consider taking advice on pursuing a case under Anti-Harassment legislation Reporting violent and threatening behaviour or behaviour which harasses any member of staff or shows discrimination to any member of staff to the police.
- f) If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the School may resume the process identified above at an appropriate level. In these circumstances advice may be sought from the Local Authority.

### **REVIEW**

The School will review as appropriate, and at a minimum once in a school year, any sanctions applied in the context of this policy.

### **RESPONSIBILITY FOR THE POLICY AND PROCEDURE**



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## Role of the Governing Body

The Governing Body has:

- a duty to have in place a complaints procedure;
- delegated powers and responsibilities to the Head Teacher to ensure all school personnel and visitors to the school are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- responsibility for ensuring all policies are made available to parents;
- responsibility for the effective implementation, monitoring and evaluation of this policy

## Role of the Head Teacher

The Head Teacher will:

- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy;
- annually report to the Governing Body on the success and development of this policy

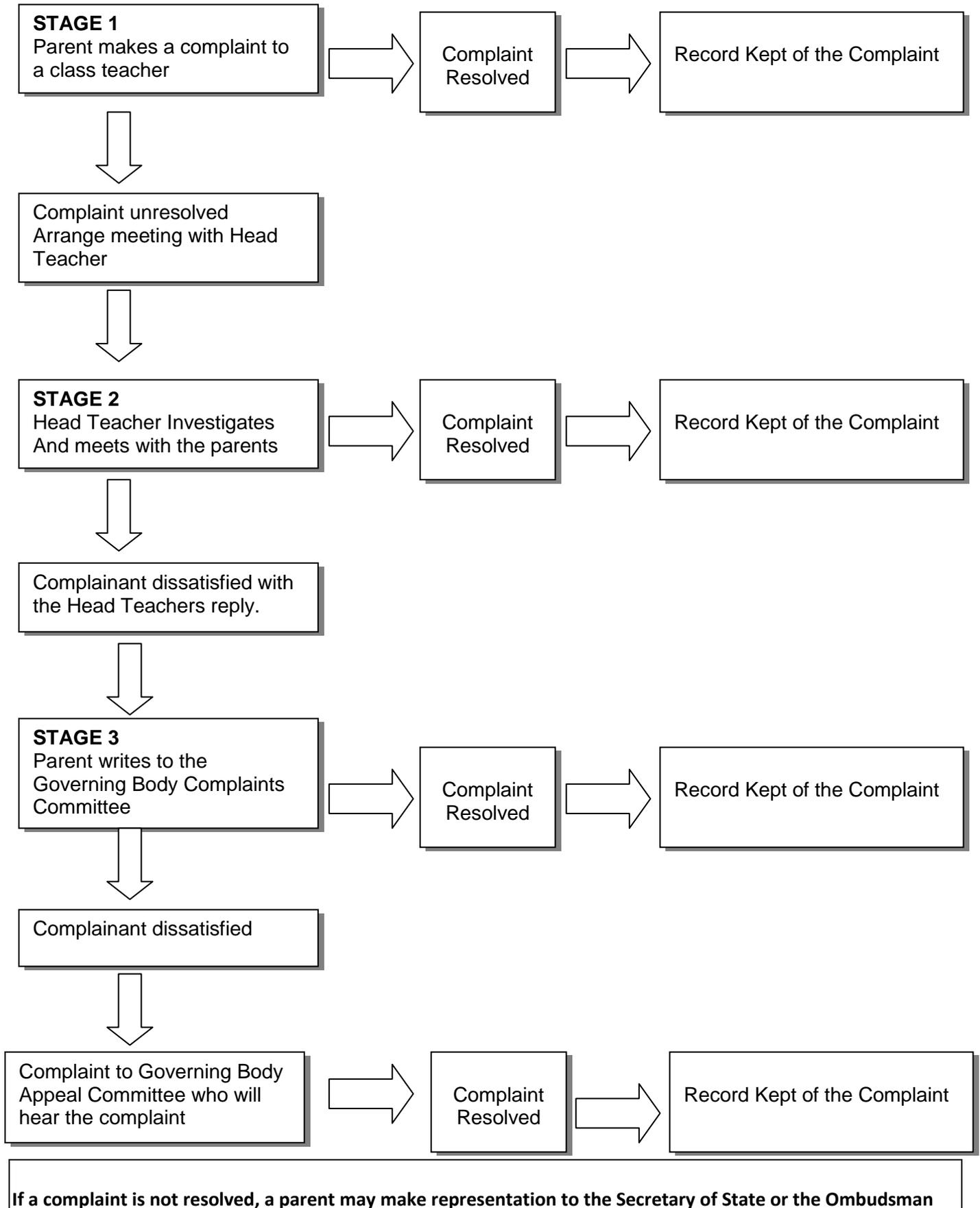
## Monitoring and Review

- The Head Teacher logs all complaints received by the school, records how they were resolved and reports to Governors termly.
- Governors will monitor the process of dealing with complaints.
- Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy.



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## Harden Primary School Academy Trust - Formal Stages of School Complaints Policy Appendix A





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## Harden Primary School Academy Trust - Form for School Complaints Procedure Appendix

Please complete and return to Head Teacher who will acknowledge receipt and explain what action will be taken.

Your name: \_\_\_\_\_

Pupil's name: \_\_\_\_\_

Your relationship to the pupil: \_\_\_\_\_

Address: \_\_\_\_\_

Post Code: \_\_\_\_\_

Day time telephone number: \_\_\_\_\_

Evening telephone number: \_\_\_\_\_

Please give details of your complaint:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response?)

\_\_\_\_\_  
\_\_\_\_\_

What actions do you feel might resolve the problem at this stage?

\_\_\_\_\_  
\_\_\_\_\_

Are you attaching any paperwork? If so, please give details. \_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date