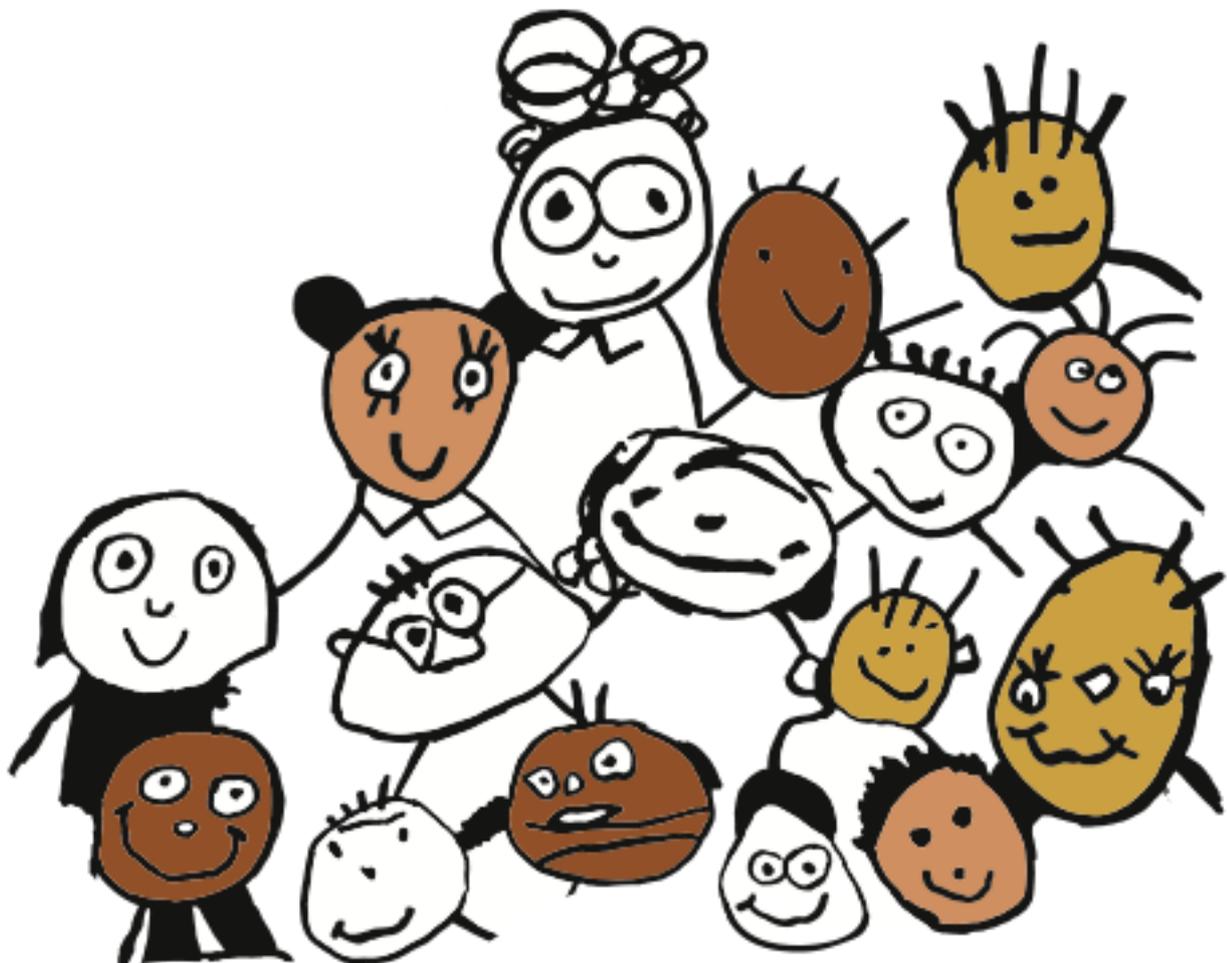




**St Margaret's**  
CE Primary School

# Concerns and Complaints Policy

Member of staff responsible:	Alison White
Date policy written:	September 2017
Date to be reviewed:	September 2018
Date approved by Governing Body:	October 2017



## Concerns and Complaints Policy

This policy should be used in conjunction with the DFE Guidance: School Complaints Procedure

### INTRODUCTION

The majority of issues raised by parents, the community or pupils are concerns rather than complaints.

St Margaret's CE Primary School is committed to ensuring there is good communication with parents, community and pupils so that any concerns are dealt with quickly and do not become problems.

Good communication is the key to keeping the number of formal complaints to a minimum. However, depending on the nature of the complaint, you may wish or be asked to follow the school's formal complaints procedure. For the school to be able to investigate a complaint, it needs to be made within three months of the incident occurring. If a complaint is older than three months it will not be investigated.

The prime aim of St Margaret's CE Primary School's policy is to resolve the complaint as fairly and speedily as possible. All complaints will be dealt with in a sensitive, impartial and confidential manner.

Malicious complaints may result in school taking appropriate action.

### RAISING A COMPLAINT

Complaints will be dealt with in the following way:

#### Stage 1

A concern is raised informally with a staff member

#### Stage 2

Formal complaint is heard by an appropriate member of staff

#### Stage 3

Complaint is heard by Headteacher/ Deputy Headteacher

#### Stage 4

Complaint is heard by Governing Body's Complaints Appeal Panel

#### Stage 1 Raising a concern

Concerns can be raised with the school at any time and will often generate an immediate response which will resolve the concern. The school requests that parents make their first contact with the child's Class Teacher and/ or the Phase Leader. On some occasions the concern raised may require investigations, or discussion with others, in which case you will receive a verbal, informed response within a day or two. The majority of concerns will be satisfactorily dealt with in this way.

However, if you are not satisfied with the outcome at Stage 1:-

- Write to the school (addressed to the Head Teacher) within 10 school working days.
- State what you would like the school to do.
- School will then look at your complaint at the next stage.

#### Stage 2 – Complaint heard by an appropriate staff member.

The formal complaint will be logged, including the date it was received. The School will acknowledge receipt of the complaint normally within 2 school working days of receiving it. In many cases this response will include action being taken by the school to resolve the issue. Alternatively, a meeting may be convened to discuss the matter further; the aim will be to resolve the matter as speedily as possible. This meeting will take place normally within 10 school working days.

However, if you are not satisfied with the outcome at Stage 2:-

- Write to the school within 10 school working days of getting our response.
- State why you are still not satisfied and what you would like the school to do.
- School will then look at your complaint at the next stage.

#### Stage 3 – Complaint heard by Headteacher/ Deputy Headteacher

If the matter has not been resolved at Stage 2, the Headteacher/ Deputy Headteacher will arrange further investigation. Following the investigation, the Headteacher/ Deputy Headteacher will give a written response normally within 10 school working days.

However if you are not satisfied with the outcome at Stage 3:-

- Write to the Chair of Governors & School within 10 school working days of getting the response.
- State why you are still not satisfied and what you would like the school to do.
- The Chair of Governors will then look at your complaint at the next stage.

#### Stage 4 – Complaint heard by the Governing Body's Complaint Appeal Panel

If the matter has still not been resolved at Stage 3:-

- The Chair of Governors or a nominated Governor will convene a complaints panel.
- The hearing will take place normally within 10 school working days of the receipt of the written request for Stage 4 investigation.
- All parties will be notified of the Panel's decision in writing within three school working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further. The aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. The Governors appeal hearing is the last school-based stage of the complaints process.

For general advice and guidance about the school's complaints procedure please contact Manchester City Council Corporate Complaints Team at [cct@manchester.gov.uk](mailto:cct@manchester.gov.uk)

#### COMPLAINTS REGARDING THE CONDUCT OF THE HEADTEACHER

In cases where the matter concerns the conduct of the Headteacher, the Headteacher and Chair of Governors should be informed of the complaint. The Chair will arrange for the matter to be investigated.

In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint.

#### MONITORING AND REVIEW

The governors will monitor the complaints procedure, in order to ensure that all complaints are handled properly.

The Headteacher should log all complaints covered by this policy which are received by the school and record how they were resolved.

A designated Governor should examine this log on an annual basis and report back to the Full Governing Body in order to inform subsequent reviews.

#### UNREASONABLE COMPLAINTS

St Margaret's CE Primary 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.

St Margaret's CE Primary 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 St Margaret's CE Primary 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 St Margaret's CE Primary School.

#### **BARRING FROM THE SCHOOL PREMISES**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. St Margaret's CE Primary School 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 license to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. St Margaret's CE Primary School will always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar will then be reviewed, taking into account any representations made by the parent. If the decision is confirmed the parent will 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 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.