



MARTONGATE PRIMARY SCHOOL COMPLAINTS POLICY 2018

Introduction:

Martongate primary School is committed to the provision of the highest quality education to the children and families that it serves. However, we recognise that there will be times when our stakeholders and members of the wider community will have some concerns, and we commit to dealing with those concerns in a professional and timely manner. This policy sets out the framework and detail by which people can raise their concerns, and the manner in which we will seek to resolve them.

As a general principle, we believe that the expression of a concern is a good thing as it helps us to see the school through another's eyes, helps us to refine our practice and helps us to keep our school a happy and harmonious place. This being the case, we encourage a dialogue between home and school and commit to being available for informal conversations and information sharing by:

- Using Class DOJO or similar messaging tools
- The headteacher and/or Deputy Headteacher being available before school on the playground
- All entrance doors being manned by support staff before and after school
- Making an informal appointment to speak to Headteacher, Deputy, Headteacher, Phase Leader or Teacher
- Taking phone calls when staff are available, or returning calls as soon as practically possible, usually within 24 hours

Through these means we expect to find out about concerns early and expect our staff to take the appropriate action to resolve it (the same day wherever possible). This may be through explanation, reassurance, guidance, advice and/or some remedial action.

On the rare occasions where there are serious concerns that have not been able to be addressed in this way, then there is a 'Formal' Complaints procedure which is outline in the next section of this policy.

NB. Formal complaints will only be investigated if they are made within 3 months of the original incident that prompted the complaint.

- Stage 1 – Formal complaint is made to the Headteacher (unless it is about the Headteacher in which case it should be addressed to the Chair of Governors)
- Stage 2 – Where the Headteacher (or Chair) has been unable to resolve the issue, the complaint is heard by Governing Body's Complaints Appeal Panel.

Stage 1 – Complaint heard by the Headteacher (or Chair)

Formal complaints should be made in writing using the school's Complaints Form (Appendix 1). NB. If complainants would like help in completing this form, they should contact the school office who will arrange a private meeting to assist them in a confidential, supportive and sensitive manner.

The school will normally acknowledge receipt of the complaint within 2 school working days of receiving it. In many cases this response will also report on the action the school has taken to resolve the issue. Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within 5 school working days. The aim will be to resolve the matter as speedily as possible to everyone's satisfaction, but if the complainant is not satisfied they should write to the school within 10 school working days of getting our response, explaining why they are still not satisfied and what you would like the school to do.

Stage 2 – Complaint heard by the Governing Body's Complaints Appeal Panel

If the matter has still not been resolved at Stage 1, then the complainant should write the Chair of Governors giving details of the complaint (unless the complaint is about the Chair, in which case this should be addressed to the Complaints Committee). The Chair or a nominated Governor will convene a complaints panel. This panel will comprise 3 governors who have no previous knowledge of the original complaint. Complainants have the right to request an independent panel if they believe that there is likely to be bias in the proceedings, however the final decision as to whether this is necessary lies with the Board of Governors.

This panel will determine if the school's policies and accepted practice has been followed, and to consider if there is anything further that the school can reasonably do to impartially resolve the complaint and to achieve reconciliation between the school and the complainant.

All relevant 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 details of what complainants should do if they wish to take the matter further.

The hearing will normally take place within 10 school working days of the receipt of the written request.

The Governors appeal hearing is the last school-based stage of the complaints process. As the Local Authority does not deal with complaints, any further complaints should be addressed to:

The Secretary of State for Education, Department for Education, Sanctuary Buildings
Great Smith Street, London, SW1P 3BT

SERIAL, PERSISTENT, UNREASONABLE OR AGGRESSIVE COMPLAINTS

Martongate Primary School is committed to treating children and stakeholders with all due care and respect and anticipates that this respect will be reciprocated by all.

Whilst we understand that parents in particular care deeply about their children and so can get emotional when they feel that their care could be improved, it is important that these guidelines be followed to ensure that the school retains its caring and happy environment.

Assuming that the complaints procedure has been followed, and the matter concluded in line with this policy, the school will not enter into any further correspondence and discussion with the complainant, unless a new complaint is fundamentally different to the original complaint.

If complaints are made in an aggressive or threatening manner, the staff member will conclude the meeting and will arrange a further meeting when tempers have calmed.

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, through a third party, in writing, via social media or electronically, if the complaint:-

- is malicious
- is aggressive or offensive
- uses threats, intimidation or violence
- uses abusive, offensive or discriminatory language
- is knowingly false
- uses falsified or misleading information;
- makes uninformed assumptions without previously contacting the school
- Gives one-sided versions of events without giving due credit for how the school has tried to help

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 Martongate 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 our school premises.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools 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 licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted.

If the decision is confirmed the parent should 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 or email, 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.



COMPLAINTS FORM FOR STAGE 1 COMPLAINTS

DATE	
NAME OF COMPLAINANT	
COMPLAINANT'S PREFERRED CONTACT DETAILS	
PLEASE DESCRIBE THE NATURE OF THE COMPLAINT	
PLEASE DESCRIBE THE OUTCOME THAT YOU FEEL IS APPROPRIATE	

THIS SECTION OF THE COMPLAINT FORM IS USED BY THE SCHOOL
TO DETAIL THE RESPONSE TO THE COMPLAINT

DATE COMPLAINT RECEIVED	
COMPLAINT INVESTIGATED BY	
DETAILS OF INVESTIGATION (INCLUDE DETAILS OF WITNESSES AND OTHER INTERVIEWS CONDUCTED)	
DETAILS OF ANY ACTIONS TAKEN	
WAS THE COMPLAINT SATISFACTORILY RESOLVED?	
DETAIL ANY FURTHER ACTION THAT NEEDS TO BE TAKEN AND BY WHOM	
DATE THAT RESULT WAS COMMUNICATED TO COMPLAINANT	

THIS FORM TO BE RETAINED IN COMPLAINTS FILE BY THE HEADTEACHER

APPENDIX 2
COMPLAINTS NOT COVERED BY THIS POLICY

EXCEPTION	WHO TO CONTACT
<p>Admissions to schools</p> <p>Statutory assessments of Special Educational Needs (SEN)</p> <p>School re-organisation proposals</p> <p>Matters likely to require a Child Protection Investigation</p>	<p>Concerns should be raised direct with local authorities (LA). For school admissions, it will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.</p>
<p>Exclusion of children from school</p>	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions</p>
<p>Whistleblowing</p>	<p>Schools have an internal whistleblowing procedure for their employees and voluntary staff.</p> <p>Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk</p> <p>or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD.</p> <p>The Department for Education is also a prescribed body for whistleblowing in education.</p>
<p>Staff grievances and disciplinary procedures</p>	<p>These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>
<p>Complaints about services provided by other providers who may use school premises or facilities.</p>	<p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.</p>
<p>Complaints about catering, Caretaking, Grounds maintenance, Buildings Maintenance and cleaning</p>	<p>These services are provided by an external company as part of a Private Finance Initiative brokered by the East Riding Council. Complaints should be addressed to '1440' c/o Martongate Primary School. This complaints may be handed into the school office and we will pass them on for you</p>



INCIDENT/COMPLAINT RECORD

DATE AND TIME OF INCIDENT:
REPORTED BY:
REPORTED TO:
NATURE OF INCIDENT/COMPLAINT:
NAME/S OF WITNESSES:
DESCRIPTION OF INCIDENT/DETAILS OF COMPLAINT:
FOLLOW UP ACTIONS INCLUDING DISCIPLINARY ACTIONS: