

Aspire, Believe - Together Achieve

Complaints Policy

Date approved by Governors	May 19
Review Date	May 2022
Signed Chair of Governors	Totale
Signed Head Teacher	Snams



Let your light so shine before men, that they may see your good works and glorify your father, which is in heaven. Matthew 5:16

At St. Barnabas, we serve our community with great pride; Christian teachings provide guidance for our staff and pupils to make positive life choices, enable us to be a fully inclusive setting that celebrates our differences and models tolerance, acceptance and respect for one another.

We pride ourselves on building great working relationships with our pupils, parents and wider community, empowering personalisation. Our shared value and core belief that every child has many contributions to offer our world is underpinned by our vision – Let Your Light Shine. Matthew 5:16

Complaints Policy St Barnabas Primary School

1 Complaints and the scope of this policy

1.1 This policy covers all complaints about any provision of facilities or services that the school provides with the exceptions of those elements listed below, for which there are separate (statutory) procedures.

Exceptions	Who to Contact
 Admissions to schools Statutory assessment of Special Educational Needs School Reorganisation proposals 	Concerns should be raised direct with the local authority (LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.
 Matters likely to require a Child Protection Investigation 	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.
	If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding.
Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . The school has an appeals process, which parents are informed of when their child is subject to this process Complaints about the application of the
	behaviour policy can be made through the school's complaints procedure.
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.

Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct. However, the school would appreciate being informed of brief details of any complaint against a service provider based on the school premises.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

- 1.2 A Complaint under this policy may be generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.
- 1.3 Any person, including members of the general public, may make a complaint about any provision of facilities or services that our school provides, unless separate statutory procedures apply (as outlined in 1.1 above).

2 Dealing with Complaints – Initial concerns

- 2.1 This policy deals with complaints, but it is hoped that any problems raised should, if at all possible, be handled and settled without the need for formal procedures. The existence of the complaints procedure is not intended to discourage efforts to resolve the concern informally.
- 2.2 In most cases the first informal approach will be through the class teacher and it is likely that staff will be able to resolve issues following this initial exchange. When meeting with the class teacher to raise your concerns, please be patient, as the teacher may need time to perform an investigation or put corrective measures in place and then determine their effectiveness. This informal stage may require several meetings to reach a conclusion satisfactory to all parties.
- 2.3 If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In such a case please contact the Headteacher who will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

2.4 If a complainant feels that a concern has not been solved through discussions with the class teacher, or that it is of a sufficiently serious nature, then an appointment to discuss it with the Headteacher should be made. The Complainant should indicate that the appointment is regarding a concern that could escalate to a possible complaint.

3 General Principles Regarding Any Complaint

- 3.1 The following principles will apply to the handling of any complaint:
 - The complaint will be handled with care and sensitivity.
 - All stages of investigation of the complaint procedure will be handled in a non-adversarial manner.
 - Confidentiality will be respected at all times
 - Responses to any complaint will be prompt (usual timescales are detailed below)
 - The Complainant will be given adequate feedback and kept informed of timescales
 - Any investigation will be thorough and fair and seek resolution and/or make recommendations.
 - Any investigation will address all the points at issue which are within the school's jurisdiction.
- 3.2 Complaints should normally be raised within 3 months of any incident, although complaints made outside this time limit will be considered if there are exceptional reasons for the delay. Once a complaint is made it will be dealt with as submitted and should not be added to during the process. We will consider complaints made outside of term time to have been received on the first school day after the holiday period.
- 3.3 If any Governor is contacted directly regarding a complaint then that Governor will refer the person to this complaints procedure. Individual Governors cannot act unilaterally by investigating a complaint or making any prior judgement about it. The Governor can only refer the matter back to the class teacher, the Headteacher or the Chair of Governors as appropriate.
- 3.4 If at any stage of a complaint it becomes apparent that the Complainant is seeking some sort of financial compensation then any investigation will be halted whilst advice is sought from the Local Authority Risk and Insurance Manager.
- 3.5 Children attending the school will only be called on as witnesses in very exceptional circumstances and, in such circumstances, parents will be informed. The child must be accompanied by a parent or member of staff during any meetings.
- 3.6 If an anonymous complaint is received, or the Complainant requests anonymity, then the Complainant will be urged to identify themselves in the interests of fairness and of dealing effectively with the complaint. However, if the anonymous complaint is of a sufficiently serious nature then the Head teacher or Chair of Governors will decide whether action is appropriate.

- 3.7 If an anonymous complaint raises child protection issues then the complaint will be referred immediately to the Local Authority.
- 3.8 The Complainant should not attempt to bypass steps in the complaints procedure. It should be noted that escalation to the Local Authority or Secretary of State levels before the formal school procedures have been exhausted will result in the Complainant being referred back to the school's procedure by those bodies.
- 3.9 In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.
- 3.10 If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.
- 3.11 If a complainant commences legal action against the school in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

4. Stages of the Complaints Procedure

4.1 Resolving complaints

At each stage in the procedure, our goal is to resolve the complaint. When appropriate, we will acknowledge that the complaint is either:

- Upheld in whole or in part
- Dismissed in whole or in part.

or

Is inconclusive.

. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it
 will not happen again and an indication of the timescales within which any changes
 will be made
- an undertaking to review school policies in light of the complaint
- an apology.

- 4.2 If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.
- 4.3 The following procedures will need to be invoked when initial attempts to resolve the issue (see Part 1 above) are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
- 4.4 There are 2 stages in the procedures:
 - Stage 1 Complaint made to the Head teacher.
 - Stage 2 Unresolved complaint escalated to the Complaints Committee of the Governing Body.

5 Stage 1 Complaint

- 5.1 Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form Appendix B), or by telephone. Complainants are strongly advised to use the Complaint form as this will assist in the complaint being most effectively investigated.
- 5.2 The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.
- 5.3 Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.
- 5.4 The Headteacher may delegate the investigation to another member of the school's senior leadership team, but not the decision to be taken.
- 5.6 During the investigation, the Headteacher (or investigator) will:
 - if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
 - keep a written record of any meetings/interviews in relation to their investigation.
- 5.7 At the conclusion of the investigation, the Headteacher will provide a formal written response within 10 school days of the date of receipt of the complaint.
- 5.8 If the Headteacher is unable to meet the deadlines above, the complainant will be provided with an update and revised response date.
- 5.9 The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions that will be taken to resolve the complaint.
- 5.10 The Headteacher will advise the Complainant of how to escalate the complaint, should there remain dissatisfaction with the outcome of Stage 1.

- 5.11 If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.
- 5.12 Complaints about the Headteacher or a member of the governing body must be made to the Chair of Governors, via the school office. A complaint against the Chair of Governors must be made to the Clerk of Governors, via the school office.
- 5.13 If the complaint is:
 - jointly about the Chair and Vice Chair or
 - the entire governing body or
 - the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body.

- 5.14 At the conclusion of their investigation, the independent investigator will provide a formal written response.
- 5.15 If discussions between the Head teacher and the Complainant do not resolve the issue to the Complainant's satisfaction, then the Head teacher will advise the Complainant that he/she may make a formal complaint to the Governing Body. This should be by putting the complaint in writing (using the Complaint Form) to the Chair of Governors within 15 school days.

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6 Stage 2

- 6.1 A Complainant who is
 - dissatisfied with the outcome at Stage 1

and

wishes to take the matter further,

can escalate the complaint to Stage 2 – a meeting with members of the Governing Body's Complaints Committee, which will be formed of three, impartial, governors. This is the final stage of the complaints procedure.

- 6.2 A request to escalate to Stage 2 must be made to the Chair of Governors, via the school office, within 15 school days of receipt of the Stage 1 response.
- 6.3 The Chair of Governors (or a nominated alternative) will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

- 6.4 Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- 6.5 The Complaints Committee will normally consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee.
- 6.6 If there are fewer than three governors from the school available, the Chair of Governors (or a nominated alternative) will source any additional, independent, governors from another school or through the LA's Governor Services team, in order to make up the Committee.
- 6.7 Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.
- 6.8 The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.
- 6.9 In the event of a meeting, the Chair of the Complaints Panel (or a nominated alternative) will write to the complainant to inform them of the date of the meeting. The aim will be to convene a Committee meeting within 10 school days of receipt of the Stage 2 request. If this is not possible, the Chair of the Complaints Panel (or a nominated alternative) will provide an anticipated date and keep the complainant informed.
- 6.10 If the complainant rejects the offer of three proposed dates, without good reason, the Chair of the Complaints Panel (or a nominated alternative) will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- 6.11 Where a meeting is to be held the Complaints Panel will meet with all parties to the complaint, formally and separately. These meetings will be held at location(s) acceptable to all parties (although, in the event of disagreement the Chair of the Panel will have the final say on location).
- 6.12 The primary function of the Complaints Panel is to decide on the merits or otherwise of the complaint. The panel will therefore also play an important role in attempting to resolve the complaint.
- 6.13 The Panel will give the all parties impartial hearings, without prejudice. It will establish the facts and make recommendations in an attempt to help resolve the issue and achieve a reconciliation between the parties concerned.
- 6.14 If the complainant is invited to attend the meeting a relative or friend may be brought along to provide support. Other parties may also bring a representative. Any such person can only speak in exceptional circumstances, where the Complaints Panel agrees that this is necessary.

- 6.15 Generally, we do not encourage either party to bring legal representatives to the Complaints meeting. If any party wishes to do so, the Chair of the Complaints Panel must be informed at least 5 school days before the meeting. If legal representation is present on the day and the Committee has not been informed (as set out above) the right is reserved to adjourn the meeting to a future date.
- 6.16 Representatives from the media are not permitted to attend.
- 6.17 The procedure for the meeting with the complainant will be as follows:
 - Introductions will be performed by the Chair of the Complaints Panel
 - The Complainant makes a statement of their complaint and the outcome sought
 - The panel will question the Complainant
 - The Complainant may make a final statement
- 6.18 The meeting will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. This must be prior requested from the Chair of the Committee.
- 6.19 Meetings with other parties will follow a similar format.
- 6.19 Meetings will be minuted. It may be appropriate for a member of staff such as the school secretary to act as Clerk, although consideration will be given to the sensitivity of the particular complaint. The decision of the Chair of the Committee is final in this matter.
- 6.20 At least 7 school days before the meeting, the Chair of the Complaints Panel (or a nominated alternative) will:
 - Request copies of any further written material to be submitted to the committee, via the school office (addressed to the Chair of the Committee) at least 5 school days before the meeting.
- 6.21 Any written material will be circulated to all parties before the date of the meeting. The committee will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed and written consent of all parties being recorded.
- 6.22 The committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure. Complainants should try to limit communications with the school (relating 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.

- 6.22 The committee will consider the complaint and all the evidence presented. The committee can:
 - uphold the complaint in whole or in part
 - dismiss the complaint in whole or in part.
 - decide the complaint is inconclusive.
- 6.23 If the complaint is upheld in whole or in part, the committee will:
 - decide on the appropriate action ,it considers necessary to be taken, to resolve the complaint
 - where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.
- 6.24 The decision reached by the panel will be notified in writing to the Complainant, the school and any subject(s) of the complaint within 14 school days of the final meeting. It will provide a full explanation of the decision and the reason(s) for it, in writing. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school has been requested to take to resolve the complaint.
- 6.25 It will also be reported back to the next meeting of the full governing body. Only a brief summary will be provided, with no detailed or named information.
- 6.26 The letter to the complainant will include details of how to contact the Department for Education if there is dissatisfaction with the way the complaint has been handled.
- 6.27 If the complaint is:
 - jointly about the Chair and Vice Chair or
 - the entire governing body or
 - the majority of the governing body

Stage 2 will be heard by a committee of independent, co-opted governors following the details as set out above.

6.28 Where it is not possible to action the timescales as set out above, the Complainant will be informed in writing of the reason for the delay and given an anticipated response date(s).

7 Next Steps

- 7.1 If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.
- 7.2 The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the Complaints Committee. It will consider whether relevant education legislation and any statutory policies connected with the complaint have been adhered to.
- 7.3 The complainant can refer their complaint to the Department for Education
 - online at: www.education.gov.uk/contactus,
 - by telephone on: 0370 000 2288
 - by writing to:
 Department for Education
 Piccadilly Gate
 Store Street
 Manchester
 M1 2WD.

8 Serial and Persistent Complaints

- 8.1 We are 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 our school. 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 Governing Body (or alternative nominated by the Chair) is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.
- 8.2 The application of a 'serial or persistent' marking will be against the subject or complaint itself rather than the complainant.

9 School Policy for Unreasonable Complainants and Harassment

- 9.1 The Head Teacher and Governing Body are fully committed to the improvement of our school. We welcome feedback from parents / carers and will always try to resolve any concerns as quickly as possible.
- 9.2 However, a Complainant may not treat staff, or others, in a way that the school considers unacceptable. Whilst it is recognised that some complaints may relate to serious and distressing incidents, we will not accept unreasonable behaviour towards any members of the school community.

- 9.3 The School will take action to protect staff from such behaviour, including that which is considered as abusive, harassing, offensive or threatening.
- 9.4 Unreasonable behaviour is defined 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, in the view of the school, 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.

9.5 We regard harassment as the unreasonable pursuit of issues or complaints, where the matter appears (to the school) to be pursued in a way intended to cause personal distress rather than to seek a resolution.

- 9.6 Behaviour may fall within the scope of this Policy if:
 - It appears to be deliberately targeted at one or more members of school staff or others, without good cause;
 - The way in which a complaint, or other issues, are pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
 - It has a significant and disproportionately adverse effect on the school community.
- 9.7 The school expects anyone who wishes to raise concerns with the school to:
 - Treat all members of the school community with courtesy and respect;
 - Respect the needs of pupils and staff within the school;
 - Avoid the use of violence, or threats of violence, towards people or property;
 - Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
 - Follow the school's complaints procedure.
 - Adhere to the Parent Code of Conduct.
- 9.8 In cases of unreasonably persistent complaints or harassment, the school may take one or more of the following steps:
 - Inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach
 - If the behaviour continues, the Headteacher will formally write to the complainant explaining that their behaviour is unreasonable and ask them to change it.
- 9.9. If the behaviour is not changed we may:
 - specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.
 - require all future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken
 - inform the complainant that, except in emergencies, the school will respond only
 to written communication and that these may be required to be channelled
 through the Local Authority.
 - As a last resort we may bar an individual from the school grounds and premises.
- 9.10 In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing.

10 Part 3: Managing and Recording Complaints

- 10.1 The school will record the progress of the complaint and the final outcome. A complaint may initially be made in person, by telephone, or in writing. At the end of a meeting or telephone call, the member of staff, will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.
- 10.2 The school complaint form can be found in Appendix B.
- 10.3 The complainant is strongly encouraged to complete the complaint form.
- 10.4 The Head teacher is responsible for the records and will hold them centrally. Records of complaints will be kept for a minimum of six years.

11 Governing Body Monitoring of Complaints

- 11.1 The governing body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole governing body will not name individuals.
- 11.2 As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, the school will consider whether there are underlying issues that need to be addressed.

12 Publicising the Procedure

- 12.1There is a legal requirement for the Complaints Policy to be publicised. The Governing Body has decided to fulfil this requirement by including it in the school website.
- 12.2 A request for a hard copy the Complaints Policy and associated forms can be made to the Headteacher.

Appendix A – Roles and Responsibilities

The Role of the Clerk

The panel considering the complaint will be clerked. The clerk (or nominated alternative) is the contact point for the complainant and will:

- Liaise with the panel chair to set the date, time and venue of meetings, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of meetings;
- meet and welcome the parties as they arrive;
- make full written records the meetings;
- notify all parties of the panel's decision.

The Role of the Chair of the Panel

The Chair of the Panel will ensure that:

- S/he meets the complainant to clarify the complaint prior to the formal meetings;
- the remit of the panel is explained to the parties and each party has the opportunity of putting their case in individual meetings without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such meetings are put at ease;
- meetings are conducted in an informal manner and all parties are treated with courtesy and respect;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties;
- sensitive material is dealt with confidentially and access to it is restricted.

St Barnabas CE Primary School Complaint Form

Please complete this form and return it to Headteacher or Clerk to the governing body, who will acknowledge its receipt and inform you of the next stage in the procedure.

Value manage
Your name:
Relationship with school [e.g. parent of a pupil on the schools roll]:
Pupil's name [if relevant to your complaint]:
Your Address:
Daytime telephone number: Evening telephone number:
Evening telephone number.
Discouring appairs details of your complaint final discoursed by the same of without the same of the s
Please give concise details of your complaint, [including dates, names of witnesses etc], to allow the matter to be fully investigated.:
You may continue on separate paper, or attach additional documents, if you wish.
Number of Additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? [i.e. who have you spoken with or written to and what was the outcome?]		
What actions do you feel might resolve the problem at this stage?		
Signature:		
Date:		
School use:		
Date Form received:		
Received by:		
Date acknowledgement sent:		
Acknowledgement sent by:		
Complaint referred to:		
Date:		