

Whinney Banks Primary School

## **Compliments, Comments, Concerns & Complaints**

The Governors and Staff of Whinney Banks Primary School sincerely hope that parents will feel able to speak directly to the Head Teacher and other members of staff both about their compliments regarding the school and about matters of concern to them.

We believe that almost all concerns can be resolved satisfactorily by informal discussion either over the telephone or through involving the key people involved.

We acknowledge, however, that in a few circumstances a parent or local resident may wish to pursue a complaint further.

The procedures detailed below aim to reassure parents and others with an interest in the school that:

- Any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution: and
- The school recognises that a willingness to listen to questions and criticism and to respond positively, can lead to improvements in school practices and provision for pupils.

Statutory complaints and appeals procedures exist for a number of areas, including admissions, exclusions assessment for special needs, complaints about the curriculum and child protection issues. Details of these procedures are available from the Local Authority and do not form part of this procedure.

This Concerns and Complaints Procedure is designed for all concerns and complaints for which a statutory procedure does not apply.

Any person may express their concern about events which take place in school. These will always be taken seriously and investigated thoroughly. In the vast majority of cases the teacher or a member of the senior leadership team will informally resolve this type of concern with parents and this will always be encouraged. However, in the event that this cannot be achieved the Formal procedure outlined below will be followed.

## **Raising concerns & complaints**

### **Informal Procedure**

- Parents/carers and others should raise concerns or complaints with the relevant teacher. Usually this will be the class teacher. If you are unsure about who to speak to please seek advice from the school office.
- 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 with 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;
- The relevant member of staff, who may be a teacher, Family Liaison Officer, Behaviour Support Teacher, Assistant Head Teacher or Head Teacher (or Chair of Governors if the complaint relates to the Head Teacher), will investigate and then report back either in writing or, more usually at this informal stage, orally, to the complainant.
- Every effort will always be made to resolve the problem at this informal stage.
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- *Concerns and complaints expressed to governors: Any Governor who receives a complaint, whether verbally or in writing, should immediately refer the complaint to the Head Teacher (or Chair of Governors if the complaint relates to the Head Teacher)*
- Complainants who remain dissatisfied at this informal stage are able to make a formal complaint. In such cases, complainants will be required to complete a complaints form (Appendix 1), available from the school office or from the school web site:  
[www.whinneybanks.org.uk](http://www.whinneybanks.org.uk)
- The school itself may also decide to make any complaint the subject of these formal procedures.
- Individual complaints will not, at any stage, be heard by, or referred to, the whole Governing Body, as this could compromise the impartiality of any appeal or any disciplinary hearing against a member of staff following a serious complaint.

## **Formal Procedure**

This procedure is intended to allow you to raise a formal complaint relating to the school, or the services that it provides.

To allow for a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event will not be considered.

### **Making a Formal Complaint:**

- Complete a formal complaints form (see Appendix 1).
- You should include details which might assist the investigation, such as names of witnesses, dates and times of events and copies of relevant documents.
- It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern.
- Please pass the completed form, in a sealed envelope to the Head Teacher (or the Chair of the Governing Body where the complaint relates to the Head Teacher).
- The Head Teacher (Chair) will aim to acknowledge receipt of this within 5 working days and will aim to respond in full within 15 working days.
- The Head Teacher (or Chair of Governors) may invite you to a meeting to clarify your concerns and to seek an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.
- It is hoped that your complaint will be resolved through such a meeting with the Head Teacher (or Chair of Governors).
- If not, arrangements will be made for the matter to be referred to the Complaints Committee of the Governing Body, which will aim to meet within 20 working days of receiving the complaint.
- The Complaints Committee will be convened from the full list of governing body members depending on availability and on the nature of the complaint.
- The Complaints Committee will aim to send a letter within 10 working days to advise of the date of the Complaints Committee meeting.
- A representative of the local authority will be invited to attend the complaints meeting to provide advice to all parties.
- The complainant (who may be accompanied by a friend if they wish) and representative(s) from the school may be invited to attend this meeting in order to clarify the matter. As the panel meeting is intended to be investigatory, rather than adversarial, the persons giving evidence or making representations to the panel may be asked to attend separately.
- When the panel has collected sufficient information, it will deliberate and then inform the complainant, the Head Teacher and the Governing Body of the outcome, in writing, within 5 working days
- The decision of the Complaints Committee will be final and it may uphold the complaint in full, uphold it in part or decide it is unfounded. The matter will then be closed as far as the school is concerned.
- Where a complaint regarding a member of staff is upheld, the Governing Body could, if appropriate, invoke the statutory disciplinary procedures. In accordance with employment practice the outcome of any such disciplinary procedures should be regarded as confidential.
- Where the complainant believes that the Governing Body has acted illegally or arbitrarily in handling the complaint, then you may make representations to the Secretary of State for Education.

### **Maintaining respect**

There could be occasions when parents express their dissatisfaction through verbal and physical abuse and intimidation of staff. In such cases the Head Teacher, Governors or the Local Authority may decide to write to the person or persons concerned warning them as to their future conduct and, if necessary, taking more serious action such as banning them from the school site without an appointment. The Head Teacher will liaise with the Local Authority in these circumstances.

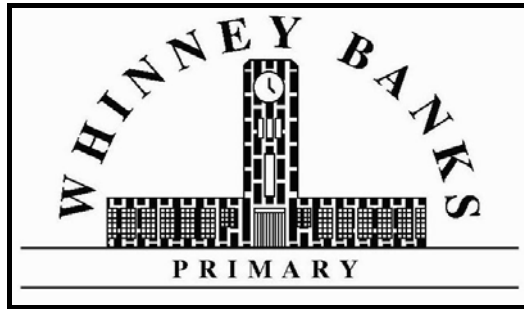
When considering complaints it is important that both parents and teachers should listen carefully to both sides of the discussion and that a climate of mutual respect for all concerned should be maintained at all times.

Further details of the school policy for dealing with unreasonably persistent, harassing or abusive complainants is set out in Appendix 3 below.

### **Where there is a difference which cannot be resolved**

One would always hope that these issues could be resolved at school level through negotiation and conciliation. However, in a very few circumstances and as a last resort, parents may wish to consider transferring their child to another school. Such a request should be made to the Local Authority.

**Appendix 1**



**Whinney Banks Primary School Complaint Form**

If you are not satisfied or feel that you have been unfairly treated, we would like you to indicate the problem.

**It is, however, very important that you seek to resolve any difficulties in the first instance by discussing your concerns/complaint with a member of staff at school.**

If you have tried that and are still not satisfied with the response then please fill in all the sections of this form and return it to the Head Teacher (or Chair of Governors if the complaint relates to the Head Teacher).

Your Name:	
Child's Name:	Teacher:
Your Address:	
Contact Details:	
..... (mobile) ..... (home) .....(work)	
Details of Complaint: <i>(Please be as specific as possible, e.g. giving dates, who was involved and where etc.)</i>	
Please attach a continuation sheet/additional information if you wish.	
When did you report the problem to the school?	
To whom at the school did you report the problem?	

What was the response?

Have you complained to the school about this before?      Yes/No *\*(delete as appropriate)*

If so, to whom, and when?

What would you like to see done to resolve your complaint and bring the matter to an acceptable closure for yourself and the school?

Signed ..... Date .....  
(Parent/Guardian)

## **Appendix 2**

## **Model Agenda for Complaints Committee**

1. Apologies for Absence
2. To consider members' declaration of interests, entitlement to vote and any requirements to withdraw from the meeting.
3. To confirm the order of the procedure.
4. Invitation to complainant and Head Teacher to join the meeting and introduction to Governors.
5. Introduction and explanation of procedure.
6. Complainant's presentation.
7. Head Teacher's presentation.
8. Any further questions or points from any of the parties. To be raised through the chair.
9. Opportunity for summing up by the Head Teacher.
10. Opportunity for summing up by the Complainant.
11. Summing up by the Chair.
12. To explain to all parties how the decision of the committee will be communicated.
13. Complainant and Head Teacher to leave the meeting.
14. To decide on the complaint. The committee can:
  - Uphold the complaint in full
  - Uphold the complaint in part
  - To refute the complaint
15. To consider whether and how to refer any suggested changes of practice to another forum, such as the Head Teacher or the Governing Body.

### Appendix 3

## Whinney Banks Primary School Policy for Handling Unreasonably Persistent, Harassing or Abusing Complainants

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. There is a procedure for parents to use if they wish to make a formal complaint.

Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community.

The aim of this leaflet is to provide information about our school policy on unreasonably persistent complainants or harassment of staff.

### What do we mean by 'an unreasonably persistent complainant'?

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include:

- Actions which are
  - out of proportion to the nature of the complaint, or
  - persistent – even when the complaints procedure has been exhausted, or
  - personally harassing, or
  - unjustifiably repetitious
- an insistence on
  - pursuing unjustified complaints and/or
  - unrealistic outcomes to justified complaints
- an insistence on
  - pursuing justifiable complaints in an unreasonable manner (e.g. using abusive or threatening language or;
  - making complaints in public, or
  - refusing to attend appointments to discuss the complaint.



### What is 'harassment'?

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

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 is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has a significant and disproportionate adverse effect on the school community.

### What does the school expect of any person wishing to raise a concern?

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.

### Schools' responses to unreasonably persistent complaints or harassment

This policy is intended to be used in conjunction with the school's complaints procedure. Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty.

However, in cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable and request a changed approach;
- inform the complainant in writing that the school considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints/Harassment Policy;
- 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 will 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.

### Physical or verbal aggression

The governing body will not tolerate **any** form of physical or verbal aggression against members of the school community. If there is evidence of any such aggression the school may:

- ban the individual from entering the school site, with immediate effect;
- request an Anti-Social Behaviour Order (ASBO);
- prosecute under Anti-Harassment legislation;
- call the police to remove the individual from the premises, under powers provided by the Education Act 1996.

Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/Harassment Policy. The school nevertheless reserves the right not to respond to communications from individuals subject to the policy.