



CHALONER PRIMARY SCHOOL

General Complaints Procedure

Incorporating: Policy for dealing with Unreasonably Persistent Complaints, Harassment or Aggression

Rationale:

The education of the children at Chaloner Primary School is best developed by a good partnership between the school and home. This partnership is essential to the fulfilment of the aims of the school. We believe strongly in nurturing this partnership and we are proud of our welcoming ethos.

Where there are concerns, it will always be our intention to seek a resolution. This will always be carried out in the true spirit of reconciliation.

It is hoped that all concerns can be dealt with informally. However, where this is not possible, formal procedures will be adopted.

General Principles

- This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides.
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- To enable 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 being complained of, will not be considered.

Complaints procedures should not be used for appeals and referrals that fall under other procedures and legislation and which are covered by other guidance, including:

- Admissions
- Exclusions
- Special Educational Needs
- Staff Grievances
- Child Protection
- Whistleblowing

Vexatious Complainants

The vast majority of complaints are resolved by informal contact. Problems arise where the complainants are unreasonable and are not seeking to have a situation remedied but instead are determined to extract retribution for some real or imagined wrong.

It is these latter circumstances that can lead a school, which is acting very reasonably, to be drawn into an interminable saga with each reply demanding more and more answers to more and more questions. Often an attempt to clarify the situation will trigger a multitude of questions, none of the possible answers to which serve any constructive purpose. It is these vexatious complainants from which schools need protection.

The school will always try:

- To resolve concerns through informal discussions at the earliest stage.
- To resolve issues as quickly as possible within a given timescale.
- To focus on resolution.
- To promote confidentiality and discretion.
- To be accessible to all parents.

Raising a concern or complaint

Informal:

Parents can raise concerns by contacting their child's class teacher or the Headteacher. This should be by letter, by telephone or email via the school office (01287 635728 or office@chaloner.rac.sch.uk) or in person by appointment.

Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved at this informal stage. It is natural that, initially, parents will want to discuss any concerns that they may have with their child's class teacher. This usually enables problems to be sorted out quickly, to everyone's satisfaction.

Where it may be felt that this is not appropriate or you wish to take your concern further, an appointment should be made with the Headteacher. It is rare that a concern is not resolved at this stage.

Where an informal approach has failed to resolve the issue, it may be raised formally as a complaint. This should be done in writing [see model form attached] to the Headteacher; or to the Chair of Governors if the complaint is about the Headteacher. On receipt of the complaint the school will normally arrange a meeting with the complainant to clarify details of their concerns and of the resolution that is being sought. Once the school has this information a decision will then be taken about the need for further investigation and the appropriate procedure to be followed. This may involve additional meetings with the complainant to obtain further information.

The school will endeavour to give a prompt feedback in response to any complaint received.

If you are uncertain about who to contact, please seek advice from the school office or the Clerk to the governing body.

When the school's procedures have been completed the complainant will be informed that the matter of their complaint has been dealt with and is now closed as far as the school is concerned. They will be provided with as much additional information as is possible in the circumstances, while respecting any right to confidentiality of third parties.

Formal Stage

If your concern or complaint is not resolved at the informal stage you must put the complaint in writing and pass it to the Headteacher; or to the Clerk to the governing body, for the attention of the Chair, if the complaint is about the Headteacher; who will be responsible for ensuring that it is investigated appropriately.

You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. You may choose to use the Formal Complaints Form attached.

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. Without this, it is much more difficult to proceed.

Please pass the completed paperwork, in a sealed envelope to the Headteacher or to the Clerk to the governing body, as appropriate.

The Headteacher, or Chair, 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 (not a member of the legal profession or the media) if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the Headteacher, or Chair. If not arrangements will be made for the matter to be fully investigated, using the appropriate procedure. In any case you should learn in writing, usually within 10 working days of the school receiving your formal complaint, how the school intends to proceed. This notification should include an indication of the anticipated timescale.

Any investigation will begin as soon as possible and when it has been concluded, you will be informed in writing of its conclusion.

If you are not happy with the response provided by the Headteacher, or Chair to Governors, the complaint can be referred to the governing body for review. Any such request must be made in writing to the Clerk to the governing body, within 10 school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed.

Review Process

Any review of the process followed by the school or of the investigation of the complaint will be conducted by a panel of 3 members of the governing body. This will usually take place within 10 school days of receipt of your request.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

The panel will first receive written evidence from the complainant.

The panel will then invite representatives of the school, usually the Headteacher or the Chair of the governing body panel that has considered the matter, as appropriate, to make a response to the complaint.

The panel may also have access to the records kept of the process followed.

You, and the school representative[s], will be informed in writing of the outcome, usually within 10 school days of the panel meeting.

This is the final stage of the School's Complaints Procedure for general complaints. For most complaints the decision of the governors is the last step in the procedure.

Role of the Local Authority (LA):

For general complaints about a school, the LA clearly has no remit or powers beyond reminding schools of their legal obligations. Therefore, for individual general complaints which relate to internal school matters and have exhausted the school's own complaints procedure there is no right of appeal to the LA, as it has no powers to direct the school to change its decision.

Secretary of State:

If you are not satisfied with the response from the governing body you can contact the Secretary of State for Education via the DFE Helpline on 0370 000 2288.

Annex to General Complaints Procedure

Policy for dealing with Unreasonably Persistent Complaints, Harassment or Aggression

The Headteacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the School's General Complaints Procedure. 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.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant. The school is extremely committed to promoting positive relationships with all members of the school community, regardless of age, sex, religion, ability or culture and it welcomes the opportunity to address and resolve issues that may arise.

However, there are rare occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the school and directly or indirectly the overall well-being of the children or staff in the school. In these exceptional circumstances the school may take action in accordance with this policy. 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 document is to provide information about our school policy on unreasonably persistent complainants or harassment of staff.

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;
- avoid any aggression or verbal abuse;
- recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
- recognise that resolving a specific problem can sometimes take time;
- follow the school's general complaints procedure (and for staff members to follow the appropriate internal staff procedure).

What do we mean by 'unreasonably persistent complainants'?

For the purpose of this policy, 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 the following (not an exhaustive list):

- actions which are obsessive, persistent, harassing, prolific, repetitious;
- actions which are out of proportion to the nature of the complaint;
- actions which are persistent – even when the complaints procedure has been exhausted;
- actions which are personally harassing or unjustifiably repetitious;
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;

- uses Freedom of Information requests excessively and unreasonably;
- an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- an insistence upon pursuing complaints in an unreasonable manner;
- an insistence on only dealing with the Headteacher on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters;
- an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school because it is unlawful;
- an insistence on unrealistic outcomes to justified complaints;
- making what appears to be groundless complaints about staff dealing with the complaint and seeking to have them replaced.
- abusive or threatening behaviour or language towards school staff.
- failing to specify grounds of the complaint, despite offers of assistance from the school.
- making complaints in public or via a social networking site such as Facebook;
- refusing to attend appointments to discuss the complaint.

What is harassment?

We regard harassment as including 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 issue is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has an unjustifiably significant and disproportionate adverse effect on the school community.

School's responses to unreasonably persistent complaints or harassment

This policy is intended to be used in conjunction with the school's general 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 or Aggression Policy;
- require any 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 a third party chosen by the school, for example the Local Authority or Local Authority Solicitor;
- inform the complainant that, with the exception of urgent communication regarding their child in school, the school will respond to their correspondence on a 6 weekly basis only;
- take legal advice on pursuing a case under Anti-Harassment legislation.

Legitimate new complaints will always be considered in an appropriate time frame, 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 whose conduct falls within the scope of this policy.

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);
- take legal advice on pursuing a case under Anti-Harassment legislation;
- call the police to remove the individual from the premises, under powers provided by the Education Act 1996.

Right of appeal

All persons who are notified by the school that they are being dealt with under this procedure have the right of appeal. Appeals must be addressed to the Chair of Governors under confidential cover, care of the school. The Chair of Governors will consider each appeal on its merits, consulting with the Headteacher as appropriate. The outcome of the appeal should be notified to the appellant and copied to the Headteacher within 10 working days of receipt.

This policy will next be reviewed: Autumn 2018



CHALONER PRIMARY SCHOOL

Meeting Request Form

I wish to meet to discuss the following matter:

Brief details of topic to be discussed:

Your name

Relationship with school
(e.g. parent of a pupil on
the school roll)

Pupil's name

Your address

Telephone numbers

Daytime:

Evening:

Email address

Signed: _____ Date: _____

Please complete this form and return it to the school office

For school use:

Date form received:

Received by:

Date response sent:

Response sent by:



CHALONER PRIMARY SCHOOL

Formal Complaint Form

Please complete this form and return it, via the school office, to the Head Teacher, who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name

Relationship with school (e.g. parent of a pupil on the school roll)

Pupil's name

Your address

Telephone numbers

Daytime:

Evening:

Email address

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?

Signed: _____ Date: _____

Please complete this form and return it to the school office

For school use:

Date form received:

Received by:

Date response sent:

Response sent by:

Complaint referred to:

Date:



CHALONER PRIMARY SCHOOL
Complaint Review Request Form

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

Your name		
Your address		
Telephone numbers	Daytime:	Evening:
Email address		

Dear Sir or Madam,

I submitted a formal complaint to the school on and am dissatisfied by the procedure that has been followed.

My complaint was submitted to and I received a response from on

I have attached copies of my formal complaint and of the response(s) from the school.

I am dissatisfied with the way in which the procedure was carried out, because:

.....

You may continue on separate paper, or attach additional documents, if you wish.

Number of additional pages attached: _____

What actions do you feel may resolve the problem at this stage:

.....

Signed: _____ **Date:** _____

Please complete this form and return it to the school office

For school use:

Date form received:

Received by:

Date response sent:

Response sent by:

Complaint referred to:

Date: