

Glenfall Community Primary School

Complaints Procedure Policy

This policy should be reading in conjunction with:

- Safeguarding Policy
- Anti-bullying and Anti-Hate Policy
- Behaviour Policy
- Early Help Offer
- Disability Discrimination Act (Equal Opportunities)
- Pupil Premium Policy
- First Aid Policy

Policy review:

Staff reviewer	School Staff
Governor reviewer	Full Governing Body
Policy approval	Full Governing Body
Date approved	2 March 2023
Frequency of review	Annual
Date of next review	March 2024

Document history:

Version	Issue date	Summary of changes
0-1	2/3/23	Revised policy changed to new format
		Procedure updated in line with DfE guidance

CONTENTS

1.	Scope of this Complaints Procedure	2
2.	How to raise a concern or make a complaint	4
3.	The Complaint Process	5
	3.1 Stage 1	6
	3.2 Stage 2	7
	3.3 Next Steps	9
4.	Roles and Responsibilities	9
5.	Policy for managing serial, unreasonable or persistent complaints	12
App	endix – Complaint Form	15

1. Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Glenfall Community Primary School other than complaints that are dealt with under other statutory procedures, including those listed below.

Also detailed within this document is the school's policy for managing serial, unreasonable or persistent complaints, including harassment or aggression.

Exceptions	Who to contact	
Admissions to schools	Concerns about admissions, statutory assessments of Special	
 Statutory assessments of Special Educational Needs 	Educational Needs, or school re-organisation proposals should be raised with Gloucestershire County Council.	
School re-organisation	Contact details can be found here:	
proposals	www.gloucestershire.gov.uk/education-and-learning	
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 or the Multi-Agency Safeguarding Hub (MASH).	
	Contact details can be found here:	
	https://www.gloucestershire.gov.uk/gscp/contact-us	
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . Complainants will not be informed of any application of the schools behaviour policy that may be taken as a result of a complaint. However, the complainant will be notified that the matter is being addressed. *complaints about the application of the behaviour policy can be made through the school's complaints procedure. The schools behaviour policy can be found here:	
	https://www.qlenfall.gloucs.sch.uk/wp-	

	content/uploads/2022/03/Behaviour-Discipline-and- Suspension-and-Exclusion-Policy.doc
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 Local Authority or the Department for Education (see link above), depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
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.
 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. Please contact them direct.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

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.

If a complainant commences legal action against Glenfall Community Primary 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.

1.1 The difference between a concern and a complaint

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Glenfall Community Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher 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.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Glenfall Community Primary School will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

1.2 Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Glenfall Community Primary School about any provision of facilities or services that we provide.

Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

2. How to raise a concern or make a complaint

2.1 Informal Stage

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or Headteacher in the first instance. If the issue remains unresolved, the next step is to make a formal complaint.

2.2 Formal Stage 1

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the Chair of Governors, via the school office. Please mark as Private and Confidential.

Complaints about the Chair of Governors, any individual governor, or the whole governing body should be addressed to the Clerk to the Governing Body, via the school office. Please mark as Private and Confidential.

For ease of use, a template complaint form is included within the appendix of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

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.

2.3 Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

2.4 Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

2.5 Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

2.6 Resolving complaints

At each stage in the procedure, Glenfall Community Primary School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. 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

2.7 Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

3. The Complaint Process

Concerns should be raised with either the class teacher or Headteacher in the first instance. If the issue remains unresolved, the next step is to make a formal complaint.

3.1 Stage 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 in the Appendix below), or by telephone.

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 two school days.

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.

Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but the final decision must be taken by the headteacher or acting headteacher in the case of their absence.

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.

At the conclusion of their investigation, the headteacher will provide a formal written response within five school days of the date of receipt of the complaint.

If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 Glenfall Community Primary School will take to resolve the complaint. Complainants will not be informed of any application of the school's behaviour policy that may be taken as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

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.

Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is regarding any of the following, then Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response:

jointly about the Chair and Vice Chair, or

- the entire governing body, or
- the majority of the governing body.

3.2 Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2. At this stage a meeting will be held with the governing body's complaints committee, which will be formed of the first three, impartial, governors available. Each must have no prior involvement or knowledge of the complaint. This is the final stage of the complaint's procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within ten school days of receipt of the Stage 1 response.

The Clerk 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.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within ten school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk 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.

Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Glenfall Community Primary School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

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.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaint's procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least two school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time, and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least two school days before the meeting.

Any written material will be circulated to all parties at least two school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also 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.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

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.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action 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.

The Chair of the Committee will provide the complainant and Glenfall Community Primary School with a full explanation of their decision and the reason(s) for it, in writing, within five school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled.

If the complaint is regarding any of the following, then stage 2 will be heard by a committee of independent governors:

- jointly about the Chair and Vice Chair, or
- the entire governing body, or
- the majority of the governing body

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 Glenfall Community Primary School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

3.3 Next Steps

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.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to: Secretary of State for Education, Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD.

4. Roles and Responsibilities

4.1 Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

4.2 Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent, and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - o consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

4.3 Complaints Co-ordinator (this could be the headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk, and LA (if appropriate) to ensure the smooth running of the complaint's procedure
- be aware of issues regarding:
 - o sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person.
- · keep records.

4.4 Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018, and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1
 paperwork, school and complainant submissions) and send it to the parties in advance
 of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

4.5 Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

4.6 Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so. No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

The welfare of the child/young person is paramount.

5. Policy for managing serial, unreasonable, or persistent complaints, including harassment or aggression

This policy includes contact that may not be associated with or resulting from a formal complaint, however it 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.

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 Complaints Procedure. The majority of complaints are handled in an informal manner and are resolved quickly, sensitively, fairly and impartially, to the satisfaction of the complainant. The school is extremely committed to promoting positive relationships with all members of the school community, including all age, sex, religions, abilities and cultures; 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.

Glenfall Community Primary School defines unreasonable behaviour as that with hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school. For example, 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 not in line 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 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 aggressive, abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums. Further details of acceptable social media usage can be found in the home-school agreement and online safety policies and acceptable use policies for adults and pupils.

5.1 What is harassment?

Glenfall Community Primary School regards 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.

Complainants should try to limit their communication with the school that relates 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.

5.2 Responses to serial, unreasonable, or persistent complaints, including 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.

Whenever possible, the Headteacher or Chair of Governors (where the complaint is against the Head) will discuss any concerns with the complainant informally before applying an 'unreasonable' marking

However, in cases of unreasonably persistent complaints including harassment or aggression, Glenfall Community Primary 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 this 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;
- specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months;
- 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;
- In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Glenfall Community Primary School;
- take legal advice on pursing a case under Anti-Harassment legislation.

APPENDIX

Complaint Form

Please complete and return to the headteacher or clerk to the governors who will acknowledge receipt and explain what action will be taken.

CENFAL DE LA CONTRACTION DEL CONTRACTION DE LA C
Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Your contact details (address & phone number):
Please give details of your complaint, including whether you have spoken to anybody at the
school about it (continue overleaf if needed).
Detail what actions, if any, you have taken to try and resolve your complaint:
Detail what actions, if any, you have taken to try and resolve your complaint.

What actions do you feel might resolve the problem at this stage?				
Are you attaching any paperwork? If so, please give details:				
Signature:				
Date:				
Official use				
Date acknowledgement sent:	By whom:			
Complaint referred to:	Date:			