

HEADLANDS SCHOOL
SINCE 1965

Complaints Policy

Adopted by Governors	7 December 2010
Last Reviewed Date	Spring 2017
Next Review Date	Summer 2020
Reviewed by	Headteacher

Headlands School Complaints Procedure

Raising Concerns and Resolving Complaints

From time to time parents and others connected with the school, will become aware of matters which cause them concern. To encourage resolution of such situations the Governing Body has adopted a “School Complaints Procedure”

The procedure is devised with the intention that it will:

- Usually be possible to resolve problems by informal means
- Be simple to use and understand
- Be non-adversarial
- Provide confidentiality
- Allow problems to be handled swiftly through the correct procedure
- Address all the points at issue
- Inform future practice so that the problem is unlikely to recur.

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 generally defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’. It is in everyone’s interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible. There are occasions when complainants would like to raise their concerns formally. In those cases, the school’s formal procedure should be invoked through the stages outlined within their procedure

Who can make a complaint?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions). Schools must not limit complaints to parents or carers of children that are registered at the school.

Complaints Procedure for Parents

Headlands School seeks to do its best for every child. By caring for each individual, we hope that your son or daughter will be happy and successful here. You want the best for your child and we want the best for our students.

Unfortunately, things can sometimes go wrong and when they do we are keen to work with you and your child in order to resolve any difficulties.

If you are worried about any aspect of school life you should get in touch with your child’s Head of Year so that the problem can be discussed and addressed. Hopefully the matter can be dealt with to the satisfaction of all concerned. However, if you are not satisfied you should contact the school to arrange an appointment with an appropriate senior member of staff.

In the majority of situations complaints are dealt with successfully by us in school and we encourage you to seek a response to any concerns you may have.

If, following initial consultation, your concerns remain unresolved and you feel more formal procedures are required you should complete the Headlands School Complaint form (page 9) and return it to the Headteacher detailing your concerns. Receipt of your complaint will be

acknowledged within in two school days together with an anticipated time scale for completion of our enquiries if further investigation is required.

In a small number of cases, the matter may remain unresolved even with the involvement of the Headteacher and if this happens you can direct your complaint to the Governing Body by writing to the Chair of Governors, c/o Headlands School. The Chair of Governors will then contact you. If the complaint cannot be resolved by the involvement of the Chair of Governors, you can ask for the complaint to be considered by the Governing Body's own Complaints Committee. You will then be informed in writing of the outcome.

The Local Authority does not investigate complaints directly. If a complaint is made either in writing or verbally to the Director of Children, Family and Adult Services or to any officer of the Local Authority, the Governing Body of the school is made aware of the complaint and is requested to deal with it through the adopted procedure. If you are not satisfied with the process of the investigation, (not the outcome), you can make this known to the Director of Children, Family and Adult Services. However, further action can only be taken if it can be demonstrated that the agreed procedure has not been followed, or if the Governing Body has not correctly exercised its functions. Ultimately, you can complain to the Secretary of State for Education and Employment if you feel the Governing Body or the Local Authority has not reasonably exercised its functions.

Complaints about SEND provision

The parents of students with disabilities have the right to make disability discrimination claims to the first-tier SEND tribunal if they believe that our school has discriminated against their children. They can make a claim about alleged discrimination regarding:

- Exclusions;
- Provision of education and associated services;
- Making reasonable adjustments, including the provision of auxiliary aids and services.

Complaints about the school provision for the special educational needs and disabilities of their child should, in the first instance, contact the SENCO to try and resolve difficulties informally. A formal complaint should follow the procedure outlined in the Complaints Policy.

Guidelines for staff

- All complaints should be treated seriously.
- Be aware of the difference between a concern and a complaint (taking informal concerns seriously will reduce the numbers that develop into formal complaints).
- A professional manner should be retained at all times and the complainant should be treated with courtesy and respect.
- Listen to what the complainant has to say. You will not only gain the facts as they see them, but being listened to will dispel emotion - so a rational agreed solution becomes more likely.
- Stay calm - those who stay calm have a calming effect on others.
- Ask the complainant at the earliest stage what they think might resolve the issue (an acknowledgement that the school could have handled the situation better is not the same as an admission of unlawful or negligent action).
- Confidentiality should be maintained as far as possible but complainants should be made aware that details of their complaint may need to be shared with others in order for a thorough investigation to take place.
- If a complainant behaves irrationally or aggressively he/she should be asked to leave the school premises and put his/her complaint in writing to the Headteacher.

Guidelines for Governors

If a verbal complaint about the school is made to a governor the complainant should be advised:

- a. To contact the Headteacher in the first instance, and;
- b. If the complainant is unwilling to contact the Headteacher, to put the complaint in writing to the Chair of Governors.

All governors need to understand and appreciate the need for confidentiality when dealing with complaints. If a complaint is made to an individual governor, whether in writing or verbally, it should **not** be discussed with other governors. Instead, the complaint should be passed to the Headteacher of the school as detailed above.

If members of the Governing Body discuss the complaint with each other or with other members of the school community, this could prejudice the procedure through a lack of confidentiality. This could mean that the investigation of the complaint is compromised to the extent that it cannot continue. Governors should be aware that some complaints might lead to disciplinary action being taken against either teaching or non-teaching staff. Due and proper process of disciplinary procedure is **absolutely dependent upon confidentiality** being observed.

Raising a concern or complaint

1) Informal Stage

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone 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 by this informal stage.

In the case of serious concerns, it may be appropriate to address them directly to the Headteacher (or to the Chair of the Governing Body, if the complaint is about the Headteacher).

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

2) 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 the Clerk to the Governing Body, for the attention of the Chair of Governors, if the complaint is about the Headteacher) who will be responsible for ensuring that it is investigated appropriately. A Complaint Form is provided (on page 9) to assist you.

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.

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 form, 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, 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 5 days of the

school receiving your formal complaint, of 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 satisfied with the matter in which the process has been followed, you may request that the governing body reviews the process followed by the school in handling the complaint. Any such request must be made in writing to the Clerk to the governing body, within 10 school days of receiving the notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed. A Review Request form is provided for your convenience.

Review Process

Any review of the process followed by the school 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, the school representative(s), will be informed in writing of the outcome, usually within 5 school days of the panel meeting.

The matter will then be closed as far as the school is concerned.

If you believe that the Governing Body has acted illegally or arbitrarily in handling the complaint, then you make the representations to the Secretary of State for Children, Schools and Families.

Complaints made to the Local Authority

If the Local Authority receives a written complaint about a school, they will contact the Headteacher to ensure that he/she is aware of the complaint and to ascertain whether any attempt has been made to resolve the issue in school. In some circumstances, they may contact the Chair of Governors to ascertain what steps the Governing Body has taken. The Local Authority will ensure that the Headteacher and Chair of Governors receive copies of any documentation sent by the complainant. If the complainant requests that copies are not sent to the school, then they will advise the complainant that the investigation cannot continue.

Under the DfE Code of Practice on LA/School Relations, it is not for the LA to investigate complaints directly. If a complaint is made either verbally or in writing to an officer of the LA, the Governing Body is made aware of the complaint and is requested to deal with it through the adopted procedure.

Note

On all occasions when a complainant is invited to present their complaints as part of an investigation they may be accompanied by friend/relative - not acting in a legal capacity.

Contact/Complaints Triage Table

Nature of Contact	Appropriate Person to Receive Contact	Relevant Policy/Procedure
Request for published information	School Office	Freedom of Information Act Charging Policy
Request for personal student information	Headteacher or Senior Member of Staff	DPA Charging Policy
Complaint about Governing Body	Clerk/Chair of Governing Body	Complaints Procedure
Unreasonable exercise of discretion by Headteacher	Head Teacher Chair of Governing Body	Complaints Procedure
Allegation about conduct of a member of staff	Head Teacher Or Chair (if allegation is against the Headteacher)	School Staff Discipline Procedure (Confidential to School and Employee)
Allegation of verbal or physical assault by employee on student	Headteacher or Child Protection Co-ordinator or Chair (if allegation is against the Headteacher)	Local Child Protection Procedures (Confidential to School, LA CPO and parents of alleged victim)
Allegation about capability of a member of staff	Headteacher or Chair (if allegation is against Headteacher)	School Staff Capability Procedure (Confidential to School and Employee)
Conduct of another pupil (e.g. Bullying)	Headteacher or Senior Member of Staff	School Behaviour for Learning Policy (Confidential to School and parents of alleged perpetrator)
Discipline of a Student	Headteacher or Senior Member of Staff	School Behaviour for Learning Policy (confidential to School and parents of student)
Content of failure to maintain a statement of SEN	Headteacher/SENCO or LA	LA Procedures
Admissions	Chair/Clerk	Admissions Procedure
Exclusion	Chair/Clerk	Exclusion Procedure
Failure to provide NC entitlement or inappropriate curriculum	Headteacher Chair of Governing Body LA	LA Procedure
Extended Services	Manager of Relevant Service	Procedures of Service Provider
Governing Bodies decision to remove licence for a person to enter the school premises	Clerk to Governing Body/Chair	Governing Body Appeal Committee
Selection of student for school team/play	Headteacher Clerk to Governing Body	General Complaints Procedure



Headlands School Complaint Form

Please complete this form and return it to Headteacher (or Clerk to the Governing Body), who will acknowledge receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (e.g. parent of a student on the schools roll):.....

Student's name (if relevant to your complaint):.....

Your address:

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Daytime telephone number:

Mobile telephone number:

Evening telephone number:

Please give concise details of your complaint, (including dates, names of witnesses etc.) to allow the matter to be fully investigated:

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You may 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?)

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What actions do you feel might resolve the problem at this stage?

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Signature:

Date:

School Use Only:

Date Form Received:	
Received by:	
Date Acknowledgement sent:	
Acknowledgement sent by:	
Complaint referred to:	
Date complaint referred:	



Headlands School Complaint Review Request 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.

Your name:

Your address:
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Daytime telephone number:

Mobile telephone number:

Evening telephone number:

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

My complaint was submitted to(name/title) and I received a response from(name/title) on(date)

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:

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You may attach additional documents, if you wish.
Number of additional pages attached:

What actions do you feel might resolve the problem at this stage?

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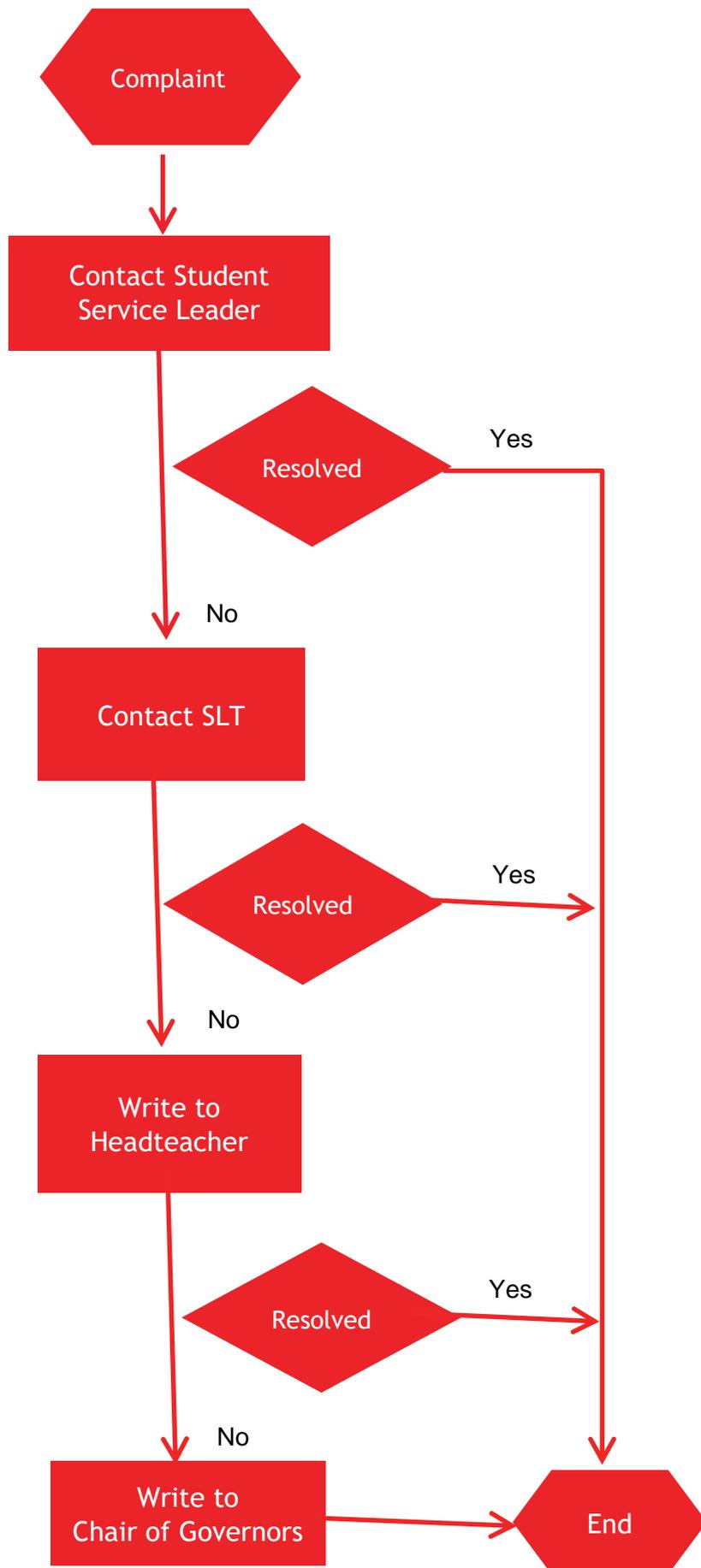
Signature:

Date:

School Use Only:

Date Form Received:	
Received by:	
Date Acknowledgement sent:	
Acknowledgement sent by:	
Request referred to:	
Date Request referred:	

Flowchart of correct procedure



School Policy for Dealing with Persistent or Vexatious Complaints and Harassing in Schools

The Headteacher 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.

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 a concern with the school to:

- Treat all members of the school community with courtesy and respect;
- Respect the needs of students 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 school's 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 may be taken;
- Inform the complainant that, expect 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 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.