

# Complaints Procedures

Policy Dated – June 2018  
Review - 3 Yearly or as legislation/guidance revised June 2021  
Responsible Team Leadership Team  
Associated Policies N/A

# Complaints Procedure

## Tell Us About Your Concerns

### Introduction

In this school all the staff are dedicated to giving all the children the best possible education and caring properly for their health, safety and welfare at all times. We are committed to working closely with parents and carers and believe that the school and parents and carers should work in partnership, each carrying out their particular responsibilities to help the pupils gain the most from their time at school.

Applefields is committed to the safeguarding of every member of the school community. Should your concern be related to safeguarding please contact one of the school's Child Protection Officer, Adam Booker as soon as possible. Thereafter if the matter is a school related Safeguarding issue all procedures as laid down in the Safeguarding Policy will be followed. Should you wish to discuss this matter with a Governor rather than school, please contact Mrs Ruth Lumley (our Safeguarding Governor), through the school's Clerk to Governors whose contact information is at the bottom of this document

If you feel that something is not going quite as you would like it to be, we are doing something you are unhappy with, or not doing something you feel we should – **Please Tell Us About It.**

### **The First Step**

If you have concerns about your child's work please contact the Form Teacher who will try to address your concern and will report the matter to the Head Teacher so that he/she is aware of your concern and what is being done about it.

If you are unhappy with anything about the school please contact the Head Teacher or Assistant Head Teachers.

If a problem cannot be resolved by telephone an appointment will be made for you to come and discuss the problem.

We hope most concerns can be resolved in this way.

## **The Second Step**

Very occasionally, it may be that your concern cannot be resolved by the Teacher or you may feel that the situation has not altered. If this is the case, and you have allowed sufficient time, you should raise the issue with the Head Teacher or Assistant Head Teachers.

### **Governors Complaints Procedure**

- If you are not satisfied with the response from the processes in Steps 1 or 2, or if the complaint is about the Head Teacher, then you are entitled to take the complaint to the Governing Body.
- All complaints to the Governing Body must be initiated by means of a letter, detailing the complaint and accompanied by any supporting evidence. Mark your envelope 'Confidential' and send to the Clerk to Governors, care of the school. The Clerk will then ensure the complaints process is commenced as soon as practicable. You should receive an acknowledgement from the Clerk within five school working days indicating the date by which you can expect to receive a response to your formal complaint letter.
- The Governors will appoint a minimum of three governors to form a Complaints Committee to adjudicate upon the complaint. This must be done within ten working days and the Complainant informed within ten working days.
- Once the Complaints Committee has been formed, they must then decide how they wish to investigate the complaint.
- The Governors effectively have two options available. The Governors can elect to deal with the complaint by means of an oral hearing or through written representations.
- If the Governors elect to have an oral hearing, you will be invited to attend a meeting where you will be able to put your complaint personally to the Governors. The Head Teacher will also be present to respond to the complaint. The Governors will then consider the matter following hearing both parties evidence.
- The structure of such a meeting should be flexible. However, it is anticipated it would follow a similar process to exclusion or admission appeals. The complaint would be put to the Complaints Committee who would then have an opportunity to ask any questions, as would the Head Teacher. The complaint would then be responded to by the Head Teacher with questions from both parties being permitted. Each party would then summarise their position. Both parties would then leave at the same time to allow the Governors to make their decision in private.

- Either the complainant or the Head Teacher will be entitled to bring a representative with them if they wish. Although it would not normally be necessary, either party may bring a legal representative if they wish. Either party intending to bring a representative would be expected to contact the Clerk to Governors prior to the hearing to notify them of this.
- If the Governors do not wish to hold an oral hearing; that decision being at the discretion of the Complaints Committee, the investigation will proceed by way of written representations.
- Should the Governors elect to adopt this procedure, the Clerk to Governors will write to you, outlining the procedure. The complaint will be forwarded to the Head Teacher who will then have 7 days in which to respond. That response will then in turn be sent to you for comment, any responses to be provided within 7 days. Finally, that response will go to the Head Teacher who has 7 days in which to respond. All the responses are then put before the Complaints Committee for adjudication. A copy of the Head Teacher's final response should be sent to the Complainant.
- Where your complaint is considered under written representations, this process may take up to twenty-eight school working days to allow for the collection of representations and evidence.
- If at any stage of the process, we believe we are unable to meet the timescales which have been provided to you, we will contact you to inform you of the reasons for any delay and to provide you with a new timescale for the conclusion of that part of the process.
- For the avoidance of doubt, all communication should be through the Clerk to Governors, neither party should send their response to the other directly.
- Regardless of which method is adopted, the Complaints Committee must take a robust approach and not simply endorse the decision of the Head Teacher without any consideration of the evidence.
- The Complaints Committee must have all the necessary evidence to make their decision. If they are not satisfied and require further evidence from either party, they should adjourn and request that information. The Complaints Committee will only make their decision if they are satisfied they have sufficient evidence in with which to make a final decision.
- The decision letter should outline the nature of the complaint, the factors taken into consideration and the decision of the Complaints Committee. The Governing Body and Head Teacher should be advised of the outcome and of any recommendation made by Complaints Committee (individuals must not be named).

## **Time Limits**

You should make the school aware of your complaint as soon as possible after the matter or incident has occurred that you wish to complain about. Usually, we would expect you to do this within three months of the incident occurring and if you do not contact the school within that time, we will not usually consider your complaint.

If your complaint relates to a continuing act, then occurrences outside of the three month time limit will usually be considered alongside the more recent occurrence.

If you feel there are exceptional circumstances that have prevented you from meeting the time limit, you can provide an explanation of these circumstances along with your complaint so that Governors can take them into account.

The final decision rests with Governors as to whether your complaint will be considered when it is raised outside of the three month time limit.

## **External Appeal**

If you are still dissatisfied with the response, you may be able to take your complaint to an external body. For certain complaints about schools maintained by the Local Authority, complainants can write to the Secretary of State for Education. You must do this in writing, either by post to :

School Complaints Unit  
Department for Education  
2<sup>nd</sup> Floor, Piccadilly Gate,  
Manchester. M1 2WD

Or, by using the online School Complaints form. This can be accessed at: <https://www.gov.uk/complain-about-school>

You should be aware that the School Complaints Unit (SCU) will usually only consider a complaint once the school's internal processes have been exhausted. The SCU will examine whether the complaints policy and any other relevant policies were followed in accordance with the provisions set out. The SCU will also examine whether the school's policies adhere to education legislation. The SCU will not re-investigate the substance of the complaint.

Please note that, unless your complaint is about the Governors' response or lack of response, your complaint will generally have to be considered first by the Governing Body of the school.

Clerk to Governors – Jacky Brown

Contact via school office : 01904 553900

Or by letter c/o Applefields School

### **Unreasonable Complainant Behaviour**

Staff and Governors are keen to ensure that all genuine complaints are dealt with fairly and promptly and in accordance with our agreed procedures. We would again emphasise that most matters can be resolved by discussing issues with our staff at the informal stages of our procedure.

Regrettably, there are times when complainants raise issues with or about staff in ways which are unacceptable. This can cloud the concern at the heart of the complaint, which may result in the delay or hindrance of a resolution. It can also have an adverse effect on pupils, staff and the effective running of the school. Examples of behaviours that we consider to be unacceptable are as follows:

- Using abusive or threatening language and/or behaviour.
- Making excessive demands on staff time and resources in pursuit of a complaint, whether in person, by phone, email or letter.
- Harassing individual staff members in a way which appears intended to cause personal distress rather than to find a resolution.
- Refusing to cooperate with the complaints procedure as set out in this policy.
- Persisting in repetitious complaints when these have been previously determined under the school complaints procedure.
- Changing the basis of the complaint as the consideration proceeds and/or making unjustified complaints about those trying to deal with the complaint.
- Pursuing unreasonable outcomes which are disproportionate to the nature of the matters in hand.
- Electronically recording meetings, telephone calls and conversations without the prior knowledge and consent of the other persons involved.

The school expects that any person wishing to raise a concern or complaint will:

- Follow the school complaints procedure.
- Treat all members of the school community with courtesy and respect.

- Recognise the time constraints that staff operate under and allow them a reasonable amount of time in which to respond / address any issues.

Where a complainant raises a complaint in a manner which the school feels is unreasonable, actions may be taken to remedy this. The actions will be proportionate to the nature of the behaviour and may include:

- An informal approach to inform the person that the behaviour is unacceptable and needs to be modified.
- A formal written communication advising the person that the behaviour is unacceptable and appropriate action may be taken if the behaviour is not modified.
- Setting limitations on the method and frequency of contact with staff / school personnel.
- Refusing to register and process further complaints about the same or similar subject matter where the matter has already been determined, or where complaints are vexatious, or where complaints are personally harassing and deliberately targeted at one or more members of staff without good cause.
- Setting limitations on the person's access to the school site.

It should be noted that parents/carers and members of the wider community do not have an automatic right to enter school grounds and may be banned from entering the school site with immediate effect after an incident where behaviour has been verbally and/or physically aggressive.

Any restrictions placed on a person as a result of this policy will be time limited, with a specified date as to when the restrictions will be reviewed and potentially lifted.

**Again, we would emphasise that the Head Teacher and Governing Body are committed to ensuring a full and fair consideration of all legitimate complaints and we recognise that the majority of parents/carers and members of the wider community will conduct themselves in accordance with this policy. However, we reserve the right to take any necessary actions under this policy in those rare cases where a person does not.**

This policy will be reviewed every three years, or earlier if required by legislation or new DfE guidance.

Next Review – June 2021

## **COMPLAINTS ABOUT SCHOOLS – MODEL COMPLAINT FORM**

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Please complete and return to the HeadTeacher or the Clerk to Governors depending on the stage of your complaint. You will receive an acknowledgement and an explanation of the process.

Your name:

Pupil's name:

Your relationship to the pupil:

Your address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you taken to try and resolve your complaint?

(Who did you speak to and what was the response?)

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

Are you attaching any paperwork? If so, please give details:

Signature:

Date:

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Official use only

Date acknowledgement sent:

By whom:

Complaint referred to:

Date of referral:

