



Warren Road is committed to safeguarding all children

School Complaints Procedures

1. Introduction

It is a requirement for all academies to have a complaints procedure. This procedure must meet the standards set out in the Education (Independent School Standards (England) Regulations 2014 Schedule 1, Part 7. These Regulations set out how complaints procedures should be drawn up and used effectively to handle complaints from parents of pupils.

This policy applies to all concerns and complaints other than safeguarding/child protection issues. Separate procedures are also in place to deal with staff grievance or discipline matters. These distinct procedures may, however, be triggered as a result of following the procedure for managing a complaint.

Any person, including members of the general public, may make a complaint. A complaint is a clear statement of dissatisfaction that has progressed beyond a question or general concern.

Third parties that use school premises for any purpose are encouraged to adopt their own complaints procedure.

2. Good Practice

It is the intention of school staff and Governors that parents' concerns and complaints will be dealt with whenever possible informally and without the need to invoke the formal procedure. In those cases where it becomes necessary, all complaints under the formal procedure will be dealt with as quickly and as efficiently as possible. The length of the period will vary with the gravity and complexity of the complaint and the urgency with which it needs to be settled. However, the intention is that all complaints will be settled within a period that is reasonable in all the circumstances and in line with the timescales detailed below.

Every effort will be made at all stages to ensure that either the complaint is settled or that a decision is taken about the complaint and it can, if required, proceed to the next stage

3. Arrangements for Handling Complaints and Time Scales

There are a number of stages at which a complaint is considered. An acknowledgement of the complaint will be made within 1 working day. The remaining time scales are listed below:

- (a) Stage 1 - The informal stage (10 working days)
- (b) Stage 2 - The Head Teacher (10 working days)
- (c) Stage 3 - The Panel of Governors (20 working days)

3.1 Stage 1 - Informal Stage

In the first instance, parents and others with concerns about a child's schooling must approach the school direct. This could involve contact with the Class Teacher, Deputy Headteacher, Head Teacher. Most concerns should be resolved at this level, but Head Teachers will always want to know if concerns have not been resolved.

Complaints made against the headteacher or any member of the governing body should be directed to the clerk to the governing body in writing in the first instance.

This stage will usually be completed within 10 days

3.2 Stage 2 - Formal Complaints to Head Teacher

Should the complainant not feel satisfied following informal discussions with the school, he/she should lodge a formal written complaint with the Head Teacher. The Head Teacher will investigate the complaint and report back to the complainant, normally within ten working days. If the complainant remains dissatisfied, he/she can ask for the complaint to be heard by a Panel which should be made in writing to the clerk to the governing body in writing within 10 days.

If the complaint is about the head teacher 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 and 2.

If the complaint is jointly about the chair and vice chair, or the entire governing body, or the majority of the governing body, stage 2 will be considered by an independent investigator appointed by the governing body. At the conclusion of its investigation, the independent investigator will provide a formal written response.

3.3 Stage 3 - Formal Complaint to Panel appointed by the Academy Trust

The panel must consist of at least 3 people who were not directly involved in the matters detailed in the complaint – a chair will be appointed by the panel members.

At least 1 panel member must be independent of the management and running of the school.

The complainant must have reasonable notice of the date of the review panel.

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have the opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to be accompanied if they wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate, to present their evidence.

The panel, the complainant and the school representative (s) will be given the

chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and the evidence will be considered.

The panel will then put together its findings and recommendations from the case. The complainant will be informed in a letter from the panel of the decision made and be provided with the findings and recommendations. Where relevant the person complained about will also be kept informed.

The school will inform those involved of the outcome, any key points for consideration to avoid any reoccurrence and the next stage of the process detailed in 3.5 below.

A copy of the findings and recommendations will be available for inspection by the proprietor and headteacher.

A written record must be kept of all formal complaints and whether they were resolved at stage 2 or stage 3 and what action has been taken regardless of whether the complaint was upheld. Records will be kept for 3 years.

If the complaint is jointly about the chair and vice-chair, the entire governing body or the majority of the governing body, a committee of independent governors will hear the complaint.

3.5 Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school.

ESFA Complaints
Chief Executive's Office
Cheylesmore House
Quinton Road
Coventry CV1 2WT

Should the claimant remain dissatisfied, the complainant can refer their complaint to the DfE. The Department of Education will investigate the complaint, having first established that the matter has been considered fully by the Head Teacher and Governors as laid out in this policy.

For more information or to refer a complaint, see the following webpage:
<https://www.gov.uk/complain-about-school>

4. Unreasonable Complainants

Warren Road Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school.

However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

We define unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

A complaint may be regarded as unreasonable when the person making the complaint:-

- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a 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.

Whenever possible, the Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking

If the behaviour continues the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Warren Road Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan.

This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Warren Road Primary School.

5. Confidentiality

All information relating to complaints will be confidential except where the Secretary of State or inspecting body requires access to such information.

6. Monitoring and Reporting

It is the responsibility of the Head Teacher to ensure records of complaints are kept and the responsibility of the Chair of Governors to ensure that all complaints are responded to appropriately within a reasonable timeframe.

Reviewed and adopted July 2019

