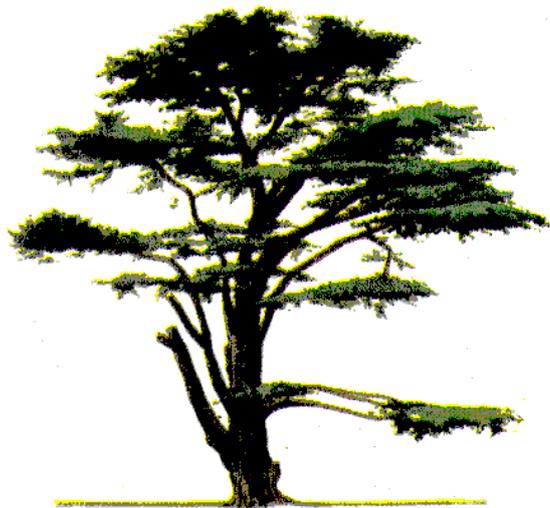


The Cedars Primary School



Complaints Policy

This policy was written in	September 16
Approved by Gobs on	19.9.16
Next Review Date: September 2019	

The Cedars Primary School

School Complaints Procedures

At The Cedars we want our pupils to be healthy, happy and safe, and to achieve to the best of their ability. We recognise that parents, guardians or carers play an important part in making this happen. Co-operation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere within the school.

Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.

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.

The Difference between a Concern and a Complaint

- A concern is defined as an “expression of worry or doubt over an issue considered to be important for which you may seek reassurance”
- A complaint may be defined as an “expression of dissatisfaction about the standard of service, actions taken or the lack of action by the School or their staff”

How to share a concern

Informal Stage

The school recognises that parents may well feel anxious or concerned when their child first enters a special school and may have worries about their education, welfare or treatment. As a school we will always aim to reassure parents as quickly as possible and our admissions procedures are designed to give new parents ample opportunity to express any worries or concerns they may have through initial interviews, home visits and home/school diaries.

Parents may phone the school (on 020 8230 0015) or email (office@cedars.hounslow.sch.uk) with any worries and speak to the office staff who may be able to answer their queries or who will pass a message on to the class team

to call back if more appropriate. Parents can also raise any concerns they may have in person with the class team or via the home/school diary.

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 by contact with the child's class teacher or TA.

What to do if the matter is not resolved by informal discussion

Formal Stages

Stage 1 – Written Complaint to the Headteacher

Where a parent feels that the matter has not been resolved through contact with the class teacher or that their concern is of a sufficiently serious nature to bypass the class teacher, they should put the matter in writing using the school's **Complaints Form (Appendix A)** and send this into school marked for the attention of the Headteacher.

If the complaint is about the Headteacher, parents should address the Complaints Form for the attention of the Chair of Governors and office staff will ensure that it is passed on.

Please ensure that you include all relevant information and an indication of what you would like the school to do to resolve the issue.

The school will acknowledge receipt of the form within 2 days and the matter will be investigated. You may be invited in for a meeting with the Headteacher (or Chair) to clarify your concerns and to seek an informal resolution. If you accept that offer, you may be accompanied by a friend or family member. It is possible that this meeting will resolve your complaint.

The school will send you a formal, written response within 10 school days or, if the investigation is not completed, a letter to advise you of the progress made.

The school will keep a record of all complaints raised and any related correspondence and this will be reviewed at regular intervals by a nominated governor.

The school will keep confidential all details of any complaints or concerns raised by parents and expects that parents will also do so. This includes not raising these issues in a public place such as the school's main reception area or broadcasting their concerns on social media.

Stage 2 – Complaint to the Chair of Governors

Where a complaint has not been resolved at school level via the stages mentioned above, parents should address a further written complaint to the Chair of Governors (or Vice Chair if the Chair was involved in earlier stages) within 10 school days of receiving notice of the outcome. Parents should ensure that they specify any perceived failures to follow procedure and their reasons for being dissatisfied with the previous outcomes.

This will be acknowledged within 3 school days. The Chair may ask an external professional to investigate the matter if appropriate (e.g. Local Authority advisor) or to mediate between the school and the complainant.

The Chair will respond to the parent within 15 school days having considered all previous correspondence and reports received.

The Chair of Governors will inform the governing body of any formal complaint received but make a statement only about the nature of the complaint. No discussion about the complaint will take place at this Stage amongst governors in case the complainant decides to proceed to Stage 3.

Stage 3 - Formal Complaint to the Governing Body Complaints Panel

In the event of the parent/carer still not being satisfied, s/he should put the complaint in writing formally to the Governing Body for consideration by a complaints panel which will be delegated the power to make a final decision on the complaint on behalf of the whole governing body.

The complaints panel will be convened within 30 school days and will be made up of three governors who have not previously been involved with the complaint, do not know the complainant personally and have no vested interests in matters of persons connected to the complaint. If required, the Chair can choose to include a governor from another school on the panel to ensure impartiality. Staff or teacher governors will not normally be panel members.

A clerk will be appointed to the panel who will set the date, time and venue of the hearing, collate and circulate written material to all parties in advance, meet and welcome the parties as they arrive, record the proceedings and notify all parties of the panel's decision. The panel will nominate a chair.

10 school days before the panel sits, both parties will submit written evidence which will be circulated to all parties. At the hearing, the panel will interview the headteacher and the complainant, both of whom are entitled to be accompanied by a 'friend' who can speak on their behalf. The panel will reach its decision within 48 hours when the panel chair will notify the complainant, the headteacher and the chair of governors of its decision.

The panel can:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part
- decide on appropriate action to be taken to resolve the complaint
- recommend changes to the school's systems or procedures to ensure problems of a similar nature do not recur
-

A timetable and guidelines for Complaints Panel procedures are available separately in an appendix and will be issued immediately to any complainant wishing to pursue a Stage 3 complaint.

The decision of the Complaints Panel is final.

If the complainant is still not satisfied, the final stage of appeal is to the Secretary of State for Education. Complainants should write to:

The School Complaints Unit (SCU)
DfE
2nd Floor
Piccadilly Gate
Manchester
M1 2WD

The SCU will examine if the complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint.

Appendix A

Guidelines for Stage 3 Procedures

Timescale after Scale 3 Complaint is received:

Within 15 school days	a panel is set up and the date and conduct of the hearing is agreed and confirmed in writing.
Within 30 school days	the panel sits and hears evidence addressed only to the original complaint.
10 school days before hearing	all written evidence must be submitted and circulated to both parties and to panel members.
5 school days before hearing	the panel must be notified of any witnesses being called
48 hours after the hearing	panel informs both parties of its decision in writing.

Plan and Conduct of Panel Hearing:

1. Introduction by Chair of Panel
2. Complainant presents case* (20 minutes)
3. Panel asks questions (10 minutes)
4. School presents case* (20 minutes)
5. Panel asks questions (10 minutes)
6. Headteacher makes final statement (10 minutes)
7. Complainant makes final statement (10 minutes)
8. Panel reaches its decision in private. It may ask for more evidence if it is required in order to reach a fair verdict.

The total duration of the hearing should be no more than 1½ hours plus time for the panel to reach its decision.

The panel chair notifies the complainant, Headteacher and Chair of Governors in writing of its decision within 48 hours.

NB. Complainant and school representative (Headteacher/Chair) should not question each other directly except via the panel and at the panel's discretion.

*Witnesses can be called on and questioned by the panel but must be notified to the panel 5 school days before the hearing.

Appendix B

Formal Complaints Form

Please complete and return to the School Office in a sealed envelope marked for the attention of the Headteacher or Chair of Governors	
Your Name	
Pupils Name	
Your Relationship to Pupil	
Address	
Postcode	
Daytime Tel Number	
Evening Tel Number	
Please give details of your complaint here	
What actions have you taken to try to resolve your complaint?	
What actions do you feel might resolve the problem?	
Signature	
Date	
For Office Use Only	
Date Received:	Date Acknowledgement Sent:
Complaint Referred to:	Date:

Annex to Complaints Policy

Policy for Dealing with Unreasonably Persistent or Malicious Complaints, Harassment or Aggression

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

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

However, there may be occasions when complainants behave in an unreasonable manner when raising or pursuing concerns. The consequence of this is that this can impact negatively on the day to day running of the school and the good relationships that we pride ourselves on. In these exceptional circumstances, the school may take action in accordance with this policy.

What we expect of any person wishing to raise a concern

We expect anyone wishing to raise a concern to:

- Treat all members of the school community with respect
- Respect the needs of children and staff within the school
- Avoid the use of violence or threats of violence towards people or property
- Avoid aggression or verbal abuse
- Recognise that resolving problems can sometimes take time
- Follow the school's Complaints Policy

What is meant by “unreasonably persistent or malicious complaints?”

For the purpose of this policy, the school considers the definition to include anyone who engages in unreasonable behaviour when making a complaint. This will also include anyone who pursues complaints in an unreasonable manner.

Unreasonable behaviour may include:-

- Actions which are obsessive, persistent, harassing, prolific or repetitious
- Prolific or excessive correspondence, emails or telephone contact about a concern or complaint
- The use of Freedom of Information requests excessively or unreasonably
- An insistence on pursuing unsubstantial complaints or expecting unrealistic or unreasonable outcomes
- An insistence on only dealing with the Headteacher on all occasions irrespective of the issue

- An insistence on repeatedly pursuing a complaint when the outcome is not one the complainant feels is satisfactory but is beyond the remit of the school to change (i.e. it would be unlawful)
- Making groundless complaints about staff dealing with the complaint in order to have them replaced
- Abusive or threatening behaviour or actions towards school staff
- Failing to specify the grounds for a complaint despite offers of assistance from the school

What is Harassment?

The school regards harassment as the unreasonable pursuit of an issue or complaint, particularly if it appears to be pursued in a way that is intended to cause personal distress, rather than to seek a solution.

Behaviour that may be considered harassing includes:

- Appearing to deliberately target one or more members of school staff or others without good cause
- Pursuing the complaint in a way that causes undue distress to school staff or others
- Broadcasting defamatory remarks or views about the school amongst the public or other parents so that it has an adverse effect on the school community

How the school will respond to unreasonably persistent/malicious complaints or harassment

The school will always seek to work with parents to reach an amicable and mutually satisfactory resolution to any concern or complaint.

However, in cases of unreasonably persistent or malicious complaints or harassment, the school may take all or some of the following steps if considered appropriate:

- Inform the complainant informally that their 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 their behaviour to fall under the terms of this policy
- Require any future meetings with staff to be conducted with a second adult present and in the interests of all parties, notes will be taken at these meetings
- Inform the complainant that, except in emergencies, the school will only respond to written communication and that these may need to be channelled through a third party (e.g. Social Worker, solicitor or Local Authority)

- Inform the complainant that, with the exception of urgent communication regarding their child in school, the school will only respond to their correspondence once a half term
- Take legal advice on pursuing a case under libel or anti-harassment legislation

Legitimate new complaints will always be considered within the appropriate time-frames set out in the school's Complaints Policy, even if the person making them has previously been subject to the policy for Unreasonable/Malicious Complaints or Harassment.

The school nevertheless reserves the right not to respond to communication 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 any member of the school community.

If there is any evidence of any such behaviour the school may:

- Ban the individual from entering the school site with immediate effect
- Call the Police to remove the individual from the premises or to report the act as a crime
- Take legal advice about any further action through the courts

Right of Appeal

Anyone who is notified that they are being dealt with under this policy has the right of appeal.

Appeals should be made in writing and addressed to the Chair of Governors under confidential cover, via the school office.

The Chair of Governors will consider each case on merit, consulting with the Headteacher as appropriate. The outcome of the appeal will be notified to the appellant and copied to the Headteacher, within 10 school days of receipt.

The school will keep a record of any person dealt with under this policy and of any associated correspondence and decisions.