

# Broad Chalke CE VA Primary School

## Complaints Procedure 2017

With the love of God we learn, care, grow and share

### General Principles:

- Set out below is the procedure to be followed, should you wish to raise a concern or complaint relating to Broad Chalke CE VA Primary School.
- Broadly a *concern* is dissatisfaction with something, and a *complaint* is a concern which cannot be resolved by the *Informal Stage* (see below).
- Any concern or complaint which becomes an allegation of abuse against a member of staff will be dealt with according to the school's procedure for Allegations of Abuse Against Staff. Any such allegations are reported to the Local Authority Designated Officer who considers the facts and decides on the course of action.
- An anonymous concern or complaint will not be investigated under this procedure, unless exceptional circumstances exist.
- To allow for a proper investigation to take place, 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 Complaints Policy should be read in conjunction with the Methodology for Dealing with Complaints attached as Annex 1.
- In the interests of fairness to all, and to ensure that any outcome is not prejudiced in any way, or that data protection issues are not compromised, it is important that the subject matter of any complaint should remain confidential to the parties concerned.

### Raising a concern or complaint

#### 1) Informal Stage

- (a) It is normally appropriate to first of all raise any issue or concern directly with a member of teaching staff. Teachers appreciate being made aware of any problems so that they may take any appropriate action before a problem worsens. This can be done by letter/contact book, telephone, or in person. Most concerns are resolved this way by simply by providing further information, reasons or clarification.
- (b) If the concern is serious, it is awkward to approach the teacher or if the concern has not been resolved by the teacher, then it may be appropriate to address this directly with the Headteacher, either informally (conversation) or more formally (in writing), [or to the Chair of the Governing Body, if your concern is about the Headteacher].
- (c) If you are uncertain about who to contact then please seek advice either from the Headteacher, or from the Clerk to the Governing Body (c/o the school office)

#### 2) Formal Stage

- (a) If your concern is not resolved by the informal stage then you should notify the Headteacher in writing. The matter is now treated as a complaint. Alternatively, if

your complaint is about the Headteacher, then you should address your letter to the Chair of the Governing Body (this letter can be handed in at the school office).

- (b) You will find a complaint form attached as Annex 2 for you to use. Only completed forms can be considered during the formal stage. All investigations resulting from this, and all communications, will be documented.
- (c) In completing the complaint form you should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of any relevant documentation. Please be as specific as possible about the nature of your complaint to avoid any confusion.
- (d) It is very important that you include a clear statement of the actions that you would like the school to take, in order to resolve your complaint. Without a clear statement it often becomes much more difficult to proceed, and for the complaint to be dealt with.
- (e) Once you have completed the complaint form, this, together with your letter, should be placed in a sealed envelope and sent off, as set out above.
- (f) The school will acknowledge receipt of your completed complaint form within 2 school days prior to any investigations, meetings or outcomes.
- (g) The Headteacher [or Chair] may invite you to attend a meeting in order to clarify your complaint. Hopefully an informal resolution will then be achieved at this point. If you accept such an invitation then you may be accompanied by a friend (if you so wish) to assist you in putting across your complaint.
- (h) If a meeting with the Headteacher [or Chair] is not appropriate or necessary, then further arrangements will be made for the matter to be investigated. Investigations are usually conducted by the Headteacher, in the first instance if the complaint relates to the Headteacher, the Headteacher's handling of the informal complaint or if the parent is dissatisfied with the outcome of a written complaint to the Headteacher, the complaint should be referred to the Chair of the Governing Body. The chair will consider whether the Headteacher's actions or decisions were reasonable in the light of information available. You will be notified in writing, usually within 5 school days of the school receiving notice of your complaint, of how the school intends to proceed. This notification will include an indication of the anticipated timescale.
- (i) Any investigation will begin as soon as possible. Once such an investigation has been concluded, you will be informed of its conclusion, in writing.
- (j) If you are not satisfied with the manner in which your complaint has been dealt with, then you may request that the Governing Body reviews the procedures that the school has followed. You must make any such request in writing, to the Clerk to the Governing Body, within 10 school days of you receiving notice of the outcome. You should make it clear as to why you consider the school has failed in carrying out the correct procedures. The review process, described below, will then be followed. A Complaints Review Request Form is attached as Annex 3 for you to use.

### **3) Review Process**

- (a) The review process will be carried out by a panel of 3 members of the Governing Body (known as the Complaints Panel). This panel will not have been intentionally aware of any details of the complaint until it has been convened. This will usually take place within 10 school days of the complainant's request being received.
- (b) The review process will normally be carried out by the Complaints Panel, considering written evidence provided to them. However, reasonable requests to hear the evidence orally will be considered.
- (c) The Complaints Panel will first consider the written evidence provided by the complainant.
- (d) The Panel will then invite representatives of the school [usually the Headteacher, or the Chair of the Panel of the Governing Body], as appropriate, to make a response to the complaint.
- (e) In making their decision the panel will have access to all the records kept in relation to the procedures followed to date.
- (f) The complainant and the school representative[s] will be informed in writing of the decision made by the Complaints Panel, usually within 5 school days of the Panel meeting to address the issue. Decisions or outcomes are not made during any face to face meeting with complainants or respondents.
- (g) Once the Complaints Panel has delivered its conclusion the matter will then be considered closed, as far as the school is concerned. Governor decisions are final.
- (h) If the complainant believes that the Governing Body has acted illegally, unreasonably, or arbitrarily in handling the complaint, then the complainant's only recourse is to then make representations to the Secretary of State for Education. A review is not available simply because the complainant is unhappy with the outcome - only if the procedure has not been followed fully can a complainant pursue the matter.

### **Vexatious Correspondence and Complaints**

In the event of vexatious correspondence and complaints the procedure set out in Annex 6 will be followed.

### **Monitoring and review**

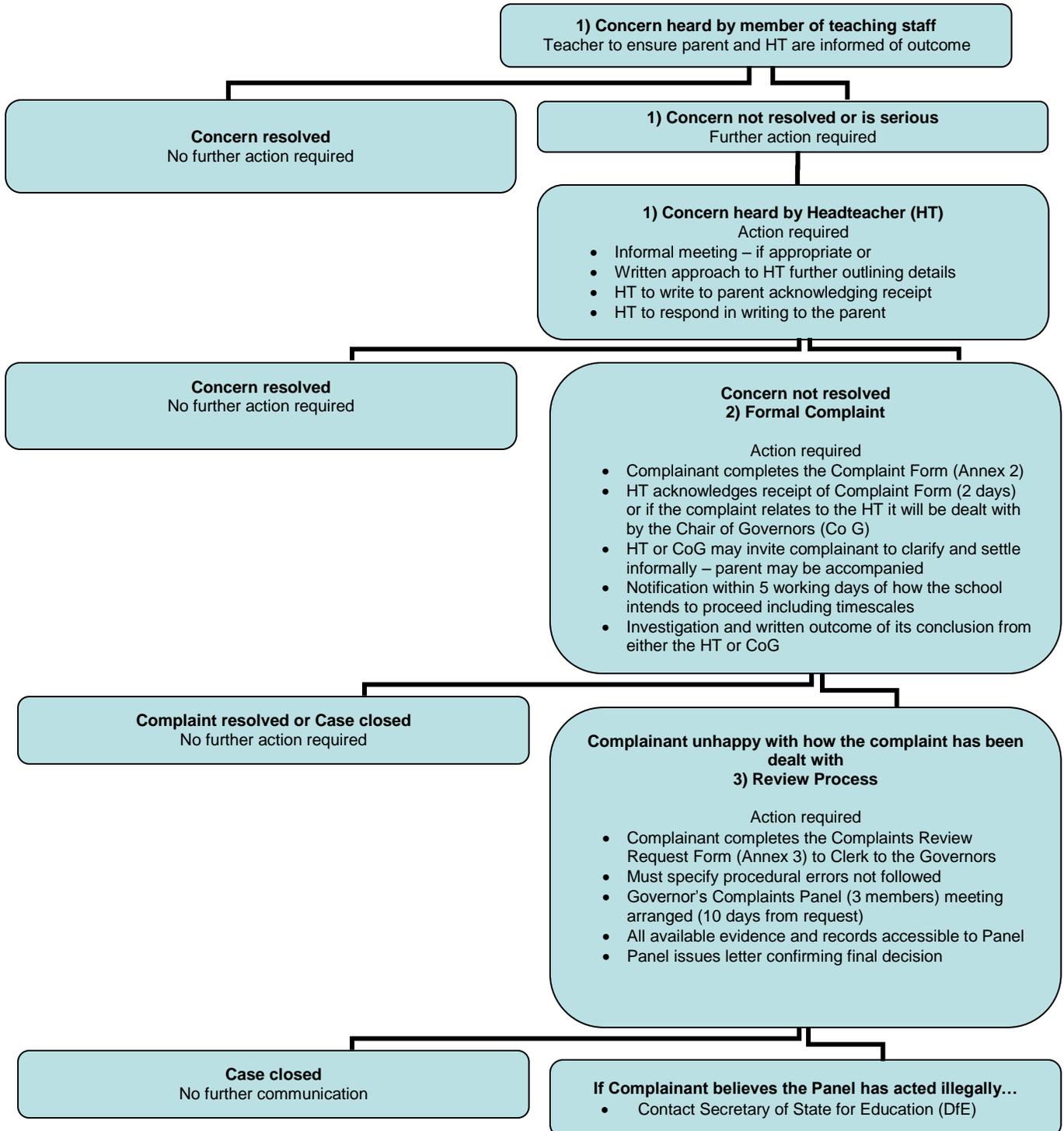
It is the responsibility of the governing body to monitor the effectiveness of this Complaints Procedure.

Adopted by FGB:	May 2014
Reviewed:	June 2017
Due for Review:	June 2020

Annex 1

A Methodology for Dealing with Complaints

**Flowchart**  
**Summary of Dealing with Concerns and Complaints**



**Annex 2**

**Broad Chalke CE VA Primary School**

**Complaint Form**

Please complete this form and return it to Headteacher [or Clerk to the Governing Body], who will acknowledge its receipt within two working days and inform you of the next stage in the procedure.

Your name: .....

Relationship with school [e.g. parent of a pupil on the school's roll]:

.....

Pupil's name [if relevant to your complaint]:

.....

Your Address:

Daytime 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:

You may continue on separate paper, or 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?]

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

Signature:

Date:

School use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:			
Date:			

**Annex 3**

**Broad Chalke CE VA Primary 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:

Daytime telephone number: .....

Evening telephone number: .....

Dear Sir

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

My complaint was submitted to ..... and I received a response from ..... on .....

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:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

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

Signature:

Date:

School use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			

**Annex 4 (School use only)**

**Acknowledgement of receipt of formal complaint and invitation to meet**

Dear .....

I have received your formal complaint, dated ..... I am grateful that you have brought this to my attention.

The school and governing body take any complaint most seriously. Therefore I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. Please telephone my secretary, in order to arrange an appointment/ I can offer you an appointment at .....on ..... .Please let my secretary know if this is convenient.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place. This should begin within 5 days of our meeting.

Yours sincerely,

Headteacher  
Or Chair of Governing Body

**Acknowledgement of receipt of formal complaint referred by a third party**

Dear .....

I have received a copy of the documentation that you sent to ..... setting out a complaint about ..... . This has been passed to the school as it has responsibility for these matters.

The school and governing body take any complaint most seriously. Therefore I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. Please telephone my secretary, in order to arrange an appointment/ I can offer you an appointment at .....on ... .Please let my secretary know if this is convenient.

Meanwhile I would be grateful if you would complete and return the Formal Complaint Form that is enclosed, along with details of the school's complaints procedure.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place. This should begin within 5 days of our meeting.

Yours sincerely,

Headteacher  
Or Chair of Governing Body

## **Annex 5 (School Use only)**

### **Possible Resolutions available to the school for consideration:**

- Apology
- Acknowledgment that the complaint is valid
- Full explanation
- Admission that the situation could have been handled differently
- Assurances about future events/proceedings etc.
- Clarification of misunderstanding
- Identification of areas of agreement/common ground
- Other resolutions relevant to the circumstances

## Annex 6

### Procedure for Vexatious Correspondence and Complaints

**For implementation by school governing bodies if a complaint becomes vexatious, and only after the complaints procedure has been completed**

#### Purpose of this procedure

A small percentage of people will correspond with or complain to the school or governing body in a way that could reasonably be described as obsessive, harassing or repetitious. This correspondence from a minority of individuals takes up a disproportionate amount of resource and can result in unacceptable stress for governors and staff. This procedure is designed to address vexatious correspondence and complaints. It should assist schools and governors to manage inappropriately demanding or unreasonable behaviour from vexatious correspondents.

It is important that the use of this procedure does not prevent people from accessing school services to which they have an entitlement, and it is designed to ensure that their rights are protected, while ensuring that scarce resources are used fairly and effectively, and that governors and staff receive a reasonable degree of protection from the stress that can be caused by vexatious correspondence and complaints.

This procedure is not designed to address violent or threatening behaviour which needs an urgent response.

#### Defining vexatious correspondence or complaints

Vexatious or persistent complaints and correspondence can be characterised in the following ways:

- Behaviour which is obsessive, persistent, harassing, prolific, repetitious and/or;
- Displays an insistence on pursuing unmeritorious issues and/or unrealistic outcomes beyond all reason;
- Displays an insistence upon pursuing meritorious complaints or issues in an unreasonable manner;
- A “scatter gun” approach, with copies of letters being sent to several recipients on a regular basis, often including the media, the MP, the Chief Executive and Leader of the Council, the department and/or service directors, and external regulators;
- Repeated and/or frequent requests for information, whether or not those requests are made under the access to information legislation.

#### Using the procedure

If governors or staff identify behaviour that they think exhibits these characteristics, and which they believe may be vexatious, they should first discuss their concerns with the chair of governors. If the chair agrees with the assessment, the chair should prepare a brief statement of why the governors consider the complaint or correspondence to be vexatious, including its effect upon staff, governors and the school. This should be accompanied by a list of correspondence over the last 6 months, via email, telephone and letter, including information about whom the correspondence was addressed to, how many people/organisations it was copied in to on each occasion, and a one-line description of each piece of correspondence.

#### Handling correspondence and complaints that have been assessed as vexatious

The first step will be for the chair of governors to write to the correspondent advising them that their complaint and/or correspondence has been determined to be vexatious and giving the reason for that decision. The letter should state that any future correspondence will be passed direct to the chair of governors who will consider whether it raises any substantive new issue(s). The correspondent should be advised that if no substantive new issue is raised, any future correspondence will not receive a response. They should also be advised of their right to complain about this decision to the Secretary of State for Education. They should be advised that the decision will be reviewed in 6 months from the date of the letter advising them that their complaint/correspondence has been determined to be vexatious. There is no internal route of appeal against the decision that a complaint or correspondence is vexatious.

The chair should notify any colleagues whom they know are likely to receive correspondence of their contact details and ask them to pass any future correspondence from the vexatious correspondent to the chair.

Any future correspondence should be passed to the chair. If he/she decides that it raises no genuinely new and substantive issues, no response is required. If he/she considers it to be appropriate, he/she may acknowledge the first 2 or 3 pieces of correspondence, referring the correspondent to the letter advising them of the decision that their correspondence has been determined to be vexatious. After that, however, no response or acknowledgement should be sent.

If future correspondence does raise significant new issues, it should be responded to. It may be appropriate for the response to be routed via the chair in order to prevent the renewal of “scatter gun” correspondence.

#### Reviewing the decision

Six months after the correspondent has been advised that their complaint and/or correspondence is vexatious, that decision should be reviewed. The chair should meet the governing body and the headteacher to consider whether there has been any improvement in the vexatious behaviour over that time. The chair should write to the correspondent advising them of the outcome of the review. If the behaviour has improved, future correspondence can be treated in the normal way. If there has not been a significant improvement, the correspondence will continue to be treated as vexatious, and will be reviewed every six months.

#### Further advice and guidance

Please bear in mind that defining complaints and/or correspondence as vexatious is a very serious step, and only undertaken as a last resort. For that reason, it is essential that the decision to make correspondence or complaints vexatious is evidence-based and reviewed regularly.

If you have concerns about a particular correspondent, please discuss them with the Head of Governor Services. Please do not hesitate to contact them to discuss specific issues or questions.