
Orrell Holgate

School Complaints Procedure

The Greengate Trust

Orrell Holgate Primary School

General principles

1. The procedure is designed to ensure that, wherever possible, an informal resolution is attempted.
2. All stages of the complaints procedure should be investigatory rather than adversarial.
3. The procedure is intended to be extended to those persons who may have a legitimate complaint relating to the school and where any complaint may not be pursued through another statutory procedure. (It is anticipated that, primarily, these persons will be parents, as defined by Section 576 of the Education Act 1996, and those with parental responsibility, as defined in the Children Act 1989.)
4. The responsibility for dealing with general complaints lies solely with the school. The procedures of LAs, Diocesan Boards and other agencies are expected to reflect existing legislation and ensure that any complaint received by them, which does not fall to them by statute to resolve, will be redirected to the school immediately and that the complainant be informed accordingly.
5. Any procedure should include provision that “An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances.” These would include serious concerns such as child protection issues or bullying allegations, where the school would either involve appropriate external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.
6. There should be a mechanism for terminating spurious complaints and those brought by vexatious complainants. Model letters are included in annex 4 to the procedure.
7. In advising complainants of the outcome of their complaint it is important to be most circumspect in the details provided. To do otherwise may prejudice the ability of any employee complained about to continue in post. The release of certain information might be an obstacle to the fair application of disciplinary/capability procedures or otherwise contravene the employee’s employment or data protection rights. Sample responses are included in annex 4 to the procedure.
8. In the event that a complainant believes that the appropriate procedures have not been followed, by the person dealing with their complaint, the complainant may request that the governing body reviews the process that has been followed in order to verify whether the procedure has been adhered to. Any review request that is based solely on dissatisfaction with the outcome, rather than any identified failure to deal with a complaint according to procedure, should not be accepted.
9. Any governors involved in the process should receive prior training for their role.
10. It is important that any potential complainant is aware of the correct channel through which to pursue their complaint. This will reduce the likelihood of letters of complaint being directed, say, to the LA, Secretary of State, Councillors, MP, local paper, individual governors, the Diocese or the Bishop. Therefore it is essential that reference is made to the existence of the General Complaints Procedure in the school prospectus. (A model paragraph is included in annex 5)
11. Some existing procedures include a “hearing” stage, where the subject of the complaint is questioned in the presence of the parent or by the parent. The absence of such a stage in this

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procedure is deliberate as its inclusion creates an opportunity for confrontation, which runs counter to the resolution of any complaint.

12. It may be helpful to place a limit on the time after which a complaint will normally not be considered (e.g. complaints must be raised within 3 months of the event being complained of, save in exceptional circumstances)

13. Schools should include an indication of the time scale within which the school will process the complaint. e.g. Investigation of any complaint or review request shall begin within 5 school days of receipt of the same, save in exceptional circumstances. The investigation shall be completed as soon as reasonably practicable, say within 10 school days, save in exceptional circumstances.

14. The matter of keeping a record of the complaint and its investigation could be addressed. The issue of taking notes/minutes may also be addressed, along with that of their safe storage.

15. The procedure should be designed to facilitate resolution of concerns with the minimum of conflict. Therefore, it is important that the procedure adopted carries the confidence of all interested parties so that its use secures "closure". This is more likely to be the case if the procedure adopted has been the subject of consultation.

16. The use of well designed "Complaints" and "Review Request" Forms may assist the process by focusing the complainant on the importance of being specific about the nature of their complaint and the need to provide evidence or at least to be able to cite relevant incidents.

17. It is usually unhelpful if a complaint is broadcast to the school community. Therefore the school should make it clear any person who raises a concern that the school will treat the matter with a high degree of confidentiality and asks the complainant to do likewise. This is more likely to meet with a favorable response if the complainant is convinced that the school is taking their concern seriously and is actively seeking to resolve the matter.

Vexatious complainants

It is clear from the information provided by our members that the vast majority of complaints are resolved by informal contact. Problems arise where the complainants are unreasonable and are not seeking to have a situation remedied but instead are determined to extract retribution for some real or imagined wrong.

It is these latter circumstances that can lead a school, which is acting very reasonably, to be drawn into an interminable saga with letters flying back and forth with each reply demanding more and more answers to more and more questions. Often an attempt to clarify the situation will trigger a multitude of questions, none of the possible answers to which serve any constructive purpose. It is these vexatious complainants from which schools need protection.

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The Office of the Independent Adjudicator has defined frivolous or vexatious complaints as follows:

Complaints which are obsessive, persistent, harassing, prolific, repetitious;
Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
Insistence upon pursuing meritorious complaints in an unreasonable manner;
Complaints which are designed to cause disruption or annoyance;
Demands for redress which lack any serious purpose or value.

An 'unreasonable manner' may include situations where the complainant's frequency of contact with the school hinders the consideration of the complaint and/or impedes the ability of the Headteacher and school to meet the needs of all pupils equitably.

Where the Headteacher and/or Chair of Governors, judges a complaint to be frivolous or vexatious having considered all the relevant circumstances, they should take appropriate action which may include rejecting the complaint and/or restricting contact between the complainant and the school.

The Headteacher or Chair of Governors, as appropriate, should write to the complainant and explain this decision and the reasons for it and what action will follow, if applicable.

Where a complainant seeks to reopen a matter which is the same as, or similar to, a matter previously considered under the procedure, the Headteacher or Chair of Governors has the right to inform him/her that the procedure has been exhausted and the matter is closed.

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School Complaints Procedure

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.

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 email, by telephone or in person by appointment, requested via the school office.

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 head teacher (or to the chair of the governing body, if the complaint is about the head teacher).

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 may choose to put the complaint in writing and pass it to the head teacher, who will be responsible for ensuring that it is investigated appropriately. If the complaint is about the head teacher, your complaint should be passed to the clerk to the governing body, for the attention of the chair of the governing body.

A complaint form is provided 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 school office. The envelope should be addressed to the head teacher, or to the clerk to the governing body, as appropriate.

The head teacher and/or chair may invite you to a meeting to clarify your concerns and to explore the possibility of 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 head teacher (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

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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 manner 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 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.

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..... School Complaint Review Request Form

Please complete this form and return it to head teacher (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:

Telephone numbers

Daytime:

Evening:

e-mail address:

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 =

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..... **School Complaint Review Request Form contd...**

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

Signed Date

School use:
Date form received:
Received by:
Date acknowledgement sent:
Acknowledgement sent by:

Complaint referred to:			
Date:			