



## BEECROFT PRIMARY SCHOOL

### School Complaints Policy

This policy will be published on our website in the policies section or paper copies can be obtained from the school office on request.

#### Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to **Beecroft Primary** about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

#### The difference between a concern and a complaint

- A concern may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'.
- A complaint may be defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that concerns and complaints are **resolved at the earliest possible stage**. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Beecroft Primary takes concerns seriously and will make every effort to resolve the matter as quickly as possible. If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, it will normally be the headteacher or if concerning the head, we will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Beecroft Primary will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

#### How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to [June Turner](#) via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the Chair of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, should be addressed to the Vice Chair of the Governing Body, via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

Complaints about the governing body as a whole should be addressed to the school and sent to the school office. They will then determine the most appropriate course of action, which may include being looked at by an independent panel of governors.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

### **Time scales**

You must raise the complaint within **three months** of the incident.

### **Complaints received outside of term time**

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### **Mediation**

The school will consider mediation to try and resolve the concern before it reaches the formal stages. We will also consider mediation at any point in the process because the school wants to resolve and reconcile any difficulties.

## **Resolving complaints**

At each stage in the procedure, Beecroft Primary wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

## **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## School Complaints Procedure

### The informal stage

- Beecroft aims to resolve the concern through informal contact at the appropriate level in school. School will always endeavour to solve any problems in school before it reaches stage 1.

### On receipt of Stage 1 Formal Complaint

- If the complaint cannot be resolved after a meeting with the Head or appropriate person, you can send a formal complaint to the Chair of Governors. At this point an investigative governor will be appointed who will meet with you first to try to mediate between parent/ school to resolve the issue. If they are unable to do so they will determine whether the complaint needs to move onto formal stage 1 or is unreasonable.

### Stage one

- This is the first formal stage at which written complaints are considered by the head teacher or the designated governor, who has special responsibility for dealing with complaints.

### Stage two

- This is the next stage once stage one has been worked through. It involves a complaints appeal panel of governors.

How each of these stages operates is explained below:

### Informal stage – your initial contact with the school

1. Many concerns will be dealt with informally when you make them known to us. We will always endeavour to resolve any complaints informally, in school, once we have been made aware of them.

**The first point of contact should be your child's class teacher or the Headteacher.**

2. Once your concern is made known to us, we will see you, or contact you by telephone or in writing, as soon as possible. If it is necessary, all members of staff know how to refer to the appropriate person with responsibility for your particular issues. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.

3. Any actions or monitoring of the situation that has been agreed, will be communicated clearly and we will confirm this in writing to you.

4. If necessary, we will contact appropriate people who may be able to assist us with our enquiries into your concern.

5. We will normally update you on the progress of our enquiries within 20 school days. Once we have responded to your concern, you will have the opportunity of asking for the matter to be considered further.

## **Stage one - formal consideration of your complaint**

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined above.

1. Normally, your written complaint should be addressed to the head teacher. If, however, your complaint concerns the head teacher personally, it should be sent to the school marked "for the attention of the chair of governors".
2. We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three school days.
3. We will enclose a copy of these procedures with the acknowledgement.

### **On receipt of Stage 1 Complaint**

4. An investigative governor will be appointed who will contact you to listen to your complaint, informally and attempt to resolve it.
5. The governor will decide whether they can mediate between school and the complainant to resolve the issue. If not they will determine whether your concern will become a formal complaint, and we will deal with it at the next stage.

### **Stage 1**

6. The complaint will either be investigated by the headteacher, a senior member of staff as investigating officer or the an investigative governor.
5. Normally we would expect to respond in full within 25 school days but if this is not possible, we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response. Some complaints, if they contain many points may need an extended period of consideration.
6. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
7. The head teacher, or chair of governors/designated governor\* may also be accompanied by a suitable person if they wish.
8. Following the meeting, the head teacher, investigating officer or chair of governors/designated governor will, where necessary, talk to witnesses and take statements from others involved.
9. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
10. The head teacher or chair of governors/designated governor will keep written/typed, dated records of all meetings and telephone conversations, and other related documentation.

11. With regards to meetings with yourself or other witnesses, accurate notes will be agreed and signed by both/all parties.

12. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give an explanation of the head teacher's or chair of governors'/designated governor's decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.

13. If you are unhappy with the way in which we reached our conclusions, you may wish to proceed to stage two, as described below. If you wish to move your complaint to stage two, you should contact us within **10 school days**.

\*The designated governor will usually be the governor with allocated responsibility for dealing with complaints but may from time to time be another member of the governing body (including the chair of governors)

**Stage two - consideration by a governors appeal panel** This is the final stage of the complaints procedure.

***Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.***

- If the complaint has already been through stage one and you are not happy with the outcome as a result of the way in which the complaint has been handled, you can take it further to a governors' appeal panel. This is a formal process, and the ultimate recourse at school level.
- The purpose of this arrangement is to give you the chance to present your arguments in front of a panel of governors who have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice.
- However, the aim of a panel is not to rehear the complaint. It is there to review how the complaint has been investigated and to determine whether this has been conducted fairly. It is there to establish facts and make recommendations which will reassure you that we have taken the complaint seriously.
- The governors' appeal panel operates according to the following formal procedures:

1. The governing body will convene a panel of three governors and will aim to arrange for the panel meeting to take place within **20 school days**.

2. You will be asked whether you wish to provide any further written documentation in support of your appeal.
3. The head teacher or complaint investigator will be asked to prepare a pack of the documentation related to the investigation and the outcome for the panel. The panel can request additional information from other sources if necessary.
4. You will be informed, at least **five school days** in advance, of the date, time and place of the meeting. We hope you will feel comfortable with the meeting taking place in the school but we will do what we can to make alternative arrangements if you prefer.
5. With the letter, you will receive any relevant correspondence or reports regarding stage one and you will be asked whether you wish to submit further written evidence to the panel. Any additional documentation should be submitted prior to the review panel meeting.
6. The letter will explain what will happen at the panel meeting and that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. It is not recommended that legal representatives attend: this is not a legal process. However, there may be occasions when legal representation is appropriate, for instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.
8. In exceptional circumstances, and if it is necessary in the interests of the ratifying the investigative process, the complaint investigator may, with the agreement of the chair of the panel, invite relevant witnesses directly involved in matters raised by you to attend the meeting.
9. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
10. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
  - Any written material will be circulated to all parties at least **10** school days before the date of the meeting. The committee will not accept, as evidence, **recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.**
  - The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

11. The chair of the panel will ensure that the meeting is properly minuted. You will receive the written outcome of the panel meeting which should give you all the information you require.

12. However, if you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance as such minutes usually name individuals and are understandably of a sensitive and therefore confidential nature. The clerk can then be asked maintain confidentiality in the minutes.

13. Electronic recording of the meeting is not permitted without the consent of all attendees and only in special circumstances where there are communication difficulties. Agreement must be sought from the chair before the date of the meeting. Any recordings remain private and further sharing is subject to restrictions under the Data Protection Act 2018 and the General Data protection Regulations (EU) 2016/679 (GDPR).

14. During the meeting, you can expect there to be opportunities for:

- the panel to hear you explain your case and your argument for why it should be heard at stage two
- the panel to hear the complaint investigator's case in response;
- you to raise questions via the chair;
- you to be questioned by the complaint investigator through the chair;
- the panel members to be able to question you and the complaint investigator; and
- you and the head teacher/complaint investigator to make a final statement.

15. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to you and the head teacher **within three school days**. All participants other than the panel and the clerk will then leave.

16. The panel will then consider the complaint\* and all the evidence presented in order to:

- reach a unanimous, or at least a majority, decision on the case;
- decide on the appropriate action to be taken, if necessary; and
- recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.



\*the panel may need to reconvene at a later point, but the decision and response must still be **sent within 3 school days**.

17. The chair of the panel will send you and the head teacher a letter outlining the decision of the panel. The letter will also explain that you are entitled to have the handling of the complaint reviewed by the Secretary of State for Education.

18. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

### **Closure of complaints**

Very occasionally, a school and/or the LA will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.

- We, and the local authority where appropriate, will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".
- If a complainant persists in making representations to the school – to the head teacher, designated governor, chair of governors or anyone else – or to the local authority, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.
- For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and the complaint has exhausted our official process. The local authority will support us in this position, and especially where the complainant's action is causing distress to staff and/or pupils.

### **Next Steps**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the governing body. They will consider whether Beecroft Primary School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:  
Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.

We would advise parents that unless the school is shown to have behaved unreasonably or not to have followed their own procedures or any statutory procedures, there is likely to be little further action that can be taken.

Governing bodies are empowered to deal with many issues without reference to either the local authority or the secretary of state.

### **Campaigns**

Where we receive numerous complaints from parents and carers and/or other people unconnected with the school regarding a particular issue, we will classify these as campaigns. These usually concern a high profile issue that has motivated a number of people to come together and write to the school to express their dissatisfaction. If campaigns are set up on social media against staff member, teachers, governors or the school, Beecroft Primary school will consider legal action.

We will not deal with these under the school's complaint policy. However, we will produce a response to the issue that will be either sent to all correspondents or we will publish a response on the school's website and direct people to it.

### **Other sources of information and advice**

If your concern is about an aspect of special educational needs provision, which might include information about relevant voluntary organisations and support groups in Leeds, you might like to talk to Leeds SEND Information Advice Service (Leeds Special Educational Needs and Disability Advice Support Service) on their helpline:0113 395 1222.

### **Managing serial and unreasonable complaints**

This section focuses on managing unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.

Beecroft 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 our school. However, at stage 2 the complaint is completed. If the complainant engages in any of the following unreasonable behaviour set out below, we may be forced to do so.

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

Beecroft Primary School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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 and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provided falsified information
- publishes unacceptable information, or comments on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.

For complainants who excessively contact Beecroft 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 be reviewed after six months. In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Beecroft Primary School.

**Annexe C School Complaints Recording Form**

School's logo

**Complaints / Feedback form**

Personal Details .....

Name

.....

Address

.....

.....

Postcode

.....

Telephone number(s)

.....

Email address .....

If applicable, name of child(ren) and year at school

Your relationship to the school, e.g. parent, carer, neighbour, member of the public, student:

.....

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint ?  
Who did you speak to, when and what was the response?

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

Signature

.....

Date

.....

**Official Use:**

Date of acknowledgment .....

By whom .....

Complaint referred to .....

Date .....