



Moorside Primary School Complaints Policy and Procedures

Introduction

Moorside Primary School aims to provide an excellent level of education and care for the children and families that it serves. We welcome feedback about our successes and strengths, and also about those aspects of our work that are less successful. We try to serve as efficiently and as courteously as possible, but acknowledge that there are occasions when we fall short of the standards that are expected. We welcome comments and complaints as an opportunity to improve the quality of our provision.

If you feel that there has been a problem in the way that you or your child have been treated at Moorside Primary School, or you are unhappy about the general standards provided, then you can make a complaint. This document explains how to do this, and the procedure for making sure that complaints are dealt with in a fair and consistent way. Please note that the school will not investigate complaints made anonymously.

Special procedures are available for complaints about the school failing to meet National Curriculum requirements, a child's special educational needs, or a decision to exclude a child from school. Details of these procedures are available from school. The Children's Services Department of Newcastle City Council has a complaints policy and procedures which relates to the services provided directly by the council.

The vast majority of concerns can be dealt with quickly and easily without the need to register a formal complaint. You may need clarification from school staff about particular issues, or have concerns which you wish to discuss. We aim to respond to queries quickly and to give an appropriate response. This avoids the need for time consuming and complicated procedures in all but exceptional circumstances. We believe that open and honest communication between home and school helps us to achieve success for every child that we work with.

At all times we will:

- Enable a full and fair investigation by an independent person where necessary
- We will respect people's desire for confidentiality
- We will address all the points at issue and provide an effective responses and appropriate redress, where necessary
- We will provide information to the school's senior management team so that services can be improved

Timeliness

Whilst we recognise that complaints need to be considered and resolved as quickly as efficiently as possible we also recognise how "individual" a complaint is. Throughout the stages below we will:

- Set realistic and reasonable time limits for each action within each stage (where further investigations are necessary, set new time limits, send the complainant details of the new deadline and give an explanation for the delay.
- Understand that the school does not consider excessive time limits to be reasonable or acceptable, except for extenuating circumstances:
- Although the school would seek that complaints should be made as soon as possible, we will not "listen" at any point.

Raise your complaint

Stage 1

Any concern or complaint should be discussed in the first instance with the relevant member of staff. This will usually be your child's class teacher, although it could be another member of staff such as the Head Teacher or Deputy. Staff can be contacted by telephone, school email, in writing or in person. Teaching staff usually have a teaching commitment from 8:45 a.m. each morning so you may need to arrange to speak to them later in the day rather than at that time.

If you feel that you have not been able to resolve your concern or complaint at this stage then you may choose to move to stage 2 or stage 3. If your complaint is about the Head Teacher please go directly to the Chair of Governors by writing to the Clerk to the Governing Body.

Stage 2

If your concern or complaint has not been resolved informally you can request a formal investigation by the Head Teacher or by another senior member of staff if appropriate. You will need to explain what your complaint is about, and what action you would like the school to take to put things right. The member of staff will then investigate the problem and let you know the outcome of their investigation within five working days of receiving your request. If you are still not satisfied with the outcome you may choose to go to stage 3.

A record is kept of stage 2 concerns and complaints. This includes details of the complaint and the outcome of the investigation. The Governing Body receives a report on the number and general nature of stage 2 complaints received each term, although the details of each individual complaint remain confidential. This information is used by the Governing Body to inform discussions about how effectively the school operates and whether there are ways in which the quality of provision can be improved.

Stage 3

If your concern or complaint has not been resolved you may ask the matter to be referred to the Head Teacher or if this has already happened and you are still not satisfied please go directly to Stage 4. If applicable, the Head Teacher will then investigate the problem and let you know the outcome of their investigation within five working days of receiving your request. If you are still not satisfied with the outcome you may choose to go to stage 4.

A record is kept of stage 2 and stage 3. This includes details of the complaint and the outcome of the investigation. The Governing Body receives a report on the number and general nature of stage 2 and stage 3 complaints received each term, although the details of each individual complaint remain confidential. This information is used by the Governing Body to inform discussions about how effectively the school operates and whether there are ways in which the quality of provision can be improved.

Stage 4

The final stage is to make a request for an investigation by the Complaints Appeals Committee of the school's Governing Body. This Committee is made up of a number of school Governors, none of whom are employed by the school. Its role is to conduct an independent review of the complaint, not to rubber stamp previous decisions.

You can register a complaint with the Governing Body by completing the attached form. The form can be handed in to the school office or sent in the post. It should be addressed to the Clerk to the Governing Body and marked 'Confidential'.

You will receive a written acknowledgment of your complaint within two working days of it being received by the Chair of Governors.

Your complaint will be checked first of all to make sure that it can be dealt with. If it can't be dealt with then you will be sent a letter explaining the reasons.

After it has been established that the complaint can be heard you will be provided with a set of the procedures followed by the Complaints Appeals Committee. These procedures include a meeting of the committee, where you will be able to explain your complaint and present any evidence.

After the Complaints Appeals Committee has completed its work you will receive a written report setting out the committee's decision regarding your complaint, together with any action proposed to remedy the situation. You will receive this report within 28 days of your complaint being received by the Chair of Governors.

The procedure outlined in paragraph two of Stage 2 above is also followed for Stage 3 complaints.

Resolving Complaints

The process of resolving the complaint will usually include identifying areas of agreement between the parties, and clarifying any misunderstandings that might have occurred.

Other possible outcomes may include one or more of the following:

- an acknowledgement that the complaint is justified;
- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint;
- dismissal of the complaint in whole or in part.

An admission that the school could have handled the situation better is not the same as an admission of negligence.

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Body will inform them in writing that the procedure has been exhausted and that the school considers the matter to be closed.

**Formal Complaint to the Governing Body of
Moorside Primary School**

Name of complainant:

Pupil's name:

Relationship to the pupil:

Address:

Contact telephone numbers (day time / evening):

Please give details of your complaint (continue on a separate sheet if necessary).

What would you like the school to do to put things right?

What action have you already taken to try to resolve your complaint? (Who did you speak to and what was the response?)

Signed:

Date:

Complaints not in scope of the procedure

Exceptions:

- Admissions to Schools
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation.
- Exclusion of children from school further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.
- Whistleblowing Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.
- Staff grievances and disciplinary procedures - These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.
- Complaints about services provided by other providers who may use school premises or facilities. Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.

Serial and Persistent Complainants

The school will do our best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where the school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, the school will need to act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for the school to recognise when they really have done everything they can in response to a complaint. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

Under no circumstances will an individual be marked as serial for exercising their democratic right to refer their complaint to their local MP regardless of which stage the complaint has reached. The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

Is it time to stop responding?

The decision to stop responding will never be taken lightly. Before the school stops responding we will have:

- Made every reasonable step to address the complainant's needs;
- The complainant has been given a clear statement of the school position and their options and the complainant repeatedly continues to complain with the same points each time.
- The school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience
- Their letters/emails/telephone calls are often or always abusive or aggressive.
- They make insulting personal comments about or threats towards staff.

The school will not stop responding just because an individual is difficult to deal with or asks complex questions. In most circumstances the subject matter is what you can refuse to respond to, not the correspondent.

At Moorside Primary School we will provide parents with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005. However, where an individual's behaviour is causing a significant level of disruption the school may implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term.

The school understands that the complainants have a right to have any new complaint heard and failure to respond at all to a complainant could mean that the school involved is failing to comply with its legal obligations. The school will ensure that we are acting reasonably and that any genuine complaint will still be heard.

If our staff finds it difficult to deal direct with a complainant because of their unreasonable behaviour and other strategies are not working, we will approach the governor services team at their LA to ask for assistance. If this is agreed, complainants can be advised not to contact the school but to communicate instead with the LA who will co-ordinate any response. Complainants who may have been restricted in their communications with the school can also be advised to ask a third party to act on their behalf, such as the local Citizen's Advice Bureau. Ultimately, if a complainant persists to the point that the school feels that it constitutes harassment; legal advice will be sought as to the next steps. In some cases, injunctions and other court orders have been issued to complainants because of their behaviours.

Different procedures apply to FOI and Data Protection (DP) correspondence.

You should talk to your FOI/DP advisor contact about those or approach the ICO for further advice.

Once the school has decided that it is appropriate to stop responding, we will let the complainant know. 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 asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, the school 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 the school. Although fulfilling a public function, the schools are private places. The public has no automatic right of entry. The school will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, the school will ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. We will always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar will then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

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