

# SUNNYMEDE JUNIOR SCHOOL

## COMPLIMENTS, CONCERNS AND COMPLAINTS POLICY



Ratified by Governing Body: **April 2013**

Review: **Every two years**

This Review: **June 2017**

Next Review date: **July 2019**

Review date	Headteacher's signature	Chair of Governor's signature
July 2017		

Children of any age are more likely to be happy at school, and to achieve their best, if their parents take an active interest in their education and welfare during the time the child is at school. We value the involvement of parents and carers in the life of our school. At Sunnymede Junior School we welcome feedback about what parents feel we do well, or not so well, and will consider carefully all comments, whether positive or negative, reviewing our policies and practices accordingly. We have an open door policy and, in the interest maintaining good home/school relations, endeavour to resolve all concerns informally at school level.

We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils. We also urge you to contact us as soon as possible if you have a problem. It is difficult to investigate an incident effectively, however big or small, that happened some time ago. Please also be assured that any concern raised will not affect our relationship with you and your child in any way.

This policy statement summarises the school's approach to dealing with parental compliments, concerns and complaints. Further details of how we handle them are contained in our procedures document, *Essex School Complaints Toolkit*, which you can view on request from the school office.

### **Compliments**

These are always welcome and very encouraging to teachers and staff. The school encourages feedback or opinions from pupils and parents. In practice this dialogue is continuous, sometimes directly and also indirectly, for example, through the Parent in Partnership forum, verbally, an email, letter or parent survey. It may not always be possible to act immediately but pupils and the school always benefit so please don't hold back.

### **Concerns**

It is natural that parents may, occasionally, be concerned about an aspect of their child's education or welfare at school. This could include issues concerning the school's approach to aspects of the curriculum, homework, behavioural problems or any other issue.

The school welcomes enquiries from parents about any matter. Teachers and staff will explain the school practices, policies, and how they affect the pupils. The vast majority of concerns will be handled by the class teacher or by the subject leader if this is more helpful. If in doubt, keep asking until you are completely satisfied, as all staff members are keen to help. It is important to let us know about any concerns as soon as possible so that the matter can be dealt with promptly.

The usual format is to speak to the child's class teacher in the first instance, or to contact the school office to arrange an appointment to discuss your concern with the relevant member of staff. At all times the staff will help to resolve a problem. If, occasionally, parents feel they must state their concern formally, it is their right to do so. The school has defined procedures for handling complaints so do not be embarrassed if you feel an issue warrants more attention.

### **Complaints**

The procedure is to speak to the child's class teacher in the first instance, or contact the school office to arrange an appointment to discuss your complaint with the relevant staff member. The school's policy is to follow the Local Authority (Essex County Council) guidelines when handling concerns and complaints. Just ask if you would like advice or access to a copy. It would be unusual to deviate from these procedures but the school always retains discretion in these matters. The majority of concerns from parents, carers and others are handled under the following general procedures.

In summary, the nationally accepted procedure is divided into four stages:

**Stage 1** is an informal stage which aims to resolve a concern through contact at the appropriate level in school. This can usually be achieved by talking with your child's class teacher. If it is considered necessary to speak to the Headteacher, an appointment can be made via the school office. It is usually the case that concerns can be resolved through this informal stage.

**Stage 2 / 3** is the start of the formal stage where written complaints are considered by either the Headteacher or the Chair of Governors, who has the responsibility for dealing with complaints. A format for making a formal complaint can be found in **APPENDIX 1** of this document. Alternatively, please ask for advice from the school office.

**Stage 4** is the next step once Stage **2/3** is complete. It involves a complaints review panel of governors. Such a panel may be offered at the discretion of the Chair of Governors.

Please see **APPENDIX 2** for a more detailed outline of the above stages.

If you are unhappy with the outcome or your complaint, or the way it has been handled at school level, you can contact the Secretary of State at the following address:

Department for Education  
Schools Complaints Unit  
2<sup>nd</sup> Floor, Piccadilly Gate  
Store Street  
Manchester, M1 2WD

You should enclose a copy of any correspondence with the school or governing body. The School Complaints Unit (SCU) considers complaints relating to maintained schools on behalf of the Secretary of State. The SCU will look at whether the complaints policy and other relevant statutory policies were adhered to. However, the SCU will not normally re-investigate the complaint and will not overturn the school's decision except in exceptional circumstances.

The SCU will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. If the SCU finds that the school has not handled a complaint in accordance with its procedure, they may request that the complaint is looked at again. If legislative or policy breaches are found, the SCU will report them to the school and the complainant and, where necessary, ask for corrective action to be taken. The SCU normally also seeks written assurances as to future conduct. Failure to carry out remedial actions or provide written assurances could ultimately result in a formal Direction being issued by the Secretary of State in accordance with her powers under sections 496 and 497 of the Education Act 1996.

Further information can be obtained from the SCU by calling the National Helpline on 0370 000 2288 or going online at: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)

If you should need further assistance, please ask at the school office. All staff are familiar with the guidelines and have a duty to help parents needing advice. Please do not feel you are making a fuss. These procedures have been carefully compiled and their reference, however rare, is routine to help pupils, parents and the school.

## **Complaints form**

## **Appendix 1**

**Please complete and return to the Headteacher or Chair of Governor, as appropriate**

**Name:**

Pupil's name (if relevant):

Your relationship to the pupil:

Address:

Daytime telephone number:

Evening telephone number:

Please give details of your complaint.

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

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

**Are you attaching any paperwork? If so, please give details:**

**Signature:**

**Date:**

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**Official use**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**

**Final Action agreed/taken:**

**Signature:**

**Headteacher / Chair of Governors:**

## **Complaints Procedure**

### **Our procedure for dealing with general concerns / complaints at Sunnymede Junior School is as follows:**

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into four stages. How each of these stages operates is explained below:

#### **Stage 1 – Your initial contact with the school**

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's class teacher.
2. We will see you, or contact you by telephone or in writing, as soon as possible after your concern is made known to us. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by you. 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. We will ensure that you are clear what action or monitoring of the situation, if any, has been agreed.
4. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
5. We will discuss with you (normally within ten working days) the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

#### **Stage 2/3 - 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 under Stage 1 above.

1. Normally, your written complaint should be addressed to the headteacher. If, however, your complaint concerns the headteacher 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 working days.
3. We will enclose a copy of these procedures with the acknowledgement.
4. Normally we would expect to respond in full within ten working 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.
5. 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.

6. The headteacher or chair of governors may also be accompanied by a suitable person if they wish.
7. Following the meeting, the headteacher or chair of governors will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
8. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
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 headteacher or chair of governors will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
11. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the headteacher's chair of governors' 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.
12. If you are not satisfied with the outcome of the Stage 2/3 investigation and the schools findings, you may wish to proceed to Stage 4, as described below.

## **Stage 4 - Consideration by a complaints review panel**

- If your concern has already been through Stages 1, 2 and 3 and you are not happy with the outcome, the Chair of Governors will instruct the Clerk to set up a complaints review panel to consider it. This is a formal process, and your ultimate recourse at school level.
- The purpose of this arrangement is to give your complaint a hearing in front of a panel of governors who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.
- The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

The complaints review panel operates according to the following formal procedures:

1. The clerk to the governing body will aim to arrange for the panel meeting to take place within 20 working days.
2. The clerk will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
3. The headteacher will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The clerk will inform you, the headteacher, any relevant witnesses and members of the panel by letter, at least five working days in advance, of the date, time and place of the meeting. We

hope that 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, the clerk will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.
6. The letter will explain what will happen at the panel meeting and the clerk will also inform you 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. With the agreement of the chair of the panel, the headteacher may invite members of staff directly involved in matters raised by you to attend the meeting,
8. 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.
9. 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.
10. The chair of the panel will ensure that the meeting is properly **minuted**. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
11. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a **copy of the minutes** it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.
12. During the meeting, you can expect there to be opportunities for:
  - you to explain your complaint;
  - you to hear the school's response from the headteacher;
  - you to question the headteacher about the complaint;
  - you to be questioned by the headteacher about the complaint;
  - the panel members to be able to question you and the headteacher;
  - any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
  - you and the headteacher to make a final statement.
13. 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 the headteacher and yourself **within two weeks**. All participants other than the panel and the clerk will then leave.
14. 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 complaint;
  - decide on the appropriate action to be taken to resolve the complaint;
  - recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.

15. The clerk will send you and the headteacher a written statement outlining the decision of the panel **within two weeks**. The letter will explain what further recourse, beyond the governing body, is available to you.
16. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

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

**If your concern is about an aspect of special needs provision, which might include information about relevant voluntary organisations and support groups in Essex, you might like to talk to our Parent Partnership team on their helpline: 01245 436036.**

The Department of Education has published guidance – Best practice Advice for School Complaints Procedures 2016 – which the school adheres to.

For more information go to <https://www.gov.uk/complain-about-school/state-schools>

### **Our Policy for dealing with complaints that are unreasonable or do not have an agreed resolution**

Sunnymede Junior 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 the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Sunnymede Junior School defines unreasonable complainants as '*those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints*'.

A complaint may be regarded as unreasonable when the person making the complaint:-

- 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 while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as on social media websites and in newspapers.

Sunnymede Junior School endeavours to resolve all complaints to the satisfaction of the complainant. However, the school recognises that, from time to time, the school may reach a conclusion about a reasonable complaint and how it should be dealt with, but the complainant does not agree and continues to pursue the complaint. This will then be dealt with following the procedure dealing with unreasonable complaints

Complainants should limit the numbers of communications with a school while a 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 asking them to change it. For complainants who excessively contact Sunnymede Junior School and cause a significant level of disruption, we 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 Sunnymede Junior School

## Appendix 4

### Complaints not in scope of the procedure

The complaints procedure covers all complaints about any provision of facilities or services that the school provides with the exceptions listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
<ul style="list-style-type: none"><li>• <b>Admissions to schools</b></li></ul>	<p>Concerns should be raised direct with local authorities (LA). For school admissions, the admissions authority is the Local Authority. Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.</p>
<ul style="list-style-type: none"><li>• <b>Statutory assessments of Special Educational Needs (SEN)</b></li></ul>	
<ul style="list-style-type: none"><li>• <b>School re-organisation proposals</b></li></ul>	
<ul style="list-style-type: none"><li>• <b>Matters likely to require a Child Protection Investigation</b></li><li>• <b>Exclusion of children from school</b></li></ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p>
<ul style="list-style-type: none"><li>• <b>Whistleblowing</b></li></ul>	<p>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: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> 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.</p>
<ul style="list-style-type: none"><li>• <b>Staff grievances and disciplinary procedures</b></li></ul>	<p>These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>
<ul style="list-style-type: none"><li>• <b>Complaints about services provided by other providers who may use school premises or facilities.</b></li></ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.</p>