

# Cecil Gowing Infant School Complaints Procedure and Policy



Approved by Staff: January 2017

Approved by Governors: 19.1.17

Review date: January 2020

Signed I. Stubbs  
Headteacher

Date 19.1.17

Signed F. Hardman  
Chair of Governors

Date 19.1.17

All schools in Norfolk want their pupils to be healthy, happy and safe, and to achieve. They recognise that parents, guardians or carers play an important part in making this happen. Cooperation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in the school.

Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.

#### **Level 1 – informal**

Parents, carers or guardians should, in the first instance, make an appointment to speak to the class teacher or a head of year about the concern. It is best to resolve issues at this point. Any member of the public wishing to make a complaint regarding school related issues should be directed to the headteacher.

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#### **Guidance on informal level 1:**

- *Concerns should initially be handled informally in a manner that offers the best way of resolving issues*
- *A class teacher or head of year should offer an appointment to discuss the issue as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. This can allow parties to remain calm. It will also show a commitment to resolving issues*
- *It is important for parents to recognise that schools are busy organisations and that it may not be possible to offer an appointment straight away*
- *The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.*

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#### **Level 2 - informal**

Parents, carers or guardians dissatisfied with the result of the discussions with the class teacher or head of year should ask for an appointment to meet with the headteacher or, in a larger school, a member of the leadership team, a deputy headteacher or assistant headteacher. For complaints raised with the headteacher at level 1, the next step should be to write to the Chair of Governors.

If a resolution to the issue is proving difficult to find, the headteacher, a member of the leadership team, a deputy headteacher or assistant headteacher can speak to one member of the governing body about the issue who may be willing to offer informal intervention. However, there is no obligation on any governor to become involved at this level.

If everyone involved is unable to resolve the issue then it may be necessary to ask for information or support from a Children's Services Representative. The issue that is the focus of the complaint will determine the person contacted. The headteacher, member of the leadership team, deputy headteacher or assistant headteacher should know who to ring or the Customer Service Centre will be able to offer information on 0344 800 8020 or e-mail: [information@norfolk.gov.uk](mailto:information@norfolk.gov.uk)

## **Guidance on informal level 2:**

- *It is always best to resolve issues informally at the earliest possible time but if the person is not satisfied with the result of the talk with the teacher or head of year then he/she can ask for an appointment to meet with the headteacher or, in a larger school, a member of the leadership team, a deputy head or assistant headteacher*
- *It is in everyone's interest, particularly the child or children, for concerns and complaints to be sorted out quickly and smoothly*
- *The aim should be that discussions end on a positive note with no bad feeling*
- *It is good practice for headteachers or member of the leadership team, a deputy head or assistant headteacher to write a letter to parents summarising what has been agreed regarding the issue*
- *The headteacher, a member of the leadership team, a deputy head or assistant headteacher may feel that a particular governor's input would be helpful in bringing about a resolution but there is no obligation on any governor to become involved at this level*
- *The advice from a Children's Services Representative will be designed to help facilitate a resolution to the problem as quickly as possible*

***It is hoped that most problems will have been resolved by now.***

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## **Level 3 – formal complaint letter to headteacher**

**An issue that has not been resolved through the informal levels 1 and 2 can become an official complaint.**

**Complainants wishing to move to level 3 must write a formal letter of complaint to the headteacher. The letter will need to set out clearly the issues which have previously been discussed and why they consider the issue to be unresolved.**

**Headteachers should consider the complaint and discuss a resolution with the complainant. The headteacher should offer a resolution to the complainant in writing within 10 school days of receipt of the letter.**

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## **Guidance on level 3- formal:**

*An unresolved issue can now move to a formal complaint. This is a serious step to be taken. In consideration of future home/school relationships everyone concerned will need to negotiate an agreement and concentrate on finding a resolution to the issue.*

### **Concerns or complaints specifically about the headteacher**

**The decision that the headteacher has made as a result of the complaint does not become a complaint about the headteacher. If the complainant feels the complaint has not been resolved he/she should put the complaint in writing to the Chair of Governors asking them to investigate.**

**If, the concern or complaint is specifically about the headteacher and is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Chair of Governors. The school will provide the Chair of**

**Governor's name and the complainant should write to him or her at the school address marking the envelope 'urgent, private and confidential'. The Chair of Governors should acknowledge the complainant's letter in writing within 5 school days of receipt and contact a Governor Support Service Officer for advice.**

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**Level 4 – formal complaint requesting a Governors' Complaints Panel**

**Complainants wishing to move to level 4 of the formal complaints procedure will need to write a letter to the Chair of Governors to request that a Governors' Complaints Panel meets to hear the complaint. This formal complaint letter must be received within 10 school days of the last meeting with the headteacher concerning the issue. The complainant should write to the Chair of Governors at the school address marking the envelope 'urgent and confidential'. The letter will need to set out the complaint that has previously been formally discussed with the headteacher and show why the matter is not resolved.**

**Time Scales:**

<b>Receipt of complainant's letter</b>	<b>Acknowledgement within 5 school days</b>
<b>Receipt of complainant's letter</b>	<b>Governors' Panel meeting within 15 school days (unless this goes into school holidays)</b>
<b>Written documentation sent to Governors' Panel Members and complainant and headteacher</b>	<b>5 school days before meeting.</b>
<b>Governors' Panel members decision communicated to all concerned</b>	<b>As soon as possible but within 10 school days of meeting.</b>

**Before the meeting:**

**The chair of governors should appoint a clerk to the Governors' Complaints Panel, acknowledge the complainant's letter in writing within 5 school days of receipt and arrange for a panel of governors to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the governors' panel meeting. In this case the matter should be dealt with within 10 school days of the school reopening.**

**The headteacher should be given a copy of the complainant's letter and written documentation should be requested from the school. The clerk should send both the complainant's letter and the school documentation to the Governors' Complaints Panel members, complainant and headteacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.**

**The complainant and headteacher will be invited to attend the Governor's Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.**

### **At the meeting:**

The complainant and headteacher (or his representative) should provide all the relevant information they wish and the Governors' Complaints Panel members should clarify any points. After the complainant and headteacher (or his representative) have provided all the information they wish, the chair will ask all parties to leave except the panel members and the clerk.

### **After the meeting:**

The Governors' Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the Governor's Complaints Panel is final.

The decision of the Governors' Complaints Panel will not be investigated. If, however, the complainant feels that the School and Governors have not followed the school's complaints procedure correctly, he/she can contact a Children's Services Officer for assistance. In this case he/she should ring Customer Services on 0844 800 8001 who will arrange for an officer to get back to him/her.

### **Taking your complaint further**

If you believe that your school's governing board is acting 'unreasonably' you can complain in writing to the Secretary of State for Education.

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### **Guidance on level 4 - formal:**

#### ***Before the meeting:***

- *The formal complaints letter should be passed to the vice-chair if the chair will be unable to receive the letter within 5 days*
- *Members of the Governors' Complaints Panel should have no prior knowledge of the complaint and it is, therefore, unlikely that staff governors will be members of the panel*

#### ***At the meeting:***

- *The Complaints Panel must be made up of at least three members and a clerk*
- *Although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned*
- *Everyone attending should be in the room at the same time*
- *Consideration may need to be given to the seating arrangements to make everyone feel equal and comfortable*
- *The clerk should take notes of the meeting, listing who is present:*
  - *Governors, stating who is the Chair of the Governors' Complaints Panel*
  - *Headteacher (or his/her representative) and any other members of school staff*
  - *Parents and anyone accompanying them e.g. friend*
  - *Clerk*

- *The chair of the Governors' Complaints Panel should open the meeting stating the purpose and the format of the meeting to clarify this to all in attendance*
- *People present should introduce themselves stating their reason for being at the meeting*
- *The chair of the Governors' Complaints Panel should request a verbal statement from the complainant in support of his or her written letter of complaint and why s/he feels the issue has not been resolved. The Governors' Complaints Panel members can ask questions to make sure they understand the issue from the parent's point of view*
- *The chair of the Governors' Complaints Panel should request a verbal statement from the headteacher (or his representative) in support of his/her written account of the complaint and the steps taken to resolve the issue. The Governors' Complaints Panel members can ask questions to make sure they understand the issue from the headteacher's point of view*
- *The members of the Governors' Complaints Panel should make sure they fully understand the issues and ask any further questions to clarify any points that are still not clear to them*
- *The chair of the Governors' Complaints Panel must ask the complainant and the headteacher (or his representative) if they are satisfied that they have provided all the information they wanted or if there is something they wish to add and if they feel they have had a fair hearing*
- *When the Governors' Complaints Panel members understand all the issues, the chair will ask all parties to leave except the panel members and the clerk*

**After the meeting:**

- *The Governors' Complaints Panel members then discuss the issues in private and the clerk remains to record the decision*
- *The Panel members will need to consider the information, come to a decision and suggest a way to resolve the issue taking into account the best interests of the child or children*
- *When the Panel have reached a decision the Clerk will inform everyone concerned in writing as soon as possible, but in any event, within 10 school days of the panel meeting*

*The decision of the Governor's Complaints Panel is final. However if the complainant feels the school's governing board is acting 'unreasonably' they can complain in writing to the Secretary of State for Education.*

**Once a Governor's Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the chair of governors should inform the complainant that the matter is closed.**

**Any complaints concerning the conduct of school staff will be handled in accordance with the schools internal disciplinary procedures. The details of such an investigation will remain confidential.**

**Some complaints regarding admissions, the curriculum or special educational needs are covered by statutory regulations. The headteacher or deputy headteacher can give information about these issues or advice can be sought from the Customer Service Centre on 0344 800 8020 or e-mail: [information@norfolk.gov.uk](mailto:information@norfolk.gov.uk)**

**Extended Schools: the governing body should ensure that any third party provider offering activities and services through the extended schools programme has their own complaints procedure in place. Governors would need to have a discussion around, and make a decision about, what happens when the third party provider's complaints process is exhausted and the matter is not resolved and whether it should then be referred to a Governors' Complaints Panel. This would ensure that the Governors are kept aware of complaints about provision.**

## Appendix A (using DFE advice)

### Policy for Unreasonable Complainants

Cecil Gowing Infant 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.

Cecil Gowing Infant 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 in social media websites and newspapers.



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 Cecil Gowing Infant 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 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 Cecil Gowing Infant School.

## **Barring from the School Premises**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools 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, a school can 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. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

