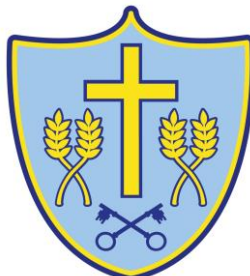


***Federation of St. Peter's Elwick CofE (VA) and Hart
Community Primary Schools***



School Complaints Procedure

| Agreed:-October 2017
To be reviewed: June 2019
Chair of Governors: C. Reid

The Procedure for handling concerns and complaints at The Federation of St. Peter's Elwick Church of England Voluntary Aided Primary School & Hart Community Primary Schools

All schools in Hartlepool 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.

Schools within the Federation aim to provide a high quality and accessible service to parents and children.

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 generally 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 invoke formal procedures. The Federation of St Peter's Elwick and Hart Primary Schools take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

Occasionally, a parent or child may feel that they have a complaint against some aspect of the school, or an individual member of staff. Usually it is possible to resolve any problems as soon as they occur. If not, then the complaints procedure below should be followed.

Complaint Procedure Principles

Our procedures are intended to:

- encourage informal resolution of concerns wherever possible
- be impartial
- allow quick handling with time limits set for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality
- address all the points of complaint and provide an effective response
- provide information to the Senior Leadership Team so that services can be improved where appropriate

Investigating Complaints

When investigating a complaint the Executive Head Teacher, Head of Schools or delegated staff member will:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview/discussions

Resolving Complaints

Throughout the procedure the person investigating will keep in mind ways in which a complaint can be resolved by considering, where appropriate:

- an apology
- an explanation
- an admission that the situation could have been handled differently
- an undertaking that school policies will be reviewed, where relevant, as a result of the complaint
- an assurance that the event should not recur with steps put in place to minimise a reoccurrence
- any other measures that can be reasonably implemented to resolve the complaint

The complainant will be encouraged to state what actions they feel might resolve the problem at any stage.

The Federation will endeavour to rectify any issues as quick as possible and to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred. A positive atmosphere is encouraged in which to discuss any outstanding issues.

Unreasonably Persistent Complainants

The school acknowledges that there will be occasions when, despite all stages of the procedures being followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue or with minor differences, the Chair of Governors will inform the complainant in writing that the procedure has been exhausted and that the

matter is now closed. If the same matter or with minor differences is still pursued by the complainant, then the school has no obligation to acknowledge receipt or respond to any correspondence. The school will recognise this as being unreasonably persistent and take no further action.

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

If a parent, carer or guardian has a concern or complaint, they should not approach Governors. If a parent, carer or guardian does approach a Governor, the response from the Governor must be to follow the procedure outlined below. No discussion must take place about the nature of the concern with the Governor. This is to safeguard all information and people involved along with ensuring there is no prior knowledge of the complaint in the event of escalation to Level 4 of the complaints procedure.

Level 1 – informal concern

Parents, carers or guardians should, in the first instance, make an appointment to speak to the class teacher about the concern. This must be a planned appointment and not an unplanned conversation (e.g. at the end of the day on the yard) It is best to resolve issues at this point. The school aims to hold the meeting within 5 school days of receiving the request for the appointment with the class teacher. However, for situations when staff are attending a residential or during or just before school holidays, and for class teachers who work part time, the appointment will be made as soon as is reasonably possible. Exceptional circumstances may occasionally prevent this happening and the school will work with the family to ensure the appointment is at a mutually agreeable time. This will not be followed up in writing by the school.

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 will offer an appointment to discuss the issue as outlined above as this will give both parties time to talk about it calmly and politely in a planned way without being interrupted. This demonstrates a commitment to resolving issues as soon as practically possible.*
- *It is important for parents, carers or guardians to recognise that the schools may not be able to offer an appointment straight away but, where possible, aim to achieve this within 5 school days of receiving the request.*
- *The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.*

Level 2 - informal complaint

Parents, carers or guardians dissatisfied with the outcome of the discussions with the class teacher or a member of the senior management team should ask for an appointment to meet with the Head of Schools. An appointment can be made or, alternatively, pre-set drop in sessions are available with the Head of Schools. This meeting will be held within 10 school days of receiving the request for the appointment with the Head of Schools unless the request is received 5 school days before the end of term or the Head of Schools is attending a residential, in which case the meeting will take place within 10 school days of the start of the new term or return from the residential. Exceptional circumstances may occasionally prevent this happening and the school will work with the family to ensure the appointment is at a mutually agreeable time. This is a verbal dialogue and will not be followed up in writing by the school.

If an informal resolution to the issue is proving difficult to achieve, there is no obligation on any governor to become involved at this level.

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 outcome of the discussion with the class teacher or a member of the senior management team then he/she can ask for an appointment to meet with the Head of Schools.*
- *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 hoped that most complaints will have been resolved by now.

Level 3 – formal complaint letter to Head of Schools or Executive Head Teacher

An issue that has not been resolved through the informal levels may become an official complaint.

Parents, carers or guardians wishing to move to level 3 must write a formal letter of complaint to the Head of Schools or Executive Head Teacher. The letter will need to set out clearly the issues which have previously been discussed and why the parent, carer or guardian considers the issue to be unresolved.

The Head of Schools or Executive Headteacher will consider the complaint and discuss a resolution with the complainant. The Head of Schools or Executive Headteacher will

respond to the complaint and, where possible, offer a resolution to the complainant in writing. The Head of Schools or Executive Headteacher aims to respond within 15 school days of receipt of the letter. If a letter of complaint is received in the last five days of a school term the Head of Schools or Executive Headteacher is attending a residential a response will be made within 15 school days of the commencement of the new term.

Guidance on level 3- formal:

- *An unresolved issue from level 2 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 Head of Schools or Executive Headteacher.

The decision that the Head of Schools or Executive Headteacher has made as a result of the complaint cannot transform into a complaint about the Head of Schools or Executive Headteacher. If the complainant considers that the complaint has not been resolved he/she should proceed to Level 4, a Governors' Complaints Panel.

If, the complaint is specifically about the Head of Schools or Executive 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 15 school days of receipt and contact a Governor Support Service Officer for advice. If a letter of complaint is received in the last five days of a school term, a response will be made within 15 school days of the commencement of the new term.

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

Purpose of Governors' Complaints Panel

The Governor's Complaints Panel is designed to:

- Listen to all parties
- Consider the adequacy of the Head of School and/or Executive Headteacher's response to the complaint
- Obtain any further information and/or advice that may help resolve the complaint to all parties satisfaction
- Focus on achieving resolution for the complainant by addressing defined

complaints and desired outcomes

- Reach a finding on each point of complaint being reviewed
- Identify any practical remedies or improvements for action by the school

Time Scales:

Receipt of complainant's letter	Acknowledgement within 15 school days (unless this goes into school holidays)
Receipt of complainant's letter	Governors' Panel meeting within 20 school days (unless this goes into school holidays)
Written documentation sent to Governors' Panel Members and complainant and Head of Schools or Executive Headteacher	5 school days before meeting (dependent on the availability of governors)
Governors' Panel members decision communicated to all concerned	As soon as possible but within 10 school days of meeting.

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 Head of Schools or Executive Headteacher concerning the issue. The complainant should write to the Chair of Governors or in his/her absence the Chair Of Governors the Vice Chair at the school address marking the envelope 'urgent and confidential'. The correspondence should set out the complaint that has previously been formally discussed and responded to by the Head of Schools or Executive Headteacher and outline why the complainant believes the matter remains unresolved.

Before the meeting:

The Chair of Governors should appoint a clerk to the Governors' Complaints Panel, acknowledge the complainant's letter in writing within 15 school days of receipt and arrange for a panel of governors to meet within 20 school days of receipt. It must be recognised that if the letter is received within 15 school days to the end of term it may not be possible to organise the Governors' Complaints Panel meeting. In this case the matter should be dealt with within 20 school days of the school reopening.

The clerk should gather and copy all documentation pertaining to the complaint. This will include:

- Any summary made by the school from levels 1 and 2
- The complainant's written correspondence submitted at level 3
- The Head of Schools or Executive Headteacher's acknowledgement of the complaint
- The Head of Schools or Executive Headteacher's response to the complaint
- The complainant's written correspondence submitted at level 4

The Clerk will send copies of all documentation to the parties listed below at least 5 school days before the date of the meeting:

- The complainant
- The Head of Schools or Executive Head Teacher (the person who responded in writing to the complaint at level 3)
- The Chair of the Panel
- The 2 x Governors appointed to the Panel
- Any other information which the Chair of the Panel considers relevant for inclusion

The complainant and/or the Head of Schools and Executive Headteacher can be accompanied by someone to support them at the Panel if they wish. However, each party should inform the Clerk in advance of the name of the person they intend accompanying them. Each party should make their own arrangements to inform anyone accompanying them of the date, time and venue for the Panel.

At the meeting:

The complainant and Head of Schools or Executive Headteacher (or his/her representative) should contribute to the Governors' Complaints Panel. Members of the Governors Complaints Panel should have sufficient opportunity to ask questions of all parties and seek clarification on the issues being discussed. After the complainant and Head of Schools or Executive Headteacher (or his/her representative) have provided all the information the Governors Complaints Panel has requested, 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 setting out their decision and any practical remedies or improvement for action by the school. The decision of the Governor's Complaints Panel is final.

The decision of the Governors' Complaints Panel is final and cannot be appealed. .

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. This may affect staff governors and governors who are parents attending the meeting*

At the meeting:

- *The Complaints Panel must be made up of at least three members (including the Chair) 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*
 - Head of Schools or Executive 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 clarify with the complainant the areas of complaint that remain unresolved, why the complainant believes these areas are unresolved and what outcomes the complainant believes would resolve the matter. The chair of the Governors' Complaints Panel should. The Governors' Complaints Panel members should ask questions of all parties to make sure they hear the views of both the complainant and the Head of Schools and/or Executive Headteacher's to be able to reach decisions on each area of complaint.*
- *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 Head of Schools or Executive 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 make any suggestions for resolution 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 and cannot be appealed.

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.

The final stage of appeal is to the Secretary of State for Education. Complainants can write to:

The School Complaints Unit (SCU)
 Department of Education
 2nd Floor
 Piccadilly Gate
 Manchester
 M1 2WD

The department will examine the schools complaints policy and whether procedures were followed however they will not re-investigate the substance of the complaint. This is the responsibility of the school.

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, Statutory Assessments of Special Educational Needs; school re-organisation proposals; matters likely to require a Child Protection Investigation and exclusions of children from school are covered by statutory regulations. The Head of Schools or Executive Headteacher can give information about these issues or advice can be sought from Hartlepool Children's Services Department.

Managing and Recording Complaints

Records will be kept when concerns and complaint are made. Such records could include brief notes of meetings, telephone calls and all correspondence connected with the complaint. Records will be kept on file for 6 years from the final decision.

Lettings or other Providers who may use the school Premises

Complaints about services provided by other providers who may use school premises or facilities must follow the providers own complaints procedure to deal with complaints about service and they should be contacted direct.

Unreasonable Complainant Behaviour and Restricting Contact

The Federation of St Peter’s Elwick and Hart Primary Schools 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.

The Federation 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 Head of Schools and Executive HeadTeacher or Chair of Governors will discuss/inform of any concerns with the complainant before implementing any restrictions around contact.

If the behaviour continues the Head of Schools or Executive Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact a school in the Federation 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 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 Federation of St Peter's Elwick and Hart Primary School.

Contact Information:

St. Peter's Elwick
Church of England
Voluntary Aided
Primary School
North Lane
Elwick
Hartlepool
TS27 3EG

Tel: 01429 274904

e-mail: admin.elwick@school.hartlepool.gov.uk

Hart Primary School
Magdalene Drive,
Hart Village,
Hartlepool,
TS27 3AP

Tel: 01429 273283

e-mail: admin.hart@school.hartlepool.gov.uk

Executive Headteacher: Mrs. J. Heaton

Head of Schools : Mrs K. Hill

Tel:

Elwick: 01429 274904

Hart: 01429 273283

Chair of Governors:

Mr C. Reid

c/o St. Peter's Elwick Church of England Voluntary Aided Primary School

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