

Ludlow Junior School

Complaints Policy

Reviewed: September 2017

To be reviewed: September 2020

Aim:

The aim of this policy is to ensure that any concerns or complaints concerning our school are managed sympathetically, efficiently and at the appropriate level and resolved as soon as possible. We will try to resolve every concern or complaint in a positive way with the aim of resolving the issue in a transparent manner.

The school expects that most concerns can be resolved informally and guarantees to treat seriously and confidentially all concerns whether raised informally or formally.

This following policy sets out the procedure that the school follows in the case of a complaint.

Ludlow Junior School follows a 3 stage complaints process:

Stage 1 – Informal Complaints & Concerns

- **Parents/Carers:**

Most complaints, where a parent/carer has a concern about any aspect of their child's learning or support at school can be resolved informally. Such concerns should be raised with the class teacher at the earliest opportunity. If this is not possible or preferable, the complaint can be raised with a senior member of the school team such as a phase leader or the assistant or Executive Head Teacher, through arrangement with the school office. The class teacher or senior staff member may refer the complaint to another member of staff such as a subject or phase leader when appropriate to reach the best resolution.

- **Complaints from someone who is not a parent/carer of a pupil:**

Most complaints or concerns about our school can be resolved informally. Such concerns should be raised initially with the school's administration team via the school office. The administration team may pass the complaint onto a different member of staff where appropriate.

Informal complaints will be addressed within 10 working days. A complaint that has not been resolved within 10 working days from the receipt of the complaint can be notified as a formal complaint in accordance with Stage 2 of the process, detailed below.

At this stage, the only record of the concern will be the files notes or correspondence of the member of staff dealing with the complaint and the complainant.

Stage 2 – Formal Complaints

A complaint that has not been resolved at stage 1, or which is more serious and concerns the school's management, policies or administration, should be set out in writing with full details and submitted to the school for the attention of the Executive Head Teacher. Where the complaint is regarding the Executive Head Teacher, it should be addressed to the Chair of Governors.

The complaint will be formally acknowledged within 3 working days of receipt, including an estimated timescale for resolution.

The Executive Head Teacher may delegate the investigation of the complaint to another senior member of school staff where appropriate. The person investigating the complaint may contact the complainant for more information. In most cases the Executive Head Teacher or another senior member of staff will arrange a meeting with the complainant to discuss the issue and explore possible resolutions.

We aim to respond to formal complaints with the outcome of the investigation within 15 working days from the receipt of the complaint.

A copy of the complaint, any other correspondence and records of any meetings may be held by the school.

Where a complainant is not satisfied with the response, they may escalate the complaint to stage 3 of the process, as detailed below.

Stage 3 – Complaint heard by the complaints panel

The aim of the panel hearing is to impartially hear details of the complaint and reach a decision on resolution.

A written request for a complaint to be considered by a complaints panel must be made to the Chair of Governors via the school office, comprising a completed Stage 3 Complaints Form (appendix 3 of this policy) and any accompanying documentation, within ten working days of receipt of the outcome letter from stage 2 of the process.

A panel will be convened within 15 working days of the request being received. The panel will comprise of two governors of the school who have not previously been involved in the complaint or subsequent investigations, and an independent panel member who is not involved in the management or running of the school. The panel will be held in private, and proceedings will be minuted.

We will notify the complainant of the time and date of the panel hearing at least 5 working days in advance. The complainant will be invited to attend the hearing, and can bring someone with them for support if they wish to, or send a representative.

The panel can:

- Dismiss or uphold the complaint in whole or in part
- Decide on appropriate action to be taken to resolve the complaint
- Recommend any changes to the school's systems or procedures where appropriate

The panel will report its decision and any findings in writing to the complainant within five working days of the hearing. Copies may also be sent to the Executive Head Teacher and Chair of Governors.

If the complaint is not resolved, the complainant may make representation to the city council. Further information about this process is available from the school or from the LA.

If any parent/carer is still not content that the complaint has been dealt with properly, then s/he is entitled to appeal to the Secretary of State for Education. Further information about this process is available from the school office.

Monitoring and Review

The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Executive Head Teacher logs all formal complaints received by the school and records how they were resolved. The chair of governors examines this log on a regular basis.

Governors will take into account any local or national decisions that affect the complaints process, and will modify this policy as necessary to comply with such decisions. This policy is made available to all parents, so that they can be properly informed about the complaints process.

Please note that throughout this policy, ‘working days’ refer to the working days of the school, and that timescales may be reasonably adjusted in case of school closure periods.

This policy has appendices titled:

1. Unreasonable Complainant Behaviour
2. Unreasonably Persistent Complaints
3. Stage 3 Complaints Form

Appendix 1: Unreasonable complainant behaviour

Ludlow Junior School is committed to resolving complaints and concerns in a fair and timely manner. We also have a duty to ensure the safety and welfare of pupils, parents and staff.

The governing body is committed to dealing with all complaints fairly and impartially, and as such would not normally limit the contact complainants have. However, the governing body does not expect the school's staff to tolerate behaviour by complainants, which is unacceptable, for example, which is abusive, offensive, or threatening, and it will take action to protect staff from such behaviour. This applies to unacceptable behaviour on any part of the school premises.

If the Executive Head Teacher considers that a complainant's behaviour is unacceptable the complainant will be told why their behaviour is deemed to be unreasonable and will be asked to change it. If the unacceptable behaviour continues the Executive Head Teacher will take action to restrict the complainant's contact with the school.

Unacceptable actions and behaviours

Some examples of the actions and behaviours which would be considered unacceptable include;

- foul and abusive language towards staff, other parents and pupils
- behaviour that staff consider to be harassing and intimidating, including in person, over the telephone, or any other type of communication including through social media
- undermining school policies by actively encouraging pupils to ignore staff requests
- making unnecessarily excessive demands on the time and resources of staff, by for example excessive telephoning or sending emails to numerous staff, writing lengthy complex letters every few days and expecting immediate responses
- combinations of some or all of these.

The decision to restrict access to our school will be taken by the Executive Head Teacher.

Any restrictions imposed will be appropriate and proportionate. The options most likely to be considered are:

- requesting contact in a particular form (for example, letters only);
- requiring contact to take place with a named member of staff;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their conduct.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable, what action we are taking and the duration of that action.

Where a complainant continues to behave in a way which is unacceptable, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. However, we will seek to limit any detriment to any pupils who attend the school, as far as is reasonable within these circumstances.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of the school's staff, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

Appendix 2: Policy on unreasonably persistent complainants

The governing body recognises that it is the last resort for complainants. It is also accountable for the proper use of public money and must ensure that that money is spent wisely and achieves value for complainants and the wider public. The governing body is committed to dealing with all complaints fairly and impartially and as such it does not normally limit the contact complainants have with the school.

However, there are a small number of complainants who, because of their frequent contact with the school, hinder consideration of their or other people's, complaints. Such complainants are referred to as 'unreasonably persistent complainants' and, exceptionally, the Executive Head Teacher may take action to limit their contact with the school.

Actions and behaviours of unreasonable and unreasonably persistent complainants

Examples that may be considered unreasonably persistent can include:

- refusing to specify the grounds of a complaint, despite offers of assistance with this from the academy's staff.
- refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- refusing to accept that issues are not within the remit of a complaints procedure despite having been provided with information about the procedure's scope.
- insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- making what appear to be groundless complaints about the staff dealing with the complaints, and seeking to have them replaced.
- changing the basis of the complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage.
- introducing new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed questions which are particularly time consuming and costly to respond to and insisting they are all fully answered.
- electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved.
- adopting a 'scattergun' approach: pursuing a complaint or complaints with the school and, at the same time, with a Member of Parliament/a councillor/the authority's independent auditor/the Local Authority/local police/solicitors/the Ombudsman/OFSTED.
- making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being looked into, by for example excessive telephoning or sending emails to numerous academy staff, writing lengthy complex letters every few days and expecting immediate responses.
- submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations which the complainant insists make these 'new' complaints which should be put through the full complaints procedure.
- refusing to accept the decision – repeatedly arguing the point and complaining about the decision.
- combinations of some or all of these.

The decision to restrict access to the school will be taken by the Executive Head Teacher and will normally follow a prior warning to the complainant. Any restrictions imposed will be appropriate and proportionate. Possible outcomes may include:

- requesting contact in a particular form (for example, letters only);

- requiring contact to take place with a named member of staff;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their future contacts with us.

In all cases where we decide to treat someone as an unreasonably persistent complainant, we will write to tell the complainant why we believe his or her behaviour falls into that category, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it. If we decide to carry on treating someone as an unreasonably persistent complainant and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions will continue.

Where a complainant whose case is closed persists in communicating with us about it, we may decide to terminate contact with that complainant. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under the unreasonably persistent complainant's policy will be treated on their merits.

Ludlow Junior School – Stage 3 Complaint Form

When should I use this form?

This form is only for complaints which remain unresolved following Stages 1 (informal) and 2 (formal) of the school's complaints process. Receipt of this form represents the start of the stage 3 of the complaints process, which is a complaints panel hearing. For more information, please see the Ludlow Junior School Complaints Policy which is available on our website or from the school office. To ensure fairness for all, the governing body reserves the right to refuse a panel hearing request for complaints that have not been considered under earlier stages of the complaints process.

Can I get help with completing this form?

If you need any help or support in completing this form, or there is any part of it that you don't understand, please contact the school office in confidence.

1. About You	
Your Name	
Pupil's Name (If applicable)	
Relationship to pupil (if applicable)	
Address	
Telephone Number	
Email address	
2. About Your Complaint	
Date of incident	
Time of Incident	
Location of Incident	
Who was involved? Please list anyone directly involved, and in the case of a specific incident, anyone who may have seen what happened.	
Please give details of your complaint: What happened?	
What was the result or outcome? (Eg was your child hurt, did they miss out on education etc)	
Is this the first time this incident has occurred? If not, please give dates of previous incidents.	

Is there any background information that is connected to the incident this complaint relates to, that you would like the panel to be aware of? This could relate to anything at home, school or in the community which you think had an impact on the incident.

3. What has happened so far

Who have you raised the complaint with so far at Stage 1 or 2 of the complaints process?

What action, if any, did they take?

Has anyone else been involved as a result of your complaint?

Please briefly explain why you feel that any action taken has not resolved the complaint

4. What do you want to happen next?

What would you like to happen to resolve this complaint?

5. About the panel hearing

Do you have any accessibility needs that we can support you with to ensure you can access the panel hearing?

Are there specific days/times when you would be completely unable to attend a panel hearing? (Please note that although we will try to accommodate any requests, this does depend on the availability of panel members.)

Does your family have children at another school in the city, or have any of your children attended another school in the last two years? If so, please tell us which school(s) so that we can ensure that the independent panel member is not linked with them.

6. Supporting Information

Are you attaching any supporting documents? This could be copies of any correspondence, reports etc.

Please list the supporting documents you are sending.

If you are intending to submit supporting documents but do not have them at the moment, please list what documents you intend to send and when they will be sent. (Please note, documents must be received at least three working days before the panel meeting unless otherwise agreed.)

7. Declaration

I confirm that the information given in this form is correct to the best of my knowledge, and understand that the information I have provided will:

- Be used to decide if the conditions for calling a complaints panel hearing are met, and, where applicable;
- Will form the basis of the complaints panel hearing

I understand that the information given in this form will be kept confidential but may be shared with anyone directly involved in the complaints panel hearing. I understand that a copy of this form will be kept on record by the school.

Signed:

Date:

Please submit this form and any documentation to:

Chair of Governors

Ludlow Junior School

Peveril Road

Southampton

SO19 2DW

You can also email it to governors@ludlowjunior.org.uk

What happens next?

We will acknowledge receipt of this form within three working days, and advise you of what will happen next. If a complaints panel is to be convened, this will be held within 15 working days of receipt of this form.

A record of this form will be retained by the school, and all complaints are routinely monitored by the governing body.

This form and any other information you have given us will be treated as confidential and will only be shared with anyone who is directly involved in the complaints panel process.

Guidance for completing this form

Section 1 – About You

We need this information so that we can establish who the complaint relates to, and who we can contact for more information.

Section 2 – About Your Complaint

Please use this section to give us more information about your complaint. Please ensure that the information you give relates directly to the incident in question.

Please tell us who was involved and clearly state the facts about what happened, and the complaint that you would like the panel to consider. Include details of what has happened as a result of the incident, such as what effect it has had on your child or family.

Please give details of any previous incidents that are **directly related to the matter of your complaint**. For example, if the same situation has occurred before, or whether there has been an issue in a particular area of the school previously. If there is any background information leading up to the incident which you would like the panel to be aware of, please tell us about it. For example, there could be information relating to previous issues at this or another school, at home or in the community that you feel are relevant.

Section 3 - What Has Happened So Far

Please tell us who has been involved in dealing with your complaint so far, and what action they have taken. Please also tell us about anyone else that has been involved as a result of the incident or your complaint. Where action has been taken, please explain why you feel that the action has not fully resolved the complaint.

Section 4 - What do you want to happen next?

Please tell us how you feel the complaint could be best resolved for you and your child, where applicable. Please also tell us if there is anything we can do to support you or your child following the complaints process, for example if your child has been unsettled by the incident or if you feel it has affected your relationships with school.

Section 5 - About the panel hearing

Please tell us if there is anything you need us to do to make sure that you can access the panel hearing. Because the panel will include an independent member who is not involved in the running or administration of the school, it is helpful if you can tell us about any other schools your family is linked with so that we can make sure the independent member is not from there, and will be someone completely independent of both our school and your family.

Section 6 - Supporting Documents:

Please tell us about any documents you are sending in support of your complaint. Please only include things that directly relate to the matter of the complaint. If you want the panel to consider documents that you cannot send in straight away, please tell us what they are and when you will be able to submit them.