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Pulford V. A. Lower School

January 2020

A Policy for Complaints

The school has a modified "open door" policy and parents are encouraged to see their child's teacher at the earliest opportunity in order to resolve a difficulty or raise a concern.

As required by Section 29 of the Education Act 2002, the school has produced this policy for dealing with complaints relating to their school and to any community facilities or services that the school provides as outlined below. It is not limited to parents/carers at the school. The 1998 Education Act gave parents/carers the legal right to **withdraw** their **children from Collective Worship and they are advised of this in the school prospectus**. There are separate statutory procedures which apply to certain areas such as exclusions or admissions – see section 3.5. If parents find that they must embark on the complaints procedure, the head teacher, on request, will provide them with the relevant details. Throughout the policy, the term ‘parent’ is used to designate any caregiver who has parental authority for the child concerned. Definition: 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’*.

1. Introduction

1.1 We believe that our school provides a good education for all our children, and that the head teacher and other staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are complaints by parents this could be e.g. about bullying. The school may not consider complaints about behaviour that happens outside the school’s hours or premises depending on the circumstances. However, the school recognises that complaints may be made by members of the public. Some complaints fall outside this policy for example, staff grievances or disciplinary procedures – there are separate policies for these.

The following policy sets out the procedure that the school follows.

2. Aims and objectives

2.1 Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

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3. The complaints process

How to share a concern

3.1 If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter informally with their child's class teacher. Most matters of concern can be dealt with in this way. All teachers work very hard to ensure that each child is happy at school and is making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress. A further appointment can be made, if deemed necessary, with the class teacher and the Key stage lead. Following that it can be discussed further with the deputy - head teacher (Mrs. Rees) if necessary.

What to do if the matter is not resolved through informal discussion

3.2 Where a complainant feels that a situation has not been resolved through section 3.1, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the head teacher (Mr. Heather). The head teacher considers any such complaint very seriously and investigates each case thoroughly. Most complaints are normally resolved at this stage. A further follow up letter to the head teacher may be appropriate in certain circumstances.

Sharing a concern about the head teacher

3.3 Should a complainant have a complaint about the head teacher, s/he should first make an appointment with one of the members of the governing body, who is obliged to investigate it. The governor in question will do all s/he can to resolve the issue through a dialogue with the school, but if a complainant is unhappy with the outcome, s/he can make a formal complaint, as outlined below. A list of governor names is available from the school office.

How to take the matter further

3.4 If a complainant is still dissatisfied following the meeting with the head teacher, they can write a formal letter to him. However, the school recognises its obligations under the Equality Act 2010 and if formal letter writing is not an option then notes from telephone calls or other means of communication are acceptable.

Only if this formal complaint fails to resolve the matter should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint and how the school has handled it so far. Again, if writing is not an option other means are acceptable as above. The complainant should send this written complaint to the Chair of Governors, currently Mr. Paul Whittington. Complaints should not be shared with the whole governing body, except in very general terms, in case an appeal panel needs to be organised.

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The governing body must consider all written complaints within three weeks of receipt. It arranges a meeting to discuss the complaint, and invites the person making it to attend the meeting, so that s/he can explain her complaint in more detail. The school gives the complainant at least three days' notice of the meeting.

After hearing all the evidence, the governors consider their decision and inform the complainant about it in writing.

In order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls will be kept and a copy of any written response added to the record. Where there are communication difficulties, the school may use recording devices to ensure the complainant is able to access and review the discussions at a later point.

The governors do all they can at this stage to resolve the complaint to the parent's satisfaction.

Who to appeal to next

3.5 After you have followed this complaint process, you can complain to the Department for Education (DfE) if you have followed all the above steps.

If you wish to complain about how a **whole school is run**, you can complain to Ofsted if:

- you think a school isn't run properly and needs inspecting
- you've already followed the school's complaints procedure, and have approached the DfE.

Check what they can help you with before you contact them

<https://www.gov.uk/complain-about-school/state-schools>

Other types of complaint

For some types of complaint, you need to contact a different agency.

Complaint

Child protection

Criminal behaviour

Data protection

Discrimination

Employment

Exam malpractice or maladministration

Who to contact

[Local council](#)

[Police](#)

[Information Commissioner's Office](#)

[Equality Advisory and Support Service](#)

[An employment tribunal](#)

[Ofqual](#) and the awarding body

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Complaint

Quality of education or leadership

Who to contact

[Ofsted](#)

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.

Exclusion of children from school

Further information about raising concerns about exclusion can be found at:
www.gov.uk/school-discipline-exclusions/exclusions.

The Diocese of St Albans will only investigate complaints about Denominational Religious Education, Collective Worship in a Voluntary Aided School or the conduct of a Foundation Governor. Canon David Morton is Director of Education, <https://www.stalbans.anglican.org/schools/who-s-who-in-the-schools-team/>

Where complaints are made regarding Bullying or the National Curriculum, you may contact the Secretary of State. The contact details for the Secretary of State are as follows: The Secretary of State, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT; tel: 0870 000 2288; website: www.education.gov.uk

4. Serial and Persistent Complainants

The School will do their 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 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.

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The following policy will then be put into place:

Pulford 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.

Pulford 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;

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- 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 (by either letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the head teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an ‘unreasonable’ marking.

If the behaviour continues, the head teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Pulford 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 Pulford 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.

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If a parent’s behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the head teacher 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. Pulford School 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 will be notified in writing, explaining how long the bar will be in place. As with all communication if reading a communication or writing a letter or e-mail is not possible then other forms of communication will be used and notes retained.

Anyone wishing to complain about being barred can do so, by letter or email, to the head teacher 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.

5. Monitoring and review

5.1 The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The head teacher will hold a copy of the records and will hold them centrally. The School is aware that complainants have a right to copies of these records under the Freedom of Information and Data Protection Acts.

5.2 Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all on the website, so that they can be properly informed about the complaints process. The policy will be reviewed every two years - next due Spring 2022.

This policy should be read in conjunction with the Safeguarding and Child protection Policy; AUP; the anti-bullying and harassment policy ; the discipline and behaviour policy; the Learning support policy; the disability equality policy; the staff grievance procedure document.

Policy endorsed by the Governing Body on

SignedChair of the Governing Body

Equal opportunities

All young people will be treated equally, regardless of race, creed or gender. The policy will be applied regardless of culture, faith or belief.

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