



Elmwood Infant School & Nursery

Complaints Policy and Procedure

DATE POLICY REVIEWED: Feb 2016

DATE OF NEXT REVIEW: Feb 2018

Elmwood Infant School and Nursery learns from complaints and uses them to improve our services. This policy reflects the guidance laid out in the DfE's Best Practice Advice for School Complaints Procedures 2016 and our obligation under Section 29 of the Education Act 2002.

Definitions:

- For the purposes of this policy, a **concern** is defined as an expression of worry or doubt over an issue considered to be important for which assurances are sought'.
- For the purposes of this policy, a **complaint** is defined as 'an expression of dissatisfaction, however made, about actions taken or a lack of action.' This complaint may be about the school, its personnel, or its services.

Our Aims:

It is in everyone's interest to ensure that concerns and complaints are resolved at the earliest possible stage. Elmwood Infant School and Nursery aims, wherever possible, to resolve issues informally and without the need to invoke formal procedures.

We will ensure that:

- Complaints are dealt with impartially and in a non-adversarial way;
- A full and fair investigation takes place, by an independent person where necessary;
- The investigation addresses all the points at issue and provides an effective response and appropriate redress, where necessary;
- Confidentiality is respected;
- Any identified actions, following the outcome of an investigation, are completed and the school reflects on its practice in order to avoid future complaints of a similar nature.

Making a Complaint:

Anyone may make a complaint including children, parents/carers, volunteers, paid workers, or other people outside the group. All complaints will be treated seriously whether made in person, by telephone, by letter, by fax, or by e-mail. Complaints will be dealt with promptly, politely, and with respect.

Complaints will be taken in person, in writing or by telephone by a member of the management team/senior workers. Formal complaints should be written down in as much detail as possible, including names of people the complaint has already been taken to. Complaints can be made anonymously although a name and contact details would help for further investigation.

Our Procedure:

- **Stage 1**

In the first instance, you should **talk to the teacher** most closely concerned and try to resolve your complaint through discussion. The teacher will aim to resolve your concern as quickly as possible and provide you with verbal feedback about any actions to be taken (within 5 school days). However, if your complaint is linked to a safeguarding concern, please refer directly to Stage 2.

- **Stage 2**

If the problem is not resolved to your satisfaction, or if you feel it is more appropriate anyway, **contact the Headteacher** without delay outlining the concerns you have and what action/outcomes you think might resolve the issue. The Headteacher will try and resolve your complaint through discussion. This again, will be done as soon as reasonably practical and without any unnecessary delay (within 5 school days).

- **Stage 3**

If you believe that your complaint has not been resolved to your satisfaction, you will be asked to make a formal complaint in writing. If for any reason it is difficult for you to put your complaint in writing, please contact the Office Manager who will be pleased to arrange for you to receive assistance. The Headteacher will investigate the complaint and provide written feedback as soon as possible and in any case within 15 school days of receipt, unless there are exceptional circumstances which prevent this timescale from being achieved (upon which you will be informed of a new timescale).

- **Stage 4 – Appeal Panel**

Should the complaint/problem still not be resolved to your satisfaction, you can **appeal against the outcome of Stage 3** by writing to the Chair of the Governing Body* via the school, within ten school days of the Headteacher's response. Your letter will need to set out why you remain unhappy and what you wish to see happen. If for any reason it is difficult for you to put your complaint in writing, please contact the Office Manager who will be pleased to arrange for you to receive assistance.

Upon receipt, your complaint will be acknowledged in writing. The Governing Body will then set up an appeals panel to consider your complaint and investigate as appropriate. The Chair will let you have the decision of the appeal within 20 school days from receipt of your letter, unless there are exceptional circumstances which prevent this timescale from being achieved (upon which you will be informed of new timescale).

Complaints against the Headteacher are usually first dealt with by the Chair of Governors.

Complaints against the Chair of Governors or any individual governor should be made by writing to the Clerk to the Governing Body.

Unreasonable Complainants

Elmwood Infant School and Nursery 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.

Elmwood Infant School and Nursery 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 the 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 the school.

Monitoring

The process of listening to and resolving complaints can contribute to school improvement. When individual complaints are heard, Elmwood Infant School and Nursery will identify any underlying issues that need to be addressed.

The monitoring and review of complaints can be a useful tool in evaluating a school's performance. The governing body will review the level and type of complaints received and review the handling of complaints on a two-yearly cycle to inform improvements and the effectiveness of the complaints procedure.