Rosh Pinah Primary School

Complaints Policy

Date of Ratification: September 2024
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Introduction

At Rosh Pinah Primary School the staff team work hard to provide the best education possible for all of its pupils in an open and transparent environment and to build positive relationships with parents/carers and families. Children learn best when they are happy and when parents and the school work together to support their development and learning. Despite the best intentions, problems may sometimes arise. These are often the result of misunderstandings which can be quickly addressed. It is vital that you share with us any concerns as soon as possible so that misunderstandings can be ironed out, issues can be addressed and the problem resolved as quickly and effectively as possible. The vast majority of concerns can be resolved by speaking with your child's class teacher – when parents/carers and teachers treat each other with mutual respect and support, this provides a very good role model for all our children.

We do recognise, however, that there may be rare and usually far more serious situations when a parent or carer may be unhappy with the way the school has dealt with a problem. When this point is reached and all other avenues have been explored this may become a formal complaint. There is a clear procedure for parents/carers and staff/governors to follow which is set out below.

Where concerns are raised the school intends for these to be dealt with:-

- Fairly
- Openly
- Promptly
- Without prejudice.

In order to do so the Rosh Pinah Primary School Governing Body has approved the Complaints Procedure which explains what you should do if you have any concerns about the school. All members of staff will be familiar with the procedure and will be able to assist you.

General Principles

- The vast majority of complaints are resolved by informal contact.
- This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides.
- To allow for a proper investigation, concerns should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event will not be considered unless there are exceptional circumstances.
- Any anonymously submitted concerns will not be investigated under this procedure, unless there are exceptional circumstances.

Complaints not in the scope of this procedure

Sometimes, when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following list details specific topics of complaints, and the correct policy to refer to. You can access these policies on the school website or ask for a copy from the school office:

- Admissions to school – please see the school admissions policy
- Statutory assessments of Special Educational Needs (SEN)
- School reorganisation proposals
- Matters likely to require a Child Protection Investigation
- Exclusion of children from school – please see the school's behaviour policy
- Anonymous complaints – please refer to the school's whistleblowing policy
- Staff grievances and disciplinary procedures – these matters are addressed within the school's internal staffing procedures
- Complaints about services provided by other providers who use school premises or facilities. Complainants should contact the provider directly

- Subject Access Requests and Freedom of Information requests – please see the school's Data Protection and Freedom of Information policy.

The Process – Guidance for parents/carers

Raising concerns	Informal and immediate addressing of the issues by the relevant member of staff Where dissatisfied with outcomes, progress to stage 1	
Complaint Stage 1	Informal investigation by DHT Hayley Ordman Where dissatisfied with outcomes, progress to stage 2	20 school working days total
Complaint Stage 2	Formal investigation by HT Jill Howson Where dissatisfied with outcomes progress to stage 3	30 school working days total
Stage 3 Appeal	Formal appeal to a panel of governors This is the final stage of the school's complaints procedure	30 school working days total

Raising concerns

Our experience shows that nearly all concerns or worries can be addressed informally without resorting to any of the aforementioned complaint stages.

Where you have a concern about any aspect of the school or your child's education or wellbeing at school, raise this with your child's teacher or JS teacher in person. They may be able to address your concerns on the spot or more likely will arrange a meeting with you to discuss the issue. During your meeting you should agree a timescale for when the problem can realistically be resolved. This may require a further meeting to discuss progress.

All concerns are dealt with confidentially, although the staff member may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 1998. However such notes would be able to be used as evidence if further investigation was required, or if the concern became a formal complaint.

Stage 1 – Informal Investigation by DHT – Hayley Ordman

If as a result of raising a concern you still feel that the issue has not been addressed, or where you feel the issue requires further investigation, you should progress to an informal complaint. The following steps should be followed:

1 Contact DHT Hayley Ordman

Using the Complaints form (Appendix A), explain in writing:

- An overview of the complaint so far
- Who has been involved
- Why the complaint remains unresolved
- The action you would like to be taken to put things right.

2 Hayley Ordman will respond in writing within 5 working days of having received the written complaint. She will explain what action she intends to take

3 Hayley Ordman may decide to have a meeting with you if she considers it appropriate for the investigation

4 Where the complaint is about a staff member Hayley Ordman may arrange an informal mediation meeting between the parties to see if a resolution can be found

5 Hayley Ordman will provide written confirmation of the outcome of his investigation within 20 school working days. If you are not satisfied with the outcome you are able to progress to stage 2 of the complaints process and launch a formal written complaint

6 Hayley Ordman will make a record of the concerns and the outcomes of the discussion which will be held for 12 months in line with the principles of the Data Protection Act.

Stage 2 - Formal Investigation by Head Teacher - Miss Howson:

1 You may submit a formal Complaint form to the Head Teacher (see Appendix A)

2 The Head Teacher will respond in writing, within 10 school working days of receipt, to acknowledge receipt of the complaint and explain what action will be taken, including clear timeframes

3 A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles

4 The Head Teacher will consider all relevant evidence; this may include but is not limited to:

- A statement from you
- Where relevant a statement from an individual who is the subject of the complaint and any witnesses
- Any previous correspondence regarding the complaint
- Any supporting documents in either case
- An interview with anyone related to the complaint.

5 The Head Teacher may decide to have a meeting with you, and where relevant the subject of any complaint, if she considers it appropriate for the investigation

6 After considering the available evidence the Head Teacher can:

- Uphold the complaint and direct that certain action be taken to resolve it
- Reject the complaint and provide you with details of the stage 3 appeals process
- Uphold the complaint in part, i.e. may find one aspect of the complaint to be valid but not another aspect. She may direct for certain action to be taken to resolve the aspect where the complaint is upheld.

7 The Head Teacher will inform you of her decision in writing, within 30 school working days of her acknowledgement of receipt of the complaint. She will explain clearly why she has come to her decision. She will detail any actions as a result of the complaint and will explain how to progress to stage 3 if you are not satisfied.

Stage 3 - Appeal. Review by a panel of the Governing Body

If you wish to appeal the decision of the Head Teacher at stage 2, or are not satisfied with the action taken in relation to the complaint you have the right to appeal this decision.

You must write to the Clerk (see contact details at the end of the procedure) as soon as possible after receiving notice of the Head Teacher's decision, outlining the content of the complaint and requesting that an appeals panel is convened. The Chair of Governors has sole discretion to agree to this form of meeting where he feels it would be helpful in resolving the complaint.

The purpose of this arrangement is to give your complaint a hearing in front of a panel of governors who if at all possible have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.

The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent/carer. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

The Clerk will fulfil the role of organising the time and date of the appeal hearing, inviting all the attendees, collating the relevant documentation and distributing this 5 days in advance of the meeting, recording the proceedings in the form of minutes, and circulating these and the outcome of the meeting.

You must request an appeal within 4 weeks (not including school holidays) of receiving the Head Teacher's decision or it will not be considered, except in exceptional circumstances. On receipt of this written notification the following steps will be followed:

1 The Clerk will write to you within 5 school working days to confirm receipt of the appeal request and detail further action to be taken

2 The Clerk will convene a panel of three governors. To the extent possible, all three panel members will have no prior knowledge of the content of the complaint

3 The appeal hearing will take place within 20 school working days of receipt of the letter from the Clerk confirming the appeal

4 In addition to the panel, the following parties will be invited where applicable:

- You as complainant
- The person who dealt with the complaint at stage 2, usually the Head Teacher
- Where the complaint regards a member of staff, the staff member who is the subject of the complaint.

You are able to bring a companion with you to the hearing if you wish. Where the subject of the complaint is a member of staff, that staff member is also able to bring a companion with them

The companion will be a friend or colleague. Neither party is able to bring legal representation

5 If the attendance of any pupil is required at a hearing, parental permission will be sought. Extra care must be taken to consider the vulnerability of children where they are present at an appeal hearing

6 Where the complaint is about a Governor, you may request that the appeal is heard by an entirely independent panel. This is at the sole discretion of the Governing Body who will notify the Clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school sources appropriate individuals for the hearing

7 The panel can make the following decisions:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

8 All those who attended the meeting will be informed in writing of the outcome of the appeal with 5 school working days.

This is the last stage at which the school will consider the complaint. If you remain dissatisfied and wish to take the matter further, please see the contact details at the end of this document. The school will not consider the complaint beyond this point.

Closure of Complaints

We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

If a complainant persists in making representations to the school – to the Head Teacher, Chair of Governors, the Clerk or anyone else - this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care. For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint.

Closure may occur before a complaint has reached stage 3 of the procedures described in this document. This is because a complaints panel takes considerable time and effort to set up and we must be confident that it is likely to assist the process of investigating the complaint. The Chair of Governors may decide, therefore, in his sole discretion that every reasonable action has been undertaken to resolve the complaint and that a complaints review panel would not help to move things forward.

Complaints about the Head Teacher or a Governor

Where a complaint is about the Head Teacher, you should first directly approach the Head Teacher in an attempt to resolve the issue informally. If you are not satisfied with the outcome of this approach you should notify the Chair of the Governors (Chair@rpps.org.uk). The stage 2 process will begin, but with the Chair of Governors as the individual responsible for the investigation rather than the Head Teacher.

Where a complaint regards a governor the same process applies as for the Head Teacher. Where a complaint is about the Chair of Governors, you should contact the Vice Chair of Governors (ViceChair@rpps.org.uk) Informal resolution will be sought, but where this fails the complaints procedure at stage 3 will take immediate effect. The Vice Chair or at his sole discretion an independent investigator will mediate any proceedings.

Safeguarding

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy, available on the school's website.

Social media

In order for complaints to be resolved as quickly and fairly as possible, Rosh Pinah Primary School requests that you do not discuss complaints publically via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

Complaints that result in staff capability or disciplinary action

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceeding are necessary in order to resolve the issue, the details of this action will remain confidential to the Head Teacher

and/or the individual's line manager. You are entitled to be informed that action is being taken, but you are not entitled to participate in the proceedings or receive any detail about them.

Contact details for external organisations if you are not satisfied with the complaints procedure in full

- If you have any queries regarding any aspect of the complaints procedure, please direct these to the Clerk to the Governors by email to admin@rpps.org.uk
- If you feel that the governing body acted 'unreasonably; in the handling of your complaint you can complain to the Department of Education after the school's complaints procedure has been exhausted. Please note that unreasonable is used in a legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances. https://www.gov.uk/complain-about-school
- Ofsted will also consider complaints about schools https://contact.ofsted.gov.uk/onlinecomplaints.

Appendix A Rosh Pinah – Complaints form

Name	
Name of pupil, class and your relationship to them (where applicable)	
Contact address	
Contact telephone - day	
Contact telephone - mobile	
Details of the complaint	
Action taken so far (including staff member who has dealt with it so far)	
The reason this was not a satisfactory resolution for you	
What action you would like to be taken to resolve the problem	
Signed	
Date	

Official use
Date received: signed:
Referred to:

APPENDIX B Policy for Unreasonable Complainants

Rosh Pinah Primary School is committed to dealing with all complaints fairly and impartially, and to provide a high quality service to those who complain. We will not normally limit the contact that 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.

Rosh PInah 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 or specify the grounds of a complaint or the outcomes sought by raining the complaint, despite offers of assistance
- refuses to cooperate 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 that are incompatible with the adopted complaints procedure or 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 complaints procedure has been fully and properly implemented 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 e mail 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, 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 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 letter, phone, email or text) as it could delay the outcome being reached.

Wherever 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 Rosh Pinah Primary 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 Rosh Pinah Primary School.