



Orleton CE Primary School



Kimbolton St James CE Primary School

COMPLAINTS PROCEDURE

This policy will be reviewed and updated by the Governing Body at least annually.
All references to 'the school' imply both Orleton and Kimbolton Primary Schools.

Date signed off by Full Governing Body: January 2024

Signed Adam Breakwell, Headteacher

Sallie Peacock, Orleton Chair of Governors

Will Mears, Kimbolton Chair of Governors

Date next review due: January 2025

CHAPTER 4: COMPLAINTS PROCEDURE

4.1 General Principles

This procedure is intended to allow parents, or any other individual, to raise a concern or complaint relating to the school, or the services that it provides. To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than three months after the event, will not be considered, but this will not apply in exceptional circumstances. An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances.

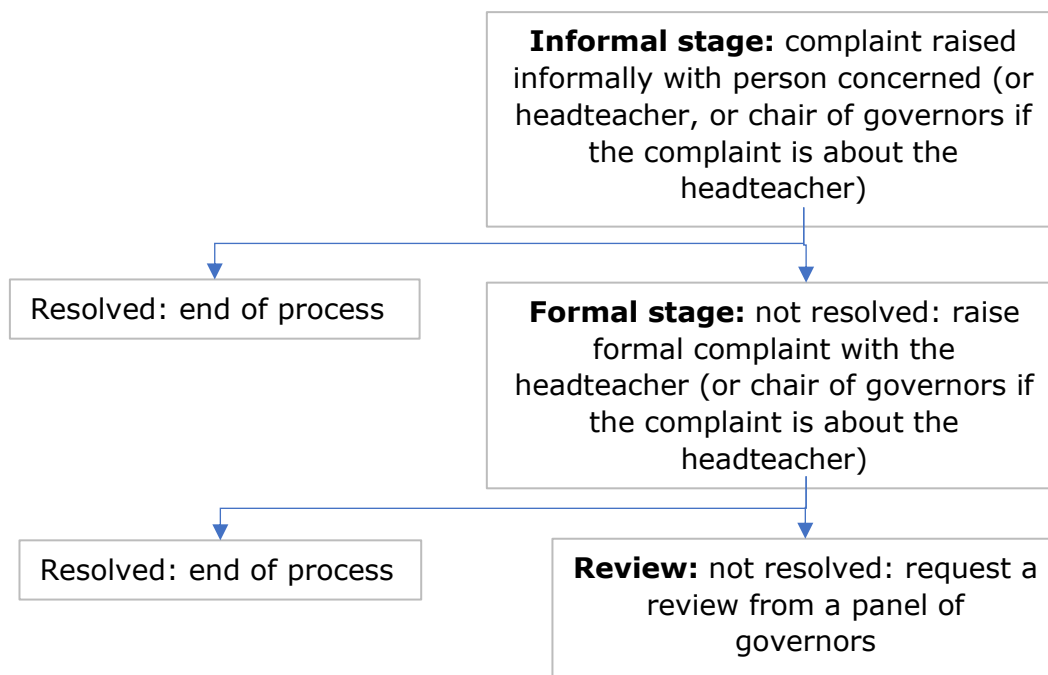
4.2 Scope of this complaints procedure

This complaints procedure covers any complaints about the school, except for those covered by alternative statutory processes, including the following:

Exceptions	Whom to contact
<ul style="list-style-type: none">• Admissions to schools• School re-organisation proposals• Statutory assessments of Special Educational Needs	Concerns about admissions, statutory assessments of SEND, or school re-organisation proposals should be raised initially with the governing body, and subsequently with the Diocese of Hereford Board of Education and Herefordshire Council.
<ul style="list-style-type: none">• Matters likely to require a Child Protection Investigation	Complaints about child protection matters that cannot be dealt with within school may be raised with the Local Authority Designated Officer, whose contact details are available in the Child Protection & Safeguarding Policy Suite.
<ul style="list-style-type: none">• Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions .
<ul style="list-style-type: none">• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus . Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
<ul style="list-style-type: none">• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none">• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
<ul style="list-style-type: none">• 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. Please contact them direct.
<ul style="list-style-type: none">• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

4.3 Raising a concern or complaint

Most complaints are resolved informally, but on occasion then a more formal response may be needed. The following diagram summarises the process, which is elaborated upon in more detail below.



Informal Stage

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone or in-person by appointment, requested via the school office. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concerns, it may be appropriate to address them directly to the headteacher (or to the chair of the governing body if the complaint is about the headteacher). If you are uncertain about whom to contact, please seek advice from the school office or the clerk to the governing body.

Formal Stage

If your concern or complaint is not resolved at the informal stage you may choose to put the complaint to the headteacher, who will be responsible for ensuring that it is investigated appropriately. If the complaint is about the headteacher, your complaint should be passed to the clerk to the governing body, for the attention of the chair of the governing body. If the complaint is jointly about the chair and vice-chair, or the entire governing body, or the majority of the governing body, then the complaint at this stage will be considered by an independent investigator appointed by the governing body or (for Kimbolton) the Diocese of Hereford. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Should you wish to put your complaint in writing, a Complaint Form is provided to assist you; forms are available from the school office. You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed. Please pass the completed form, in a sealed envelope to the school office. The envelope should be addressed to the headteacher, or to the clerk to the governing body, as appropriate.

If you prefer to let us know your complaint verbally and for us to take notes, the school office or clerk to the governors can assist with this, or the headteacher may assist if you feel more comfortable with this.

The headteacher (or chair of the governing body) will acknowledge your complaint within two working days. The headteacher (or chair of the governing body) may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the headteacher (or chair). If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedure, which may include interviews which will be fully documented. In any case you should learn in writing, usually within five school days of the school receiving your formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale, which will vary depending on the complexity of the situation.

Any investigation will begin as soon as possible and when it has been concluded, you will be informed in writing of its conclusion.

If you are not satisfied with the manner in which the process has been followed, you may request that the governing body reviews the process followed by the school, in handling the complaint. Any such request must be made to the clerk to the governing body, either verbally or in writing, within ten school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed. A Review Request form, available from the school office, is provided for your convenience.

Review Process

Any review of the process followed by the school will be conducted by a panel of three impartial members of the governing body who have not been involved in the process previously. If there are fewer than three impartial governors of the school, the clerk will source additional governors from other local schools. If the complaint is about jointly about the Chair and Vice Chair, or about the entire governing body, or the majority of the governing body then the complaint at this stage will be considered by a committee of independent governors.

The review will usually take place within ten school days of receipt of your request. The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations will be considered sympathetically. In this case, the clerk will organise a meeting; if more than three reasonable dates are turned down without good reason, the clerk will select a date. If a meeting is to take place, the clerk will notify all parties at least a full working week before the date of the meeting, and will circulate any written materials at the same time. If the above timescales cannot be met then the clerk will let you know as soon as possible and will let you know the revised timescale.

Next steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed the Review Process.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to

4.4 Withdrawing a complaint

You are welcome at any time to withdraw a complaint. Should you wish to do so, please let the person that you raised the complaint with know that you are withdrawing it, and that you do not expect further action to be taken. The person you contact will acknowledge the withdrawal of the complaint within five working days.

4.5 Serial and unreasonable complaints

We are 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 our 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.

We define unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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 and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 ask 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 be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the school.

4.6 Provision for children with special educational or disability needs.

If you feel that the school has not provided the support required by your child's SEN statement or education, health and care (EHC) plan you should talk to the school's special educational needs coordinator. If your complaint remains unresolved you should follow the complaints procedure outlined above and if you then remain unhappy you should [contact the local authority here](#).

If you disagree with a decision that the LA has made about a SEN statement or an EHC plan you can appeal the decision through one of the following websites: <https://www.gov.uk/appeal-ehc-plan-decision> or <https://www.gov.uk/appeal-sen-statement-decision>. Please note that complaints of this kind cannot be investigated by the school.