



Kirton Primary School Complaints Policy

Introduction

All maintained schools in England are required to have a procedure in place for dealing with complaints relating to the school and any community facilities or services that the school provides. There are certain complaints which fall outside of this procedure because there are established statutory or other prescribed procedures available, for example: staff grievances or disciplinary procedures; staff conduct; school admissions; exclusions; statutory SEN assessments; Child Protection procedures; public examinations; school reorganisation proposals; whistle blowing; complaints about services provided by other providers using school premises or facilities, national curriculum content (not exhaustive).

At Kirton Primary School, all staff are dedicated to giving all children the best possible education, caring for their health, safety and welfare at all times. We are committed to working closely with parents and carers, and believe that the school and parents/carers must work together in partnership, each carrying out their own particular responsibilities to help pupils gain the most from their time in school. We also desire to have good relations with our neighbours and the wider community.

Whether you are a parent/carer or member of the wider community, if you feel that something is not going quite as you would like it to, that we are doing something that you are unhappy with, or are not doing something that you feel we should, please tell us about it.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis.

The first step:

Please arrange to discuss any concerns with your child's class teacher, or with the particular teacher/member of staff concerned. Most problems can be sorted out this way. If you are not the parent/carer of a child at our school, please start at the second step by making contact with the Head of School to discuss your concerns.

The second step:

If, after speaking to your child's teacher, you do not feel that your complaint has been dealt with properly, or if your concern is about the conduct of a particular teacher, then you should discuss the matter with that teacher's manager or the SENDCo (Special Needs and Disabilities Co-ordinator). At Kirton Primary School, the managers are the Assistant Headteacher with responsibility for Nursery and Reception, the Assistant Headteacher with

responsibility for Key Stage 1 or the Assistant Headteacher with responsibility for Key Stage 2. Should your complaint be specifically about the support the school is providing for your child with regards to special educational needs, you should discuss the matter with the SENDCo.

If your concern is with regard to a broader school issue, you should contact the Head of School directly. The Head of School may decide at that point that your complaint is dealt with better by a particular member of the Senior Leadership Team and will advise you accordingly.

The third step:

If you are still unhappy about the situation, you should raise the matter with either the Business Manager, the Deputy Head of School at Kirton Primary School or the Head of School. Occasionally, a member of the Senior Leadership Team may become involved in your complaint before the third step. This does not alter the progression of your complaint, which will be dealt with by another member of the team on the step you have reached.

Please ask at the office if you are unsure about to whom to address your concern. You may also make a request for an appointment with a member of staff through the office. This appointment may well take place as a phone call.

In almost all cases, we can sort things out satisfactorily in this way.

The fourth step:

If your attempts to resolve the matter informally have not been successful, you should make a formal written complaint to the Executive Headteacher care of Kirton Primary School's address, unless the complaint is about the conduct of the Executive Headteacher in which case you should write to the Chair of Governors care of the Clerk to the Governors at Kirton Primary School's address.

If for some reason you do not feel able to put your complaint in writing, please contact the school office to arrange an alternative means of capturing your complaint.

You will receive an acknowledgement from the Executive Headteacher or Chair of Governors within five working school days. The acknowledgement letter will also indicate the date by which you can expect to receive the Executive Headteacher's or Chair of Governor's written response to your formal complaint letter. This will normally be within ten working school days from the date of the acknowledgement letter.

The final step:

If you are dissatisfied with the Executive Headteacher's response to your formal complaint letter, or if your complaint is about the conduct of the Executive Headteacher and you are dissatisfied with the Chair's written response, you will need to contact the Clerk to Governors.

You should send written details of your complaint, with any correspondence and any evidence to support your complaint (this must include evidence that you have followed the procedure outlined above), care of the Clerk to the Governors at the address of Kirton Primary School. It is important that you include a clear statement of the actions you would like the School to take to resolve your concern.

If, for some reason, you do not feel able to do this, you should contact the Clerk to the Governors, via Kirton Primary School, who will make arrangements to have your complaint recorded as a statement for you to sign. The person recording your statement will not be able to assist you with the gathering of evidence.

Please note: your request that Governors consider your complaint should be made within ten working school days of receiving a written response from the Executive Headteacher or Chair of Governors.

The Clerk to Governors will write to acknowledge receipt of your complaint within five working school days. The acknowledgement letter will explain the process which is to be followed and the expected timescale for that process. Where your complaint is considered under written representations, this process may take up to twenty-five working school days to allow for the collection of representations and evidence.

The Governors' Complaints Committee will consider your complaint and write to advise you of the outcome within the timescale provided by the Clerk to Governors.

Complaints Against Individual Governors:

For complaints against the Chair of Governors, or any other individual governor, you should send written details of your complaint, with any correspondence and evidence to support your complaint, to the Clerk to the Governors at the school address. If, for some reason, you do not feel able to do so, you should contact the Clerk, via the school, who will record your complaint as a statement for you to sign. The Clerk will not be able to assist you with the gathering of evidence. It is important that you include a clear statement of the actions you would like the school to take to resolve your complaint.

The Clerk to Governors will acknowledge receipt of your complaint within five school-working days, and initiate the correct process. The Chair of Governors will consider complaints against an individual governor and the Vice Chair will consider complaints against the Chair of Governors.

The appropriate governor will consider your complaint and write to advise you of the outcome within ten school-working days. There will be no further internal right of appeal for complaints against individual governors.

Next Steps:

If you believe the School did not handle your complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, you can contact the Department for Education after you have completed Step 5.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the Kirton Primary 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:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Please note that, unless your complaint is about the governors' response or lack of response, or about the governing body as a whole, your complaint will generally have to be considered first by the governing body of the school.

OTHER MATTERS

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Executive Headteacher will determine whether the complaint warrants an investigation.

Time Limits for Raising Complaints:

You should make the school aware of your complaint as soon as possible after the matter or incident has occurred that you wish to complain about. We would expect you to do this within three months of the incident occurring and, if you do not contact the school within that time, we will not usually consider your complaint. For practical reasons, we will consider complaints made outside term time to have been received on the first working school day after the holiday period.

We will make our best endeavour to address complaints in a timely and efficient manner. However, there will be times when timescales may need to be adjusted. If, at any stage of the process, we believe we are unable to meet the timescales which have been provided to

you, the Clerk will contact you to explain the reasons for the delay and to provide you with a new timescale for the conclusion of that part of the process.

If you feel there are exceptional circumstances that have prevented you from meeting the time limit, you can provide an explanation of these circumstances along with your complaint so that Governors can consider them. The final decision rests with Governors as to whether your complaint will be considered when it is raised outside of the three-month time limit.

If other bodies are investigating aspects of the complaint, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Kirton Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Duplicate complaints

If, after closing a complaint at the end of the complaints procedure, we receive a duplicate complaint from a spouse, a partner, a grandparent, neighbour, friend etc, we will remind them that we have already considered the complaint and the local process is complete.

Complainants will be advised to contact the DfE if they are dissatisfied with our handling of the complaint.

Complaint campaigns

If we receive what we consider to be a large volume of complaints, all based on the same subject, we will treat these complaints as being part of a campaign and respond in one of the following two ways, depending upon the nature and scale of the complaint:

- send the same response to all complainants; or
- publish a single response on the school's website.

Unreasonable Complainant Behaviour:

Staff and Governors are keen to ensure that all genuine complaints are dealt with fairly and promptly and in accordance with our agreed procedures. We would again emphasise that most matters can be resolved by discussing issues with our staff at the informal stages of our procedure.

Regrettably, there are times when complainants raise issues with or about staff in ways which are unacceptable. This can cloud the concern at the heart of the complaint, which may result in the delay or hindrance of a resolution. It can also have an adverse effect on pupils,

staff and the effective running of the school. Examples of behaviours that we consider to be unacceptable are as follows:

- Refusing to articulate a complaint or specify the grounds of a complaint or the outcomes sought by raising a complaint;
- Making excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email or by telephone while the complaint is being dealt with.
- Introducing trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raising numbers of detailed but unimportant questions and insisting they are fully answered, often immediately and to the complainant's own timescales.
- Making unjustified complaints about staff or governors who are trying to deal with the issues and/or harassing individual staff members or governors in a way which appears intended to cause personal distress rather than to find a resolution;
- Refusing to cooperate with the complaints procedure as set out in this policy, while still expecting the complaint to be resolved;
- Refusing to accept that certain issues are not within the scope of a complaints procedure;
- Changing the basis of the complaint as the consideration proceeds and/or making unjustified complaints about those trying to deal with the complaint;
- Pursuing unreasonable outcomes which are disproportionate to the nature of the matters in hand;
- Persisting in repetitious complaints when these, or similar complaints, have been previously determined under the school complaints procedure;
- Recording meetings electronically, telephone calls or conversations without the prior knowledge and consent of the other persons involved;
- Publicising the details of the complaint on social media;
- Failing to respect confidentiality.

A complainant's behaviour 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 in social media websites and newspapers.

Complainants should limit the number of communications with the 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. In addition, the school expects that any person wishing to raise a concern or complaint will:

- Follow the School's complaints procedure;
- Treat all members of the school community with courtesy and respect;
- Recognise the time constraints that staff operate under and allow them a reasonable amount of time in which to respond / address any issues.

Where a complainant raises a complaint in a manner which the School feels is unreasonable, actions may be taken to remedy this. The actions will be proportionate to the nature of the behaviour and may include:

- An informal approach to inform the person that the behaviour is unacceptable and needs to be modified;
- A formal written communication advising the person that the behaviour is unacceptable and appropriate action may be taken if the behaviour is not modified;
- A tailored communications strategy such as limiting the method and/or frequency of contact with staff / school personnel;
- A refusal to register and process further complaints about the same or similar subject matter where the matter has already been determined, or where complaints are vexatious, or where complaints are personally harassing, or deliberately targeted at one or more members of staff without good cause;
- Setting restrictions on the person's access to the school site.

In respect of the last point, it should be noted that parents/carers and members of the wider community do not have an automatic right to enter the School's grounds and may be barred from entering the School site with immediate effect following any incident where behaviour has been verbally and/or physically aggressive.

We would emphasise that the Executive Headteacher, Head of School and Governing Body are committed to ensuring a full and fair consideration of all legitimate complaints, and we recognise that the majority of parents/carers and members of the wider community will conduct themselves in accordance with this policy. However, we reserve the right to take any necessary actions under this policy in those rare cases where a person does not conduct themselves appropriately.

Agreed by the Full Governing Body November 2023 for adoption on 1st January 2024