



THE FEDERATION OF BURLEY AND SOPLEY PRIMARY SCHOOLS  
Executive Headteacher: Mrs Helen Morris



**COMPLAINTS PROCEDURE**

**Review Date: Autumn 2023**

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**Names of relevant post holders**

<b>Post</b>	<b>Holder</b>	<b>Post</b>	<b>Holder</b>
<b>Executive Headteacher</b>	Helen Morris	<b>Chair of Govenors</b>	Maria Speirs

**Revision Log (last 5 changes)**

<b>Date</b>	<b>Version No</b>	<b>Brief details of change</b>
01/02/21	1.0	Remove job title “Head of School” and replace with job title “Deputy Executive Headteacher”
01/05.21	2.0	No changes
Spring I 22	3.0	No changes



## COMPLAINTS PROCEDURE

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### OVERVIEW

The Federation of Burley and Sopley Primary Schools is committed to encouraging the involvement of parents in the community of the school and in their children's education. One aspect of this commitment is reflected by recognising that, from time to time, things may occur which cause parents concern and that it is important that parents or children know what steps to take, to make sure that any problems are resolved. These notes are intended to provide guidance to help parents with this process.

### Our Guiding Principles

- Our schools strive to achieve positive relationships across our whole school community. Mutual respect, self-reflection and self-improvement are fundamental to the culture in both schools.
- We encourage and welcome dialogue to support the learning and development of children at our schools – we want to do our best for them.
- We aim to be reasonable, open and responsive in dealing with queries and concerns – we need those who raise concerns to be reasonable, open and responsive in return, in this way we can ensure an effective partnership for the benefit of the children in our schools.
- Our goal is to resolve queries and concerns at an early stage. Where this is not possible we will follow the 'Hampshire County Council Model Complaints Procedure' as set out on pages 3 onwards.
- We expect our governors and Clerk to follow 'Hampshire Governor Services Best Practice Guidance on Handling Complaints'.

### Guidance for Parents and Carers – Dealing with Concerns and Problems

#### Who should I talk to?

Most concerns can be dealt with most quickly and effectively through informal discussion with members of staff at school. You are always welcome to come into school to discuss any concerns or problems that have arisen and are encouraged to talk to your child's teacher in the first instance as the teacher, having knowledge of both your child and events in school, is often the person best placed to help.

#### Will what I say be kept confidential?

You can expect that matters you raise will be treated in confidence but parents also need to understand that, to resolve problems and find the best way forward, the teacher may have to make further enquiries. When this is the case, you can expect that this will be done with care and that teachers will be sensitive to how such circumstances may affect your child. This is true for any investigation undertaken by the school, at any time.

#### What if it is difficult to talk to my child's teacher about my concern?

Sometimes you may feel that approaching your child's teacher could be awkward, especially if the matter you wish to discuss may affect a member of staff. If this is the case, or if talking to the teacher on a previous occasion does not seem to have resolved a particular problem, you should seek help from the Deputy Executive Headteacher who may refer the matter to the Executive Headteacher. You can expect the Deputy Executive Headteacher or Executive Headteacher to take the appropriate steps to follow up your concerns and to discuss the outcome with you. Obviously, some time needs to be allowed for this to take place but in most cases, you should be contacted again within a relatively short space of time (ideally within 5 working days). There is no prescribed timescale for resolution at this stage given the importance of dialogue and informal discussion, although we expect to resolve most issues within 10 school days.

#### Can I talk to somebody who is independent of the school staff?

It is always possible to approach a school Governor with a concern. However, unless the complaint is about the Executive Headteacher Governors will always encourage you to approach the Executive Headteacher first, if you have not already done so. This is because the Executive Headteacher is responsible for the day-to-day running of the school and is, therefore, best placed to follow up and deal with concerns. The Governor will support you in doing this, if you feel that this may be helpful or, alternatively, you may wish to ask a friend to help you with this.

If the concern is a child protection issue the governor will follow the school's Child Protection Policy – a copy of this is available from:

- The federation policies website page [www.sopleyprimaryschool.org](http://www.sopleyprimaryschool.org)
- Burley School office 01425 403475 [adminoffice@burley.hants.sch.uk](mailto:adminoffice@burley.hants.sch.uk)
- Sopley School office 01425 672343 [adminoffice@sopley.hants.sch.uk](mailto:adminoffice@sopley.hants.sch.uk)

### **What is the difference between an Informal and a Formal complaint?**

Each of the situations above is an example of how concerns may be addressed informally. Good communication and discussion of problems allows issues to be dealt with quickly. The process is a verbal one and usually only directly involves you, as the parent and a member of staff, Deputy Executive Headteacher or Executive Headteacher. Dealing with matters informally does not mean that the concerns are not taken seriously, or that agreed actions will not be followed through.

A complaint becomes formal when you feel that informal approaches to the school have not been adequately dealt with. Once this stage is reached please refer to our adopted procedure - Hampshire County Council Complaints Procedure below (page 3 onwards). A formal complaint is usually made in writing and investigations resulting from this and any responses made by the school will also be documented.

### **Complaints Procedure (Hampshire County Council Model)**

#### **Introduction**

*The Federation of Burley and Sopley Primary Schools* is dedicated to providing the best possible education and support for its pupils. This means having a clear, fair and efficient procedure for dealing with any complaints to or against each school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

This policy explains the steps that will be followed whenever an issue arises that causes concern. Any person, including members of the general public, may make a complaint about provision of facilities or services that each school provides, unless separate statutory procedures apply.

This procedure does not apply to complaints about:

- Admissions to school
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievance and disciplinary procedures
- Complaints about services provided by other providers who may use the school's premises or facilities

In these cases, there are other separate and statutory procedures.

The Federation of Burley and Sopley Schools will not respond to anonymous complaints under this policy, however, the Executive Headteacher and / or Chair of Governors will consider whether the issue and fear of identification are genuine or the issue is one of child protection.

For more information on our school's provision for protecting our pupils, please refer to our child protection policy which incorporates our allegations of abuse against staff policy, and is available at;

- Federation policies website page [www.sopleyprimaryschool.org](http://www.sopleyprimaryschool.org)
- Burley School office 01425 403475 [adminoffice@burley.hants.sch.uk](mailto:adminoffice@burley.hants.sch.uk)
- Sopley School office 01425 672343 [adminoffice@sopley.hants.sch.uk](mailto:adminoffice@sopley.hants.sch.uk)

If we cannot meet the timescales set out in our policy, we will provide a clear explanation of the reason for this along with details of the indicative timescales.

### **When an Issue or Concern First Arises**

If you have a concern that you would like to take up with either school you should initially inform a member of staff either in person, over the telephone or in writing. You may wish to approach your child's *class teacher or the Deputy Executive Headteacher* first as they will be best placed to help you directly or by letting you know which other member of staff you should be speaking to.

We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding. We will take your concerns seriously and make every effort to resolve the matter as quickly as possible.

The Chair of Governors reserves the right to refer complaints that are taken straight to them back to the appropriate member of staff if it does not warrant the Governing Body's involvement at that point.

### **Initial Informal Meeting**

When a concern has been received, you may receive a telephone call from the member of staff, Deputy Executive Headteacher or Executive Headteacher to discuss your concerns, or you may be invited to attend a meeting with a member of staff or the Executive Headteacher to discuss your concerns.

If invited to a meeting, you are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent along for support. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed and will make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure your concerns are dealt with appropriately and efficiently, but if an agreement cannot be reached, or if you are dissatisfied with the outcome, you can make a formal complaint to the Executive Headteacher. If your complaint is about the Executive Headteacher you should make your complaint in writing to the Chair of Governors. It is preferable for you to make your formal complaint in writing, but complaints can be made in person or by telephone.

There is no prescribed timescale for resolution at this stage given the importance of dialogue and informal discussion, although we expect to resolve most issues within 10 school days.

### **Formal Complaints**

In order to ensure complaints are dealt with efficiently and effectively, *The Federation of Burley and Sopley Primary Schools* deals with formal complaints in three stages.

#### **Stage 1 – Complaint Heard by the Executive Headteacher**

If you feel that your concern has not been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint to the Executive Headteacher. It is preferable for you to make your formal complaint in writing and we provide a proforma for you to complete which is attached to this policy (appendix 1 below) and is also available at;

- federation policies website page [www.sopleyprimaryschool.org](http://www.sopleyprimaryschool.org)
- Burley School office 01425 403475 [adminoffice@burley.hants.sch.uk](mailto:adminoffice@burley.hants.sch.uk)
- Sopley School office 01425 672343 [adminoffice@sopley.hants.sch.uk](mailto:adminoffice@sopley.hants.sch.uk)

but complaints can be made in person or by telephone.

The Executive Headteacher will acknowledge your complaint in writing or offer a full response within 5 school days. If further investigation is required, the Executive Headteacher will acknowledge receipt of your complaint within 5 school days and will advise you that a full response will be provided within 20 school days.

The Executive Headteacher may invite you to attend a meeting to discuss your complaint and possible solutions, or to explain what has happened or will happen as a result of your complaint.

The Executive Headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.

If your complaint is about a member of staff, the Executive Headteacher will talk to that employee and invoke the relevant procedure if required. It will not be appropriate to inform you of the outcome of any investigation in relation to an individual member of staff.

The Executive Headteacher will respond to you in writing within 20 school days of receiving your complaint outlining their full response to your concern, and any action that has or will be taken. If the Executive Headteacher has decided not to take any further action, they will explain what they have decided and how they reached the decision. You will also be advised of your right to take the matter further if you are not satisfied with the Executive Headteacher's response.

## **Stage 2 – Complaint Heard by the Chair of Governors**

If, having spoken to the Executive Headteacher, you are dissatisfied with the outcome of your complaint, you should write to the Chair of Governors within 10 school days<sup>1</sup>, explaining your concern and the steps that have resulted in you taking this course of action.

The Chair of Governors will acknowledge your complaint in writing or offer a full response within 5 school days. If further investigation is required, the Chair of Governors will acknowledge receipt of your complaint within 5 school days and will advise you that a full response will be provided within 20 school days.

The Chair of Governors may invite you to attend a meeting to discuss your complaint and possible solutions, or to explain what has happened or will happen as a result of your complaint.

The Chair of Governors will explain that the Governing Body has a strategic role, and is responsible for the school's strategic framework and the Executive Headteacher is responsible for; the internal organisation, management and control of the school and for advising on and implementing the governors' policies. The Executive Headteacher is solely responsible for making day to day decisions.

This stage offers an opportunity for achieving conciliation between all parties and discussions between the Chair of Governors and the Executive Headteacher will be key to resolving the complaint and agreeing a way forward. The Chair of Governors will decide what powers are available to governors in respect of the particular complaint. In reaching this decision, the Chair of Governors will determine to what extent the issues relate to responsibilities that:

- are delegated to the Executive Headteacher by the Governing Body; or
- fall within the Governing Body's remit only; or
- are within the Executive Headteacher's Terms and Conditions of Employment and relate to the internal organisation, management and control of the school.

For delegated responsibilities and matters within the remit of the Governing Body, the Chair of Governors may look at the whole issue afresh. If the matter relates to the Executive Headteacher's conduct, the Chair of Governors will decide whether the matter should be dealt with through the Complaints Procedure or Staff Disciplinary Procedure. Advice may be sought from the Local Authority and/or Education Personnel Services.

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<sup>1</sup> Exceptions to this time frame may be considered

For matters that are the Executive Headteacher's responsibility, the Chair of Governors is empowered only to look at whether the Executive Headteacher's decision or action was reasonable in the light of the information available at the time.

The Chair of Governors will keep a record of all interactions with you and any decisions made in reference to your complaint.

If the Chair of Governors has decided not to take any further action, they will explain what they have decided and how they reached the decision. You will also be advised of your right to take the matter further if you are not satisfied with the chair of governor's response.

### **Stage 3 – Complaint Heard by Governing Body's Complaints Panel**

If you are dissatisfied with the outcome of your complaint, you should write to the Clerk to Governors within 10 school days<sup>2</sup> of the outcome of stage 2, explaining your concern and the steps that have resulted in you taking this course of action.

The Clerk to Governors will acknowledge receipt of your request within 5 school days.

The complaints panel will usually be convened within 20 school days of receiving the request for your complaint to be heard by the Governing Body's complaints panel. Where it is not possible to find a mutually convenient date within that timescale, all reasonable steps will be taken to agree a time and date mutually convenient to all parties.

The main function of the complaints panel will be to:

- ensure the complaint has been properly handled by the Executive Headteacher (and Chair of Governors)
- ensure that a sufficient comprehensive investigation was carried out
- ensure that the correct procedure / policies were followed.

The panel will also review whether the Executive Headteacher (and Chair of Governors) acted reasonably.

The Clerk to Governors will arrange and facilitate the meeting of the complaints panel. You are entitled to an independent panel to hear your complaint and the complaints panel will consist of three governors who have no former knowledge or involvement in the matter being considered. The chair of the panel will be nominated from within the group of panel members. All panel members will have access to, and will be familiar with, this complaints policy. The Clerk to Governors will confirm to all parties in writing, the date, time and venue for the meeting at least 10 school days in advance.

The Clerk to Governors will request that you supply any paperwork you feel the panel will require to consider your complaint fully. The Executive Headteacher (and Chair of Governors) will also be requested to supply copies of their responses to the previous stages of the procedure, and any further paperwork they consider the panel will require to consider the complaint fully. Copies of all paperwork will be distributed to all parties by the Clerk to Governors at least 3 school days in advance of the meeting.

You are welcome to bring a friend or partner for support to the meeting and the chair of the panel will ensure the meeting is conducted within a relaxed atmosphere whilst keeping to the formal agenda. The Executive Headteacher (and Chair of Governors if attending) is also invited to bring a representative or member of staff for support.

No previously undisclosed evidence relating to the complaint should be introduced during the meeting.

The Clerk will inform you (and the Executive Headteacher and / or Chair of Governors) in writing of the panel's decision within 5 school days of the meeting. The letter will include a summary of the issues, an outline of the main points of discussion, the reasons for the decision and the proposed actions or outcome.

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<sup>2</sup> Exceptions to this time frame may be considered

The panel may suggest you meet with the Executive Headteacher and / or Chair of Governors again to agree a way forward.

The letter may set out recommendations which will be made to the Governing Body.

The panel's decision is the final stage in the complaints procedure. If you feel the school has acted unreasonably or has not followed the correct procedures in relation to your complaint, you may write to the Secretary of State using the following contact details:

School Complaints Unit, Department for Education, 2<sup>nd</sup> Floor, Piccadilly Gate, Store Street, Manchester, M1 2WD

### **Unreasonable Complaints**

The Federation of Burley and Sopley Primary Schools 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. Operating from a position of mutual respect, 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.

The Federation of Burley and Sopley Primary Schools defines unreasonable complaints 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 school's 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 comments 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 a 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 Executive Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Executive Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact either Burley School or Sopley 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 relevant school site.

### **Governing Body Review and Monitoring of Complaints**

The Executive Headteacher will report annually to the Governing Body on the number of formal complaints received and the levels at which they have been resolved. No details identifying the complaint or any member of staff will be published.

The Governing Body will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more efficiently.

### **Staff Complaints**

Staff who have a concern about a colleague or volunteer in school should refer to the whistleblowing policy which is available on the school network/via the school office.

The procedure for dealing with any other staff complaint or employment grievance is set out in the school's staff discipline, conduct and grievance policies which are available on the school network/via the school office.

### **Complaints Policy Review**

The Governing Body of The Federation of Burley and Sopley Primary Schools will review this policy every 2 years, or sooner if there are any legislative changes. The Governing Body of The Federation of Burley and Sopley Primary Schools will also review this policy following a complaint panel meeting to ensure that it met the requirement to provide a clear, fair and efficient complaints procedure.

**Appendix 1**

**Complaints Form**

<b>Name of complainant:</b>	
<b>Contact details:</b>	<b>Address:</b>
	<b>Telephone:</b>
	<b>Email:</b>
<b>Outline of your complaint and how it has affected you (the complainant) / pupil:</b>	
<b>Have you discussed the matter already with a member of staff, if so, who?</b>  <b>What was the outcome?</b>	

<b>What would you like to happen as a result of your complaint?</b>	
<b>Signature:</b>	
<b>Date:</b>	

**For school use:**

<b>Date received:</b>	
<b>Date acknowledged and by whom:</b>	
<b>Summary of action taken:</b>	

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