



## Concerns and Complaints Procedure

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Review Cycle:	Every three years
Date of next Review:	October 2022

Signed by:

\_\_\_\_\_ Headteacher                      Date: \_\_\_\_\_

\_\_\_\_\_ Chair of governors                      Date: \_\_\_\_\_

**THURTON CE PRIMARY SCHOOL**  
**A Procedure for handling concerns and complaints**

*Section 29 of the Education Act 2002  
states that governing bodies are required to have in place  
a procedure for dealing with complaints.*

All schools in Norfolk want their pupils to be healthy, happy and safe, and to achieve. They recognise that parents, guardians or carers play an important part in making this happen. Cooperation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in the school.

Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.

If you have concerns of a serious nature regarding safeguarding a child or young person, call Norfolk County Council 24-hours-a-day on 0344 800 8020.

**Level 1 – informal**

Parents, carers or guardians should, in the first instance, make an appointment to speak to the class teacher about the concern. It is best to resolve issues at this point. No child should be present at any discussions if it is deemed inappropriate by the class teacher or school leaders. Parents, carers or guardians should also consider the appropriateness of discussing school concerns in front of their child at home.

*'If your child has a problem at school you should be able to resolve it with an informal discussion with your child's teacher. Remember that there is usually more than one view about a situation. Make sure that what you want to talk about is clear in your mind. A good tip is to write down the main points beforehand so that you don't forget anything.'* Norfolk County Council Advice

**Level 2 - informal**

Parents, carers or guardians dissatisfied with the result of the discussions with the class teacher should ask for an appointment to meet with the Headteacher or a member of the Senior Leadership Team.

*'It is in everyone's interests, particularly those of your child or children, for issues to be sorted out smoothly.'* Norfolk County Council Advice

If a solution is proving difficult, the Headteacher can speak to the Chair of Governors who may be willing to offer some input to resolve the issue, but there is no obligation for them to become involved at this time.

If Parents, carers or guardians are unhappy with the response from the Headteacher or member of the Senior Leader Team, the procedure will move onto Level 3 and may give the opportunity to meet informally with the school Chair of Governors.

**Level 3 – formal complaint letter to headteacher**

An issue that has not been resolved through the informal levels 1 and 2 can become an official complaint.

Parents, carers or guardians wishing to move to level 3 must write a formal letter of complaint to the headteacher. The letter will need to set out clearly the issues which have previously been discussed and **why** the parent, carer or guardian considers the issue to be unresolved.

Headteachers should consider the complaint and discuss a resolution with the complainant. The headteacher should offer a resolution to the complainant in writing within 10 school days of receipt of the letter.

At this point, if the Headteacher and Chair of Governors feel that it is appropriate, an informal meeting can be called to discuss the complaint. The Chair of Governors will not, however, meet with parents, carers or guardians, until they have first tried to resolve their concerns with the Headteacher.

**Concerns or complaints specifically about the headteacher.**

The decision that the Headteacher has made as a result of the complaint does not become a complaint about the headteacher. If the complainant feels the complaint has not been resolved he/she should proceed to Level 4, a Governors’ Complaints Panel.

At this point, if the Headteacher and Chair of Governors feel that is it appropriate, an informal meeting can be called to discuss complaint.

If, the concern or complaint is specifically about the headteacher and is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Chair of Governors. The school will provide the Chair of Governor’s name and the complainant should write to him or her at the school address marking the envelope ‘urgent, private and confidential’. The Chair of Governors should acknowledge the complainant’s letter in writing within 5 school days of receipt and contact a Governor Support Service Officer for advice.

**Level 4 – formal complaint requesting a Governors’ Complaints Panel.**

**Time Scales:**

Receipt of complainant’s letter	Acknowledgement within 5 school days
Receipt of complainant’s letter	Governors’ Panel meeting within 15 school days (unless this goes into school holidays)
Written documentation sent to Governors’ Panel Members and complainant and headteacher	5 school days before meeting.
Governors’ Panel members decision communicated to all concerned	As soon as possible but within 10 school days of meeting.

Complainants wishing to move to level 4 of the formal complaints procedure will need to write a letter to the Chair of Governors to request that a Governors’ Complaints Panel meets to hear the complaint. This formal complaint letter must be received within 10 school days of the last meeting with the headteacher concerning the issue. The complainant should write to the Chair of Governors at the school address marking the envelope ‘urgent and confidential’. The letter will need to set out the complaint that has previously been formally discussed with the headteacher and show **why** the matter is not resolved.

**Before the meeting:**

The chair of governors should appoint a clerk to the Governors’ Complaints Panel, acknowledge the complainant’s letter in writing within 5 school days of receipt and arrange for a panel of governors to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the governors’ panel meeting. In this case the matter should be dealt with within 10 school days of the school reopening.

The headteacher should be given a copy of the complainant's letter and written documentation should be requested from the school. The clerk should send both the complainant's letter and the school documentation to the Governors' Complaints Panel members, complainant and headteacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant and headteacher will be invited to attend the Governor's Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

#### **At the meeting:**

The complainant and headteacher (or his representative) should provide all the relevant information they wish and the Governors' Complaints Panel members should clarify any points. After the complainant and headteacher (or his representative) have provided all the information they wish, the chair will ask all parties to leave except the panel members and the clerk.

#### **After the meeting:**

The Governors' Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the Governor's Complaints Panel is final.

The decision of the Governors' Complaints Panel will not be investigated. If, however, the complainant feels that the School and Governors have not followed the school's complaints procedure correctly, you can take your complaint further. Please see the 'Further Information' section: Taking Your Complaint Further

['Although we can't become directly involved in school complaints, we can give you further advice and information on how to make a complaint.'](#) Norfolk County Council Advice

Chapter 3, paragraph 14 of a Guide to the Law for School Governors states: under the Education Act 1996, paragraphs 496 and 497, anyone can complain to the Secretary of State for Education and Skills if he or she believes that a governing body is acting "unreasonably" or is failing to carry out its statutory duties properly. However, intervention can only occur if the governing body or the Local Authority has failed to carry out a legal duty or has acted "unreasonably" in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State for Education and Skills could instruct either party to do to put matters right.

Once a Governor's Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the chair of governors should inform the complainant that the matter is closed.

Any complaints concerning the conduct of school staff will be handled in accordance with the schools internal disciplinary procedures. The details of such an investigation will remain confidential.

#### **Complaints covered by Statutory Regulations**

Some complaints regarding admissions, the curriculum or special educational needs are covered by statutory regulations. The Headteacher or Deputy Headteacher can give information about these issues or advice can be sought from Norfolk County Council Service Centre on 0844 800 820.

**Further information:**

This information has been taken from the following web page:

<https://www.norfolk.gov.uk/what-we-do-and-how-we-work/have-your-say/compliments-and-complaints/school-complaints>

**Managing serial and unreasonable complaints**

*“Teachers and Governors are well intentioned people who want to educate children. They need and deserve to be respected and supported in performing this vitally important role.”* **Russell Holland, Educational Lawyer**

Thurton CE Primary School 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 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, insulting, offensive, threatening or vexatious.

The [Office of the Independent Adjudicator](#) defines the characteristics of a ‘frivolous’ or ‘vexatious’ complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

Thurton CE Primary School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency; the conduct of the complainant or the 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
- refuses to accept that the school has taken every reasonable step to address their concern
- has been given a clear statement of the school’s position and their options
- 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
- 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
- makes insulting personal comments about staff
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- is raising the complaint with the intention of causing disruption or inconvenience
- changes the basis of the complaint as the investigation proceeds
- 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
- 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 Thurton CE 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 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 Thurton CE Primary School.

### **Taking Your Complaint Further**

If you believe that your school's governing body is acting 'unreasonably' you can complain in writing to the Secretary of State for Education.

Complaints to the Secretary of State are handled by the government's Department for Education.

**This should be a last resort, and you should highlight in your letter the steps you have already taken to resolve the problem locally.**

The address to write to is: Department for Education, Castle View House, East Lane, Runcorn, Cheshire, WA7 2GJ.

Ofsted (the Office for Standards in Education, Children's Services and Skills) also has a role in investigating the work of schools as a whole.

Examples include:

- A school not providing a good enough education
- Pupils not achieving as much as they should, or their needs not being met
- A school not being well led and managed, or not using its resources efficiently
- Pupils' personal development and well-being are being neglected

Whilst complaints about matters relating to an individual child cannot be considered, Ofsted may consider complaints from parents (or some carers) of pupils registered at the school the complaint is about.

For further information, visit [Ofsted's website](#) or use the [Ofsted online contact form](#).

### **Extended Schools**

Extended Schools: the governing body should ensure that any third party provider offering activities and services through the extended schools programme has their own complaints procedure in place. Governors would need to have a discussion around, and make a decision about, what happens when the third party provider's complaints process is exhausted and the matter is not resolved and whether it should then be referred to a Governors' Complaints Panel. This would ensure that the Governors are kept aware of complaints about provision.

**Appendix 1 – Table of changes from February 2019**

Date of change	Paragraphs affected	Summary of update
14.10.19		Manging serial and persistent complaints section added.

*A signed hard copy of this policy is available for inspection in the school office.*

Please see the next page for flowchart.



**Flowchart of procedure for handling concerns and complaints:**

