



Hyde Park Schools



Compliments, Comments, Concerns and Complaints Policy

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Introduction

Hyde Park Infant and Junior Schools value the good relations we enjoy with our parents and the community. These good relations are based on mutual respect and a willingness to listen to other points of view. It is in the best interests of all parties that any concern is expressed and resolved quickly and at the earliest possible stage.

If you have a compliment, comment, concern or complaint.....

.....we would like you to let us know.

Compliment – We like to hear when we have done a good job so that we can share what we do well with the staff and children to ensure we continually improve.

Comment – We welcome suggestions for improving our work.

You are requested to raise directly with the school any concerns regarding the school or its staff before posting any comments or pictures/videos on social media that have implications for the school or its staff. All members of staff are familiar with the procedure and are able to assist you.

The difference between a concern and a complaint

A **'concern'** may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A **'complaint'** may be generally defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

The word 'complaint' is used to describe a concern that is being formally investigated

A complaint is a concern which has not been satisfactorily resolved. If you feel we have not dealt satisfactorily with your concern it is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. We take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns formally. In those cases, the school's formal procedure will be invoked through the stages outlined within our procedure.

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the headteacher and/or the individual's line manager. As the complainant 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.

We will not usually investigate complaints about issues and incidents that are more than three months old.

We aim to keep to the timeframes outlined for stages 2 and 3 in the attached flowchart but sometimes more complex complaints take longer to investigate. If this is the case we will keep you informed of progress.

If you seek to remain anonymous it may not be possible to take action. However, if an anonymous complaint is received which may need to be treated as a child protection matter it will be dealt with under the appropriate statutory procedure.

This policy does not cover the following types of complaints for which there are statutory or formalised procedures in place:

Procedure dealing with:	Further information available from:
Appeals with respect to admissions	See school's/academy's Admissions policy or contact the local authority's School Admissions Team Telephone: 01752 307481
Appeals with respect to exclusion of pupils	See school's/academy's Behaviour/Exclusions policy or contact the local authority's Inclusion and Attendance Manager Telephone: 01752 307471
Special Educational Needs Statements/Education Health and Care Plans	Local authority's 0-25 SEND Statutory Assessment Team Telephone: 01752 307409
National Curriculum and Religious Education	Local authority's Education and Learning team Telephone: 01752 307485
Child Protection Issues	Plymouth Referral and Assessment Service Telephone: 01752 668000
Child Protection Investigations against staff	Local Authority Designated Officer Telephone: 01752 307144
Whistleblowing	The school has an Internal whistleblowing procedure for employees and voluntary staff which is available from the school office. Other concerns can be raised direct with Ofsted on 0300 123 3155 or via email at whistleblowing@ofsted.gov.uk
Staff grievances and disciplinary procedures	The school has internal grievance and disciplinary procedures for employees which are available from the school office.
Subject Access Requests and Freedom of Information requests	See the school's/academy's Freedom of Information and Data Protection policies

Services provided by other external organisations who use the school premises or facilities	External providers should have their own complaints procedures and should be contacted direct.
Services provided by Plymouth City Council	Local authority's Customer Services team Telephone: 01752 668000

Raising a concern or complaint

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 concerns will be resolved by this informal stage. Governors do not deal with concerns. If you raise a concern they will sign post you to the best person to speak to, usually a class teacher, the SENCO, a Phase Leader or the headteacher

In the case of serious concerns, it may be appropriate to address them directly to the Head Teacher (or to the Clerk to the governing body, if the concern is about the Head Teacher).

If you are uncertain about who to contact, please seek advice from the school office or the Clerk to the governing body.

Formal Stage

If your concern is not resolved at the informal stage you may choose to put the complaint in writing and pass it to the Head Teacher, who will be responsible for ensuring that it is investigated appropriately. If the complaint is about the Head Teacher, your complaint should be passed to the Clerk to the governing body, for the attention of the Chair of the governing body.

The procedure for making a complaint

This section of the document is to inform you of the steps you should take if you feel a concern should be considered by the Headteacher, or a member of staff has not answered your concern. We will use the term complaint to refer to the issue under discussion from this point.

CONCERNS AND COMPLAINTS FLOWCHART

Stage 1: Raising a concern

Informal discussion of concerns with the appropriate member of staff and/or headteacher

Issue resolved

No further action required

Issue not resolved

Consider submitting formal complaint to complaints co-ordinator (if the concern is about headteacher please refer it to the Chair of Governors)

Stage 2: Refer concern to the headteacher

If you have spoken to your child's class teacher or another member of staff, but your concern has not been resolved and you wish to discuss your concern about actions taken or a lack of action:

Issue resolved

No further action required

Issue not resolved

You may wish to lodge a formal complaint

Stage 3: Make a formal complaint to the headteacher (Or the Chair of Governors if your complaint is about the headteacher.)

If your concern has not been resolved, you may wish to lodge a formal complaint with the headteacher, (Or the Chair of Governors if your complaint is about the headteacher about actions taken or a lack of action:

Issue resolved

No further action required

Issue not resolved.

If you are not satisfied with the manner in which the process has been followed, you may request that the governing body to reviews the process followed by the school,

Stage 4: Make a formal complaint to the Governing Body, via Clerk to the Board of Governors, about the process followed in dealing with your complaint

If your concern has not been resolved, you may wish to lodge a formal complaint with the headteacher about actions taken or a lack of action:

Stage 5: stage all avenues of complaint within school have been exhausted

Any further complaint should be made with external bodies. More information on this procedure can be found at:

- The Local Authority: www.plymouth.gov.uk/schoolcomplaints
- The Department for Education: <http://www.education.gov.uk/aboutdfe/complaintsprocedure>

Stage 1 please ensure that you have spoken to your child's class teacher, Phase Leader or to the SENCo depending on the nature of your concern before progressing to Stage 2, making a complaint.

Stage 2: If you have spoken to your child's class teacher or another member of staff, but your concern has not been resolved and you wish to raise your concern with the headteacher.

You should ...	The school will ...
<ul style="list-style-type: none"> • Make an appointment to speak with the Headteacher at the earliest opportunity by phoning or calling at the school office <p><i>You make take a friend or translator to the appointment with you if you wish</i></p>	<ul style="list-style-type: none"> • Listen to your concern • Make every effort to resolve the problem informally • Ask what you would like the school to do to put things right in order to understand your point of view • Explain any actions taken to you

It is not always the case that you and the school will share the same point of view. But this discussion will help you and the school to understand both sides of the issue, and could help prevent a similar problem occurring again.

Stage 3: If your concern has not been resolved, you may wish to lodge a formal complaint about actions taken or a lack of action:

You should ...	The school will ...
<ul style="list-style-type: none"> • Advise the Headteacher that you wish to make a formal complaint. This can be done verbally or by completing the attached Formal Complaint Form • If your complaint is about an action of the Headteacher, your complaint should be referred to the Chair of Governors and they will carry out the actions listed, including carrying out an investigation <p><i>Please contact the school office if you need assistance with this</i></p>	<ul style="list-style-type: none"> • Acknowledge your complaint within 24 hours • Notify the Chair of Governors • Investigate the complaint • Arrange an appointment to meet with you within 12 school days • Explain the result of the investigation • Confirm the result of the investigation in writing • Keep a record of the complaint in the school office

The problem is normally resolved by this stage. However, if this is not the case you may wish to contact the Clerk to the governing body for your complaint about actions taken or a lack of action to be referred to the Governing Body.

Stage 4: Formal Complaint, about actions taken or a lack of action.

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 in writing to the clerk to the governing body, within 10 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 is provided for your convenience.

You should ...	The school will ...
<ul style="list-style-type: none">• Contact the Chair of Governors at the School's address within 2 months of your initial complaint• Review Request form (attached) <p><i>If you completed this at the previous stage, you can ask for a copy to be provided to the Chair of Governors. Please contact the school office if you need assistance with this.</i></p>	<ul style="list-style-type: none">• Convene a meeting of 3 or 5 Governors who have no previous knowledge of the complaint. This will usually take place within 10 school days of receipt of your request.

Review Process

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations will be considered sympathetically.

At the end of this meeting, the Panel will consider the complaint on the basis of the paperwork received and if appropriate what has been said at the meeting. They will decide to:

- Dismiss the complaint in whole or in part and give reasons for the decision.
- Uphold the complaint in whole or in part and give reasons for the decision.
- 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

Following the meeting the clerk will issue a letter confirming the panel's decision.

Stage 4:

At this stage all avenues of complaint within school have been exhausted. Any further complaint should be made with external bodies. More information on this procedure can be found at:

- The Local Authority: www.plymouth.gov.uk/schoolcomplaints
- The Department for Education: <http://www.education.gov.uk/aboutdfe/complaintsprocedure>

There you might be directed to departments relating to the specific nature of your complaint.

You may wish to should ...	The officer concerned will ...
<p>Contact The Local Authority: www.plymouth.gov.uk/schoolcomplaints</p>	<ul style="list-style-type: none"> • listen to and note the complaint • ask any questions that might help to clarify the complaint • give advice, as appropriate, on resolving the complaint.
<p>The Council will not re-investigate and/or direct the school governors or head teacher to take a particular course of action, but it will help find a solution to a complaint. The school's governing body is not obliged to accept the Council's advice about how a complaint might be resolved, provided the school has acted lawfully.</p>	
<p><u>Contact Department For Education:</u></p> <p>Complaints about school problems are almost always settled within schools but, if you are dissatisfied with the school's internal procedure you can refer your complaint to the Secretary of State. The School Complaints Unit of the Department for Education considers complaints on behalf of the Secretary of State by looking at whether the school has followed its own procedures but will not normally reinvestigate the substance of the complaint. The School Complaints Unit will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear that the school has acted unlawfully or unreasonably, and they may ask the school to reconsider the complaint.</p> <p>Further information can be obtained from the School Complaints Unit by calling the National Helpline on 0370 000 2288 or going online at www.education.gov.uk/help/contactus or by writing to the Department for Education, School Complaints Unit, 2nd Floor, Piccadilly Gate, Store Street, Manchester M1 2WD.</p>	

Serial and Persistent Complainants

We do our best to be helpful to people who contact us with a complaint or concern or a request for information. However, in cases where we are contacted repeatedly by an individual making the same points, or an individual persistently asks us to reconsider our position despite clear communication as to the reasons for that decision being made, we will need to act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open an issue that has been dealt with, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and we may choose not to respond. However, we would not mark a complaint as 'serial' before the complainant has completed the procedure.

In the context of Freedom of Information requests 'vexatious' is defined as the **'manifestly unjustified, inappropriate or improper use of a formal procedure.'** It is not, however, a term that the DfE employs, preferring the terms 'serial' or 'persistent' complaints. We use the criteria below in determining whether the situation may be defined as 'serial' or persistent'

What criteria may be applied to decide whether it is 'manifestly unjustified, inappropriate or improper'?

- All reasonable steps have been taken to address matters
- A clear statement has been provided of the school's position
- The school is being repeatedly contacted with the same points being raised
- The school has reasonable grounds for believing that the intention is to cause inconvenience
- Their letters/emails/telephone calls are often or always abusive or aggressive.
- • They make insulting personal comments about or threats towards staff.

Unacceptable behaviour

As a school, we are committed to dealing with all concerns and complaints fairly and impartially, providing a high quality service to those who make them. We will not normally limit the contact complainants have with the school. However, where an individual's behaviour is causing a significant level of disruption we may implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term.

We also do not expect our staff to tolerate behaviour that is unacceptable, for example, abusive, offensive or threatening and we will take action to protect our staff from such behaviour, including reporting the matter to the police or taking legal action. In such cases, we may not give prior warning of that action. Alternatively we may temporarily bar such an individual from the school premises. We will write to tell them why they are being barred from the school site, how they can maintain contact with the school, and how long it will last. Anyone wishing to complain about being barred can do so by letter or email to the headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Secretary of State or the Education Funding Agency.

Data Protection Act – We will hold personal data about you in our files and on computer. We will hold this data securely and only use it to help us to deal with your comment or complaint. You have rights under the Data Protection Act 1998 to have a copy of your personal data. There are exceptions to this right, the main one being where we feel that releasing particular information to you would prevent us from properly investigating your complaint. A fee will normally be charged. Analysis will be restricted to types of complaints and individual complainants will not be identified. The analysis will be reported to the Board of Governors on an annual basis. The reporting will include identifying particular trends of complaints, which may require some change in the school's/academy's procedures.

APPENDICES

Appendix 1

Roles and Responsibilities

The Complainant

The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:-

- co-operates with the school in seeking a solution to the complaint;
- expresses the complaint in full as early as possible;
- responds promptly to requests for information or meetings or in agreeing the details of the complaint;
- asks for assistance as needed;
- treats all those involved in the complaint with respect.

The Complaints Co-ordinator (or headteacher)

The complaints co-ordinator should:-

- ensure that the complainant is fully updated at each stage of the procedure;
- ensure that all people involved in the complaint procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- liaise with staff members, headteacher, Chair of Governors and Clerk to ensure the smooth running of the complaints procedure;
- keep records;
- be aware of issues regarding:-
 - o sharing third party information;
 - o additional support - this may be needed by complainants when making a complaint including interpretation support.

The Investigator

The Investigator is the person involved in Stages 1 and 2 of the procedure. The Investigator's role can include:-

- providing a comprehensive, open, transparent and fair consideration of the complaint through:-
 - o sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
 - o consideration of records and other relevant information;
 - o interviewing staff and children/young people and other people relevant to the complaint;
 - o analysing information;
- effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
- identifying solutions and recommending courses of action to resolve problems;

- being mindful of the timescales to respond; and
- responding to the complainant in plain and clear language.

The person investigating the complaint should make sure that they:

- conduct interviews with an open mind and be prepared to persist in the questioning;
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.

The Panel Clerk (this could be Clerk to the Governors or the Complaints Coordinator)

The Clerk is the contact point for the complainant for the panel meeting and is expected to:-

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- circulate the minutes of the panel hearing;
- notify all parties of the panel's decision;
- liaise with the complaints co-ordinator.

The Panel Chair

The Panel Chair has a key role in ensuring that:-

- the meeting is minuted;
- the remit of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents/carers and others who may not be used to speaking at such a hearing are put at ease – this is particularly important if the complainant is a child/young person;
- the hearing is conducted in an informal manner with everyone treated with respect and courtesy;
- the layout of the room will set the tone – care is needed to ensure the setting is informal and not adversarial;
- the panel is open-minded and acts independently;
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- both the complainant and the school are given the opportunity to state their case and seek clarity;

- written material is seen by everyone in attendance – if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the hearing;
- liaise with the Clerk and complaints co-ordinator.

Panel Member

Panellists will need to be aware that:-

- it is important that the review panel hearing is independent and impartial, and that it is seen to be so;

No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant;

However, it must be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

- many complainants will feel nervous and inhibited in a formal setting;

Parents/carers often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing;

Careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated. The panel should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the hearing, if any, the child/young person needs to attend.

The parent should be advised however that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting which the panel considers not to be in the child/young person's best interests.

- The welfare of the child/young person is paramount.

Appendix 2

Policy for Unreasonable Complainants

Hyde Park Junior 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 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.

Hyde Park Junior School 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 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 adopted 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 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, 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 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 asking them to change it. For complainants who excessively contact <...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 Hyde Park Junior School.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Appendix 3

**Hyde Park Junior School: Request to meet class teacher/ Phase Leader/
SENCo/Headteacher to discuss a concern**

I wish to meet *[name of staff member]* to discuss the following matter:

Brief details of topic to be discussed:

Dates/times when it would be most convenient for a meeting:

Your name:

Relationship with school (e.g. parent of a pupil on the school roll):

Pupil's name (if relevant to the matter to be discussed)

Your Address:

Telephone numbers

Daytime:

Evening:

e-mail address:

Signed

Date

[Please complete this form and return it to the school office]

School use:

Date Form received:

Date response sent:

Received by:

Response sent by:

Hyde Park Junior School Formal Complaint Form

Please complete this form and return it to the school office or to the Head Teacher who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (e.g. parent of a pupil on the school roll):

.....

Pupil's name (if relevant to your complaint):

.....

Your Address:

Telephone numbers

Daytime:

Evening:

E-mail address:

Please give concise details of your complaint, (including dates, names of witnesses etc...), to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

School use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:			
Date:			

Hyde Park Junior School Complaint Review Request Form

Please complete this form and return it to Head Teacher (or Clerk to the governing body), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Your Address:

Telephone numbers:

Daytime:

Evening:

E-mail address:

Dear Sir

I submitted a formal complaint to the school on and am dissatisfied by the procedure that has been followed.

My complaint was submitted to and I received a response from on

I have attached copies of my formal complaint and of the response(s) from the school.

I am dissatisfied with the way in which the procedure was carried out, because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What actions do you feel might resolve the problem at this stage?

Date:

School use

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			

