



St Andrew's C of E School, Totteridge

COMPLAINTS PROCEDURE (POLICY)

(Statutory Policy)

(Resource Management Committee)

(Approval by Resource Management Committee – 3 Year Review Cycle)

Date to be implemented from:	18 th March 2021
Date to be reviewed by:	18 th March 2024
Date Reviewed by Sub Committee:	9 th March 2021
Approved by: Signed: (Chair- Resource Management Committee) (Print Name) Date	
<i>This Policy supersedes any previous Policy of this name or instructions that pre-date this edition.</i> <i>This Policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this School.</i>	

1 Procedure Statement

1.1 St Andrew's School affirms that individuals are entitled to equal rights, responsibilities and opportunities. The School strives to ensure that all individuals are equally valued and everyone is treated with respect. All Complaints will be taken seriously and dealt with sensitively.

1.2 St Andrew's School will meet its legal requirement to have a Complaints Procedure and meet any other legislation or requirements to ensure a harmonious environment for pupils, staff, parents/carers and visitors.

1.3 The Procedure will be readily accessible within the School on the Website and in hard copy upon request.



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2 Reviewing the Procedure

2.1 Reviewing the Procedure – St Andrew's School will assess the implementation and impact of this Procedure on a continuous basis and undertake a regular formal review on an annual basis to ensure it is fit for purpose.

3 School Vision

3.1 Our vision is to be an outstanding School built upon Christian values within a loving, diverse, multi-faith community.

3.2 Our parents, carers, children and staff will work together to enable all children to:

- achieve their potential
- learn in a safe, stimulating environment
- play an active role in our community
- enjoy learning now and throughout life

4 Purpose of Procedure

4.1 At St Andrew's School, we are a Values School committed to educating and establishing an environment where all members of our community are equally valued and treated with respect. This Procedure sets out our expectations and gives a framework for implementation for those occasions when problems arise.

4.2 This Complaints Procedure meets the requirements of duties in relation to Section 29 Part 1 Education Act 2002. Guidance documents alone for parents/carers on making Complaints does not satisfy the legislative requirement, hence we publish this separate and distinct Procedure (Policy).

4.3 This Policy combines legal requirements and good practice, so that at St Andrew's we have considered the very best procedures for raising a concern, lodging a complaint and for the best way to resolve issues.



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4.4 The Policy is produced and tailored to meet the specific needs of our School and the local community we serve.

5 Aim of Procedure

5.1 We recognise that parents/carers, the local community and surrounding neighbours all contribute to a successful School. This Policy identifies the pathways that different groups should follow in order to bring an early resolution to disputes and issues in a fair and mutually satisfactory way.

5.2 This Procedure provides a framework that translates the values and aims of the School regarding Complaints into an effective Procedure to enable external Complainants, pupils and their parents/carers, staff and Governors resolve issues in a supportive, caring and safe environment.

5.3 We recognise that 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 follow formal procedures and we will always strive to solve matters before they become more serious issues.

5.4 A consistent approach with informed and balanced judgements on Complaints, leads to a shared sense of purpose and an atmosphere of fairness in and beyond the School.

6 Definitions

6.1 At St Andrew's we try hard to make sure that everyone is happy at/with the School but occasionally problems arise. Most concerns can be dealt with quickly and informally but the formal Complaints Procedure is in place to deal with bigger issues or where people dispute our decision.



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6.2 This Procedure relates to the School and to any community facilities or services that the School provides.

6.3 Complainants are not limited to parents/carers of pupils registered at the School. A Complainant could be a member of the wider community (eg. representation from an ex-pupil or a neighbour living nearby).

6.4 There are certain Complaints that fall outside the remit of this Complaints Procedure (eg. Staff Grievances or Disciplinary Procedures) and these should be dealt with in the appropriate way.

6.5 There is a clear difference between a concern and a Complaint. We take informal concerns seriously at the earliest stage so they will have the best chance of not developing into formal Complaints. The majority of issues raised by pupils, parents/carers or the community, tend to be concerns rather than complaints. We are committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing to go down the formal procedures route.

6.6 Those who voice concerns should be assured that this will not affect our support for those people. Parents/carers who raise issues will have those issues dealt with and this will not affect our respect for children of those parents/carers.

6.7 Formal Complaints should always follow the Complaints Procedure.

6.8 Emails are recognised as being acceptable legally



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7 Complaints Framework

7.1 There are different pathways and stages for Complaints and it is hoped that, where a Complaint is made, that a mutually satisfactory solution can be reached. However, any unsatisfied Complainant can **always** take a Complaint to the next stage.

7.2 The Policy has sections that deals with issues brought forward by parents/carers on general, day to day issues; parents/carers Complaints about the School Leadership (Governors and/or Headteacher) and what other, external Complainants need to do in order to highlight their issues. Schools need to categorise complaints when they are first received, so they receive the appropriate response (many complaints lead to Schools having cases against them upheld, not because of the initial incident but because the process has not been followed correctly).

Section 8 subsection A is for parents/carers of current pupils who have a general issue

Section 8 subsection B is where the Complaint is specifically about the Headteacher or any Governor

Section 8 subsection C applies to those who do not have children in the School but have a Complaint about the School or the way it is run.

7.3 Complaints need to be dealt with quickly and sensitively. At St Andrew's we will always encourage:

- resolution of problems by informal means in the first instance wherever possible
- resolution of serious problems through the Procedure which is accessible and publicised
- keeping the process simple to understand and use
- staying impartial and non-adversarial during the process
- ensuring swift handling with established time-limits for action and keeping people informed of the progress as required by the process
- completion of a full and fair investigation by an independent person where necessary
- confidentiality and sensitivity (eg. location of interviews, meetings)
- ensuring all points at issue are addressed and provide an effective response and appropriate redress, where necessary
- learning from any formal Complaints in order to improve our provision



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8 Procedures

NB. Any third-party providers offering community facilities or services through School premises or using School facilities should defer to their own Complaints Procedures.

Subsection A: for parents/carers of current pupils with general Issues (moving from Informal to Formal)

8.1 **Level 1** is regarded as Informal

In the first instance, the issue should be taken up with the child's **class teacher**.

Parents/carers are asked to make an appointment, through the Parent Query Form, informing the teacher in advance what the Complaint is about so that any required research can be carried out before the meeting. This enables the teacher to have the best information to share with the parent/carer about the incident or issue. Teachers being 'door stepped' without a formal Query Form should be discouraged, as the teacher will not have all relevant information. Safeguarding issues however, should take precedence and be dealt with.

- Issues should initially be handled informally that offers the best way of resolving those issues.
- The class teacher should offer an appointment to discuss the issue as quickly as possible but it is important for parents/carers to recognise that the School is a busy organisation and it may not be possible to offer an appointment straight away. The class teacher will make the appointment at a mutually convenient time.
- This appointment will take priority for the class teacher and will not be rescheduled unless other more pressing issues (eg. Safeguarding) or illness intervenes.
- The identified appointment time gives both parties time to talk about issues calmly and politely without being interrupted. It gives a suitable atmosphere for constructive reflection.
- The meeting shows a commitment to resolving issues and the parties involved should be encouraged to offer their view(s) of what could be a realistic resolution to the problem.



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8.2 **Level 2** is regarded as Formal

Sometimes the issue is not resolved by talking with the child's class teacher. Parents/carers who are not are satisfied with the decision can make an appointment to see the Headteacher. The Headteacher may delegate the task of collating the information to another member of staff but not the decision on the action to be taken.

- It is in everyone's interest, particularly for any child or children involved, for concerns and issues to be sorted out quickly and smoothly, so the Headteacher will offer a fixed appointment time to the parents/carers.
- The Headteacher and parents/carers will discuss the issues and try and resolve the issues in a positive way for both parties. This will build upon the information brought forward previously with the classroom teacher but will offer a chance to explore details more fully.
- The Headteacher may write to the parents/carers summarising what has been agreed/discussed.

8.3 **Level 3** is regarded as Formal

Where parents/carers are still not satisfied with the decision, they may put their Complaint in writing (marked urgent and confidential) to the Chair of Governors. Contact details for the Chair can be found on the Governor Notice Board located in the foyer and on the website.

- Parents/carers should set out clearly the issues which have previously been discussed and why they consider the issue still to be unresolved
- The decision that the Headteacher has made as a result of Stage 2 does not become a Complaint about the Headteacher.
- The Chair of the Governors will review the case and convey the decision in writing to the parent/carer within ten days of receiving the Complaint.



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8.4 Level 4 is regarded as Formal

Where parents/carers are still not satisfied with the decision, they may write to the **Clerk of the Governing Body** (at the School Office marking it urgent and confidential) asking for the case to be heard by the Governing Body Complaints Committee. **This request must be made within 21 days following receipt of the Chair of Governors response.** It is important parents/carers make clear the exact nature of the Complaint and what you would like the Governing Body to do.

The role of the Clerk of the Governing Body - the Clerk would be the contact point for the Complainant and:

- Not be part of the Panel or participate in the decision making
- Set the agreed date, time and venue of the hearing, ensuring that the date is convenient to all parties and affords confidentiality
- Collate required written material and send it to the parties five days in advance of the Panel
- Record the proceedings as a confidential and neutral administrator
- Notify all parties of the Panel's decision and the reason(s) for the decision within ten days of the meeting

A **Governors' Panel** will be convened (this will not include the Chair of the Governors if they have already been part of the process in Level 3) and held in private. The Panel (consisting of 3 members) will be convened according to the Local Authority Complaints Guidelines and meet Diocesan requirements. No Governor may sit on the Panel if they have had a prior involvement in the Complaint or in the circumstances surrounding it.

The whole Governing Body would not hear the Complaint at any stage, as this could compromise the impartiality of any Panel, set up at a later date, should it be necessary for a disciplinary hearing against a member of staff following a serious Complaint.



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After considering the evidence, the Governors' Panel may:

- dismiss the Complaint in whole or in part
- uphold the Complaint in whole or in part
- 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.

The Governors' Panel is the last School-based stage of the Complaints process and is not convened merely to rubber-stamp previous decisions but is the final chance for the issue to be resolved within the School. There is no further right to Appeal through the internal process. This must be made clear to the Complainant and also that the School would not be obliged to respond to the Complainant.

If the Complainant tries to reopen the same issues, the School will be able to inform them in writing that the procedure has been exhausted and that the matter is now closed and any further approach is vexatious. Where parents/carers persist in writing to the School again, after the Appeal, about the same Complaint it will be deemed 'vexatious correspondence' (see section 9) and there is no obligation on the part of the School to respond.

Parents/carers may still pursue their Complaint but this is now taken outside of the internal School Process (see 8.5, 8.6 and 8.7 below).



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8.5 Where parents/carers consider that the Governing Body is acting unreasonably or failing to carry out its statutory duties properly, then they may take legal action or write to the **Secretary of State for Education.**

Contact details:

Secretary of State for Education

Ministerial & Public Communications Division
Department for Education
Piccadilly Gate,
Store Street,
Manchester M1 2WD

Secretary of State for Education

House of Commons
London SW1A0AA

Or call the telephone helpline: 0370 000 2288 Monday to Friday, 9am to 5pm

Or contact the Department on-line:

https://form.education.gov.uk/en/AchieveForms/?form_uri=sandbox-publish://AF-Process-f1453496-7d8a-463f-9f33-1da2ac47ed76/AF-Stage-1e64d4cc-25fb-499a-a8d7-74e98203ac00/definition.json&redirectlink=%2Fen&cancelRedirectLink=%2Fen

8.6 Parents/Carers may also contact OfSTED if they have issues affecting the whole School.

Contact details:

OfSTED

Clive House
70 Petty France
London SW1H 9EX

Or call the telephone helpline: 0300 123 1231 Monday to Friday, 8am to 5pm

Or contact the Department on-line: <https://contact.ofsted.gov.uk/contact-form>

Or email OfSTED: enquiries@ofsted.gov.uk



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Subsection B: for parents/carers of current pupils with specific issues about the School

Leadership (this pathway would be considered to be at a Formal Complaint Level immediately)

8.7 Where the Complaint is about the Headteacher, parents/carers should write in the first instance to the **Chair of the Governing Body** (marked urgent and confidential). Contact details for the Chair can be found on the Governor Notice Board located in the foyer or on the website.

8.8 Where the Complaint is about a School Governor, parents/carers should write in the first instance to the **Chair of the Governing Body** (marked urgent and confidential). Contact details for the Chair can be found on the Governor Notice Board located in the foyer or website.

8.9 Where the Complaint is about the Chair of the Governing Body, parents/carers should write to the **Director** of the LA or Diocesan Education Centre (marked urgent and confidential) at Chief Executive and Director of Education and Learning, Barnet Education and Learning Service (BELS) email: ian.harrison@barnet.gov.uk

Subsection C: for any Complainant who does not have children currently at the School (this pathway allows for flexibility. A simple, easy to solve issue would be deemed Informal but where there is a serious issue or a Complaint against the School Leadership has been made, it would be deemed Formal immediately).

8.10 Complaints from people outside of the School Community need to be dealt with in a flexible way. The kinds of issues could be – pupils throwing litter in the gardens of neighbours, pupils being ‘cheeky’ to members of the community or cars blocking driveways on a busy parents’ evening. Some of these issues are directly the responsibility of the School (especially those related to pupil behaviour) but some are outside of the School’s direct control (visitors to the School parking on private property) but may be within the sphere of influence of the School.



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8.11 Hence, these issues should be addressed initially to the Headteacher who will try and resolve the issue and this could be regarded as Informal or Formal depending on the severity of the issue (eg, dealing with litter could be Informal but an accusation against a member of staff would be immediately Formal).

8.12 Complaints about the Headteacher or where the Headteacher does not resolve the issue to the satisfaction of the Complainant or any Governor – should be addressed in writing (marked urgent and confidential) to the **Chair of Governors**.

8.13 Complaints about the Chair of Governors should be directed to the **Director** of the LA or Diocesan Education Centre (marked urgent and confidential) see 8.9 for contact details.

9. Persistent complaints and harassment

9.1 A persistent Complainant is a parent or member of the public who engages in unreasonable behaviour when raising a concern or complaint. The School will take independent advice before applying this protocol as to whether these terms apply. Such behaviour may be characterised by:

- actions which are obsessive, persistent, harassing, prolific, repetitious
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint
- uses Freedom of Information requests excessively and unreasonably
- an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes
- an insistence upon pursuing complaints in an unreasonable manner
- demanding immediate attention when the case is not one of Safeguarding
- an insistence on only dealing with the Deputy/Headteacher on all occasions irrespective of the issue and the level of delegation in the School to deal with such matters
- an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the Complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the School because it is unlawful.

9.2 Harassment is the unreasonable pursuit of concerns or complaints especially if the manner in which this is done is intended to cause distress or disruption rather than resolution. Complaints are targeted in such a way that they:



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- appear to be targeted over a significant period of time on one or more members of School staff and/or governing body members
- cause on-going distress to individual member(s) of School staff and/or governing body members
- have a significant adverse effect on the whole/parts of the School community
- are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being, health and mental health
- are threatening

9.3 The School expects the following from parents/ visitors / members of the public:

- treat all School staff and Governing Body with courtesy and respect
- respect the needs and well-being of pupils and staff in the School
- avoid any use, or threatened use, of violence to people or property
- avoid any aggression or verbal abuse
- avoid any action that could be deemed intimidating or menacing
- respect the different circumstances (culture, ethnicity etc) of all others
- recognise the time constraints under which members of staff in Schools work and allow the School a reasonable time to respond
- (in the case of a complaint) follow the School's Complaints Policy

10. The School's actions in cases of unreasonable behaviour

10.1 In the first instance the School will verbally inform the Complainant that his / her behaviour is considered to be becoming unreasonable / unacceptable and, if it is not modified, action may be taken in accordance with this Policy.

10.2 This will be confirmed in writing.



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10.3 If the behaviour is not modified the School will take some or all of the following actions as necessary, having regard to the nature of the Complainant's behaviour and the effect of this on the School community:

- inform the Complainant in writing that his/her behaviour is now considered by the School to be unreasonable/unacceptable and, therefore, to fall under the terms of this Policy
- inform the Complainant that all meetings with a member of staff will be conducted with a second person present and that notes (or a recording where permission is granted) of meetings will be taken in the interests of all parties
- inform the Complainant that, except in emergencies, all routine communication with the Complainant to the School should be by letter only (the Complainant must also be informed that bombarding the School with emails would be unacceptable and be further proof of unreasonable behaviour)
- (in the case of physical, or verbal aggression) take advice from LA HR / Legal Services (services purchased by the Governing Body) and consider warning the Complainant about being banned from the School site; or proceed straight to a temporary ban. The Police may be contacted by the School if there are Safeguarding issues
- consider taking advice on pursuing a case under Anti-Harassment legislation
- consider taking advice from the HR / Legal Services of the LA about putting in place a specific procedure for dealing with complaints from the Complainant, i.e. the Complainant will not be able to deal directly with the Headteacher but only with a third person to be identified by the Governing Body of the School, who will investigate, determine whether or not the concern / complaint is reasonable or vexatious and then advise the Headteacher accordingly.

10.4 Legitimate new complaints may still be considered even if the person making them is, or has been, subject to the Complaints Policy section for Dealing with Persistent or Vexatious Complaints and/or Harassment in Schools. However, the School will be advised by the HR / Legal Services of the LA.

10.5 If a Complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the School may resume the process identified above at an appropriate level as it will be deemed to be de facto continuous. In these circumstances, advice may be sought from the HR/Legal Services of the LA.



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11 Sources of further information and support

How to Complain about your child's School – LB Barnet

<https://www.barnet.gov.uk/schools-and-education/school-support-information/how-complain-about-your-childs-school>

Best Practice Guidance for School Complaints Procedures 2020

<https://www.gov.uk/government/publications/School-complaints-procedures/best-practice-advice-for-School-complaints-procedures-2019>

Parents' and young people's Complaints about Schools – Katharine McKenna and Laurie Day

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/198990/DFE-RR193a.pdf

Complaints Procedure – OfSTED

<https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure>

A Model Complaints Procedure – NAHT

<https://www.naht.org.uk/advice-and-support/management/a-model-complaints-procedure/>



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