



## **Complaints Policy**

Name of School	Petersgate Infant School
Date of review	September 2024
Date of next review	September 2025
Reviewed by	Wendy Mitchell Headteacher

### **School Vision**

"for all children to grow into responsible, caring individuals who actively and positively contribute to the community."

At Petersgate Infant School, our vision outlined above is strengthened by our values of safety, caring, achievement, resilience and friendship. These values symbolise warmth, community and cohesion to ensure we are "working together to achieve our best".

As a school, we can apply these values through the following aims:

### **Aims**

- Ensuring everyone stays healthy and safe.
- Ensuring everyone feels valued and has a sense of belonging.
- Providing a high quality learning environment.
- Helping everyone enjoy learning and achieving their best.
- Nurturing and developing the whole child.
- Ensuring everyone makes a positive contribution to the school and wider community.

Safeguarding at Petersgate Infant School is carried out in line with the statutory guidance in 'Keeping Children Safe in Education' published by the Department for Education.

## 1. Introduction

Petersgate Infant School is committed to dealing effectively with complaints.

The Education Act 2002 Section 29(1)(a) and (b) required governing bodies to have procedures to deal with complaints not covered by other existing statutory requirements and to publicise these procedures. Under Section 29(2), governing bodies should have regard to any guidance from the Secretary of State.

On 31 July 2012 the Department for Education implemented section 45 of the Education Act 2011. For most local authorities, their duty to consider complaints about the curriculum, sex education and religious worship in maintained schools was removed. From August 2012 such complaints, if they are not resolved by the school, should be addressed to the Secretary of State for Education.

The vast majority of concerns are dealt with immediately, satisfactorily and at an informal stage. Schools encourage this through their own individual ethos and effective communication systems. However, occasionally things can go wrong and it is not always possible to predict how a minor concern can escalate into a major, stressful and timeconsuming complaint. An efficient and accessible complaints procedure will help ensure that all parties are aware of, and have confidence in, a clear process and channel of communication. The procedure helps clarify governors' powers and the role of other agencies such as the Local Authority when responding to general complaints.

At Petersgate, we aim to clarify any issues about which you are not sure. If possible we will put right any mistakes we have made and we will apologise. We aim to learn from our mistakes and use that experience to improve what we do.

This complaints procedure supports our commitment and ensures that anyone with an interest in the school can raise a concern, with confidence that it will be heard and addressed in an appropriate manner.

We believe that all complaints should be heard, understood and respected. We will not tolerate aggressive, abusive or unreasonable behaviour.

## 2. Definitions

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'*.

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. The schools will 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 in this policy and in Appendix A.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Petersgate Infant School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

### 3. Who can make a complaint?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (as noted in section 4 of this policy). The schools will not limit complaints to parents or carers of children that are registered at the school.

This complaints procedure covers all complaints about any provision of facilities or services that the school provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
Admissions to schools	See schools Admissions Policy or contact Admissions at Hampshire County Council. <a href="https://www.hants.gov.uk/">https://www.hants.gov.uk/</a>
Statutory Assessment of Special Educational Needs and Disability	See the school's SEND Policy or contact Hampshire County Council.
School re-organisation proposals	Concerns about school re-organisation proposals should be raised with Hampshire County Council.
Child Protection or Safeguarding concerns/ complaints	See the school's Child Protection and Safeguarding Policies or contact Hampshire County Council.  If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). <a href="mailto:child.protection@hants.gov.uk">child.protection@hants.gov.uk</a>
Exclusion of children from school	Further information about raising concerns about exclusions can be found at: <a href="http://www.gov.uk/school-disciplineexclusions/exclusions">www.gov.uk/school-disciplineexclusions/exclusions</a>
	<i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure</i>

Whistleblowing/Protected Disclosures	<p>The school has an internal whistleblowing procedure for their employees and voluntary staff called the Protected Disclosures Policy. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> or by writing to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
Staff grievances and disciplinary procedures	The school has an internal grievance procedure in place and has adopted Hampshire County Council's Manual of Personnel Practice.
Staff conduct	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
Complaints about services provided by third party providers who use the school premises or facilities	Third party providers should have their own complaints procedures in place and should be contacted directly.
National Curriculum content	<p>Please contact the Department for Education at:</p> <p><a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

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

#### **4. General Principles:**

- This procedure is intended to allow those wishing to raise a concern or complaint relating to the school, or the services that it provides.
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event, being complained of, will not be considered.
- The school will do their best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where a school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, schools will need to act appropriately (see Appendix B).
- Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.
- We will consider complaints made outside of term time to have been received on the first school day after the holiday period.
- In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.
- For ease of use, a template complaint form is included at the end of this procedure (see Appendix C). If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

#### **5. Resolving complaints:**

At each stage in the procedure, Petersgate Infant School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

## **6. Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

### **7.1 Stage 1**

Formal complaints must be made in person, in writing or by telephone and passed to the Headteacher, (unless they are about the Headteacher), via the school office.

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing either by letter or e-mail within 5 school days.

Within the response the Head teacher will seek to clarify the nature of the complaint, ask what remains unsolved and what outcome the complaint would like to see. The Head teacher can consider whether a face-to-face meeting is the most appropriate way of doing this. The investigation maybe delegated to another member of the senior leadership team, but not the decision taken.

During the investigation the Head teacher or nominated person will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- Keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Head teacher will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the Head teacher is unable to meet this deadline, they will provide the complainant with an update and a revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate it will include details of actions Petersgate Infant School will take to resolve the complaint.

The Head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with outcome of stage 1.

If the complaint is about the Head teacher, or a member of the governing body, a suitably skilled governor will be appointed to complete all actions in Stage 1.

If the complaint is:

- Jointly about the Chair and Vice Chair or
- The entire governing body or
- Most of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

## 7.2 Stage 2

If the complainant is dissatisfied with outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to stage 2, a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaint's procedure.

A request to escalate to Stage 2 must be made to the clerk of the governors via the school office within 10 school days of receipt of the stage 1 response.

The clerk will record the date the complaint is received and acknowledge it in writing (either by letter or e-mail) within 5 school days.

Requests received outside of this time frame will only be considered in exceptional circumstances.

The clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene the meeting within 10 school days of receipt of the stage 2 request. If this is not possible, the Clerk will provide anticipated dates and keep the complainant informed.

If the complainant rejects three proposed dates, without good reason, the clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting they will decide who will act as the Chair of the Complaints Committee. If three Governors are not available, the Chair of Governors will contact Clanfield Junior School under the collaboration agreement.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decisions they will be sensitive to the complainant's needs. Electronic recordings of meetings or conversations are not normally permitted unless a complaint has a disability or special needs require it.

The Governor's Complaint Panel will need to take the following points into account:

- The hearing will be as informal as possible
- Witnesses are only required to attend for the part of the hearing in which they will give evidence.
- After introductions, the complainant is invited to explain their complaint and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the school's witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties will hear from the panel within a set time scale.

The Chair of the committee will provide the complainant and Petersgate Infant School with a full explanation of their decision and their reasons for it in writing, within 5 school days.

### **Next Steps**

If the complainant believes that the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the department for education after they have completed stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Petersgate Infant School. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

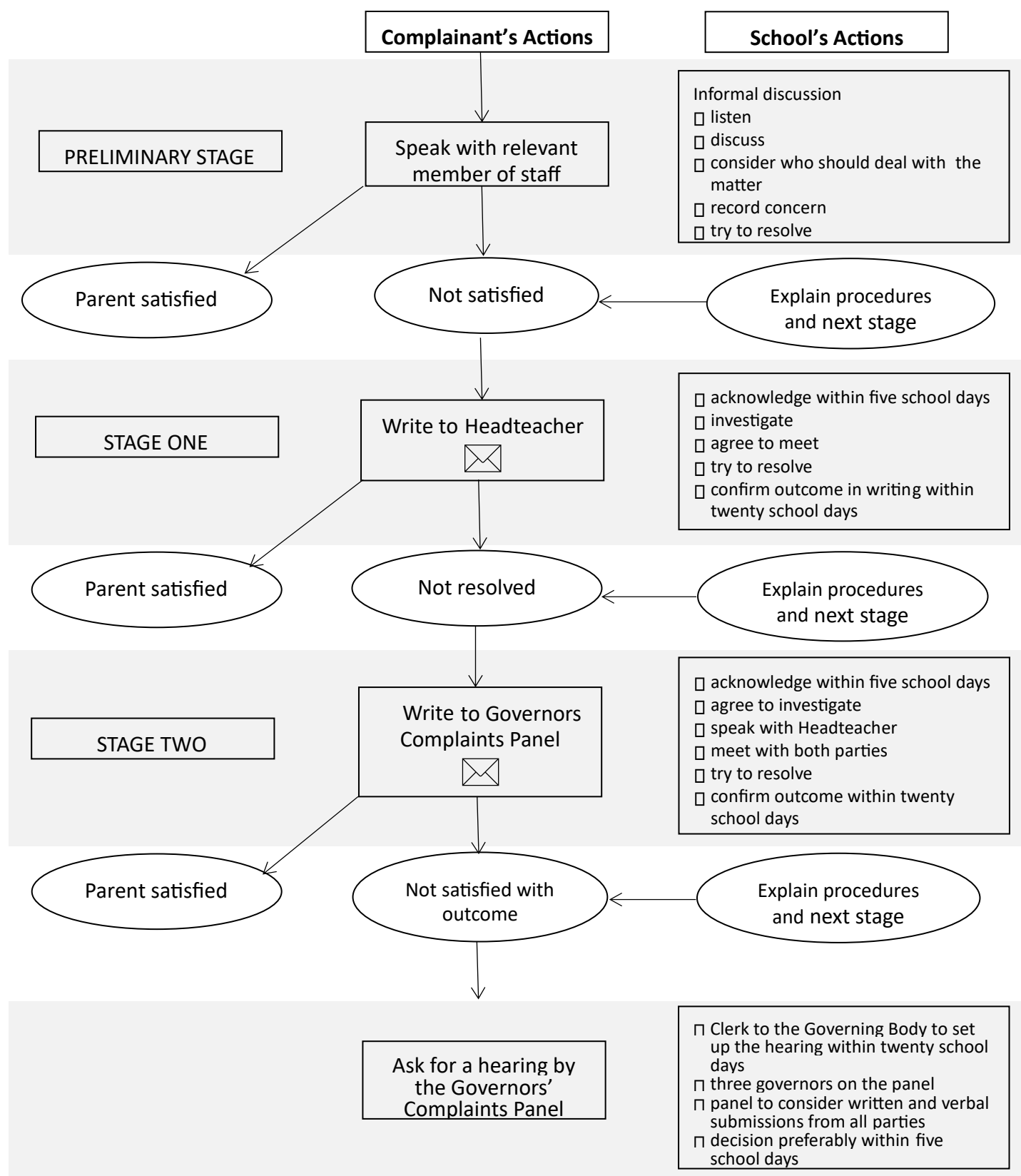
Further information can be obtained by calling the National Helpline on 0370 000 2288 or going online at: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus) or by writing to:

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

**Policy review date: September 2025**



## Complaints Procedure



This is the final stage in the school's internal complaints procedures. If a complainant is not satisfied with the outcome they should refer their complaint to the Secretary of State.

## Appendix B

### Policy for Unreasonable Complainants

Petersgate Infant 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.

Petersgate Infant 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 the 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 six 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 Petersgate Infant 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 or other member of the public's behaviour is a cause for concern, the 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/member of the public may wish to make. The school will always give the parent/member of the public an opportunity to formally express their views on the decision to bar in writing.

The decision to bar will then be reviewed, taking into account any representations made by the parent/member of the public, and either confirmed or lifted. If the decision is confirmed the parent/member of the public 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 C

### Complaints Form

Please complete and return to the Headteacher/ Clerk to the Governors / Chair of Governors (see procedure guidance) they will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>

<p><b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b></p>
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**What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**