



# Complaints Policy

Nova Primary School Governor Information	
Model Policy	Yes
Local Changes	
Customisation*	
Originally Adopted	Spring 2015
Last Review Date	Summer 2019
Next Review Date	Spring 2022
* additions made to policy (eg local detail) but not a change to any policy structure	

History of most recent policy changes – Must be completed

Date	Page	Change	Origin of change e.g. TU request, change in legislation
18 <sup>th</sup> July 2019	Various	Various changes in line with DFE model policy	DFE model policy
Spring 2021	5	Added in length of time to provide a written response	

### **Our School Policy**

At Nova Primary School we treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns.

In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils or via social media.

### **Who Can Make a Complaint?**

Any person, including members of the public, may make a complaint to the school about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

### **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 and for which reassurances are sought'. A complaint may be defined as 'an expression of dissatisfaction, however made, about actions taken or a lack of action'.

Issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Nova Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible. If you have difficulty discussing a concern with a particular member of staff, we will respect your views. We understand, however, that there are occasions when people would like to raise their concerns formally. In this case, the school will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

The Schools aims are:

- To investigate any complaint as fully as possible via a staged approach
- To deal with all complaints fairly and impartially, in a friendly, respectful and professional way
- To ensure the matter can be resolved as quickly and informally as possible
- To use complaints as an opportunity to learn and improve.

## Resolving Your Complaint

### The First Contact

- 1.1. Parents are always welcome to discuss their concerns with the appropriate member of staff, who will clarify with the parent the nature of the concern and reassure them that the school wants to hear about it. The member of staff may explain to the parent how the situation happened. At this point it can be helpful to identify what sort of outcome the parent is looking for.
- 1.2. If the member of staff first contacted cannot immediately deal with the matter, they will make a clear note of the date, name and contact address or phone number.
- 1.3. All members of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. They will check later to make sure the referral has been dealt with the Headteacher may decide to deal with any concern directly at this stage.
- 1.4. The member of staff dealing with the concern will make sure the parent is clear what action (if any) or monitoring of the situation has been agreed, putting it in writing if appropriate.
- 1.5. Where no satisfactory solution has been found within ten school days, parents will be advised that if they wish their concern to be considered further they should write to the Headteacher and a Complaints Record Form will need to be completed.
- 1.6. Complaints Record Forms are kept on file in the School Office and are monitored by governors.

### Stage 1: Referral to the Headteacher for Investigation

- 1.7. Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone. The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email)

within three school days. Within this response, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

- 1.8 The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the headteacher (or investigator) 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 and interviews in relation to their investigation

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 Nova Primary School will take to resolve the complaint.

The headteacher will advise the complainant how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

- 1.9 The Headteacher will provide an opportunity for the complainant to meet them to supplement any information provided previously. It will be made clear to the complainant that they may choose to be accompanied to any meeting by a friend, relative, representative or advocate who can speak on their behalf.

- 2.0 If necessary the Headteacher will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil will also be interviewed. Pupils should normally be interviewed with parents/guardians present, but if this would seriously delay the investigation of a serious/urgent complaint or if the pupil has specifically said that they would prefer that parents/guardians were not involved, another member of staff with whom the pupil feels comfortable should be present. If a member of staff is complained against, they must have the opportunity to present their case (see General Principles).

- 2.1 The Headteacher will keep written records of meetings, telephone conversations and other documentation.

- 2.2 Once all the relevant facts have been established as far as possible, the Headteacher will then send a written response to the complainant, including a full explanation of the decision and the reasons for it. This will normally be within 10 school days of your letter, but you will be kept informed, for example, if more time is needed for the investigation. Where appropriate, this will include what action the school will take to resolve the complaint. The complainant will be advised that if it is their wish to take the complaint further they should notify the chair of governors within four weeks of the date of the letter.
- 2.3 If, in the course of an investigation the Headteacher has admitted the school is at fault, the Headteacher should take immediate action to put matters right so that any potential injustice does not continue or risk happening to somebody else.
- 2.4 If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitable governor will be appointed to complete all the actions at Stage 1.
- 2.5 Complaints about the headteacher or a member of the governing body must be made to the Clerk, via the school office. If the complaint is jointly about the Chair, the Vice Chair or the entire governing body or majority 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.
- 2.6 At this stage the complainant may also choose to be referred to the Strategic Director, Children, Young People and Skills, Bristol City Council.

## **Stage 2: Review by the Governing Body**

- 2.9 If the complainant is dissatisfied with the 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 Panel, which will be formed of three governors for whom it is established that there is no prior involvement with the case being brought by the complainant.

- 3.0 A request to escalate to Stage 2 must be made to the Clerk, via the school office, within ten school days (i.e. excluding weekends and school holidays) of receipt of the Stage 1 response. The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within three school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- 3.1 The Clerk will write to the complainant to inform them, the Headteacher, any relevant witnesses and members of the Panel at least five school days in advance of the date, time and place of the meeting. The notification will also inform the complainant of their right to be accompanied to the meeting by a friend/advocate/interpreter and explain how the meeting will be conducted. It will explain that the complainant has the right to submit any further documents relevant to the complaint promptly, prior to the panel meeting.
- 3.2 The Clerk will aim to convene a meeting within twenty school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of 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.
- 3.3 The Headteacher will be invited to attend the Complaints Panel meeting and will be asked to prepare a written report for the panel in response to the complaint. All concerned, including the complainant, should receive any relevant documents including the Headteacher's report, at least five school days prior to the meeting. The Headteacher may also invite members of staff directly involved in matters raised by the complainant to respond in writing or person.
- 3.4 The Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The Panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.
- 3.5 The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it.

Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

- 3.6 The Panel will consider the complaint and all the evidence presented. The Panel is empowered to:
- uphold the complaint in whole or in part
  - dismiss the complaint in whole or in part

If the complaint is upheld in whole or in part, the Panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to enable similar issues in the future to be avoided

- 3.7 The Chair of the Panel will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within five school days.

- 3.8 If the complaint is about the Chair and Vice Chair of the entire governing body or the majority of the governing body, a written statement outlining the decision of the panel must be sent in its response to the complainant and Headteacher. 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.

### **Review of the Governing Body Complaints Panel Decision**

- 3.9 We hope that you feel your complaint has been handled correctly and resolved to your satisfaction. However once the school's complaints procedure has been exhausted, if you remain unhappy with the outcome of stage 2 you will be notified by the Complaints Panel how you can take your complaint directly to the Secretary of State for Education if you think the school has acted unlawfully or unreasonably or is failing to carry out its statutory duties properly.

- 4.0 You can send details of the complaint online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or in writing to:

The Department for Education  
Piccadilly Gate

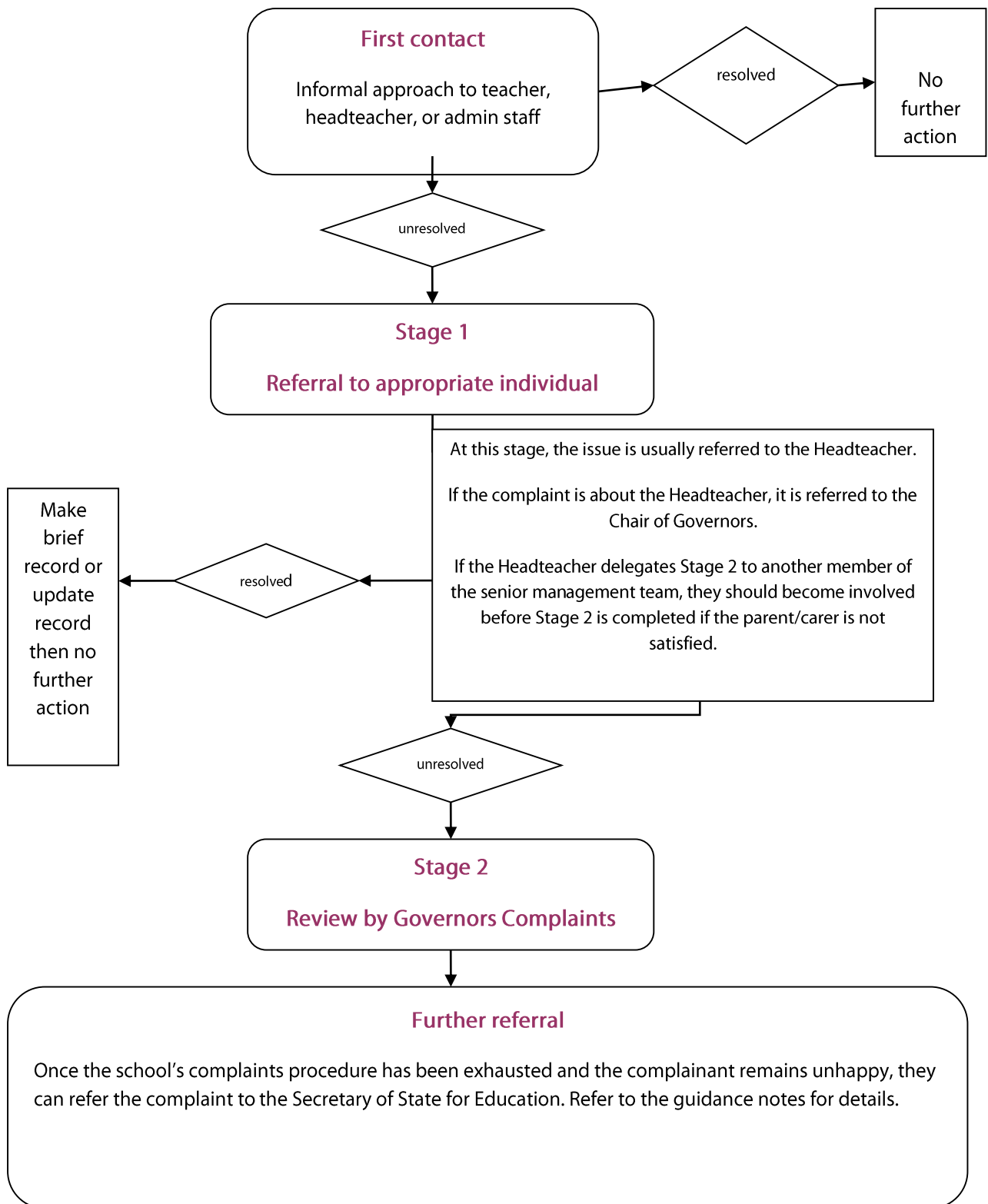
Store Street

Manchester

M1 2WD.

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





## Unreasonably Persistent Complaints and Unreasonable Complainant Behaviour

We are fully committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way. We are sure that you will understand the need to behave in a similar way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible. However the school does not expect its staff or governors to tolerate behaviour by complainants which is unacceptable, for example, which is abusive, offensive or threatening, and they will take action to protect staff and governors from any such behaviour if it occurs. Also, there may be complainants who, because of the frequency of their contact with the school, hinder our consideration of their, or other people's, complaints and potentially the running of the school.

We anticipate that such behaviour will be a very rare occurrence, but if we consider a complainant's behaviour is unacceptable or unreasonably persistent, we will tell them why and ask them to change it. If the behaviour continues, we might take action to restrict the complainant's contact with the school.

The decision to restrict access to the school will be taken by the headteacher and chair of governors. Any restrictions imposed will be appropriate and proportionate. They may include:

- requesting contact in a particular form (for example, letters only);
- requiring contact to take place with a named member of staff or governor;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their conduct.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it.

Where a complainant continues to behave in a way which is unacceptable or unreasonably persistent, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. If we decide to carry on treating someone as an unreasonably persistent complainant and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions will continue.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of the school's staff or governors, we will consider other options, for example reporting the matter to the Local Authority, the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

Where a complainant whose case is closed persists in communicating with us about it, we may decide to terminate contact with that complainant. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under the unreasonably persistent complainants' policy will be treated on their merits.

## Appendix A

### Leaflet for Parents and Other complainants

#### **If you have a concern or complaint**

We would like you to tell us about it. We welcome suggestions for improving our work in school. Be assured that no matter what you are wanting to tell us, our support and respect for you and your child in school will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate properly an incident or problem that happened some time ago.

#### **What to do first**

Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher.

If you have a complaint that you feel should be looked at by the Headteacher in the first instance you can contact him/her straight away if you prefer. It is usually best to discuss the problem face to face. You may need an appointment to do this, and can make one by ringing or calling into the school office. You can take a friend or relative to the appointment with you if you would like to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the issue. It may also help to prevent a similar problem arising again.

#### **What to do next**

If you are not satisfied with the teacher's initial response to your questions or concerns (or with the Headteacher's initial reaction if s/he has already been involved) you can make a complaint to the Headteacher. This should be made in writing. A form is available from the school office to complete.

If your complaint is about an action of the Headteacher personally, then you should refer it to the Chair of Governors now. You can contact them by email at [chair.nova.p@bristol-schools.uk](mailto:chair.nova.p@bristol-schools.uk)

You may also find it helpful at this stage to have a copy of the full statement of the School Complaints Procedures as this explains in detail what procedures are followed. This is available from the school office or school website.

The Headteacher will ask to meet you to discuss the problem. Again you may take a friend or someone else with you if you wish. The Headteacher will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.

### **If you are still unhappy**

The problem will normally be solved before it reaches this stage. However, if you are still not satisfied you may wish to contact the Chair of the Governing Body to ask for a referral of your complaint to a Governors' Complaints Panel. It will then be heard by a group of three governors who have no previous knowledge of the problem and so will be given a fresh assessment. You will be invited to attend and speak to the panel at a meeting that the Headteacher will also attend. The School Complaints Procedures explains how these meetings operate.

### **Further Action**

Complaints about school problems are almost always settled within schools but in exceptional cases it may be possible to refer the problem to the Secretary of State for Education. Again there are more details about this in the School Complaints Procedure.

## Appendix B

### How to Listen to Complaints

When you realise that you are listening to a complaint, try to remember these points:

<b>Don't pass the person on unless you have to</b>	Try not to keep transferring an angry person from one place/person to another. Make sure you know the contact person for anything you cannot deal with yourself.
<b>Don't be flippant</b>	First impressions count. You and the school may be judged on your immediate reaction.
<b>Treat all complaints seriously</b>	However small or trivial it may seem to you, the complaint will be an important problem for anyone who takes the trouble to complain.
<b>Treat every complaint individually</b>	Even if you have already received several similar complaints the same day, it is probably the person's first chance to have their say.
<b>Be courteous and patient</b>	Be sympathetic and helpful, but do not blame other colleagues.
<b>Say who you are</b>	If you are unknown to the other person, introduce yourself.
<b>Ask for their name and use it</b>	Anonymous complaints are acceptable only where there are special circumstances.
<b>Take time to find out exactly what the problem is</b>	It is easy for someone to forget to tell you an important detail, particularly if they are upset or annoyed.
<b>Don't take the complaint personally</b>	To an angry or upset person, YOU are the school, and the only one they can put their feelings to right now.
<b>Stay cool and calm</b>	Do not argue with the person - be polite and try to find out exactly what the person thinks is going wrong or has gone wrong.

**Check you are being understood**

Make sure that the person understands what you are saying. Don't use jargon - it can cause confusion and annoyance to someone 'not in the know'.

**Don't rush**

Take your time. Let people have their say and let off steam if they need to. Listen carefully and sympathetically to their problems before replying and attempting to find a solution or offer a next step.

Appendix C

Complaints Records Form

# NOVA PRIMARY SCHOOL

Barracks Lane, Shirehampton, BS11 9NG

## School Complaints Procedure - Complaint Form

Please complete and return to the Head Teacher who will acknowledge receipt and explain what action will be taken.

<p>Your name :</p> <p>Pupil's name (if relevant):</p> <p>Your relationship to the pupil (if relevant):</p> <p>Address :</p> <p>Postcode:</p> <p>Daytime telephone number:</p> <p>Evening telephone number:</p>
<p>Please give details of your complaint, <b>including whether you have spoken to anybody at the school about it.</b></p>



What action, if any, have you already taken to try and resolve your complaint.

(Who did you speak to and what was the response)?

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

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

Signature:

Name (in capital letters):

Date:

**For official use only**

Date acknowledgement sent:

By whom:

Complaint referred to:

Action:

Date:

## Appendix D

### Governing Body Complaints Panel: Roles & Responsibilities

The Clerk to the governors is the contact point for the complainant and is required to:

- set the date, time and venue of the panel meeting, 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 meeting;
- meet and welcome the parties as they arrive at the meeting;
- record the proceedings;
- advise the panel on procedural issues;
- notify all parties of the panel's decision.

The chair of the governing body or the nominated governor needs to check that the procedure has been correctly applied and, if a meeting is appropriate, liaise with the clerk to arrange the panel.

The Chair of the panel needs to ensure that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- those attending the meeting to give evidence are put at ease;
- the meeting is conducted in a professional, but not overly formal, manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

## Checklist for a Panel Meeting

The panel needs to take the following points into account:

- The meeting should be professional, but not overly formal.
- Witnesses are only required to attend for the part of the meeting in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The head teacher may question both the complainant and the witnesses after each has spoken.
- The head teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the head teacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The head teacher 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.

## Notification of the Panel's Decision

The chair of the panel will ensure that all parties to the complaint are notified of the panel's decision, in writing, with the panel's response, within five schooldays of the panel meeting. The letter needs to explain that if the complainant is not satisfied with the outcome of the complaint, they can refer the matter to the Secretary of State. . The letter to complainants advising them of the outcome of the governor's panel should include a statement along the following lines;

I hope that you are satisfied that your complaint is now resolved and has been dealt with appropriately. However if you feel the matter has not been resolved and you believe the governing body or LA is acting unreasonably or is failing to carry out its legal duties properly you can refer your complaint in writing to the Secretary of State for Education, Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD.

You should set out in full your concerns and reasons why the complaint is being submitted enclosing all previous correspondence relevant to the complaint.

This will be the final stage in the complaint handling process.

## Appendix E

### Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Nova Primary School other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs</li> <li>• School re-organisation proposals</li> </ul>	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the Bristol City Council</p>
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>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).</p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</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>

	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.
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. 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.
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> <li>• National Curriculum - content</li> </ul>	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

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 Nova Primary 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.