

# Buckshaw Primary School



## **COMPLAINTS POLICY**

### **Acceptable Parental Behaviour**

September 2019

## **1. INTRODUCTION**

**1.1** We strive to provide a good education for all our children. The Headteacher and staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are complaints by parents or guardians. The following policy sets out the procedures that the school follows in such cases.

**1.2** If any parents are unhappy with the education that their child is receiving, or have any concerns relating to the school, we encourage them to talk to the child's class teacher immediately.

**1.3** We deal with all complaints in accordance with procedures laid down by the LA. If the school itself cannot resolve a complaint, those concerned can refer the matter to the LA. In the first instance all complaints should be addressed to the school.

**1.4** All parents have the right, as a last resort, to appeal to the Secretary of State for Education, if they still feel that their complaint has not been properly addressed.

## **2. AIMS**

**2.1** Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases we put the interests of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

## **3 THE COMPLAINTS PROCESS**

**3.1** If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. In our experience most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and that they are making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.

**3.2** Where parents feel that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Headteacher. The Headteacher considers any such complaint very seriously, and investigates each case thoroughly. Most complaints are normally resolved by this stage.

**3.3** Only if the Headteacher fails to resolve the matter should a formal complaint be made to the Chair of Governors. This complaint must be made in writing, stating the nature of the complaint, and how the school has handled it so far. If the complainant is not satisfied with the chair's decision they can appeal to a panel of Governors.

**3.4** The governing body must consider all written complaints within three weeks of receipt. It will arrange a meeting to discuss the complaint, and will invite the person making it to attend the meeting, so that s/he can explain the complaint in more detail. The school gives the complainant at least three days' notice of the meeting.

**3.5** After hearing all the evidence, the governors will consider their decision and inform the parent about it in writing. The governors do all they can at this stage to resolve the complaint to the parent's satisfaction.

**3.6** If the complaint is not resolved, a parent may make representation to the LA. Further information about this process is available from the school or from the LA. A further meeting is chaired by an independent person, who considers all the evidence and makes a further judgement in an attempt to resolve the complaint.

**3.7** If any parent is still not content that the complaint has been dealt with properly, then s/he is entitled to appeal to the Secretary of State for Education.

## **4 SPURIOUS/VEXATIOUS OR ABUSIVE COMPLAINTS**

### ***Handling Unreasonably Persistent, Harassing Or Abusive Complainants***

**4.1** Sometimes parents or carers pursuing complaints or other issues treat staff and others, including other parents in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community (all staff, children, parents and governors). The aim is to provide information about our school policy on unreasonably persistent complainants or harassment of staff or others.

#### **4.2 What do we mean by 'an unreasonably persistent complainant'?**

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner within school. Unreasonable behaviour may include:

- actions which are
  - out of proportion to the nature of the complaint, or
  - persistent – even when the complaints procedure has been exhausted, or
  - personally harassing, or
  - unjustifiably repetitious, or

- the use of offensive language whilst in the school grounds
- an insistence on
  - pursuing unjustified complaints and/or
  - unrealistic outcomes to justified complaints
  - non-cooperation with the school where their child's best interests are being compromised
  - pursuing justifiable complaints in an unreasonable manner (eg using abusive or threatening language; or Complaints Policy
  - making complaints in public or via a social networking site such as Facebook or Twitter.
  - refusing to attend appointments to discuss the complaint.

### **4.3 What is 'Harassment'?**

We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

Behaviour may fall within the scope of this policy if:

- it appears to be deliberately targeted at one or more members of school staff or others, without good cause;
- the way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has a significant and disproportionately adverse effect on the school community.
- it compromises the wellbeing of their child
- it prevents the Headteacher from carrying out their daily role within the school.

Under Criminal Law – Protection from Harassment Act 1997, Malicious Communications Act 1998, Communications Act 2003 and the Public Order Act it is an offence for example to be texting, Facebooking, Tweeting, messaging with the intent to cause distress, is indecent, offensive, threatening or false.

### **4.4 What does the school expect of any person wishing to raise a concern?**

The school expects anyone who wishes to raise concerns with the school to:

- treat all members of the school community with courtesy and respect;
- respect the needs of pupils and staff within the school;
- avoid the use of violence, or threats of violence, towards people or property;
- recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
- follow the school's complaints procedure.

#### **4.5 Schools' responses to unreasonably persistent complaints or harassment**

This policy is intended to be used in conjunction with the school's complaints procedure. Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty.

However, in cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach;
- inform the complainant in writing that the school considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints/ Harassment Policy;
- require all future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken;
- inform the complainant that, except in emergencies, the school will respond only to written communication and that these may be required to be channeled through the Local Authority.
- should a carer/parent move to our school after the parent/carer has been behaving in such a manner at a previous school, then these allegations are taken in to account and discussed with the parent when they start at Buckshaw to help prevent reoccurrences.

The Headteacher will consult with the Chair of Governors at all times should any of the above occur.

#### **5. PHYSICAL OR VERBAL AGGRESSION**

The governing body will not tolerate any form of physical or verbal aggression against members of the school community. If there is evidence of any such aggression the school may:

- ban the individual from entering the school site, with immediate effect;
- call the police to remove the individual from the premises, under powers provided by the Education Act 1996.
- Cooperate with the Police to enable the imposition of an ASBO or prosecution under anti-harassment legislation.

Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/ Harassment Policy. The school nevertheless reserves the right not to respond to communications from individuals subject to the policy.

## **6 MONITORING AND REVIEW**

**6.1** The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher logs all complaints received by the school, and records how they were resolved. Governors examine this log on an annual basis.

6.2.1 Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

## **INCLUSION AND RACISM**

The school has implemented the recommendations of The Stephen Lawrence Inquiry: Macpherson Report (1999). The diversity of our society is addressed through our schemes of work, which reflect the programmes of study of the National Curriculum. Teachers are flexible in their planning and offer appropriate challenges to all pupils, regardless of ethnic or social background. All racist incidents are now recorded and reported to the governing body by the headteacher. The school contacts parents of those pupils involved in racist incidents. Further details are to be found in the school's Inclusion Policy and its Racial Equality Policy.

This policy is reviewed every two years, or before if necessary.