

BY BROOK VALLEY CE PRIMARY SCHOOL

Complaints Procedure & Policy



Last Review Date: March 2024

Ratified By Governors Date: March 2024

Next Review Date: March 2025

Equal opportunities lie at the heart of all that we do at By Brook Valley Primary CE School. We are committed to ensuring that every member of the school community is given the same chance as any other to access the services and support of the school.

We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

Roots to grow, wings to fly
"They will soar on wings like eagles" Isaiah 40:31

Registered Address: By Brook Valley Academy Trust, The Street, Yatton Keynell, Wiltshire,
SN14 7BA
Registered in England and Wales
Company Registration No. 8020467

This policy is designed to meet the needs of all pupils and to be child-centred and to make sure as far as is possible that pupils understand what is happening in their lives, why, and what options are available to them.

Our Vision

Roots to grow, wings to fly

“They will soar on wings like eagles.” Isaiah 40:31

The roots of our school community, based on our Christian values, nurture, help and support us to grow to be the best versions of ourselves. The wings of faith allow us to soar freely and flourish now and in the future

At By Brook Valley we are committed to creating a positive, safe and caring Christian environment, where all members of the school and wider community are respected and valued.

We support one another to put down strong roots within our distinctively Christian culture, growing from our core values of hope, honesty, forgiveness and friendship. In this way, we will each be the very best we can be.

This policy should be read and understood from this perspective.

Equality Impact Assessment (EIA) Part 1: EIA Screening

Policies, Procedures or Practices	Complaints	Date	March 2024
EIA CARRIED OUT BY:	F&E	EIA APPROVED BY:	FGB March 2024

Groups that may be affected:

Are there any concerns that the policy could have a different impact on any of the following groups? (please tick the relevant boxes)	Existing or potential adverse impact	Existing or potential for positive impact
Age (young people, the elderly: issues surrounding protection and welfare, recruitment, training, pay, promotion)		
Disability (physical and mental disability, learning difficulties; issues surrounding access to buildings, curriculum and communication).	Complainant unable to communicate in writing	
Gender Reassignment (transsexual)		
Marriage and civil partnership		
Pregnancy and maternity		
Racial Groups (consider: language, culture, ethnicity including gypsy/traveller groups and asylum seekers)	Complainant unable to communicate in English	
Religion or belief (practices of worship, religious or cultural observance, including non-belief)		

Gender (male, female)		
Sexual orientation (gay, lesbian, bisexual; actual or perceived)		

Any adverse impacts are explored in a Full Impact Assessment.

This policy should be read in conjunction with [Setting up an academies complaints procedure - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The Head Teacher is the complaints co-ordinator for By Brook Valley Primary School.

By Brook Valley Primary School recognises that occasionally parents may have some kind of concern about their child's education. Any concern is dealt with as soon as possible in order that it may not become a complaint. The staff at the school are always willing to hear parents' concerns and in the majority of cases, an informal meeting between a parent and the child's teacher is all that is needed to reassure parents and their children.

However, occasionally a parent or child may be dissatisfied with the way in which the school responds to a concern and wishes to take the matter further as a complaint. A formal procedure will need to be invoked when initial attempts to resolve the issue are unsuccessful.

Exceptions: the following issues are not covered by this policy, but are covered in separate procedures/policies

- Matters relating to the curriculum
- Issues with exclusions
- Complaints relating to admissions

Complaints Procedure

General Principles

Our complaints procedure is designed to:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial;
- be non-adversarial;
- allow swift handling with established time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the school's senior management team so that services can be improved.

The following will **not** be investigated unless there are exceptional circumstances:

- An anonymous complaint
- An issue which occurred **more than three months prior to it being raised**

If you have a complaint about our school as a parent/carer please follow the procedure that has been formulated below. We encourage resolution of problems by informal means wherever possible. Key information is summarised below:

(See appendix A for a simple flowchart of the process)

Why Have A Procedure Like This?

We want a supportive Home-School relationship in which any problems are resolved as soon as possible so that pupils' learning, which is of utmost importance at our school, is not damaged. A supportive partnership is far better for pupils than divisions between home and school.

When Should You Contact Us?

As soon as possible if something is troubling you to do with our school.

How?

- Telephone call if the issue is urgent;
- Personal visit;
- Letter before a formal complaint;
- If an approach is made to a governor, the governor will inform the parent of the correct person to contact and advise them about the correct procedure to follow.

NB: If the concern is aimed directly at the Head Teacher, the concern will be heard by a Governor.

Stage One: Informal

It is in everyone's interest that complaints are resolved at the earliest possible stage. A complainant should first speak to a member of staff so that the staff member can have the opportunity to resolve the issue. If it is something that has happened in class, at break/lunchtime or before / after school please contact your child's class teacher.

A brief written record of meetings and telephone calls will be kept and a copy of any written response added to the record.

If you feel it would be difficult to discuss the complaint with your child's class teacher, please contact the Deputy Head. If the matter can be resolved to your satisfaction, we will be pleased. If not, please contact the Head Teacher in writing.

Stage Two: Formal

Complaint letter must be sent to the Head Teacher.

At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one or it may be a matter where a pupil may be at risk. In these cases, the Head Teacher should be contacted in writing.

The Head teacher will:

- Establish what has happened to date, and who has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right;
- If felt necessary, interview those involved in the matter and/or those about whom the complaint has been made, allowing them to be accompanied if they wish;
- Ensure that a detailed record is kept of all actions including notes of any interview;
- Acknowledge receipt of the complaint in writing *within 5 school days*;
- Write to the complainant with the outcome;
- Inform Governors in writing at the next Full Governing Body meeting.

A complaints form is attached to this policy to support those wishing to make a formal complaint. These are also available from the school office. Alternatively, the complainant may put their complaint in writing, stating 'this is a formal complaint'.

Stage Three: A Panel Hearing

If the complainant is still not happy, they should put their complaint, in writing, to the Chair of Governors. This must be done *within 10 school days* of being informed by the Head Teacher of his/her decision in Stage 2.

At this stage, the Chair of Governors or a nominated governor, will convene a Complaints Panel *within 10 school days or as soon as is practicable*.

The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

Individual complaints will not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Panel must be made up of at least 3 people with at least 1 member being independent of the management and running of the academy. – The panel cannot be made up of solely By Brook Valley governors.

The Remit of the Complaints Appeal Panel

The panel can:

- 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 parent(s)/carer(s) will be allowed to witness the hearing if they wish and be accompanied. They will not be allowed to partake at any point and could be asked to leave if they try to interfere with the process.

The panel Chair will write to the complainant and where relevant, the person complained about, within 10 working days to inform them of the outcome. These letters will also be copied to the Head Teacher.

At all stages of the complaints process we will:

- Encourage resolution of problems by informal means whenever possible;
- Ensure a full and fair investigation by an independent person where necessary;
- Ensure an accurate written record is kept of the proceedings and outcomes;
- Be impartial and non-adversarial;
- Respect people's desire for confidentiality, therefore all records, correspondence and statements will be kept confidential;
- Attempt to address all the points at issue and provide an effective response and appropriate redress, where necessary.

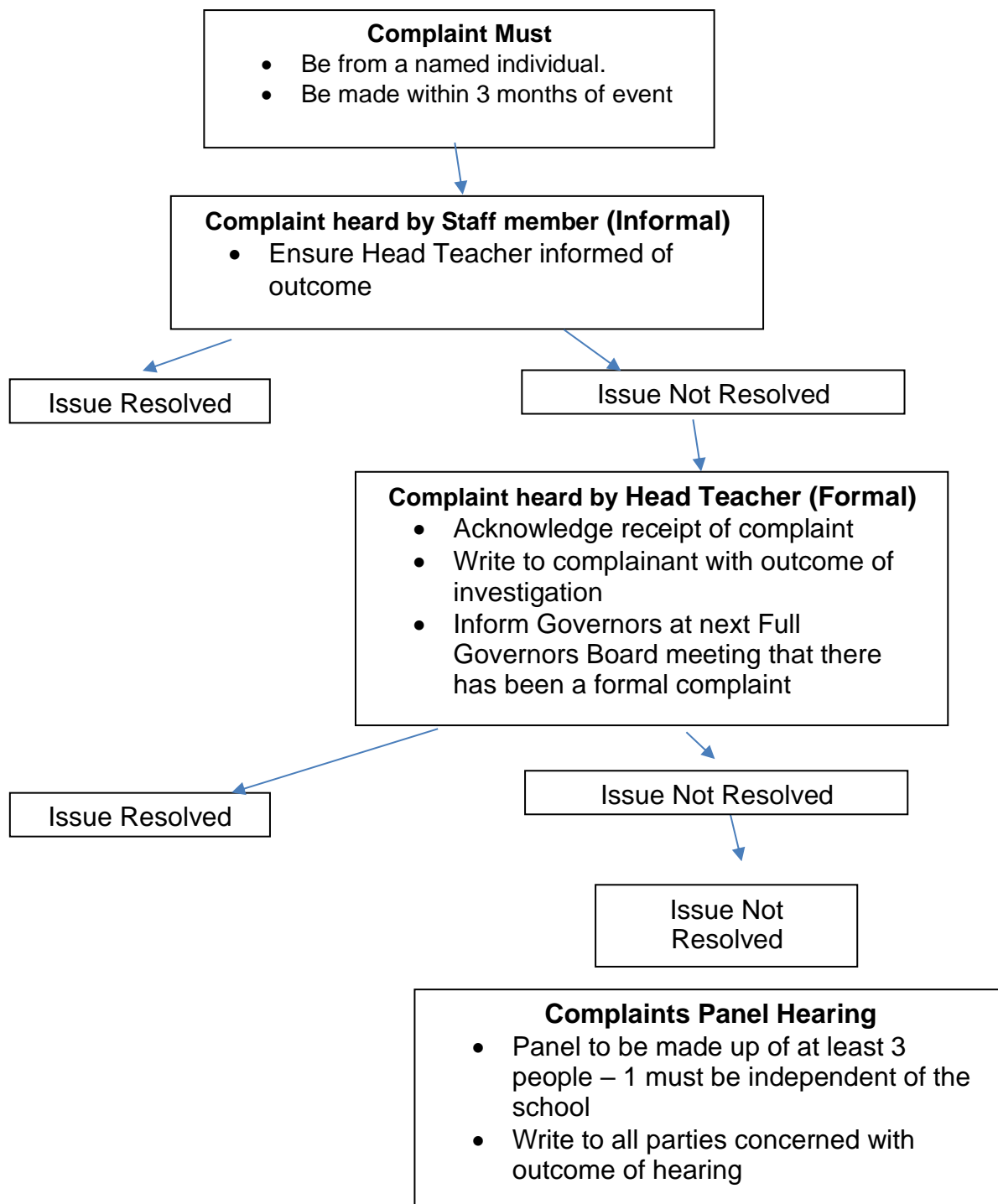
Next Steps

If the complainant believes 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 ESFA after they have completed stage 3. The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by By Brook Valley CE School. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014. The complainant can refer their complaint to the ESFA online at www.education.gov.uk/contactus, by telephone on 0370 000 2288 or by writing to: Academy Complaints and Customer Insight Unit, Education and Skills Funding Agency, Cheylesmore House, 5 Quinton Road, Coventry CV1 2WT

The Governing Body will monitor the level and nature of complaints and review the outcomes on an annual basis, to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole Governing Body will not name individuals.

Appendix A
Flow Chart of Complaints Procedure

Complaints Procedure Flow Chart



Appendix B

By Brook Valley School Complaints Form

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

<p>Your Name:</p> <p>Pupil's name</p> <p>Relationship to Pupil</p> <p>Address</p> <p>Telephone number</p> <p>Please give as detailed an account of your complaint as possible</p> <p>What action, if any, have you taken to try and resolve your complaint? Include who you have spoken with.</p> <p>What actions do you feel might resolve the problem at this stage?</p> <p>Signature: _____</p> <p>Date: _____</p>

Appendix C

Complaints from the Wider Community

Stage One: Complaint Heard by Head Teacher

It is in everyone's interest that complaints are resolved at the earliest possible stage. A complainant should first speak to the head teacher to enable the Head Teacher to resolve the issue. Where the concern concerns the Head Teacher, the complainant should write to the Chair of Governors.

The Head Teacher will contact and/or meet with the complainant. If the matter is still not resolved to the satisfaction of the complainant, then they may consider writing to the Chair of Governors *within 15 school days* of being informed by the Head Teacher of his/her decision.

Stage Two: Complaint Heard by Chair of Governors or nominated Governor

A complaint form is available from the school office for the complainant to write to the Chair of Governors giving details of the complaint. This must be done *within 15 school days* of being informed by the Head Teacher of his/her decision in Stage one

At this stage, the Chair of Governors may invite the complainant to an informal meeting with him/her or nominated governor and the Head Teacher to see if the issue can be resolved without the need to convene a Governing Body complaints panel. This will be arranged *within 10 school days* or as soon as is practicable.

The Chair or nominated governor will investigate the complaint and inform the complainant of their decision *within 15 school days* of the meeting.

Appendix D

Policy for Vexatious Correspondence and Complaints Raising Concerns and Resolving Complaints

Sometimes, parents or carers pursuing complaints or other issues treat staff and others 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 member of the school community.

The aim of this document is to provide information about our school policy on unreasonably persistent complainants or harassment of staff and Governors.

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.

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.

An insistence on:

- pursuing unjustified complaints; and/or
- unrealistic outcomes to justified complaints;
- pursuing justifiable complaints in an unreasonable manner (e.g. using abusive or threatening language; or
- making complaints in public; or
- refusing to attend appointments to discuss the complaint.

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 or would be reasonably considered 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 are pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has a significant and disproportionate adverse effect on the school community.

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.

School's 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 this 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 legal advice may be sought.