



Complaints Policy

Policy Creation & Review	
Author(s)	Sue Ferguson & SLT
Last review date	June 2021 <small>(timeliness change, greater detail about recording & GDPR, update of contact details, CP investigations, campaign & anonymous complaints & Covid addendum)</small>
Ratified by Governing Body	July 2021
Previous Review Dates	January 2020 September 2017 <small>(following sections have been added) Timeliness, Difference between concerns and complaints, Procedures for different stakeholders Unreasonable complaints</small> September 2015
Next Review Date	July 2024

Please note that this policy also pertains to practice in Little Ellies Childcare. Therefore the term 'school' is used to cover both provisions.

Ellen Wilkinson Primary School

COMPLAINTS POLICY

1. Aims

Ellen Wilkinson Primary School is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any complaints, so that any issues that arise can be dealt with as swiftly and effectively as possible.

We value the feedback and well-being of all members of our community and are committed to always acting in a professional manner and in accordance with our policies and procedures.

We believe that concerns are best dealt with as they arise and that care must be taken to treat concerns with respect and to protect the rights of all the individuals involved

We always aim to uphold the standards of courtesy and reasonableness that should characterise all communication between the school and persons who wish to express a concern or pursue a complaint.

To support this commitment the following policy has been created and outlines the specific arrangements in place for different stakeholders in the unlikely event that you may wish to make a complaint. Please ensure that you follow the procedure that is appropriate to your situation. If you are unsure which this would be please contact the main office who will be happy to advise you.

2. Expectations

Parents/carers/members of the public who raise either informal concerns or formal complaints with the school can expect the school to:

- ☐ Respond within a reasonable time;
- ☐ Be available for consultation within reasonable time limits bearing in mind the needs of the pupils within the school and the nature of the complaint;
- ☐ Respond with courtesy and respect;
- ☐ Attempt to resolve problems using reasonable means in line with the school's complaints procedure, other policies and practice and in line with advice from the Local Authority (LA) keep complainants informed of progress towards a resolution of the issues raised.%

The school can expect parents/carers/members of the public who wish to raise problems with the school to:

- ☐ Treat all school staff 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;
- ☐ Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond;
- ☐ Recognise that resolving a specific problem can sometimes take some time;
- ☐ (In the case of a complaint) follow the School's Complaints Procedure.

3. Concern or Complaint?

At EWPS we want to ensure that any concerns and/or complaints are dealt with appropriately so there is resolution for all parties. In order to do this it is important to establish the difference between a concern and a complaint. At EWPS, following DFE guidance on best practice, we have agreed the following:

3.1 Concern: expression of worry or doubt over an issue considered to be important for which reassurances are sought.

Concerns are usually more general in nature rather than related to specific incidents. In these cases we urge you to speak to your child's class teacher or to any member of staff at the school gate or main office who will discuss your concerns and hopefully alleviate your worries, or will ensure you are contacted by an appropriate member of staff who can do so. Alternatively you can email us.

3.2 Complaint: expression of dissatisfaction about actions taken or lack of them.

Complaints are usually related to a specific event or incident. In these cases please follow the procedures later in this document.

4. Timeliness

Complaints need to be considered and resolved as quickly, and efficiently as possible in the interest of all parties involved; therefore at each stage of the procedures you will see an indicative time frame for each stage. Please note however that these may need to be extended if further investigations are necessary. In this case, new time limits for actions and an explanation for the delay will be shared with you.

In order for complaints to be considered and resolved quickly we do stress the importance of them being made as soon as possible after an incident arises as this enables the greatest opportunity to investigate and ideally resolve the issue. Therefore the Governing Body at EWPS have agreed that any complaint should be lodged no later than 6 months after the incident in question, this is in line with DFE guidance on best practice. After this time period the school will only consider complaints in exceptional circumstances (such as safeguarding related issues). This will be decided on a case by case basis by the Headteacher.

5. Complaints not in the scope of this policy

This policy covers all complaints about provision of facilities or services with the exception of the areas listed below. In each case we have indicated in brackets who to contact

- ☐ Reception to year 6 admissions (Local Authority)
- ☐ Pupil exclusions (see exclusions policy)
- ☐ Statutory assessments of Special Educational Needs (Local Authority)
- ☐ School reorganisation proposals (Local Authority)
- ☐ Matters likely to require a Child Protection Investigation (Local Authority)
- ☐ Whistleblowing (please see policy)
- ☐ Staff grievances and disciplinary procedures (please see relevant guidance)
- ☐ Complaints about services provided by other providers who may use the school premises or facilities (contact the provider directly)
- ☐ National curriculum content

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this document. Where the complaint relates to a safeguarding referral made by a member of staff at the school, any consideration of that complaint by the school will be limited to a review of the reasonableness of the decision to make the referral in light of the evidence available to the member of staff at that time and in light of the school's safeguarding policies.

For more information on our school's provision for protecting our pupils, read our child protection and safeguarding policy,

6. 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 the school provides, unless separate statutory procedures apply (such as exclusions or admissions). To help guide you through this process details of how to do this for different stakeholders is outlined on pages 7 to 12.

6.1 Anonymous Complaints

Anonymous complaints will not be examined under this document.

6.2 Staff

Staff who have a concern about a colleague or a volunteer member of staff should refer to our whistleblowing policy.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's staff discipline, conduct and grievance policy which can be found on the Google Drive in Staff Information.

7. Access arrangements

The first stage of the complaints process usually involves speaking to a relevant member of staff. Ideally this will be in person or alternatively can be arranged through a telephone call. If you require translation support, please feel free to bring someone with you or let us know and we will arrange this for you.

If your complaint proceeds into a formal stage then you will be asked to complete a complaints form so that it is clear what has been done so far and what actions may help resolve the issue. This can be as a paper or virtual copy. Translation facilities can also be made available. If you require support in completing the form please contact the main office who will discuss the options available.

8. Confidentiality and GDPR

We will respect the confidentiality of all complaints. At no point of this process should electronic recording take place without the agreement of all parties. This includes, but is not limited to, the use of mobile phones, microphones, dictaphones etc.

Therefore we refuse to accept, as evidence, recordings (audio and/or visual) of conversations that were obtained covertly and without informed consent of all parties being recorded.

Please note that we cannot disclose information to a third third party acting on behalf of the complainant without written consent from them.

9. What if a complaint involves the Headteacher or a member of the Governing Body?

9.1 Headteacher

If the Headteacher is the subject of the complaint it is still recommended that you contact them to discuss why you are unhappy and how you would like it to be resolved. If this is unsuccessful, inappropriate and/or you are not comfortable to do so, please complete the complaints form at the end of this policy and submit it in a sealed envelope to the main office marked 'Confidential - for the attention of the Chair of Governors'. Confirmation of receipt will be provided. Alternatively this can be emailed to the Chair of Governor's secure email account. The main office can advise you on this.

If you feel that your complaint is still not addressed after this, you can choose to escalate it to the Governors Appeals Panel which is outlined in all the procedures.

9.2 Governing Body

If a member of the Governing Body is the subject of the complaint then please put this in writing to the Clerk of Governors. Please contact the main office who will support you in how to do this.

10. Unreasonable complaints

EWPS 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.

10.1 Definition of unreasonable complaints

EWPS 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 cooperate 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.

10.2 Excessive communication

Complainants should limit the number 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 EWPS 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 6 months.

10.3 Serious incident of aggression or violence

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the Local Authority and police informed. This may include banning an individual from the school.

10.4 Complaint campaigns

For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with the school) which are all based on the same subject. Depending on the subject in question, the school may deviate from the procedure set out in this policy and instead:

- ☐ send a template response to all complainants and/or
- ☐ publish a single response on the school's website (as applicable).

11. COVID ADDENDUM

11.1 Context

Due to the current COVID pandemic, temporary amendments have been put into place to ensure the ongoing site safety and security in line with current government guidance. This addendum sets out the main points but please note that these are subject to change.

This addendum will cease to be operational once the current pandemic restrictions are lifted and with the agreement of the Governing Body.

11.2 Summary of COVID changes

To move forward and to ensure timescales are met, if it is not possible to meet the complainant face-to-face meetings can be arranged virtually to discuss concerns. These meetings can then include other parties as required and where necessary to resolve and find solutions to the complaints.

Other communication modes are still available, and the most suitable for the complainant to be used (telephone, email etc.)

12. Contact details

The school can be contacted in the following ways:

Telephone: 020 7511 9414

Email: info@ellenwilkinson.newham.sch.uk

(please mark your correspondence clearly as CONFIDENTIAL COMPLAINT)

Address: Ellen Wilkinson Primary School, Tollgate Road, Beckton. E6 5UP

The logo for Ellen Wilkinson Primary School is a large circle composed of three concentric rings. The outermost ring is yellow, the middle ring is light blue, and the innermost ring is a darker blue. In the center of the innermost ring, the words "Ellen Wilkinson Primary School" are written in a white, rounded, sans-serif font, stacked in four lines.

Ellen
Wilkinson
Primary
School

Stage 1 – (Informal) Talk to the teacher concerned.

This is usually the quickest way to sort out difficulties.

- ☐ Please contact the main office or speak to the teacher directly to arrange a mutually convenient time to meet.
- ☐ This meeting is usually held quite quickly and in the vast majority of cases no later than 5 working days.
- ☐ You can bring a friend to support you, for example to help you put your case across. It would be good manners to inform the school if you are going to do this.
- ☐ If you need a translator please let us know in advance so that this can be arranged.
- ☐ We hope you can reach an agreement that satisfies you and the School. If you cannot, then you can go to Stage 2.

Stage 2 – (Formal) Contact the Headteacher

This can usually only happen if you have been through Stage 1. We do recognise however that some complaints may go straight to the Headteacher because of the nature or seriousness of your concerns.

- ☐ Please contact the school office who will pass your concerns on to the Headteacher or another member of the Senior Leadership Team, for example the Deputy or Assistant Headteacher.
- ☐ Please make sure you include details of your concern, why you are still dissatisfied and what action you would like to resolve the complaint.
- ☐ We aim to contact you as quickly as possible and definitely within 5 working days.
- ☐ In most cases complaints can be resolved quite quickly after this contact, however please note others may require significant further investigation or involve other agencies. In these exceptional cases we aim to ensure that this is completed within 20 school days wherever possible.
- ☐ We hope that the outcome of this process will address your concern. However, if it does not, then you can go to Stage 3.

Stage 3 – (Formal) Complaint Heard By Appeals Panel

The complaint is heard by the Governing Body. This is the final stage of the process.

- ☐ To do this, the complaint must be put in writing on the Complaints form (which is at the end of this policy). Please send all correspondence care of the school office addressed to the Chair of Governors, and clearly marked CONFIDENTIAL.
- ☐ The complaint is considered by a panel of Governors who form a complaints appeal panel. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. Please note at EWPS the panel may also include a governor from another school.
- ☐ The panel will convene a meeting to discuss the complaint and all the investigation evidence to make a final decision on how to progress. A clerk is present to take notes of the meeting and records must be kept
- ☐ An outcome letter will be sent to you within 20 school days of the meeting.

The appeals panel may:

- ☐ dismiss all or part of the complaint
- ☐ uphold all or part of the complaint
- ☐ decide on the appropriate action to be taken to resolve the complaint
- ☐ evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final.

Further Information

The outcome letter from the School Complaints Panel exhausts the 3 Stage procedures. If you are dissatisfied with the process, you are able to contact:

Department for Education,

The School Complaints Unit (SCU)

2nd Floor, Piccadilly Gate

Manchester, M1 2WD

Helpline: 0370 000 2288

It is important to note that the SCU will examine if the school complaints policy and any other relevant processes were followed. It will also examine policies to determine if they adhere to education legislation.

However, only in exceptional circumstances, and where it is clear that a school has acted unreasonably or unlawfully, will the SCU investigate the substance of a complaint or overturn a school's decision.



Ellen
Wilkinson
Primary
School

Stage 1 – (Informal) Talk to the teacher/mentor you are assigned to

This is usually the quickest way to sort out difficulties.

- ☐ Please contact the main office or speak to the teacher directly to arrange a mutually convenient time to meet.
- ☐ This meeting is usually held quite quickly and in the vast majority of cases no later than 5 working days.
- ☐ We hope you can reach an agreement that satisfies you and the School. If you cannot, then you can go to Stage 2.

Stage 2 – (Formal) Talk to your designated lead at the school

This can only happen if you have been through Stage 1.

- ☐ All students and volunteers at EWPS have a designated ITT or Parent Volunteer Lead.
- ☐ Talk to your designated lead at a convenient time in order that you may reach a satisfactory agreement based on the nature of the complaint.
- ☐ Your lead will guide you through the university guidelines or volunteer agreement.
- ☐ Please note that your designated ITT or parent volunteer lead may need to conduct an investigation into the nature of your complaint with other members of staff.
- ☐ If you cannot reach an amicable solution go to stage 3.

Stage 3 – (Formal) Member of Senior Leadership & Your ITT provider (where applicable)

This can usually only happen if you have been through Stages 1 & 2. We do recognise however that some complaints may go straight to a member of the Senior Leadership Team because of the nature or seriousness of your concerns.

- ☐ Please contact the school office who will pass your concerns on to the Headteacher or another member of the Senior Leadership Team, for example the Deputy or Assistant Headteacher.
- ☐ Please make sure you include details of your concern, why you are still dissatisfied and what action you would like to resolve the complaint.
- ☐ We aim to contact you as quickly as possible and definitely within 5 working days.
- ☐ In most cases complaints can be resolved quite quickly after this contact, however please note others may require significant further investigation or involve other agencies. In these exceptional cases we aim to ensure that this is completed within 20 school days wherever possible.
- ☐ We hope that the outcome of this process will address your concern. However, if it does not, then you can go to Stage 4.

Stage 4 – (Formal) Complaint Heard By Appeals Panel

The complaint is heard by the Governing Body. This is the final stage of the process.

- ☐ To do this, the complaint must be put in writing on the Complaints form (which is at the end of this policy). Please send all correspondence care of the school office addressed to the Chair of Governors, and clearly marked CONFIDENTIAL.
- ☐ The complaint is considered by a panel of Governors who form a complaints appeal panel. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. Please note at EWPS the panel may also include a governor from another school.
- ☐ The panel will convene a meeting to discuss the complaint and all the investigation evidence to make a final decision on how to progress. A clerk is present to take notes of the meeting and records must be kept
- ☐ An outcome letter will be sent to you within 20 school days of the meeting.

The appeals panel may:

- ☐ dismiss all or part of the complaint
- ☐ uphold all or part of the complaint
- ☐ decide on the appropriate action to be taken to resolve the complaint
- ☐ evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final.



Appendix 3 - Visitors Complaints Procedure

Stage 1 – (Informal) Talk to the host you are assigned to

This is usually the quickest way to sort out difficulties.

- ☐ Please ensure that you approach members of staff outside of teaching time and away from children so that a mutually convenient time can then be arranged, this is likely to be during breaks or at the end of the school day.
- ☐ We hope you can reach an agreement that satisfies you and the School. If you cannot, then you can go to Stage 2.

Stage 2 – (Formal) Member of Senior Leadership

This can usually only happen if you have been through Stages 1. We do recognise however that some complaints may go straight to a member of the Senior Leadership Team because of the nature or seriousness of your concerns.

- ☐ Please contact the school office who will pass your concerns on to the Headteacher or another member of the Senior Leadership Team, for example the Deputy or Assistant Headteacher.
- ☐ Please make sure you include details of your concern, why you are still dissatisfied and what action you would like to resolve the complaint.
- ☐ We aim to contact you as quickly as possible and definitely within 5 working days.
- ☐ In most cases complaints can be resolved quite quickly after this contact, however please note others may require significant further investigation or involve other agencies. In these exceptional cases we aim to ensure that this is completed within 20 school days wherever possible.
- ☐ We hope that the outcome of this process will address your concern. However, if it does not, then you can go to Stage 3.

Stage 3 – (Formal) Complaint Heard By Appeals Panel

The complaint is heard by the Governing Body. This is the final stage of the process.

- ☐ To do this, the complaint must be put in writing on the Complaints form (which is at the end of this policy). Please send all correspondence care of the school office addressed to the Chair of Governors, and clearly marked CONFIDENTIAL.
- ☐ The complaint is considered by a panel of Governors who form a complaints appeal panel. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. Please note at EWPS the panel may also include a governor from another school.
- ☐ The panel will convene a meeting to discuss the complaint and all the investigation evidence to make a final decision on how to progress. A clerk is present to take notes of the meeting and records must be kept
- ☐ An outcome letter will be sent to you within 20 school days of the meeting.

The appeals panel may:

- ☐ dismiss all or part of the complaint
- ☐ uphold all or part of the complaint
- ☐ decide on the appropriate action to be taken to resolve the complaint
- ☐ evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final.

Appendix 4 - General Public Complaints Procedure

Stage 1 – (Informal) Contact the main office

This is usually the quickest way to sort out difficulties.

- ☐ In the majority of cases they may be able to resolve the concern quickly or if this is not possible they will arrange for another member of staff to contact you.

- ☐ We hope you can reach an agreement that satisfies you and the School. If you cannot, then you can go to Stage 2.

Stage 2 – (Formal) Member of Senior Leadership

This can usually only happen if you have been through Stages 1. We do recognise however that some complaints may go straight to a member of the Senior Leadership Team because of the nature or seriousness of your concerns.

- ☐ Please contact the school office who will pass your concerns on to the Headteacher or another member of the Senior Leadership Team, for example the Deputy or Assistant Headteacher.
- ☐ Please make sure you include details of your concern, why you are still dissatisfied and what action you would like to resolve the complaint.
- ☐ We aim to contact you as quickly as possible and definitely within 5 working days.
- ☐ In most cases complaints can be resolved quite quickly after this contact, however please note others may require significant further investigation or involve other agencies. In these exceptional cases we aim to ensure that this is completed within 20 school days wherever possible.
- ☐ We hope that the outcome of this process will address your concern. However, if it does not, then you can go to Stage 3.

Stage 3 – (Formal) Complaint Heard By Appeals Panel

The complaint is heard by the Governing Body. This is the final stage of the process.

- ☐ To do this, the complaint must be put in writing on the Complaints form (which is at the end of this policy). Please send all correspondence care of the school office addressed to the Chair of Governors, and clearly marked CONFIDENTIAL.
- ☐ The complaint is considered by a panel of Governors who form a complaints appeal panel. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. Please note at EWPS the panel may also include a governor from another school.
- ☐ The panel will convene a meeting to discuss the complaint and all the investigation evidence to make a final decision on how to progress. A clerk is present to take notes of the meeting and records must be kept
- ☐ An outcome letter will be sent to you within 20 school days of the meeting.

The appeals panel may:

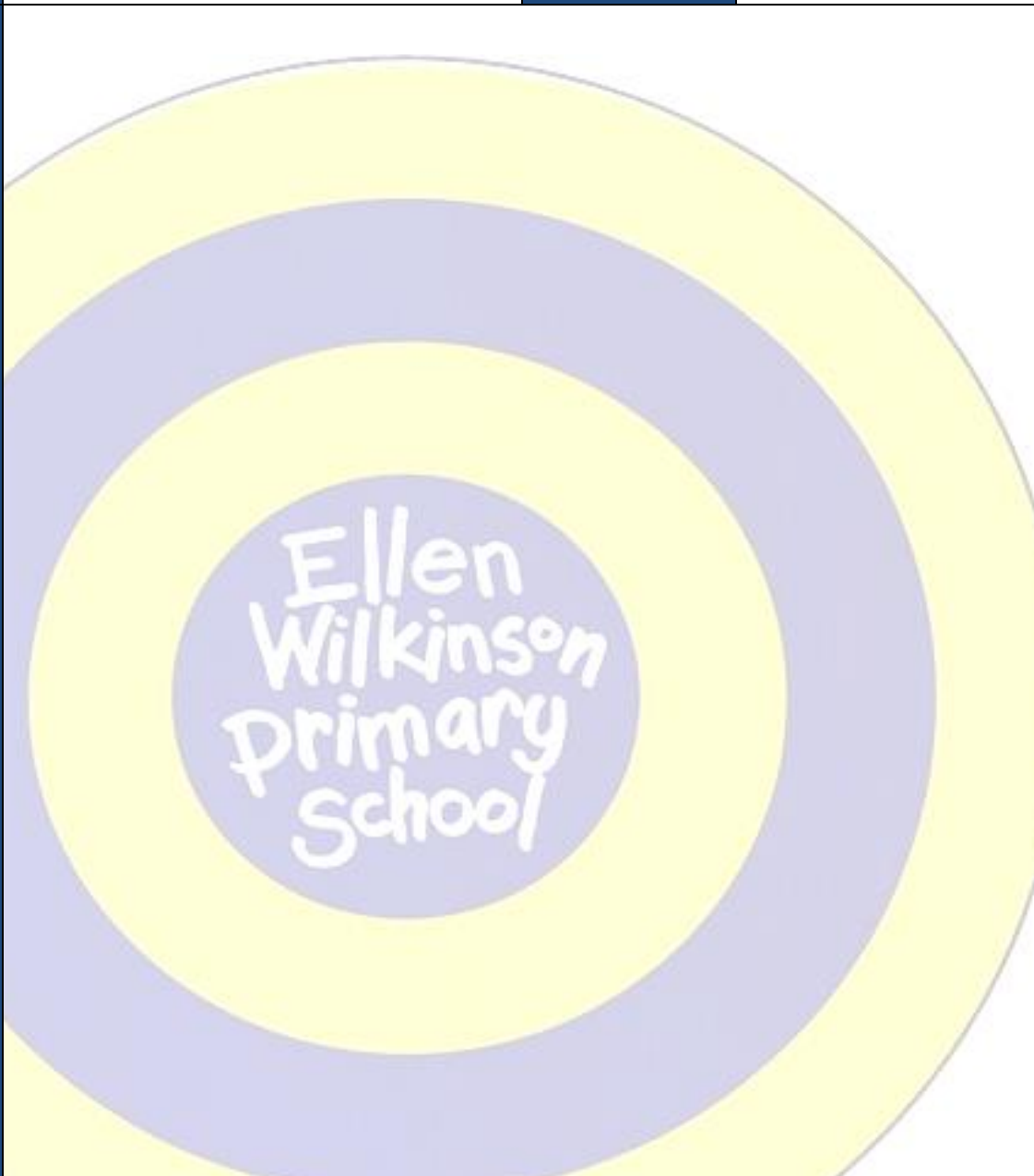
- ☐ dismiss all or part of the complaint
- ☐ uphold all or part of the complaint
- ☐ decide on the appropriate action to be taken to resolve the complaint
- ☐ evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final.

Appendix 5 - Complaints Form

Please complete and return this form to the main office in a sealed envelope marked 'Confidential - for the attention of the Chair of Governors'. Confirmation of receipt will be provided.

Your name		
Your contact details	<u>Address</u>	<u>Telephone Nos:</u>
		<u>Email:</u>

Relationship with the school <i>(e.g. parent of pupil, visitor, member of the general public)</i>			
Pupil's full name <i>(if relevant)</i>		Pupil's Class <i>(if relevant)</i>	
Details of your complaint	 <p>The logo for Ellen Wilkinson Primary School is centered in the middle row. It consists of three concentric circles. The innermost circle is purple and contains the text 'Ellen Wilkinson Primary School' in a white, rounded, handwritten-style font. The middle ring is yellow, and the outermost ring is purple.</p>		
What action, if any, have you already taken to try and resolve your complaint? <i>(i.e. who have you spoken with or written to and what was the outcome?)</i>			

What actions do you think might resolve the problem at this stage?	
Are you attaching any paperwork? <i>(If so please give details.)</i>	

Signature	
Date	

Official Use					
Date acknowledgement sent		Method <i>(post or email)</i>		By <i>(name)</i>	
Next steps					