

**EVERGREEN PRIMARY**

**SCHOOL**

**COMPLAINTS**

**POLICY**

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| **Executive Head** | **Rena Begum** |
| **Proprietor** | **Rena Begum** |
| **Implementation date** | **September 2019** |
| **Review date** | **September 2020** |

Evergreen Primary School follows the legal requirements as specified in the Education Regulations (2014) legislation. (Part7).

**The complaints procedure of Evergreen Primary school;**

(a) is in writing;

(b) is made available to parents of pupils;

(c) sets out clear time scales for the management of a complaint;

(d) allows for a complaint to be made and considered initially on an informal basis;

(e) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (d), establishes a formal procedure for the complaint to be made in writing;

(f) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (e), makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint; .

(g) ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school;

(h) allows for a parent to attend and be accompanied at a panel hearing if they wish;

(i) provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is—

(1) provided to the complainant and, where relevant, the person complained about; and

(2) available for inspection on the school premises by the proprietor and the headteacher;

(j) provides for a written record to be kept of all complaints that are made in accordance with sub-paragraph (e) and—

(1) whether they are resolved following a formal procedure, or proceed to a panel hearing; and

(2) action taken by the school as a result of those complaints (regardless of whether they are upheld); and

(k) provides that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

**INTRODUCTION**

At Evergreen we welcome suggestions for improving our work in school. Be assured that, no matter what you want to tell us, our support and respect for your child will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate an incident or problem properly if it took place some time ago. We do appreciate the assistance we receive from parents in addressing any problems that arise.

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. We are committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow the school’s formal complaints procedure. For the school to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it will not be investigated. The prime aim of Evergreen Primary School’s policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the school. The following details outline the stages that can be used to resolve complaints.

**Stage 1: Informal resolution with class teacher**

* Parents discuss concerns with the class teacher
* If the teacher is unable to deal immediately with the matter, a clear note is made, including complainant’s name, phone number and date, and the parent is contacted as soon as the matter has been investigated. The teacher may also consult the Head teacher at this stage.
* The teacher ensures that the parent is clear what action or monitoring of the situation has been agreed.
* If no satisfactory solution has been found, parents are asked if they wish their concern to be considered further.

**Stage 2: Referral to the Head teacher**

* The Head teacher acknowledges the complaint, orally or in writing.
* The Head teacher investigates further, interviewing witnesses as appropriate. If the complaint centres on a pupil, the pupil would normally be interviewed with a parent present or, if this is not possible, with a member of staff who is not directly involved.
* The Head teacher keeps written records of meetings, telephone conversations and other documentation.
* Once all relevant facts have been established, the Head teacher responds. If the complaint was in writing, a written response will be sent.
* If the complainant is not satisfied, they are advised to write to the Proprietor giving details of the complaint.

If the complaint is about the Head teacher, then the complaint should be sent in writing to the Proprietor

**Stage 3: Proprietor Panel Review**

* The Proprietor acknowledges receipt of the written complaint, and may arrange to meet and discuss the complaint. The Proprietor will try to find a resolution to the complaint.
* The Headteacher arranges to convene a Proprietor Complaint Review Panel (usually within 20 working days), The panel will consist of no fewer than three people, with one member being independent of the management and running of the school
* The Proprietor should have no prior involvement with the complaint.
* The Deputy will write and inform all concerned of the date, time and place of the meeting at least 5 working days in advance. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend and the right to submit further written evidence.
* It is the responsibility of the Proprietor to ensure that the meeting is properly minuted.
* After the meeting, they will consider the evidence and a written decision will be sent to the Head teacher and the complainant within 15 working days.
* All records and reports/letters that come out of the complaints investigation will be kept securely locked in a cabinet.
* The Deputy will be assigned to report minutes.

**Vexatious complaints and unacceptable behaviour**

If properly followed, the complaints procedure will aid the speedy resolution of most complaints, however, there may be occasions where an agreed resolution cannot be reached and it is only possible to agree an acceptable way forward. It should be noted that once a complaint reaches the end of the school complaints procedure it cannot be reopened and reinvestigated. If the complainant tries to reopen the same issues, the Proprietor/s will be able to inform them in writing that the procedure has been exhausted and that the matter is now closed. A complaint will be considered by the school to be vexatious when:

* Repeatedly and obsessively pursued
* An unrealistic or unreasonable outcome is sought
* Is reasonable, but is pursued in an unreasonable manner.

Advice may be sought from the Local Authority inclusion officer respect of the management of and response to complaints of this nature.

The school will not tolerate behaviour from complainants that is deemed to be offensive or threatening or which is considered to pose a risk to either staff or pupils. The school will take such steps as necessary to manage behaviour of this kind and may seek legal advice.

Where the complainants contact with the school is unreasonably demanding, or the frequency of contact is judged to impede the day to day running of the school, then the complainants contact with the school may be subject to a management plan to aid in the resolution of the complaint.

**The Complaint Review Panel is the end of the school complaint process and further Information for parents can be found on the Department for Education website.**

**Equality Impact Assessment**

**Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.**

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

**Monitoring the Effectiveness of the Policy**

**The practical application of this policy will be reviewed regularly or when the need arises by the Head Teacher and Proprietors.**