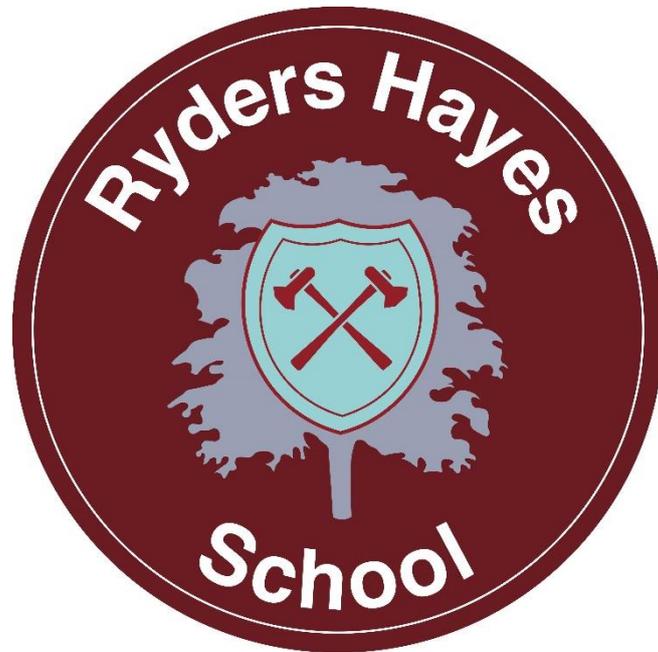


Ryders Hayes School

A Primary Learning Academy



Complaints Policy

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Jaz Paul Head Teacher
2022
To be reviewed annually

Mission: At Ryders Hayes School, children and staff will strive to:

‘Do the right thing to be the best you can be’... 

Vision: *To nurture and facilitate the growth of our pupils and their learning; equipping them with the skills and attributes to embrace the challenges of a rapidly changing world. To enjoy success for today and be prepared for tomorrow, by instilling the values of:*

Character: *qualities of the individual essential for being personally effective in a complex world including: grit, tenacity, perseverance, resilience, independence, reliability and honesty.*

Citizenship: *upholding British Values, thinking like global citizens, considering global issues based on deep understanding of diverse values with genuine interest in engaging with others to solve complex problems that impact human and environmental sustainability*

Collaboration: *the capacity to work interdependently and synergistically in teams with strong interpersonal and team-related skills including effective management of team dynamics, making substantive decisions together, and learning from and contributing to the learning of others.*

Communication: *entailing mastery of three fluencies: digital, writing and speaking tailored for a range of audiences, through early, high-quality back and forth interaction.*

Creativity: *having an ‘entrepreneurial eye’ for economic and social opportunities, asking the right questions to generate novel ideas and explore possibilities, demonstrating leadership to pursue those ideas into practice.*

Critical Thinking: *critically evaluating information and arguments, reflecting upon them, seeing patterns and connections, constructing meaningful knowledge and applying it in the real world.*

Ryders Hayes is a Gold Rights Respecting School and as such strongly believes in and promotes the United Nations Convention on the Rights of the Child. All our policies exemplify these rights and our practise aims to ensure that the following rights are adhered to.

Article 3: The best interests of the child must be a top priority in all things that affect children.

Article 12: Every child has the right to have a say in all matters affecting them, and to have their views taken seriously.

Article 13: Every child must be free to say what they think and seek and receive all kinds of information, as long as it is within the law.

Article 14: Every child has the right to think and believe what they want and to practice their religion, as long as they are not stopping other people from enjoying their rights. Governments must respect the rights of parents to give their children information about this right.

Article 19: Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

Article 28: Every child has the right to an education. Primary education must be free. Secondary education must be available for every child. Discipline in schools must respect children's dignity. Richer countries must help poorer countries achieve this.

Article 29: Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and their environment.

Article 30: Every child has the right to learn and use the language, customs and religion of their family, regardless of whether these are shared by the majority of the people in the country where they live.

Article 36: Governments must protect children from all other forms of bad treatment.

School Complaints Procedure

1. Raising Concerns and Resolving Complaints

From time to time parents, and others connected with the school, will become aware of matters which cause them concern. To encourage resolution of such situations the Trust Board has adopted a “School Complaints Procedure”.

The procedure is devised with the intention that it will:

- Usually be possible to resolve problems by informal means
- Be simple to use and understand
- Be non-adversarial
- Provide confidentiality
- Allow problems to be handled swiftly through the correct procedure
- Address all the points at issue
- Inform future practice so that the problem is unlikely to recur.

2. General Principles:

- This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides.
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event, being complained of, will not be considered. In general, any matter that is brought to the attention of the school after the children related to the event being complained about have left the school, will not be considered.

3. Raising a concern or complaint

1) Informal Stage

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment, requested via the school office. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concerns it may be appropriate to address them directly to the Head Teacher (or to the Executive Head Teacher, if the complaint is about the Head Teacher, or the Chair of Trustees if the complaint is about the Executive Head Teacher).

If you are uncertain about who to contact, please seek advice from the school office or the Governance Professional

2) Formal Stage

If your concern or complaint is not resolved at the informal stage you may choose to put the complaint in writing and pass it to the Head Teacher, who will be responsible for ensuring that it is investigated appropriately. If the complaint is about the Head Teacher, your complaint should be passed to the Executive Head Teacher, or if about The Executive Head Teacher to the Governance Professional, for the attention of the Chair of the Trust Board.

A complaint form is provided to assist you.

You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

Please pass the completed form, in a sealed envelope to the school office. The envelope should be addressed to the Head Teacher, Executive Head Teacher or to the Governance Professional, as appropriate.

The Head Teacher, Executive Head Teacher (or Chair) may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the Head Teacher, Executive Head Teacher (or Chair). If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedure. In any case you should learn in writing, usually within 5 days of the school receiving your formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale.

Any investigation will begin as soon as possible and when it has been concluded, you will be informed in writing of its conclusion.

If you are not satisfied with the manner in which the process has been followed, you may request that the Trust Board reviews the process followed by the school, in handling the complaint. Any such request must be made in writing to the Governance Professional, within 10 school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed. A Review Request form is provided for your convenience.

Review Process

Any review of the process followed by the school will be conducted by a panel of 3, including at least one person who is independent of the management and running of the school. This will usually take place within 10 school days of receipt of your request.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

If this timescale is not possible, e.g. where further investigations are necessary, the school will keep the complainant informed of progress, details of new deadlines and an explanation for the delay.

Complaint to Secretary of State

If the complainant is dissatisfied with how the complaint has been handled after exhausting stages [1-3] of this policy, the complainant can write to the Secretary of State for Education via the Education & Skills Funding Agency (ESFA).

The EFA will consider complaints that fall into any of the following three categories:

1. where there is undue delay or the school did not comply with its own complaints procedures when considering a complaint;
2. where the school is in breach of its funding agreement with the Secretary of State; or
3. where the school has failed to comply with any other legal obligation.

The ESFA will normally only consider complaints when every stage of the above process has been completed.

Further details can be found at: <https://www.gov.uk/complain-about-school>.

Record of complaints

A written record of all complaints and documentation relating to the handling of the complaint will be kept confidentially by the school but may be inspected where appropriate by the Secretary of State or any inspection body.

Ryders Hayes School Policy For Handling Unreasonably Persistent, Harassing Or Abusive Complainants

The Head Teacher, Executive Head Teacher and Governing Body are fully committed to the improvement of our school. We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible. There is a procedure for parents to use if they wish to make a formal complaint.

Sometimes, however, 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 members 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.

4. 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 (eg using abusive or threatening language; or
- making references or complaints in public or via a social networking site such as Facebook (contrary to our Home-school Agreement); or
- refusing to attend appointments to discuss the complaint.

5. 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 disproportionate adverse effect on the school community.

6. 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.

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 channelled through a third party.

7. Physical or verbal aggression

The Trust Board 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;
- request an Anti-Social Behaviour Order (ASBO);
- prosecute under Anti-Harassment legislation.
- call the police to remove the individual from the premises, under powers provided by the Education Act 1996.

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.

Ryders Hayes School Formal Complaint Form

Please complete this form and return it, via the school office, to the Head Teacher, Executive Head Teacher (Governance Professional), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (e.g. parent of a pupil on the school roll):

Pupil's name (if relevant to your complaint):

Your address:

Telephone numbers

Daytime:

Evening:

E-mail address:

Please give concise details of your complaint, (including dates, names of witnesses etc.), to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional documents, if you wish.

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

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

Signed Date

School Use:
Date for received:
Received by:
Date acknowledgement sent:
Acknowledgement sent by:

Complaint referred to:

Date:

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

Signed Date

School Use:
Date for received:
Received by:
Date acknowledgement sent:
Acknowledgement sent by:

Complaint referred to:
Date: