



Complaints Policy and Procedure

Bluebell Park School

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Introduction

Bluebell Park 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 against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible, we value all comments about our school

The main aims of this policy and procedure are:

- To recognise the importance and value of feedback.
- To provide you with a clear way of contacting us and tell you when you will receive a response.
- To use your feedback to understand what is causing the problem and where necessary learn from the issue to prevent the same thing happening again.

What is our definition of a complaint?

‘An expression of dissatisfaction made about the school, its staff or an action of a person or organisation providing a service to the school, whether justified or not’

Who can complain?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions).

Standards

When you make a complaint, these are the standards that you can expect from us:

- An acknowledgement of your complaint within 5 school days.
- A response to any complaint with a full explanation within the timescales outlined for each stage of the process identified below.
- Contact from us if the response is going to take longer, explain why and give details of expected timescales.
- Handle and process your information in accordance with the Data Protection Act and School’s Information Security Policy.
- Apologise if we have made a mistake.
- Provide a contact name and telephone number if you wish to contact us again.
- Be fair and honest.
- Treat you with dignity, respect and courtesy.

When you make a complaint, these are the standards that we expect of you:

- To treat all of our staff with respect. If you do not, we will refuse to deal with your enquiry until your behaviour is acceptable.
- To provide us with all of the information that we need to investigate and respond to your complaint.
- To tell us what you would like us to do to resolve your complaint.

Please note that where the complaint is made jointly by a number of people, it is expected that a nominee/representative speaks on behalf of all complainants

What is not covered by this policy and procedure?

There are certain matters that we do not deal with through the complaints processes and stages in this procedure. These are:

- Something that a complainant knew about more than 12 months before it was raised with us.
- Complaints that have previously been dealt with through all stage of the complaints procedure identified in this policy.
- Requests for information under the Freedom of Information Act (2000) or the General Data Protection Regulation (2018)
- Admissions to school
- Statutory Educational Needs
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievance or disciplinary procedures; these matters should be dealt with through the relevant HR procedures
- Complaints about service providers who may use school premises or facilities

These issues can still be referred to the school, however, will be addressed under the relevant statutory guidance.

- Complaints in relation to the following issues should be made to the Local Authority:
 - The provision of religious education and collective worship (with the exception of church aided schools).
 - School admission appeals.
 - Exclusions.
 - Special educational needs assessments.
 - Child protection issues and allegations of child abuse.

These are specifically concerns about areas where the authority has a statutory duty. Complaints relating to these issues should be referred to:

Customer Liaison Team
Knowsley Metropolitan Borough Council
Archway Road
Huyton
L36 9UX

Tel: 0151 443 3231

Web: <https://secured.knowsley.gov.uk/haveyoursayform>

A complaint about community facilities or services provided by any third party through the school premises or using school facilities should be addressed to the third party provider who will have their own complaints procedure. Copies of the complaints procedure for any third party provider are available directly from the provider.

The Governing Body will monitor the level and nature of complaints and review the outcomes on a termly and annual basis to ensure the effectiveness of the procedure and make changes where necessary. The monitoring and review of complaints by the school and the Governing Body are seen as useful tools in evaluating a school's performance. Please note that information shared with the Governing Body about complaints will be anonymized.

Complaints Procedure

Bluebell Park respects the views of any complainant and if you express a difficulty in discussing the complaint with a particular member of staff the complaints coordinator will refer the complaint to another member of staff if required.

Where the concern involves any child protection issue, the Head teacher will inform the Local Authority Designated Officer (LADO) and social care team.

Complaints can be made formally in a number of ways; these are shown in Appendix 1. If you have difficulty expressing yourself in writing, the school will be able to tell you where you can get independent assistance to support your complaint.

The stages in the complaints process are shown below:

Informal Stage: Complaint Reviewed Directly with the Relevant Teacher

The vast majority of concerns can be resolved informally; there are many occasions where the appropriate teacher, member of office staff, or the Head teacher, can resolve concerns straight away. It is in everyone's best interests that complaints are resolved at the earliest possible stage and it is important to us that you (the complainant) feel able to raise concerns with members of staff without any formality, either in person, by telephone or in writing in the first instance.

Formal Stage

Stage One: Complaint Investigated by Member of Staff

The school will acknowledge receipt of the complaint within 5 school days and the member of staff investigating the complaint may if necessary; contact you to discuss and clarify any concerns. This may be by telephone, letter or more formally in a meeting.

If you are invited to a meeting as part of the investigation, you can bring a friend, family member or advocate if you wish to, the school should also provide details of interpreting and other support services if required.

The Member of Staff will have another member of staff present in any meetings as part of the investigation to record the notes of the meeting. You should be provided with a copy of any notes made in the meeting with you. If, as part of the process, it is necessary to interview pupils, this will be done in the presence of another member of staff, or in the case of serious complaints in the presence of parents/carers.

The complaint should be investigated and the outcome communicated to you in writing within 10 school days, if this is not possible, the school will let you know the reasons why and when you can expect to receive a response. Where it is deemed necessary to apply

an extension to the investigation period this will be communicated to you as soon as possible and prior to the end of the initial 10 day period from the date that the complaint was made.

On conclusion of the complaint investigation, if you remain dissatisfied with the outcome of the investigation into your complaint you should write to the Head teacher within 10 school days asking for your complaint to be investigated at stage two.

Stage Two: Complaint Investigated by Head teacher/Senior Teacher

The school will acknowledge receipt of your complaint within 5 school days and the Head teacher/Senior Teacher may if necessary; contact you to discuss and clarify your concerns. This may be by telephone, letter or more formally in a meeting.

If you are invited to a meeting, you can bring a friend, family member or advocate if you wish, the school may also be able to provide details of interpreting and other support services if required. The Head teacher/Senior Teacher will have another member of staff present to record the notes of the meeting. You will be provided with a copy of any notes made as part of the complaints process. If, as part of the process, it is necessary to interview pupils, this will be done in the presence of another member of staff, or in the case of serious complaints in the presence of parents/carers.

Our aim is to provide a written response within 10 school days, however, this may not be possible where the complaint is complicated, therefore, to allow for a full investigation to be carried out a further 10 days may be required. Where it is deemed necessary to apply an extension to the investigation period this will be communicated to you as soon as possible and prior to the end of the initial 10 day period from the date that the complaint was made.

If you remain dissatisfied with the outcome of the investigation into your complaint you should write to the Chair of Governors within 10 school days asking for your complaint to be investigated at stage three.

Stage Three: Complaint Heard by the Governing Body's Complaints Hearing Panel

The school will acknowledge receipt of your complaint within 5 school days and the Chair of Governors or his/her nominated representative may if necessary; contact you to discuss and clarify your concerns. This may be by telephone, letter or more formally in a meeting.

The Chair of Governors can offer mediation as a means of resolving the complaint. Mediation can be facilitated by a nominated representative of the Chair of Governors including an external agency if appropriate. If the matter cannot be resolved through mediation, the Chair of Governors will arrange for the complaints hearing panel to be convened.

The committee will be made up of 3 or 5 governors who have no previous involvement with the complaint, one of whom will chair the hearing.

A clerk, appointed by the Chair of Governors will be responsible for convening the hearing. The Clerk will write to you, the Governing body hearing panel, Head teacher /senior teacher and any witnesses with the date, time and location of the hearing, giving a minimum of 5 school days notice. All documents to be considered by the panel will be sent to you, the head teacher/senior teacher and the governing body hearing panel 5 school days prior to the hearing date. Please note witnesses will only be able to attend for the part of the hearing in which he/she gives evidence. You will also be notified of your right to have a friend, family member, advocate or interpreter present if you wish. The Chair of Governors will ensure that minutes are taken at the hearing.

The panel will usually be convened within 20 school days of receiving the letter. If this is not possible the clerk will contact you and explain the reasons why and when you can expect the hearing to be.

The meeting will allow:

- You to explain your complaint and the Head teacher/senior teacher to explain the school's response.
- Witnesses to be brought by you (the complainant) or Head teacher/senior teacher.
- You, the Head teacher/senior teacher to ask questions of each other and any witnesses.
- The hearing panel to ask questions of you, the head teacher/senior teacher and witnesses.
- You and the Head teacher/senior teacher to summarise your cases.

A written response detailing the decisions, recommendations and the basis on which these have been made will be sent to you and the Head teacher/nominated senior representative within 5 school days of the meeting.

Dissatisfied with response to complaint.

If a complaint has completed the school complaint procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is beneficial or practical to do so.

The School Complaints Unit (SCU) considers complaints relating to Local Authority maintained schools in England on behalf of the Secretary of State. The SCU will look at whether the complaints policy and any other relevant statutory policies were adhered to. The SCU also looks at whether statutory policies adhere to education legislation. However, the SCU will not normally re-investigate the substance of the complaint. This remains the responsibility of schools.

The SCU will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. If the SCU finds that the school has not handled a complaint in accordance with its procedure, we may request that the complaint is looked at again.

If legislative or policy breaches are found, the SCU will report them to the school and the complainant, and where necessary, ask for corrective action to be taken. The SCU normally also seeks written assurances as to future conduct. Failure to carry out remedial actions or provide written assurances could ultimately result in a formal Direction being issued by the Secretary of State in accordance with her powers under sections 496 and 497 of the Education Act 1996.

Further information can be obtained from the SCU by calling;
The National Helpline on **0370 000 2288** or going online at:
www.education.gov.uk/help/contactus

Or by writing to:
Department for Education School Complaints
Unit 2nd Floor
Piccadilly Gate Store Street
Manchester M1 2WD

Unreasonable Complainants

Bluebell Park 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.

School 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 co-operate 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.

Complainants should limit the numbers 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 school 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.

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

Appendix 1

Please complete and return to the School Business Manager who will acknowledge receipt and explain what action will be taken.

Surname: _____ **First Name:** _____ **Title:** _____

Address: _____

_____ **Postcode:** _____

Preferred Telephone Contact:

Home Tel: _____ **Work Tel:** _____

Mobile: _____ **Email:** _____

Pupil's Name (if applicable): _____

Your relationship to pupil (if applicable): _____

1. Please give details of your complaint: (continue on a separate sheet if necessary)

Continued Overleaf...

2. What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response?)

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

4. Are you attaching any paperwork? If so, please give details.

Signed: _____ Date: _____

This form can be submitted:

- By email to bluebell.park@knowsley.gov.uk
- By post to: Bluebell Park School, Cawthorne Walk, Kirkby, L32 3XP.

OFFICIAL USE

Date Acknowledgement Sent: _____

Acknowledgement Sent by who: _____

Complaint Referred to: _____

Date

