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## ALP COMPLAINTS PROCEDURE

### 1. Purpose and Aims

The Ashington Learning Partnership 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 from parents of registered pupils to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

This procedure only fully applies to parents of registered pupils at the school. If complaints are raised by persons other than parents, they will be dealt with under stages 1 and/or 2 of the formal procedure.

All school staff will be made aware of complaints procedures and expected to review this document regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This document explains that procedure, and the steps that it outlines should be referred to and followed by all pupils and their parents whenever an issue arises that causes them concern. If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly, given an explanation and provided with revised timescales.

This document does not apply to complaints about:

- Pupil admissions
- Pupil exclusions
- EHC Plans
- Disciplinary issues relating to members of staff

Each of these follows its own process of complaints and appeals which are outlined in their relevant policies.

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 ALP's safeguarding policies.

For more information on the schools' provision for protecting our pupils, read the **child protection and safeguarding policy** which are available on the schools' website.

Anonymous complaints will not be examined under this document.

## **2. When an issue or concern first arises**

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. You may then be invited to an informal meeting with the **member of staff most appropriate** for dealing with your concern.

You may wish to approach your child's class teacher first as they will be best placed to help you either directly or by figuring out which other member of staff you should be speaking to. Also, please refer to our 'Information for Parents' leaflet found in the reception area on each site.

We encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.

A written explanation of your concern will need to be given to the staff member that you speak to, so that it is easy to see – when complaints are taken further or referred back to in the future – what the initial problem was.

**If your complaint is about a member of staff**, you should first raise this with the Executive Headteacher either in person or in writing, and a meeting can be arranged with the Executive Headteacher to discuss the issue at hand if appropriate.

**If your complaint is about the Executive Headteacher**, you should raise your concern in writing with the Chair of Governors.

**If your complaint is about a governor**, you should raise your concern in writing to ALP Trustees. Please hand your written complaint into Bothal Primary Upper Site, marked private and confidential FAO Chris Smith.

Any governor will refer complaints that are taken straight to them back to the appropriate member of staff unless one of the above exceptions applies. Governors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a committee at a later stage of the procedure.

### **2.1 Initial informal meeting**

Once a concern has been raised you may be invited to attend an informal meeting with a member of staff or the Executive Headteacher/Chair of Governors to discuss your concerns.

You are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent to this meeting. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the Executive Headteacher.

There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 10 school days.

### **3. Formal complaints**

In order to ensure that complaints are processed efficiently and effectively, The Ashington Learning Partnership deals with formal complaints in three stages:

#### **Stage 1**

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the Executive Headteacher. If your complaint is about the Executive Principal, you should go straight to Stage 2 of this procedure. Your written complaint should provide sufficient detail of the issues to allow the Executive Headteacher to investigate and respond to the complaint. You should also set out what you feel would resolve the complaint.

The Executive Headteacher should acknowledge your complaint in writing within 5 school days. They may already be aware of the situation. They will outline their decision if there is one to be made, and any action to be taken as a result of your complaint.

The Executive Headteacher may call you in for a meeting to discuss the issue outcome, possible solutions, or to explain what has or will happen as a result of your complaint. The Executive Headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.

If the complaint is against a member of staff, the Executive Headteacher will talk to that employee. If it is an allegation of abuse, a formal investigation may be instigated by the school or external child welfare authorities to whom the school reports. Please refer to our **allegations of abuse against staff** in our safeguarding policy for an outline of this procedure.

The Executive Headteacher will respond to you in writing within 10 school days outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right to take the matter further and the steps to be taken.

#### **Stage 2**

If, having spoken to the Executive Headteacher, you are dissatisfied with the outcome of your complaint or your complaint is about the Executive Headteacher, you may lodge your complaint with the Chair of Governors. The complaint must be in writing and it should explain your concern in sufficient detail and the steps that have led up to you taking this course of action. You should also set out the actions you feel would be necessary to resolve the complaint.

If the complaint is against a member of staff, that employee will be given the opportunity to write a response, which will be sent to the Chair of Governors within 5 school days of the complaint being lodged with them.

The Chair of Governors will respond to you in writing within 10 school days outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right of appeal and how you can start your appeal.

#### **4. Appeals**

##### **Stage 3:**

If you would like to lodge an appeal following the outcome of a formal complaint at stage 2, this will be taken to the appeals panel. You should write to the Chair of the Governing Body to exercise this right within 5 school days of the outcome at Stage 2. If no request for an appeals panel hearing is received within 5 school days, it will be deemed that the decision is accepted, and the complaint will be closed.

If an appeals panel is requested, the Clerk to the panel will acknowledge your appeal and make the necessary arrangements and will usually convene the appeals panel within 15 school days from the acknowledgement being sent. Where it is not possible to find a mutually convenient date within that timescale, the school will take reasonable steps to agree a time and date mutually convenient to all parties.

The Clerk will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. Any supporting documentation relevant to the complaint must be submitted to the appeals panel by both parties at least 5 days before the appeals panel hearing.

You are entitled to be accompanied to the appeals panel hearing and should notify the Clerk in advance if you attend to bring anyone.

##### **The appeals panel**

The appeals panel will be made up of between three to five members of the Governing Body.

No person can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The Chair of the panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the complaints procedure.

The panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.

##### **Appeals procedure**

The Appeals Panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. Appendix 1

**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. If you are unhappy with the outcome, you may wish to put your complaint to the Secretary of State. Complaints can be submitted online at <https://www.gov.uk/complain-about-school>.

**5. Vexatious/persistent complaints**

Whilst it is hoped that this document will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the complaints procedure.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the Chair of governors will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints procedure has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- the school has taken every reasonable step to address the complainant's needs, and the school's position has been clearly set out in writing together with the complainant's options
- the complainant is contacting the school repeatedly but making substantially the same points each time
- the school reasonably believes the aim of the contact is to cause disruption or inconvenience
- that the complainant acts or communicates in an inappropriate way towards school staff.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing. Appendix 2

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

**6. Governing Body – records, review and monitoring of complaints**

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law.

The Ashington Learning Partnership will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively. All records of any complaints will be kept confidential but may be inspected where appropriate by the Secretary of State or any inspection body.

## 7. Staff complaints

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 grievance policy.

## 8. Contact details

Bothal Primary School  
Lower Site  
Wansbeck Road  
Ashington  
NE63 8HZ

Bothal Primary School  
Upper Site  
High Market  
Ashington  
NE63 8NT  
Tel: 01670 812360

Central Primary School  
Lower Site  
Milburn Road  
Ashington  
NE63 0AX

Central Primary School  
Upper Site  
Third Avenue  
Ashington  
NE63 9BE

Chair of Governors - Gemma Craik C/O Bothal Primary Upper Site  
Executive Headteacher - Louise Hall

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Signed: AD	Name: Angela Dyer
Role: Business Manager	Date: June 2022
Adopted	
Signed: GC	Name: Gemma Craik
Role: Chair of Governors	Date: June 2022



## Appeals procedure

The procedure for an appeal is usually as follows:

1. The complainant and Executive Headteacher will enter the hearing together.
2. The Chair will introduce the panel members and outline the process.
3. The complainant will explain the complaint.
4. The Executive Headteacher and panel will question the complainant.
5. The Executive Headteacher will explain the school's actions.
6. The complainant and panel will question the Executive Principal.
7. The complainant will sum up their complaint.
8. The Executive Headteacher will sum up the school's actions.
9. The Chair will explain that both parties will hear from the panel within 10 working days.
10. Both parties will leave together while the panel decides.
11. The Clerk will stay to assist the panel with its decision making.

The Chair of the panel/Clerk to panel will notify the complainant of the panel's decision in writing within 10 school days of the appeal hearing. The letter will set out the decision of the panel together with the reasons underpinning that decision. The letter may set out recommendations which will be made to the Governing Body.





### **Unreasonable Complainants**

ALP 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.

ALP 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 Executive Principal or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Executive Principal will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the 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 the school premises.