



**Alma
Primary**

עולם חסד יבנה
A world built on kindness

Alma Primary Complaints Policy

Responsibility: *Marc Shoffren*
GB Body responsible: *Main Governing Body*
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Policy Development

Change	Responsible	Date

Alma Primary Complaints Policy

1. Statement of intent

- 1.1. Alma Primary aims to resolve all complaints at the earliest possible stage, and where possible, informally, and is dedicated to continuing to provide the highest quality of education possible throughout the procedure.
- 1.2. This policy has been created to deal with any complaint against a member of staff or the school as a whole, relating to any aspects of the school or the provision of facilities or services. It is designed to ensure that the school's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality and delivers an effective response and appropriate redress.
- 1.3. Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the school provides. This policy outlines the procedure that the complainant and school must follow. Once a complaint has been made, it can be resolved or withdrawn at any stage.
- 1.4. The Headteacher will be the first point of contact when following the complaints procedure.

2. Legal framework

- 2.1. This policy has due regard to all relevant legislation including, but not limited to, the following:
 - Education Act 2002
 - Freedom of Information Act 2000
 - Immigration Act 2016
 - Equality Act 2010
 - UK General Data Protection Regulation (GDPR)
 - Data Protection Act 2018
 - The Education (Independent School Standards) Regulations 2014
- 2.2. This policy has also due regard to guidance including, but not limited to, the following:
 - DfE (2021) 'Best practice guidance for school complaints procedures 2020'
 - ESFA (2021) 'Best practice guidance for academies complaints procedures'
 - HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'

3. Definitions

- 3.1. **Complaint:** For the purpose of this policy, a "complaint" can be defined as 'an expression of dissatisfaction' towards the actions taken or a perceived lack of action taken.
- 3.2. **Concern:** A "concern" can be defined as 'an expression of worry or doubt' where reassurance is required. For the purpose of this policy, concerns will be addressed informally with the express hope that they can be resolved without recourse to a complaint.
- 3.3. Complaints can be resolved formally, through this procedure, or informally depending on the complainant's choice.
- 3.4. Every complaint or concern will be taken seriously, whether formally or informally, and the appropriate procedures will be implemented.
- 3.5. **Grievance:** A "grievance" is an issue raised by a member of staff where they feel the school has not implemented a policy or process fairly or properly. Grievances will be dealt with in line with the school's Grievance Policy.
- 3.6. **Unreasonable complaints:** For the purpose of this policy, "unreasonable complaints" include:
 - Vexatious complaints, which:

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- Are obsessive, persistent, harassing, prolific, repetitious.
 - Are designed to cause disruption or annoyance.
 - Demand redress which lacks any serious purpose or value.
 - Or where the complainant/s
 - Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
 - Insist upon pursuing meritorious complaints in an unreasonable manner.
 - Serial or persistent complaints, which:
 - Are duplicated, sent by the same complainant once the initial complaint has been closed.
 - Are new complaints that are submitted additionally, as part of an existing open complaint, by the same complainant.
- 3.7. Serial or persistent complaints will only be marked as 'serial' once the complainant has completed the complaints procedure. It is the complaint that will be marked as 'serial', meaning the complainant can complain about a separate issue if necessary.
- 3.8. For the purpose of this policy, "duplicate complaints" are identical complaints received from a complainant's spouse, partner, grandparent or child. These complaints will not be addressed again, the individual making the second complaint will be informed that the complaint has been dealt with on a local level and if they are dissatisfied with the result, they can appeal to the DfE.
- 3.9. Any new details provided by a complainant's spouse, partner, grandparent or child, will be investigated and dealt with in line with the complaints procedure.

4. Roles and responsibilities

4.1. The complainant (person submitting the complaint) will:

- Cooperate with the school in seeking a solution to the complaint.
- Express the complaint and their concerns in full at the earliest possible opportunity.
- Promptly respond to any requests for information or meetings.
- Ask for assistance as needed.
- Treat any person(s) involved in the complaint with respect.

4.2. The Headteacher, or where the complaint is against the Headteacher, the Chair of Governors, is responsible for:

- Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved.
- Considering all records, evidence and relevant information provided.
- Interviewing all parties that are involved in the complaint, including staff and pupils.
- Analysing all information in a comprehensive and fair manner.
- Appointing a suitable complaint investigator, under Stage Two, where required;
- Liaising with the complainant and complaint investigator to clarify an appropriate resolution to the problem.
- Identifying and recommending solutions and courses of actions to take.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales.
- Responding to the complainant in a clear and understandable manner.

4.3. The complaint investigator, who will normally be the Headteacher or their nominee under a Stage Two complaint, will:

- Ensure that all parties involved in the complaint are fully updated throughout each stage of the procedure.
- Guarantee that all parties involved in the procedure are aware of any relevant legislation, including the Equality Act 2010, UK GDPR, Data Protection Act 2018 and Freedom of Information Act 2000.
- Keep up-to-date records throughout the procedure – these records will be kept securely on the school's ICT system and retained in line with the school's Records Management Policy.
- Liaise with all parties involved to ensure the complaints procedure runs smoothly, including the Headteacher, Clerk to Governors and Chair of Governors.
- Ensure, where the complainant is dissatisfied with the response, they are allowed to escalate it to the next formal stage and are provided the opportunity to complete the complaints procedure in full.
- Be aware of issues with regards to sharing third party information.
- Understand the complainant's need for additional support, including interpretation support, and will be aware of any issues concerning this.

4.4. The panel chair will:

- Ensure that minutes of the meetings are taken on every occasion.
- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any pupils involved.
- Conduct the hearing in an informal manner, ensuring that everyone is treated with respect and courtesy.
- Ensure that the room's layout and setting is informal and non-adversarial, yet still sets the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the school the opportunity to state their case and seek clarity without undue interruption.
- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the panel clerk and complaint investigator to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

4.5. All panel members will be aware that:

- The review panel meeting is independent and impartial.
- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.

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- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain a harmonious reconciliation between the parties involved.
- Reconciliation between the school and complainant is not always achievable, and that it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.
- The panel can:
 - Dismiss or uphold the complaint, in whole or in part.
 - Decide on appropriate action to be taken.
 - Recommend changes that the school can make to prevent reoccurrence of the problem.
- Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.
- When a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child's view is represented equally.

4.6. The panel clerk will:

- Continuously liaise with the complaint investigator.
- Record the proceedings.
- Set the date, time and venue of all hearings, ensuring that this is appropriate, convenient and accessible to all parties involved.
- Collate all written material or evidence involved and send it to the parties involved in timely advance of the hearing.
- Ensure that the minutes of the panel hearing are circulated.
- Notify the relevant parties of the panel's decision and any other actions to be taken.

5. Making a complaint

- 5.1. This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Alma Primary, about any provision of facilities or services that we provide, providing they are not anonymous. Unless complaints are dealt with under separate statutory procedures (see table below), we will use this complaints procedure.
- 5.2. The school will ensure that this complaints procedure is:
 - Easily accessible and publicised on the school's website.
 - Simple to understand and put into practice.
 - Impartial and fair to all parties involved.
 - Respectful of confidentiality duties.
 - Continuously under improvement, using information gathered during the procedure to inform the school's Senior Leadership Team (SLT).
 - Fairly investigated, by an independent person when necessary.
 - Used to address all issues to provide appropriate and effective responses where necessary.
- 5.3. Complaints are expected to be made as soon as possible after an incident arises to amend the issue in an appropriate timescale. The school upholds a three-month time limit in which a complaint can be lodged regarding an incident. Complaints made outside this time limit will not be automatically refused and exceptions will be considered. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.

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- 5.4. Complaints should be made using the school's Complaints Procedure Form (available as an appendix to this policy, or from the school office). All complaints shall be considered, whether they are made in person, by telephone, in writing, electronically via email, or via a third party (such as the Citizen's Advice Bureau), providing they are not anonymous.
- 5.5. A complaint can progress to the next stage of the procedure even if it is not viewed as "justified". All complainants are given the opportunity to fully complete the complaints procedure.
- 5.6. Any complaint made against the Chair of Governors or any other member of the governing body should be made in writing to the Clerk to Governors via the email address GBCLerk@almaprimary.org. Any complaint made against the entire governing body, or complaints involving the Chair of Governors and the Vice Chair of Governors, should be made in writing to the Clerk to Governors via the email address GBCLerk@almaprimary.org. The Clerk to Governors will then determine the most appropriate course of action, depending on the nature of the complaint. This action may involve sourcing an independent investigator to initially deal with the complaint and then getting the complaint to be heard by co-opted governors from another school.
- 5.7. Under some circumstances, it may be necessary to deviate from the complaints procedure. Any deviation will be documented, along with the reasons for this.
- 5.8. Information about a complaint will not be disclosed to a third party without written consent from the complainant.

6. Alma Primary Complaints Procedure

6.1. Stage one – Informal concern made to a member of staff

- 6.2. An initial concern may be raised in person, by telephone, in writing, electronically via email, or via a third party (such as the Citizen's Advice Bureau), but not anonymously.
- 6.3. The member of staff the concern has been made to can discuss the concern with the Headteacher to seek support.
- 6.4. To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls will be kept and a copy of any written response will be added to the record. These notes will be kept securely and, where appropriate, encrypted.
- 6.5. If the concern is about the Headteacher, then this must be made in writing to the Clerk to Governors. The complainant can then be referred to the Chair of Governors.
- 6.6. In case a concern is initially brought to a governor, the complainant should be referred to the appropriate person, normally a member of the Senior Leadership Team. The individual in question should not act alone on a concern outside of this procedure; if they do, they cannot be involved if the concern is subject to a hearing at a later stage of the procedure.
- 6.7. Within 15 school days, the complainant and the relevant member of staff should discuss the issue in a respectful and informal manner to seek a mutual resolution. Notes must be taken during this discussion.
- 6.8. At this stage, the complainant will be asked what they think might resolve the issue – any acknowledgement that the school could have handled the situation better is not an admission of unlawful or negligent action.
- 6.9. If an appropriate resolution cannot be sought at this informal level, or if the complainant is dissatisfied with the outcome following the initial discussions, the complainant may wish to proceed to the next level of the procedure.

- 6.10. Stage Two – Formal complaint made to the Headteacher, or in the case of a complaint against the Headteacher, made in writing to the Clerk to Governors for the Chair of Governors.**
- 6.11. All stage 2 complaints must use the complaints form where possible (available as an appendix to this policy, or from the school office). When complaints are received using other methods, complainants will be directed towards the school complaints form.
- 6.12. Where there are language or communication difficulties, the complaint may be made in person or via telephone, by exception. In this event a member of the school team will then scribe the complaint and send this back to the complainant for confirmation.
- 6.13. Stage Two of the process will be completed within 15 school days. Where the situation is recognised as complex, and it is deemed to be unable to be resolved within this timescale, the Headteacher or Clerk to Governors will contact the complainant to inform them of the revised target date via a written notification. Under this stage, the Headteacher may delegate the investigation to another member of the school's senior leadership team, but not the decision to be taken. This person will be a complaint investigator.
- 6.14. An appointment with the Headteacher should be made as soon as reasonably practical, to avoid any possible worsening of the situation.
- 6.15. If the complaint is against the Headteacher, then the complainant will initially need to write, in confidence, to the Clerk to Governors. The Clerk to Governors will then pass the complaint to the Chair of Governors, who will appoint a suitably skilled governor to act as the complaint investigator and complete all the actions under Stage Two.
- 6.16. If the complaint is about a member of the governing body (including the Chair or Vice-Chair), a governor, who is not the subject of the complaint, will be appointed in consultation with the Clerk of Governors, who will in turn appoint a suitably skilled governor to act as the complaint investigator and complete all the actions under Stage Two.
- 6.17. If the complaint is:
- jointly about the Chair and Vice Chair or
 - the entire governing body or
 - the majority of the governing body
- then Stage Two will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.
- 6.18. Where the Headteacher has made reasonable attempts to accommodate the complainant with dates for a complaint meeting and they refuse or are unable to attend, the meeting will be convened in their absence and a conclusion will be reached in the interests of drawing the complaint to a close.
- 6.19. To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls are kept, and a copy of any written response is added to the record. Provided that the complaint is not against a member of staff or the Headteacher, these notes are kept securely on the school's ICT system and, where appropriate, encrypted. Where complaints are against a member of staff or the Headteacher, notes are securely kept by the Clerk to Governors on a secure computer not accessible via the school's ICT system.
- 6.20. In terms of a complaint being made against a member of staff, the Headteacher will discuss the issue with the staff member in question. Where necessary, the Headteacher will conduct interviews with any relevant parties, including witnesses and pupils, and take statements from those involved.

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- 6.21. All discussions shall be recorded by the Headteacher, their delegate, or the Clerk to Governors, and findings and resolutions will be communicated to the complainant either verbally or in writing.
- 6.22. Once all facts are established, the Headteacher shall contact the complainant in writing with an explanation of the decision. The complainant will be advised of any escalation options (e.g. escalation to Stage Three) and will be provided with details of this process. The complainant will also be provided with copies of minutes, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR.
- 6.23. Any further action the school plans to take to resolve the issue will be explained to the complainant in writing. If the complainant is not satisfied with the outcome suggested, the procedure will progress to Stage Three.
- 6.24. A request to escalate to Stage Three must be made to the Clerk to the Governors, within 10 days of receipt of the Stage Two response. The Clerk to the Governors will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

6.25. Stage Three – Investigation by the Chair of Governors

- 6.26. The complainant should submit any complaint in respect of the Headteacher's investigation in writing (or via an alternative method if necessary) to the Chair of Governors.
- 6.27. The Chair of Governors will carry out an investigation and consider all available evidence. Where the Chair of Governors has already been involved, e.g. in complaints against the Headteacher, the investigation will be carried out by the Vice Chair of Governors.
- 6.28. The complainant and the Headteacher will be informed of the outcome within 20 school days of the Chair of Governors receiving the complaint. The complainant will be advised of any escalation options, e.g. escalation to Stage Four, and will be provided with details of this process. The complainant will also be provided with copies of minutes, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR.
- 6.29. If the complainant is not satisfied with the manner in which the process has been followed, considers the decision to be perverse, or believes that the chair has acted unreasonably, they may request that the governing body reviews the complaint (Stage Four), giving clear reasons in writing to support this request.
- 6.30. A request to escalate to Stage Four must be made to the Clerk to the Governors, within 10 days of receipt of the Stage Three response. The Clerk to the Governors will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply. Where there are language or communication difficulties, the complaint may be made in person or via telephone, by exception. In this event a non-involved member of the school team will then scribe the complaint and send this back to the complainant for confirmation.

6.31. Stage Four – Complaints Appeal Panel (CAP)

- 6.32. When the Chair of Governors is notified of a request to escalate a complaint to Stage Four, they or another nominated governor, will convene a Complaints Appeal Panel (CAP) comprising:
 - At least three people who were not involved in the matters detailed in the complaint;

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- One of these must be independent of the management and running of the school. This independent panel member will not be a member, trustee or employee of the school;
 - Alma Primary Governors are not eligible to be the independent panel member;
 - Governors from another governing body (including any category of governor) can be approached to be the independent panel member.
- 6.33. Written acknowledgement of the complaint will be made within three school days. This will inform the complainant that a CAP will hear the complaint within 20 school days.
- 6.34. Neither the school nor the complainant should bring legal representation to the CAP proceedings; however, there are occasions where legal representation may be appropriate, e.g. where a school employee is a witness in a complaint, they may be entitled to bring union or legal representation.
- 6.35. To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls are kept, and a copy of any written response is added to the record. These notes are kept securely by the Clerk to Governors.
- 6.36. A minimum of three days' notice will be given to all parties attending the CAP, including the complainant. Prior to the hearing, the Chair of Governors will have written to the complainant informing them of how the review will be conducted. The Headteacher will also have a copy of this letter.
- 6.37. At the hearing, all participants will be given the opportunity to put their case across and discuss any issues. Both the complainant and the school are permitted to recommend witnesses, relevant to the matter to be present. Any witness will require prior approval by the chair of the CAP, to attend the CAP.
- 6.38. The CAP will consider issues raised in the original complaint and any issues which have been highlighted during the complaints procedure.
- 6.39. The CAP should allow sufficient time for:
- The complainant to be present and accompanied at the hearing if they wish;
 - The complainant to explain their complaint and the Headteacher to explain the reasons for their decision;
 - Any evidence, including witnesses who have been prior approved by the chair of the CAP, to be questioned;
 - The complainant to question the Headteacher, and vice versa, about the complaint;
 - Members of the CAP to question both the complainant and the Headteacher;
 - Final statements to be made by both parties involved.
- 6.40. The complainant will receive a written response explaining the panel's findings and recommendations within 15 school days. This letter will also explain whether there are any further rights of appeal and to whom they need to be addressed.
- 6.41. Where relevant, the person complained about will receive a summary of the panel's findings and recommendations. They will also receive a copy of the minutes, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR.
- 6.42. Final stage – Appeal**
- 6.43. If a complainant has exhausted Alma Primary's complaints procedure, they will be advised that they can submit a complaint to the ESFA using the [online form](#) or in writing to:

*Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency*

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*Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT*

- 6.44. The ESFA will not overturn the panel's decision or re-investigate the original complaint. The ESFA will only intervene following a complaint if it believes the school has:
- Breached a clause in its funding agreement.
 - Failed to comply with education law or acted unreasonably when exercising related education functions.
- 6.45. The DfE expects complainants to have completed the school's complaints procedure before directing a complaint to the ESFA. The exceptions to this include when:
- Pupils are at risk of harm.
 - Pupils are missing education.
 - A complainant is being prevented from having their complaint progress through the school's complaints procedure.
 - The DfE has evidence that the school is proposing to act or is acting unlawfully or unreasonably.

7. Interviewing witnesses

- 7.1. When interviewing pupils to gather information regarding a complaint, the interview should be conducted in the presence of another member of staff or, in the case of serious complaints, e.g. where the possibility of criminal investigation exists, in the presence of their parents.
- 7.2. The school will ensure that the conduction of interviews does not prejudice a police or LA designated officer's (LADO) investigation.
- 7.3. The school understands the importance of ensuring a friendly and relaxed area which is free from intimidation. All pupils interviewed will be made fully aware of what the interview concerns and their right to have someone with them. Staff are allowed a colleague and/or trade union representative to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.
- 7.4. The interviewer will not express opinions in words or attitude, so as to not influence the interviewee.
- 7.5. The interviewee will sign a copy of the transcription of the interview.

8. Recording a complaint

- 8.1. A written record shall be kept of any complaint made, whether made via phone, in person or in writing, detailing:
- The main issues raised, the findings and any recommendations.
 - Whether the complaint was resolved following an informal route, formal route or panel hearing.
 - Actions taken by the school as a result of the complaint (regardless of whether the complaint was upheld).
- 8.2. The school will not accept, as evidence, any recordings that were obtained covertly and without the informed consent of all parties being recorded. Recording devices will not be used to review discussions of complaints at a later date, however where there are communication

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difficulties or disabilities, recording devices may be used for the purposes of reasonable adjustments.

- 8.3. Details of any complaint made shall not be shared with the entire governing board. The exception to this is when a complaint is made against the whole governing board and they need to be aware of the allegations made against them, to respond to any independent investigation. Complainants have a right to access copies of these records under the UK GDPR and the Freedom of Information Act 2000.
- 8.4. The school will hold all records of complaints centrally. Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection requests to access them.

9. Complaints not Covered by this Procedure

- 9.1. A range of issues are not covered within this policy. These include the following:

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to Alma	Concerns about admissions should be addressed through the school's Admissions Policy.
<ul style="list-style-type: none">• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under the school's safeguarding policy and in accordance with relevant statutory guidance. Parents who have serious concerns, should contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
<ul style="list-style-type: none">• Exclusion of children from school	Information about exclusions can be found in the school's Behaviour and Exclusions Policy. Further information can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>Complaints about the application of the behaviour policy, other than exclusions, can be made through the school's complaints procedure.</i>
<ul style="list-style-type: none">• Whistleblowing	The school has a whistleblowing procedure for all employees, including temporary staff and contractors, which is on the school website.
<ul style="list-style-type: none">• Freedom Of Information (FOI)	Requests for information and issues with the school's process for dealing with FOI requests, will be dealt with in accordance with the school's Publications Scheme
<ul style="list-style-type: none">• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none">• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
<ul style="list-style-type: none">• Statutory assessments of SEND	Complaints regarding the assessments of SEND should be directed to the relevant Local Authority.

<ul style="list-style-type: none">• Services from a third party who uses the school facilities	Complaints about services provided by a third party who may use the school premises or facilities should be directed to the service provider.
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10. Postponing or Suspending the Procedure

- 10.1. If a social services authority decides to investigate a situation, the Headteacher or governing body may postpone the complaints procedure.
- 10.2. If a complainant commences legal action against the school in relation to their complaint, the school will consider whether to suspend the complaints procedure, until those legal proceedings have concluded.

11. Managing Unreasonable Requests

- 11.1. The school is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain.
- 11.2. The school will not normally limit the contact complainants have with the school; however, Alma Primary does 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.
- 11.3. 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 complaints procedure has been fully and properly implemented and completed including referral to the DfE.
 - 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.
- 11.4. A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone, in writing or electronically:

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- Maliciously.
 - Aggressively.
 - Using threats, intimidation or violence.
 - Using abusive, offensive or discriminatory language.
 - Knowing it to be false.
 - Using falsified information.
 - By publishing unacceptable information in a variety of media, e.g. social media websites and newspapers.
- 11.5. 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.
- 11.6. Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.
- 11.7. 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 the school causing a significant level of disruption, the school may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.
- 11.8. A decision to stop responding will only be considered in circumstances where the following statements are true:
- Every reasonable step has been taken to address the complainant's concerns.
 - The complainant has been given a clear statement of the school's position and their options.
 - The complainant contacts the school repeatedly, making substantially the same points each time.
- 11.9. If the above criteria are met, in making a decision to stop responding the school will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about or threats towards staff, and if the school believes their intent is to disrupt or inconvenience the school.
- 11.10. The school will not stop responding to a complainant on the basis that they are difficult to deal with or they ask complex questions.
- 11.11. 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 premises.

12. Complaints Campaigns

- 12.1. For the purposes of this policy, "complaints campaigns" are where the school receives large volumes of complaints that are all based on the same subject.
- 12.2. Where the school becomes the subject of a complaints campaign from complainants who are not connected with the school, a standard, single response will be published on the school's website. If the school receives a large number of complaints about the same subject from complainants who are connected to the school, e.g. parents, each complainant will receive an individual response.
- 12.3. If complainants remain dissatisfied with the school's response, they will be directed to the DfE.

13. Barring Individuals From The School Premises

- 13.1. School premises are private property and therefore any individual may be barred from entering the premises.
- 13.2. If an individual's behaviour is cause for concern, the Headteacher or Chair of Governors will ask the individual to leave the premises.
- 13.3. The Headteacher will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and why, subject to any representations that the individual may wish to make.
- 13.4. The individual involved will be given the opportunity to formally express their views regarding the decision to bar them. This decision to bar will be reviewed by the Chair of Governors or a committee of the governing board, taking into account any discussions following the incident. If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place, and when the decision will be reviewed.
- 13.5. Anyone wishing to make a complaint regarding a barring order can do so in writing, using the school complaints form to the Headteacher or Chair of Governors.
- 13.6. Once the school's complaints procedure is completed, the only remaining avenue of appeal is through the Courts.

14. Standard Of Fluency Complaints

- 14.1. As members of a public authority, all staff are subject to the fluency duty imposed by the Immigration Act 2016, which requires staff members to have an appropriate level of fluency in English in order to teach pupils.
- 14.2. The school is free to determine the level of spoken communication necessary in order for staff members to develop effective performance, but it will be matched to the demands of the role in question.
- 14.3. The school will be satisfied that an individual has the necessary level of fluency appropriate for the role they will be undertaking, whether this is an existing or potential new member of staff. If a member of the school community feels that a staff member has insufficient proficiency in spoken English for the performance of their role, they are required to follow the complaints procedure outlined above.
- 14.4. For the purpose of this policy, a "legitimate complaint" is one which is about the standard of spoken English of a member of staff; complaints regarding an individual's accent, dialect, manner or tone of communication are not considered legitimate complaints.
- 14.5. All legitimate complaints regarding the fluency duty will be handled in line with the processes outlined in this policy.
- 14.6. In addition to the processes outlined in this policy, the school will assess the merits of a legitimate complaint against the necessary standard of spoken English fluency required for the role in question. To assess the merits, the school will undertake an objective assessment against clear criteria set out in the role specification or, against the level of fluency descriptors relevant to the role in question. If the complaint is upheld, the school will consider what action is necessary to meet the fluency duty; this may include:
 - Specific training
 - Specific re-training

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- Assessment
- Re-deployment
- Dismissal

- 14.7. Appropriate support will be provided to staff to ensure that they are protected from vexatious complaints and are not subjected to unnecessary fluency testing.
- 14.8. Records of complaints regarding fluency will be kept in accordance with the processes outlined above.

15. Transferring Data

- 15.1. When a pupil changes school, the pupil's educational record will be transferred to the new school and no copies will be kept.
- 15.2. The school will hold records of complaints separate to pupil records while a complaint is ongoing, so that access to these records can be maintained.
- 15.3. Information that the school retains relating to a complaint will be stored securely and in line with the school's Records Management Policy.

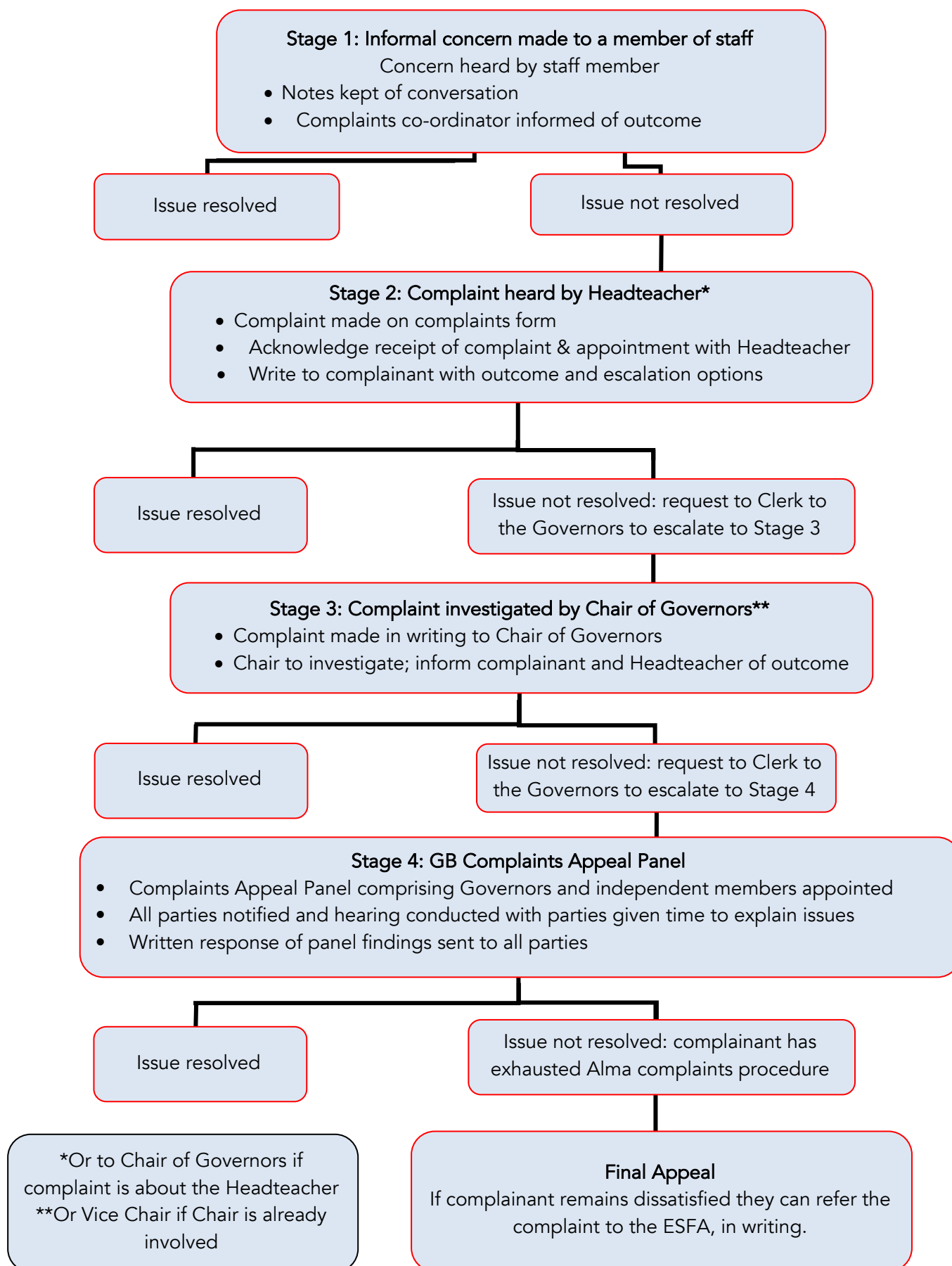
16. Availability

- 16.1. This policy will be published on the school website and will also be made available on request.

17. Monitoring and Review

- 17.1. The complaints procedure will be reviewed every two years, taking into account any legislative changes and the latest guidance issued by the DfE. The monitoring and reviewing of complaints will be used to help evaluate the school's performance.

Appendix A: Flowchart summary for Dealing with Complaints



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Appendix B: Alma Primary Complaints Form

Please complete and return this form to the Headteacher who will acknowledge receipt and explain what action will be taken:

Your name:
Child's name (if the complaint relates to a child at Alma Primary):
Your relationship to the child where appropriate:
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint.
What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response?)

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

Are you attaching any documents? If so, please list each such document.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom

Complaint referred to:

Date: