



## Barley and Barkway (VA) C of E First Schools Federation

Church End, Barley, SG8 8JW | 84 High Street, Barkway, SG8 8EF

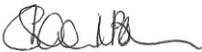

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## Complaints Policy

Document Information			
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<b>Review Date</b>	9 July 2023		
<b>Signature (Federation Headteacher)</b> 			
<b>Signature (Chair of Governors)</b> 			

This policy is based on the Hertfordshire model procedure for dealing with school-based complaints.

### How we will deal with your concerns – either comments or complaint

*A 'concern' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.*

*A complaint may be generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'.*

Some complaints fall outside the school's complaints procedure, for example:

- Admissions
- Child protection
- Exclusions
- Staff grievances (Complaints from staff will be dealt with under the school's internal grievance procedures)
- Disciplinary procedures (Staff conduct complaints about staff are 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)
- Whistleblowing

### How to comment

We care about what you think. Each day Barley and Barkway Federation makes many decisions and tries hard to do the best for all the children. Your comments - either positive or negative - are helpful for future planning. You may want to talk to us about a particular aspect of this

school, though not actually make a complaint - you just want to get something 'off your chest'. It is important to differentiate a concern from a complaint. A concern can be defined as a cause of worry and should be handled without the need for formal procedures.

Your comments will be shared with staff on a need to know basis. If you are dissatisfied about the way your child is being treated, or any actions or lack of action by us, please feel free to contact us using the contact details below marked for the attention of the relevant member of teaching staff:

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[admin@barleybarkway.herts.sch.uk](mailto:admin@barleybarkway.herts.sch.uk)

We aim to make an initial response, if required, within two school days, and may need up to five school days where a more detailed response is necessary.

## **How to make a complaint**

### **In the first instance – Informal stage**

If you have a concern about anything we do, or if you wish to make a complaint, you can do this by telephone, in person or in writing (by letter or email) via the School Office.

We hope that most complaints can be settled quickly and informally, either by putting matters right or by giving you an explanation. Your concern or complaint will be shared with staff on a need to know basis. Complaints should be made as soon as possible and at the latest within three months of your child leaving Barley and Barkway Federation. For Year 4 children who transfer to middle school this will be three months from the last day of the summer term. The Governing Board will consider exceptional circumstances when deciding whether to accept a complaint after this timeframe.

#### **Informal stage step 1**

If there is something you are not happy about, or you don't understand why we are doing something in a particular way, please come in and discuss it with the class teacher or Special Educational Needs Co-Ordinator (SENCo) if it is about Special Needs. Our Headteacher is the SENCo at our Federation.

We know that it can feel uncomfortable to question or challenge something, but if you don't tell us what is worrying you, we cannot explain what we are doing or try to put it right. We aim to make an initial response, if required, within two school days, and may need up to five school days where a more detailed response is necessary.

### **Informal stage step 2**

If the member of staff you speak to in the first instance is unable to attempt to resolve the matter, you are invited to raise your concern with the Headteacher. The Headteacher will aim to make an initial response within two school days and may need up to ten school days where a more detailed response is necessary.

If after meeting the Headteacher your concern is still unsettled, parents can enter the formal stage by raising a Formal stage 1 complaint.

### **Our aims:**

- Your complaint will be dealt with honestly, politely and in confidence.
- Your complaint will be looked into thoroughly and fairly.
- If your complaint is urgent, we will deal with it more quickly.
- We will keep you up to date with progress at each stage.
- You will get an apology if we have made a mistake.
- You will be told what we are going to do to put things right.
- You will get a full and clear written reply to formal complaints within 28 school days (5½ weeks).

## **How to make a complaint-Formal stage:**

### **Formal stage step 1**

Following the Informal stage steps 1-3 parents can request a meeting with the Headteacher who will investigate your complaint further and aim to inform parents of the outcome within 10 school days (2 weeks) on receipt of receiving Appendix 1 completed by the parents. The Headteacher will respond using Appendix 3.

Complaints should be made as soon as possible and at the latest within three months of your child leaving Barley and Barkway Federation. For Year 4 children who transfer to middle school this will be three months from the last day of the summer term. The Governing Board will consider exceptional circumstances when deciding whether to accept a complaint after this timeframe.

Documents and discussions must remain strictly confidential between parent making the formal complaint and staff involved to allow the complaints policy to be implemented.

If your first contact is with individual Governors, they will advise you to take up your concerns with the appropriate member of staff. A Governor should not be made aware of a potential complaint as they may be required to sit on a Panel in the event of a formal hearing (Formal stage 2) and should be impartial.

If your complaint is about the Headteacher, you should write to the Chair of Governors, The Reverend Canon Ruth Pyke [amy.martin@barkway.herts.sch.uk](mailto:amy.martin@barkway.herts.sch.uk)

If your complaint is about a member of the governing body, you should write to the clerk of the Governing Body via the Office Manager [admin@barleybarkway.herts.sch.uk](mailto:admin@barleybarkway.herts.sch.uk). The clerk will arrange for the complaint to be heard by a suitably skilled and impartial member of the governing body and then a committee of members of the Governing Board if escalated to Formal stage 2.

If your complaint is about the entire Governing Board or complaints involving both the chair and vice chair these should also be sent to the clerk of the Governing Body via the Office Manager [admin@barleybarkway.herts.sch.uk](mailto:admin@barleybarkway.herts.sch.uk) who will determine the most appropriate course of action.

This will depend on the nature of the complaint. This may involve sourcing an independent investigator and if escalated, co-opted governors from other schools to hear the complaint in Formal stage 2.

### **Formal stage step 2**

If you remain dissatisfied following Formal stage 1 and wish to take your complaint further, you will be asked to complete Appendix 2 addressed to the Chair of Governors via the School Office. Complaints can be escalated from Formal stage 1 to Formal stage 2 within thirty school days from receipt of Appendix 3 from the Headteacher. The Governing Board will consider exceptional circumstances when deciding whether to accept an escalation after this time frame.

In Appendix 2 you should:

- Make it clear why you are complaining.
- Say who you have spoken to already.
- Explain what you want to happen as a result of your complaint.

The Chair of Governors will arrange for your complaint to be considered and investigated under the arrangements approved by the Governing Board. This should involve a Panel of Governors at a hearing where the complainant and the respondent are invited to attend. If the Chair of Governors or another Governor has been involved in discussions to help settle the matter at Stage 1, s/he should arrange for another Governor to take charge of the situation.

Neither the Chair of Governors nor the Governor in charge should sit on the Panel themselves and they should instead ensure that a Panel is convened in line with the timeframes and guidance set out in the school's complaints procedure. The Governor in charge of investigating the complaint may ask to meet you to discuss your concerns. It is not advisable for a Panel to investigate and conclude matters without giving the Complainant and Respondent the opportunity to respond. Therefore, a formal hearing with all in attendance is most preferable.

Parents should make sure that the Governors' Complaint Panel is provided with any written information or evidence you intend to use in a formal hearing. You may bring a friend, representative or interpreter to any meeting if you wish. The Chair of the Panel may invite any person who may help establish the facts of the complaint. The Chair should tell you who this person is before the meeting. If any member of staff is required by the Governing Board to attend a meeting, they will have the opportunity to be accompanied or represented as they wish. A member of staff named in a complaint may also choose to attend a meeting, even if not required

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to do so by the Governors. They may be represented. If this happens, we will inform you in advance.

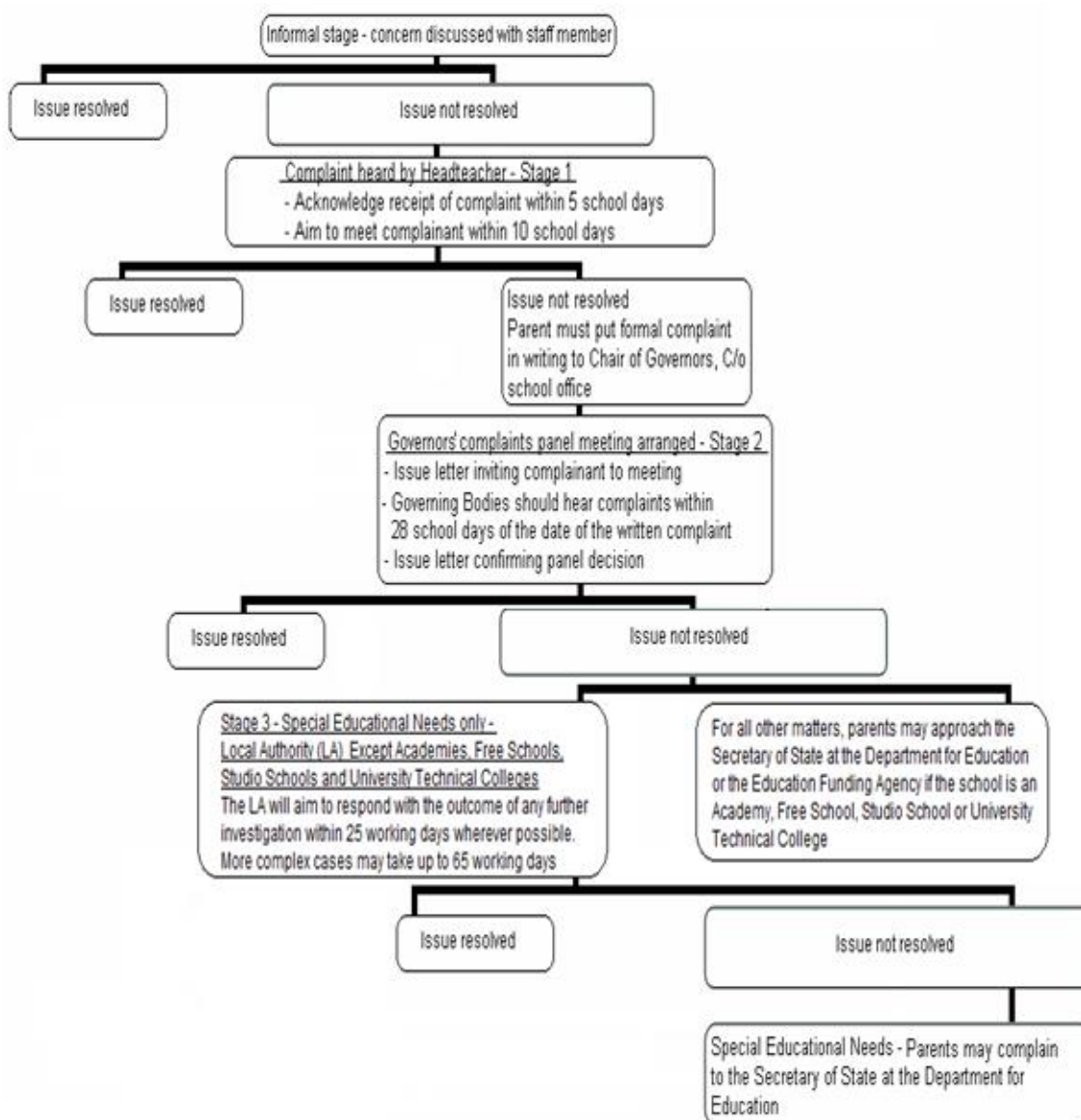
When the Panel has fully investigated your complaint, the Chair of the Panel, or the Governor in charge of the investigation will write to you to tell you the findings. These findings will be reported to the Governing Body. The Chair of Governors will then write to you confirming the outcome of your complaint and any agreed actions to be taken. Our Governing Body will aim to deal with your Formal stage 2 complaint within 28 school days (5½ weeks).

## General Principles of complaints diagram:

Extracted from 'School Complaints Procedure' document (DfE)

### Dealing with complaints

The Education Act 2002 requires all schools to have a complaints procedure that has been approved by the Governing Body and publicised to parents.



Please note that the timescales specified in diocesan complaints guidance may differ from those detailed above. School days are term time only, whilst working days are weekdays throughout the year.

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### **Further recourse:**

Most complaints are resolved by this process. Should your complaint not be resolved following the process above, your further options are as follows following completion of Formal stage 2:

### **For complaints regarding denominational religious education or collective worship only you may complain to the Diocese of St Albans:**

- The Diocesan Director of Education, Diocesan Office, Holywell Lodge, 41 Holywell Hill, St Albans, AL1 1HE. Email: [schools@stalbans.anglican.org](mailto:schools@stalbans.anglican.org)

Website: [www.stalbans.anglican.org](http://www.stalbans.anglican.org) Telephone: 01727 818170.

### **You can complain to the Secretary of State at the Department for Education:**

- The Secretary of State Department for Education, Sanctuary Buildings Great Smith Street, London, SW1P 3BT. Website: [www.education.gov.uk](http://www.education.gov.uk) Telephone: 0370 000 2288

In the case of complaints about Special Educational Needs provision, you may complain further to the Local Authority. This should be done by writing to the Children's Services Complaints Manager.

It should be noted however that if you wish to pursue this route, you must do so within 20 working days (4 weeks) of receiving the written outcome of the hearing into your complaint. After 20 working days (4 weeks), neither the school nor the Local Authority is under any obligation to investigate or progress your complaint any further.

### **Useful contacts:**

Advisory Centre for Education  
Education Advice & Training  
72 Durnsford Road  
London  
N11 2EJ  
Web: [www.ace-ed.org.uk](http://www.ace-ed.org.uk)  
Phone: 0300 0115 142

POhWER  
Hertlands House  
Primett Road  
Stevenage  
SG1 3EE  
Web: [www.pohwer.net](http://www.pohwer.net)  
Phone: 0300 456 2370

Children's Legal Centre  
Riverside Office Centre  
Century House North  
North Station Road  
Colchester  
Essex  
CO1 1RE  
Web: [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)  
Phone: 0345 345 4345

National Youth Advocacy Service  
(NYAS)  
Egerton House  
Tower Road  
Birkenhead  
Wirral  
CH41 1FN  
Web: [www.nyas.net](http://www.nyas.net)  
Phone: 0345 345 4345

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Special Educational Needs & Disability Information Advice Support Service (SENDIASS)

Web: [www.hertfordshire.gov.uk/sendias](http://www.hertfordshire.gov.uk/sendias)

Email: [SENDIASS@hertfordshire.gov.uk](mailto:SENDIASS@hertfordshire.gov.uk)

Phone: 01992 555847



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## Appendix 1 STRICTLY CONFIDENTIAL

### Barley and Barkway Federation Formal Complaint Stage 1 Form

Child's Name, Surname and Year Group			
Mother's Title, Name and Surname			
Father's Title, Name and Surname			
Child's Address			
Mother's Email address			
Father's Email address			
Mother's contact number			
Father's contact number			
Date Appendix 1 completed by parent			
Date Appendix 1 received by Headteacher	<i>(school to complete)</i>		
Have you raised this issue with the Class Teacher (informal stage step 1)? If so, when did you do this?	YES (incl. date)	NO	
Have you raised this issue with the Headteacher (informal stage step 3)? If so, when did you do this?	YES (incl. date)	NO	
What are the grounds of your complaint? <i>(Please specify if it is regarding SEN or Child Protection issues.)</i>			
What would you like Barley and Barkway Federation to do to put things right?			

Please return this form to the Headteacher



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## Appendix 2 STRICTLY CONFIDENTIAL

### Barley and Barkway Federation Formal Complaint Stage 2 Form

Child's Name, Surname and Year Group			
Mother's Title, Name and Surname			
Father's Title, Name and Surname			
Child's Address			
Mother's Email address			
Father's Email address			
Mother's contact number			
Father's contact number			
Date Appendix 2 completed by parent			
Date Appendix 2 received by Chair of Governors	<i>(Chair to complete)</i>		
Have you raised this Formal Complaint with the Headteacher (Formal stage 1)? If so, when did you receive the Headteacher's written response?	YES (incl. date)	NO	
Have you raised this issue with the Headteacher (informal stage step 3)? If so, when did you do this?	YES (incl. date)	NO	
What are the grounds of your complaint following the Headteacher's investigation in Formal stage 1?			
What would you like Barley and Barkway Federation to do to put things right?			

Please return this form to the Chair of Governors via the School Office



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## Appendix 3 STRICTLY CONFIDENTIAL

### Barley and Barkway Federation Formal Complaint

Dear Parent

Following our meeting on [date], I am writing to provide the outcome of my investigation of your complaint raised. We are committed to learning and improving every child's experience within our school and thank you for raising your concern, as we know this can feel uncomfortable to question or challenge.

#### Grounds of the complaint

I understand the complaint to be ... and note you would like the following outcome ...

#### Investigation

I have conducted the following investigation:

[detail materials reviewed, Policies applicable]

[detail persons interviewed and statements recorded]

[detail further advice, policy interpretation etc....]

#### Outcome of my Investigation

I have reached the conclusions below for the following reasons and taking all of the below circumstances into consideration...

I propose the following resolution for the complaint you raised...

#### Next steps and referral rights

Given the resolution proposed above, I am proposing the following next steps [this will naturally vary depending on the outcome]:

- e.g. I will be communicating to the staff / full school \_\_\_\_\_
- e.g. I will be reviewing the following policy / procedure \_\_\_\_\_
- e.g. I have implemented the following steps \_\_\_\_\_
- e.g. I have informed the Governing Body \_\_\_\_\_

If you are not satisfied with this resolution of your complaint at this stage (Formal stage 1), you can escalate the complaint to the Chair of Governors (Formal stage 2) using Appendix 2. The chair will then arrange for your Formal stage 2 complaint to be investigated and considered by a panel of governors and aim to respond within 28 working schooldays using Appendix 4.

Feel free to contact me should you have any further questions or wish to clarify any of the points raised in this letter.

Kind regards,  
Federation Headteacher



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## **Appendix 4 STRICTLY CONFIDENTIAL**

### **Barley and Barkway Federation Formal Complaint**

Dear Parent

#### **FORMAL STAGE 2 COMPLAINT FINDINGS – date**

Thank you for attending the Hearing on ...

The Panel considered the complaint raised that ...

At the Panel, the complaint was clarified ...

The Panel considered the evidence very carefully ...

It is unfortunate that ...

We have noted the ...

We shall be making the following recommendations to the Headteacher: ...

As a result of our investigation, there are also some recommendations that we shall be making to the Governing Body....

This decision is final, and your complaint is now closed.

You may make a complaint to the Department of Education if you believe the Governing Body has acted outside its powers or is misusing them. The Secretary of State's address is Department of Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

Yours sincerely



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## **Appendix 5**

### **Managing Serial and Unreasonable Complaints**

Barley and Barkway First Schools Federation 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 our 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.

Barley and Barkway First Schools Federation defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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 and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the



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complaint is being dealt with

- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 ask them to change it. For complainants who excessively contact Barley and Barkway First Schools Federation causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Barley and Barkway First Schools Federation.