

Aston St Mary's



**Church of England (VA)
Primary School**

**ASTON ST MARY'S
CHURCH OF ENGLAND
(VOLUNTARY AIDED) PRIMARY SCHOOL**

Every child is a treasure – small in size, growing in God's love.



**The Diocese
of St Albans**

**POLICY FOR DEALING WITH SCHOOL BASED
COMPLAINTS**

Effective from:	July 2024
Review Date:	July 2025
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Aston St Mary's CoE (VA) Primary School

Complaints Policy

Hertfordshire County Council cannot deal with complaints about schools. School Governors are responsible in law having a published complaints procedure and for responding to complaints. This document provides details of the complaints procedures in this school.

Introduction:

The school complaint procedure policy was developed from a set of Hertfordshire Local Authority guidelines by the Aston St Mary's Governing Policy working group and agreed by whole staff and has the full agreement of the Governing Body. The policy was approved and ratified by the Governing Body in July 2024.

At Aston St Mary's School, we know all of us are God's children and surrounded by his love. Our school vision states, 'every child is a treasure – small in size, growing in God's love.' The policy is particularly important to our whole school community at Aston School. We want and expect all children to be kept safe from harm when in and out of school. All children have the right to continue to grow in a safe environment, surrounded by God's love. However, sometimes people feel they need to make us aware of a concern or to complain. This policy advises of our complaints policy.

WHO CAN MAKE A COMPLAINT?

Parents or carers with children on roll at the school can make a complaint or if their child has been removed from roll within the last three months. Issues relating when a statutory process applies (such as appeals regarding admission or exclusions) do not fall within the scope of the school complaints policy. The school will confirm to you upon receipt whether or not your complaint falls under this policy and procedure and what will happen next if it does.

The school will consider any complaints made outside of term time to have been received on the first school day after the holiday period.

THE DIFFERENCE BETWEEN A CONCERN AND A COMPLAINT

We define a concern as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

We define a complaint as 'an expression of dissatisfaction however made, about actions taken or a lack of action that requires an investigation and formal response in writing'.

It is in everybody's interest that concerns, and complaints are resolved as swiftly as possible. Many issues can be resolved informally, without needing to escalate to the formal stages of the complaints process. Aston St Mary's CoE Primary School takes concerns seriously and we will make every effort to resolve matters as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In such cases, you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with your concerns, you will be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is the most important factor.

Aston St Mary's CoE Primary School understands however, that there are some occasions when people only wish to raise their concerns formally. In such instances, the School will attempt to resolve the issue(s) internally, through the stages outlined within this complaints policy and procedure.

ANONYMOUS COMPLAINTS

Aston St Mary's CoE Primary School will not normally investigate anonymous complaints. In such instances, the Headteacher and/or the Chair of Governors will determine whether the complaint warrants an investigation and will ensure that this is completed, if so. The outcome of the investigation cannot be shared with the complainant, as the School will not know who they are and therefore, the School cannot ascertain whether or not the person is entitled to have confidential information regarding the complaint investigation shared with them.

THE FOLLOWING MATTERS CANNOT BE DEALT WITH AS A FORMAL COMPLAINT:

- Complaints about pupil behaviour outside of School hours, e.g. weekends and holiday periods – such issues are not the School's responsibility.
- Complaints regarding third parties using or hiring School premises – third party providers should have their own complaints process and you should contact them directly.
- Complaints about the School carrying out a statutory duty, e.g. making a Child Protection referral – the School's complaints process cannot be invoked to stop it from doing something it has a duty to do.
- Matters likely to require a Child Protection Investigation – Complaints about Child Protection matters are handled under the School's Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance.
- A member of staff complaining about another member of staff – refer to the School's Internal Grievance Procedures.
- A member of staff complaining about an action or a decision of the School's Full Governing Body - the Governing Body will have already given the matter full consideration.
- Whistleblowing – refer to the School's Internal Whistleblowing Procedure for all employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for Whistleblowing in education who do not wish to raise matters directly with their employer. Referrals can be made at www.education.gov.uk/contactus
- Complaints regarding internal management decisions, e.g. Class and Teacher Allocations and School Session Time changes. • National Curriculum content – contact the Department for Education at www.education.gov.uk/contactus
- Complaints about a decision or process that has been subject to a full consultation and subsequently approved by the Full Governing Body – the Governing Body has already given the matter full consideration and respondents have had the opportunity through the consultation process to put forward their views.
- Unsuccessful School admission applications – may ultimately be appealed to an Independent Appeal Panel.

• Complaints about Fixed-Term or Permanent Exclusions – Permanent Exclusions may ultimately be appealed to an Independent Review Panel (IRP). For Fixed Term Exclusions, representations can be made to the Chair of Governors outside the provisions of the complaints process.

If other bodies are looking into aspects of a complaint, for example the Police, the Local Authority (LA) Safeguarding Teams or a Tribunal, this may impact on the School's ability to adhere to the timescales set out within this policy and procedure or may result in the process being suspended until the other relevant body has concluded its enquiries.

If a complainant commences legal action against Aston St Mary's CoE Primary School in relation to their complaint, we will consider whether to suspend the complaints process until the legal proceedings have concluded. The School will only consider investigating the complaint after the conclusion of legal proceedings if those proceedings did not address the issues at the heart of the complaint.

Resolving complaints

At each stage of this process, Aston St Mary's CoE Primary School will aim to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld, in whole or in part. In addition, we may offer one or more of the following if it is deemed appropriate and necessary:

- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that we will try to ensure the event(s) complained of will not recur.
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made.
- An undertaking to review relevant School policies in light of the complaint.
- An apology.

Withdrawal of a Complaint

If a complainant wishes to withdraw their complaint, they must inform the School. Aston St Mary's CoE Primary School will ask them to confirm this in writing. If they are unable to do this however, the school will write to them to confirm that their complaint has been withdrawn, in accordance with their wishes.

How we will deal with your concerns

Aston St Mary's Church of England Voluntary Aided Primary School

Website: www.astonmarys.herts.sch.uk

Telephone: 01438 880212

HOW TO COMMENT OR COMPLAIN

We care about what you think

Each day this school 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'.

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 details listed above.

Aims:

At Aston St Mary's C of E (VA) Primary School, we aim to serve our community by providing an education of the highest quality within the context of Christian belief and practice. We encourage an understanding of the meaning and significance of faiths and promote Christian values through the experience we offer to all our pupils.

- 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)**.

Aston St Mary's Church of England Voluntary Aided Primary School

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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). We hope that most complaints can be settled quickly and informally, either by putting matters right or by giving you an explanation. 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 another appropriate member of staff, such as the Special Educational Needs Co-ordinator (SENCo) if it is about Special Needs.

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. If the member of staff you speak to in the first instance is unable to attempt to resolve the matter, you should make an appointment with the Headteacher. You should be able to sort out your worries but sometimes this is not possible. In this case there is a next step.

First - formal stage

Request a meeting with the Headteacher who will investigate your complaint and aim to inform you of the outcome **within 10 school days (2 weeks)**.

If your first contact is with individual Governors, they will advise you to take up your concerns with the appropriate member of staff or Headteacher. 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 (Stage Two) and should be impartial.

If your complaint is about the Headteacher, you should **write to the Chair of Governors**. If your child has a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan (EHCP) you might find it helpful to talk to our Special Educational Needs Co-ordinator (SENCo) or your child's named Special Needs Officer at the Local Authority. The SEND Information Advice and Support Service (SENDIASS – formerly Parent Partnership) may also be able to help you.

Second - formal stage

If you remain dissatisfied following Stage 1 and wish to take your complaint further, you should write a letter addressed to the Chair of Governors. This should be done within two weeks of receiving the response from stage one (not school weeks, but fourteen days from receipt of response). In the letter 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 Body. This is likely to involve a Panel of Governors. If the Chair of Governors or another Governor has been involved in discussions to help settle the disagreement at Stage 1, s/he should arrange for another Governor to take charge of the investigation. The Governor in charge of investigating the complaint may ask to meet you to discuss your concerns.

You 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 Body 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 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 complaint **within 28 school days (5½ weeks)**.

Further recourse

Special Educational Needs provision complaints

If your complaint is about the way the school has been delivering the provision set out in Section F of your child's Education, Health and Care Plan (EHCP), you may complain further to the Local Authority that maintains your child's EHCP.

If the EHCP is maintained by Hertfordshire County Council, you may complain further by setting out the detail of your complaint and sending it to:

Customer Service Team – Complaints
Postal Point: CHO118
Resources Department
County Hall
Hertford
SG13 8DF
Email: cs.complaints@hertfordshire.gov.uk

Once in receipt of your complaint, the Complaints Manager for Children's Services will ensure that the Local Authority completes a Section F Provision Checklist. This process entails a Provision Checklist being drawn up directly from Section F of the EHCP. A Senior SEND Officer will then visit the school in order to work through the checklist point by point and complete it. The Senior SEND Officer will seek the comments of the Headteacher, Senior Leadership Team, SENCo and Governors as appropriate, as well as any other information or advice that they deem necessary.

Once the Provision Checklist has been completed, the Local Authority will notify the complainant of the outcome in writing, enclosing a copy of the checklist. A copy of the outcome letter and Checklist will also be sent to the school for its information and record keeping. This process will take up to 25 working days (of the Local Authority) to conclude.

Complainants who remain dissatisfied following further investigation of their Special Educational Needs provision complaint by the Local Authority may complain to the Secretary of State who may decide to conduct an additional investigation. The contact details for the Secretary of State are set out below.

Further information:

Most complaints are resolved by this process. Should your complaint not be resolved, your further options are as follows:

- You may complain to the Diocese

For Church of England schools:

The Diocesan Director of Education, Diocesan Office, Holywell Lodge, 41 Holywell Hill, St Albans, AL1 1HE. Email: schools@stalbans.anglican.org, Website: www.stalbans.anglican.org. Telephone: 01727 818170.

If the complainant believes that the school did not handle their complaint correctly in accordance with this complaints policy and procedure or that it acted unlawfully or unreasonably in exercising its duties under

education law, they can approach the Department for Education (DFE) after they have exhausted the School's complaints process at Stage 2.

The DFE will not normally re-investigate the substance of a complaint or overturn any decisions made by Aston St Mary's C of E (VA) Primary School. They will consider whether the school has adhered to education legislation and any statutory policies relevant to the complaint. The DFE will not substitute its decision for that of the Stage 2 Complaints Panel simply because the complainant disagrees with it.

The complainant can refer their complaint to the Secretary of State at the Department for Education online at www.education.gov.uk/contactus, by telephone on 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Useful contacts

Advisory Centre for Education

Education Advice & Training
72 Durnsford Road
London
N11 2EJ
Web: www.ace-ed.org.uk
Phone: **0300 0115 142**

POhWER

Hertlands House
Primett Road
Stevenage
SG1 3EE
Web: 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
Phone: **0345 345 4345**

National Youth Advocacy Service

(NYAS)
Egerton House
Tower Road
Birkenhead
Wirral
CH41 1FN
Web: www.nyas.net
Phone: **0345 345 4345**

SENDIASS (Special Educational Needs & Disability Information Advice Support Service – formerly Parent Partnership)

Registry Office Block
CHR102
County Hall
Hertford
SG13 8DF
Web: www.hertsdirect.org/parentpartnership
Email: parent.partnership@hertfordshire.gov.uk
Phone: **01992 555847**

Family Lives

(Formerly Parentline Plus)

15-17 The Broadway
Hatfield
Hertfordshire

AL9 5HZ

Web: www.familylives.org.uk

Phone: 0808 800 2222

Protecting all of God's children

All children have equal access and inclusive rights to the curriculum regardless of their age, gender, race, religion, belief, disability or ability. We plan work that is differentiated for the performance of all groups and individuals. Aston St Mary's Primary School is committed to creating a positive climate that will enable everyone to work free from racial intimidation and harassment and to achieve their full potential.

All staff have equal access and inclusive rights to their work regardless of their age, gender, race, religion, belief, disability or ability.

What complaint/appeal procedures are NOT covered by this document?

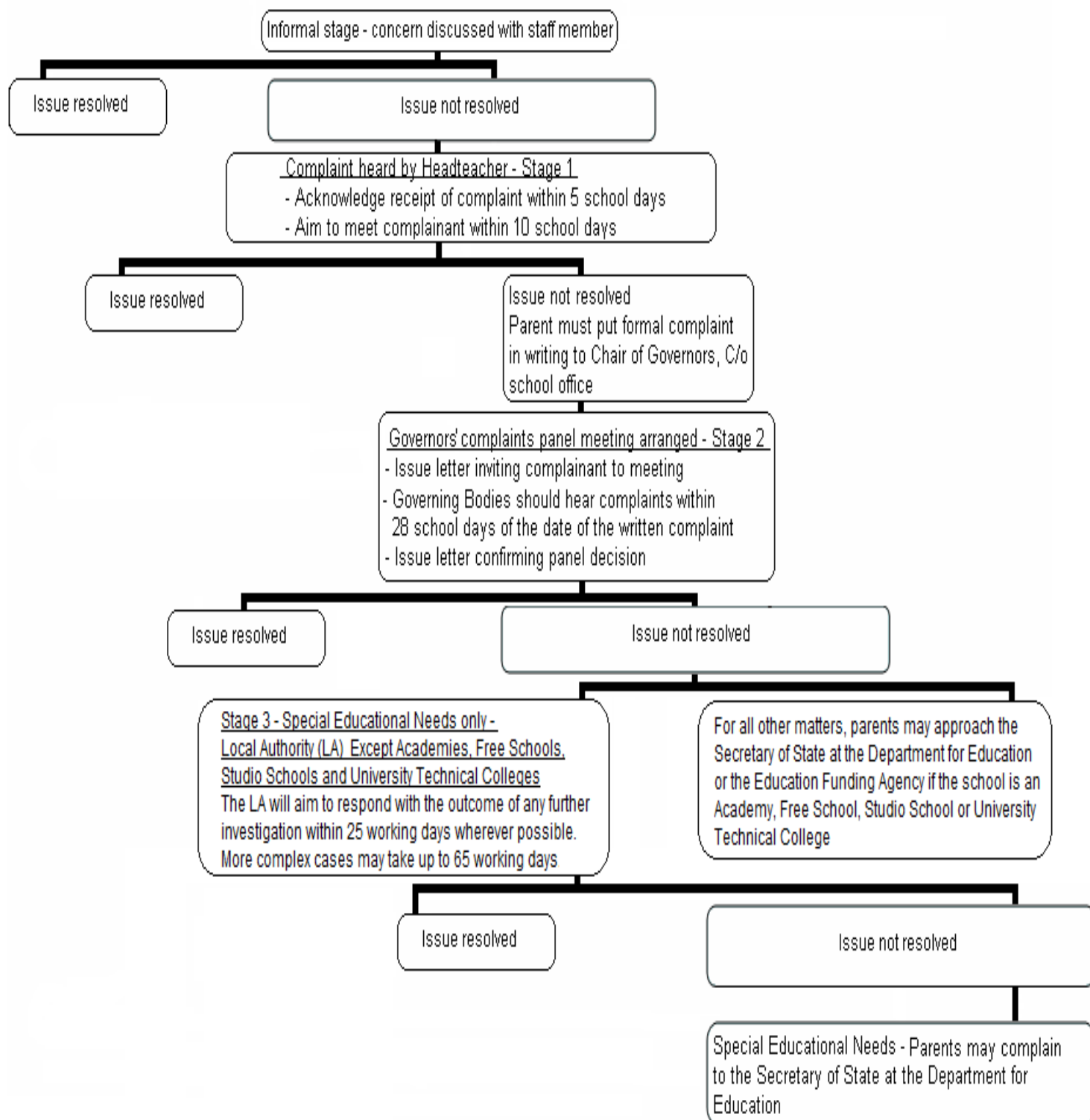
This complaints procedure does not cover:

- Child Protection Procedures - www.hertsdirect.org/childprotection
- Appeals about admissions – <http://www.hertsdirect.org/your-council/hcc/childserv/comments/appealpanels/schadmappeals>
- Appeals to the Governors discipline committee against permanent exclusion from school. Guidance on exclusions is available at the following link - <http://www.hertsdirect.org/your-council/hcc/childserv/comments/appealpanels/schexcapeals>
- Staff Disciplinary Procedures - www.thegrid.org.uk/schoolworkforce/human_resources/policies/documents/csf0030_model_disciplinary_procedures_mar10v2.doc

For further information about these procedures, please contact Children's Services on 0300 123 4043.

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.



Formal Complaint Form

Name:		
Address:		
Postcode:		
Email address:		
Telephone No:	Day:	
	Evening:	
	Mobile:	
What is the nature of your complaint? (Please use additional sheets if needed)		

Have you raised your issue(s) with your child's Class Teacher at the informal stage? If so, when did you do this?	Yes (inc. date)	No
Have you complained to the Headteacher at Stage 1?	Yes (inc. date)	No
What happened when you complained to the Headteacher?		
What are your desired outcomes?		
Signed:		
Date:		

Please return your completed complaint form to the School Office either by email at admin@astonmarys.herts.sch.uk or in hard copy format and it will be passed to the Headteacher or Chair of Governors, depending on what stage the complaint is at and what it is regarding.

Aston St Marys CoE (VA) Primary School
Policy and Procedure for Managing Persistent and Vexatious Behaviour and Complaints

Aston St Mary's C of E (VA) Primary School is committed to dealing with all complaints fairly and impartially and in accordance with the complaints policy and procedure that the Governing Body has adopted.

The school will not normally limit the amount of contact that parents, carers or complainants have with us; however, the school does not expect its staff to tolerate unreasonable behaviour and we will take decisive action to protect staff from such behaviour, including any that the School deems to be abusive, offensive or threatening.

Aston St Mary's C of E (VA) Primary School defines unreasonable behaviour as that which affects the smooth and efficient running of the school on a daily basis, or that which hinders the school's 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 process at any stage.
- Refuses to accept that certain issues are not within the scope of the complaints process.
- Insists on the complaint being dealt with in ways which are incompatible with the complaints process or with good practice, or only in a way that suits themselves.
- Introduces trivial or irrelevant information that they expect to be taken into account and commented upon.
- Raises detailed but unimportant questions and insists they are answered fully, often immediately and to their own timescales.
- Makes unfounded complaints about staff who are trying to deal with the issues and seeks to have them replaced.
- Seeks to change the basis of some or all of the complaint as the complaints process proceeds.
- Repeatedly makes the same complaint(s) (despite previous investigations or responses concluding that the complaint is unfounded or has been fully addressed).
- Refuses to accept the outcome of the complaints process despite the fact that the process has been exhausted and correctly implemented, including signposting the complainant to the Department for Education (DFE).
- Seeks an unrealistic outcome.
- Makes excessive demands on School time by way of frequent, lengthy, complicated and stressful contact(s) with staff regarding the complaint, in person, in writing, by email and by telephone whilst the complaint is being dealt with.
- Uses threats to intimidate.
- Uses abusive, offensive or discriminatory language or violence.
- Makes and breaks contact with the School on an ongoing basis with varying time delays in between.
- Knowingly provides false information.
- Persistently approaches various individuals at the School, as well as the Local Authority, Ofsted and the Department for Education, etc, through different routes about the same issue(s) in the hope of eliciting different responses.
- Publishes what the School deems to be inappropriate or unacceptable information on social media or other platforms.

Complainants should try to limit their communication with the school where it relates to their complaint, whilst the complaint is being progressed through the complaints process. It is unhelpful and unnecessary if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome(s) being finalised.

Wherever possible, the Headteacher or Chair of Governors will discuss any concerns with the Complainant/Parent/Carer about their behaviour informally before deciding to invoke this policy and procedure for managing persistent and vexatious behaviour and complaints.

If any unreasonable behaviour continues after the Headteacher or Chair of Governors has spoken informally with the Complainant/Parent/Carer, the Headteacher will write to them. The Headteacher will confirm that the school deems their behaviour to be persistent and/or vexatious and will ask them to stop behaving in this way.

Wherever Complainants/Parents/Carers continue to contact Aston St Mary's C of E (VA) Primary School excessively, causing a significant level of disruption, the school will consider whether to impose some or all of the following communication restrictions and confirm this in writing accordingly:

- Requesting that contact only takes place in a particular form (e.g. letters only).
- Requiring contact to take place with a designated member of Staff (e.g. the Headteacher).
- Restricting telephone calls to specified days and times.
- Asking the complainant to enter into an agreement about their future contact with the School.
- Informing the complainant that if they do not follow this advice (as stated above), any further communication/correspondence that does not present significant new matters or new information will only be kept on file and will not be acknowledged or responded to.
- If the complainant tries to re-open an issue that has already been considered through the complaints process, the Chair of Governors will inform them in writing that the process has been exhausted, that the matter is now closed, and that the school will not enter into any further correspondence about it.

The decision of the Headteacher or Chair of Governors to invoke this policy and procedure (and any communication restrictions imposed as a result) is final and cannot be challenged or overturned through the school's complaints process. This is because the decision will be reviewed by the Headteacher or Chair of Governors after six months. If the Complainant/Parent/Carer's behaviour has remained the same or worsened, the Headteacher or Chair of Governors reserves the right to extend the communication restrictions for a further six months each time they review the situation. If the Complainant/Parent/Carer's behaviour has improved to a level that the school deems acceptable, then communication restrictions will be lifted on the proviso that should matters regress, the school reserves the right to reinstate the communication restrictions that previously applied.

In response to any serious incident of aggression or violence, Aston St Mary's C of E (VA) Primary School will immediately inform the Police and communicate our actions in writing. This may include barring the individual(s) from the school premises. Should the school deem this necessary, it will ensure that it adheres to the guidance issued by the Department for Education (DFE) entitled [Controlling access to school premises](#).

The school also reserves the right to use and adapt this policy and procedure whenever it deems it appropriate to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.