



Complaints Information for Parents and Carers

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Middleton School

Complaints Procedure

Introduction

HOW TO COMMENT OR COMPLAIN

We care about what you think

Each day this school makes many decisions which we believe to be in the best interests of pupils, families and staff alike. Your comments - either positive or negative - are helpful and warmly received. These comments can contribute towards and effect our 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 share how you are feeling and be listened to.

If you are dissatisfied about the way your child is being treated, or any actions or lack of action by us, please do contact the school either by telephone or e-mail so that we can agree upon a convenient time to discuss this further with you.

Our aims

- Your complaint will be dealt with honestly, respectfully and in confidence
- Your complaint will be looked into thoroughly and fairly
- If your complaint is of an urgent nature we will prioritise a response.
- We will ensure effective communication as we progress through each stage of the investigation
- We will endeavour to identify and put right any errors of judgement/ mistakes
- You will get a full and clear written reply to formal complaints within 28 school days

Hertfordshire County Council cannot deal with complaints about schools. The School Governing Body is responsible in law for having a published complaints procedure and for responding to complaints.

At Middleton School we strive to create a community who can support one another and work together to solve problems. However it is important that if there are concerns that they are highlighted to the appropriate member of staff as soon as possible. In this way we hope that we can work together to solve difficulties before they become a complaint. No reprisals will be made against individuals or groups who complain.

If a more formal complaint needs to be made then there is a system in place to deal with that situation. This system is activated in three stages as outlined below.

Stage One

If you have a concern, 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.

We know that it can feel uncomfortable to question or challenge, but if you don't share your concerns with us then we are unable to attempt to find an agreeable solution. If the first person you talk to cannot help you then speak to the Headteacher. Please contact the school office to arrange an appointment with the Headteacher. If you are not satisfied with the response and possible action taken then you may choose to activate stage two.

If your first contact is with individual Governors, you may be asked to take up your concerns with the Headteacher or 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 (2nd stage) and

should be impartial.

If your complaint is about the Headteacher, you should **write to the Chair of Governors** at the school.

Stage Two

There is an opportunity to complain formally by filling in a form, which is available from the school office and online. (Appendix 1) Address the form to the Head Teacher or Chair of Governors as appropriate. The school office staff will tell you who this is and pass on any written correspondence. The Head teacher/ Chair will then arrange for your complaint to be investigated and considered and will reply within 10 working days. This will enable us to give you a progress report and tell you what will happen next. This may involve a Panel of Governors. When your complaint has been fully investigated the outcome will be shared with you in writing.

Complaints received outside of term time

Middleton School will consider any complaints made outside of term time to have been received on the first School day after the holiday period. The School will send the complainant an acknowledgement of their complaint, confirming the date of receipt, what will happen next and the timescale that applies. This will differ depending on what stage of the complaints process has been reached.

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

Stage three

Most complaints are the responsibility of the Governing Body of the school and will be resolved by them. A small number of complaints for SEN pupils (relating to the EHCP content) may not be resolved by this process.

In the case of complaints specifically relating to the content of an **EHCP**, you will need to direct your complaint to the Local Authority. This should be done by writing to the Complaints Manager in the Customer Service Team Hertfordshire County Council (contact details below)

It should be noted however that if you wish to pursue this route, you must do so within 28 days of receiving the written outcome of the hearing into your complaint. After 28 days, neither the school nor the Local Authority is under any obligation to investigate or progress your complaint any further. Parents who remain dissatisfied following further investigation by the Local Authority have the right to complain to the Secretary of State who may decide to conduct an additional investigation.

Useful contact details

Chair of Governors	Pauline Wallace (The school will be able to pass on any written correspondence)	
Complaints Team (Children's Services)	www.hertfordshire.gov.uk/about-the-council/contact-us/contact-childrens-services-or-schools.aspx# Email: cs.complaints@hertfordshire.gov.uk	01992 588542
ACE (Advisory Centre for Education)	www.ace-ed.org.uk	0300 0115 142
Family Lives	www.familylives.org.uk	0808 800 2222

If you are not satisfied at any stage you may request a paper copy of the full Hertfordshire Model complaints policy which the governors of Middleton School have adopted.

Please note that 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 www.gov.uk/contact-dfe
- 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.

Managing Vexatious, Serial and Unreasonable Complaints

Middleton School 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.

Middleton School 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; or expects limitations to be placed on staff which interferes with their ability to perform their job efficiently
- 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 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.

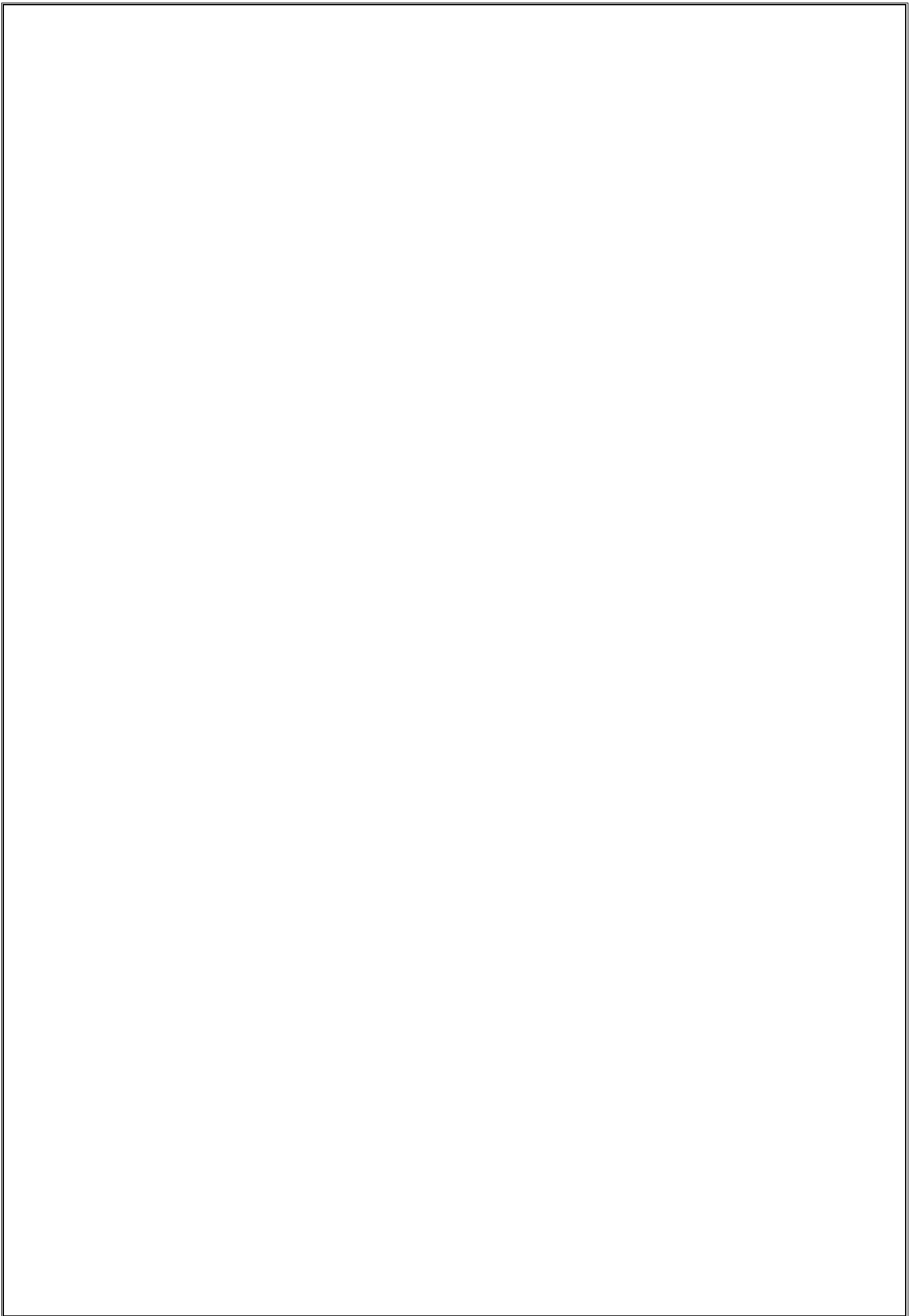
Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

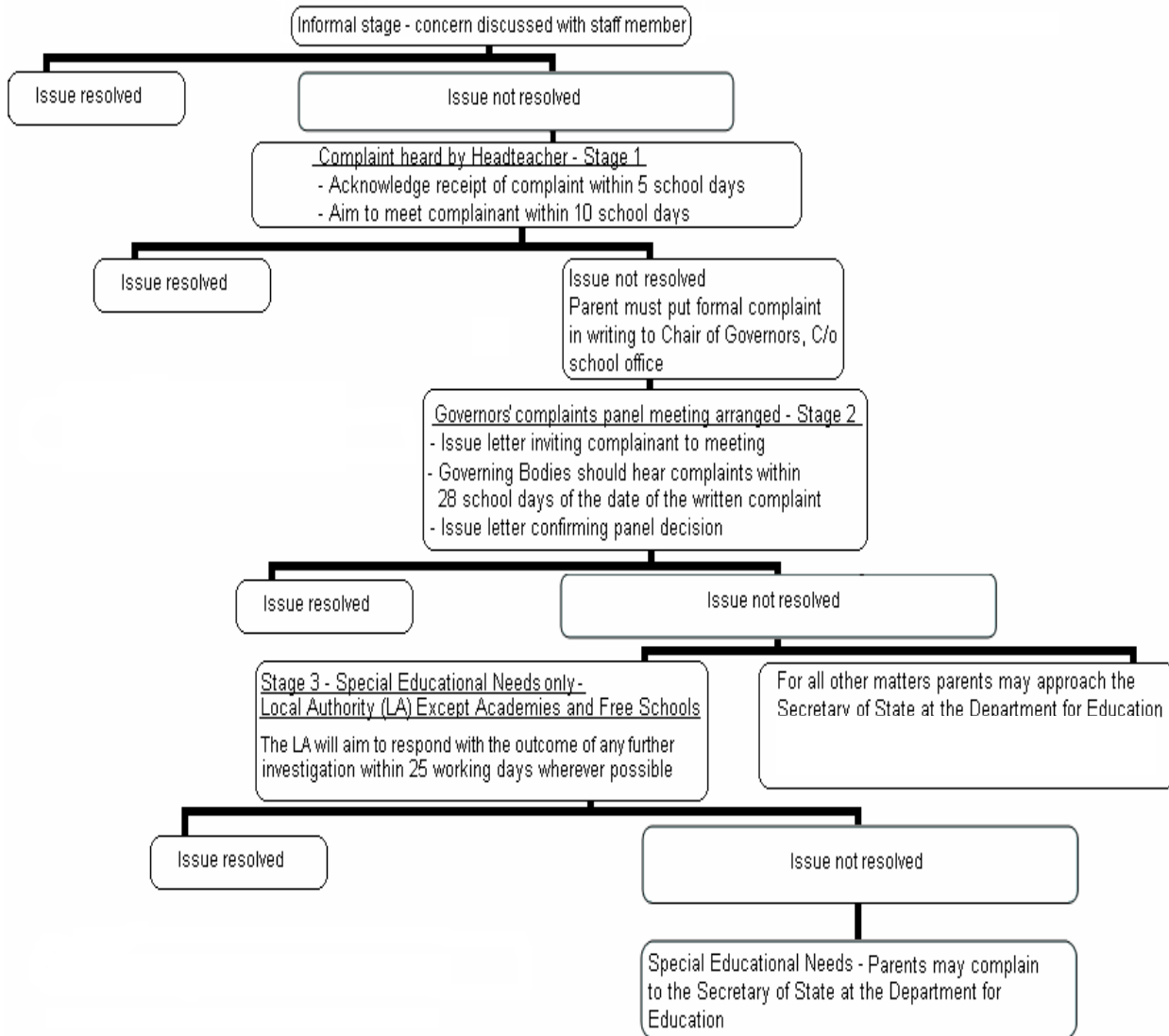
If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Middleton School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a **communication plan** (reviewed after six months). This may include:

- requesting contact in a particular form (e.g. letters only)
- requiring contact to take place with a named member of staff (e.g. Deputy Headteacher)
- restricting telephone calls to specified days and times
- asking the complainant to enter into an agreement about his/her future contact with the school; and informing the complainant that if he/she still does not follow this advice (as stated above) any further correspondence that does not present significant new matters or new information will not necessarily be acknowledged, but should be kept on file
- if the complainant tries to reopen an issue that has already been examined through the complaints procedure, the Chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed

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 Middleton School.



Middleton School Complaints Flow Chart





Complaint form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken. In the case of a complaint against the Headteacher then please send this form to the school marked 'Confidential' for the attention of the Chairman of Governors.

Your name:

Pupil's name:

Your relationship to the pupil:

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)?**

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

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: