



**Head Teacher – Kirsten Macleod**

# **Newham PRUs**

## **Complaints Procedure**

| Version | Author                                 | Last updated            | Review Date             |
|---------|----------------------------------------|-------------------------|-------------------------|
| 1.0     | Strategic Finance and Business Manager | <b>Autumn Term 2023</b> | <b>Autumn Term 2026</b> |
|         |                                        |                         |                         |

Procedure reviewed by: **Strategic Finance and Business Manager**  
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The Management Committee and Head Teacher are committed to providing the best educational experience they can for all pupils attending Phoenix, New Directions PRU or Tunmarsh School. They recognise the value to all concerned of dealing fairly, speedily and effectively with any complaint against their decisions, actions or omissions, which a pupil or parent or other aggrieved person may have. The underlying principles and procedures set out in this document have been agreed.

## 1. Framework of Principles

Our complaints procedure:

- encourages resolution of problems by **informal** means wherever possible;
- is easily **accessible** and **publicised**;
- is **simple** to understand and use;
- is **impartial**;
- allows **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- ensures a full and **fair** investigation by an independent person where necessary;
- respects people's desire for **confidentiality**;
- addresses all the issues and provide an **effective** response and **appropriate** redress, where necessary;
- provides **information** to the Management Committee so that services can be improved.

## 2. Definition of complaint

A school complaint is any communication received by a person or persons with a legitimate interest in the school, but not employed at the school, which expresses dissatisfaction about the standard of teaching of members of the teaching staff, or about the conduct, actions or omissions of members of the teaching or non-teaching staff employed at the school.

## 3. Definition of a complainant

A complainant is someone:

- who allegedly has been wronged;
- whose child(ren) has been wronged (i.e. parent or carers or other person with parental responsibility); or
- someone representing a person in one of the above groups, for example a Councillor.

Where a complainant is a pupil under the age of 18 years, the complaint may be pursued only by, or on behalf of, the child's parent or carer. Where someone other than a pupil or a parent/carers is pursuing a complaint on his or her behalf, this can be done only with the express consent of the pupil or parent concerned.

#### **4. Types of complaints**

##### **4.1. Statutory/established procedures**

Where there are established or statutory or other procedures for dealing with complaints, those will be followed. Areas to which this applies include:

- admissions to schools
- exclusions
- special education provision
- school reorganisation
- matters concerning the curriculum under Section 19 and 23 of the Education Reform Act 1988
- complaints by school staff or prospective staff
- child protection
- public examinations
- school records on individual pupils

See appendix 1 for processes to deal with vexatious complaints

##### **4.2. Complaints not covered by established or statutory procedures**

###### **Stage 1 – Informal Stage**

All complaints, however received, should be reported to the Operational Head of School.

The Operational Head may refer the complaint to an appropriate member of staff to resolve the matter. That member of staff will have a duty to inform the Operational Head if any issue is not resolved after discussion with the complainant. Parents / carers should be encouraged to settle the matter with the Operational Head, class teacher or designated staff member. The majority of straightforward complaints and problems are likely to be resolved at this point.

If the complaint is concerning the Operational Head then the complaint will go directly to Stage 2.

###### **Stage 2 – Head Teacher**

The second stage is where the parent/carer is not satisfied with the informal response or feels it is not appropriate to contact the Operational Head. They should be advised to take up the matter in writing with the Head Teacher. The Head Teacher can, if they wish to do so, refer this to the Chair of the Management Committee. If the Head Teacher undertakes the investigation at stage 2, they will be exempt from sitting on any complaints committee convened to hear a complaint escalated to stage 3. The outcome at this stage may be:

- no further action, with reasons given
- action within the Head Teachers own powers
- referral to the Management Committee for consideration.

If the complaint is concerning the Head Teacher then the complaint should be referred to the Chair of the Management Committee.

### **Stage 3 – The Management Committee**

The third stage will be where the parent/carer is not satisfied with the outcome of the stage 2 investigation and response. They should be advised to put their concerns in writing to the Chair of the Management Committee for consideration. The Committee would meet within 10 working days of the complaint being received.

A panel of three members with *delegated powers* would convene to hear the complaint at a meeting attended by the complainant, the Head Teacher and witnesses. Written evidence is submitted in advance to all parties and verbal evidence given at the hearing.

The committee's decision is final will be notified to all parties as soon as possible after the meeting. The outcome will be one of the following:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

### **5. Timescales**

The following limits should apply to all complaints handled under the schools complaints procedure:

Stage 1: It is reasonable that parents/carers seeking to resolve matters of concern to them should receive a response within **15 working days** of making initial contact, unless there is a good reason not to do so. The response should offer the complainant a full explanation or set out the steps that are proposed to resolve the complaint.

Stage 2: Should be responded to within **15 working days** from receipt of complaint escalation.

Stage 3: Should be responded to within **20 working days** from receipt of complaint escalation.

The longer time limit for Stage 3 reflects the fact that these complaints may be complex and therefore likely to take longer to resolve. Where it is not possible to respond to complaints within these timescales, the complainant should be informed in writing of the reason for the delay and given an anticipated response date.

### **6. Further Stages**

Following the committee's review of the complaint at stage three, it is open to the complainant to pursue their complaint with the Local Authority. The committee will give full consideration to any recommendations or directions the Local Authority may make. The complainant will be advised of this course of action should they remain dissatisfied with a decision made by the committee.

### Complaints Form

|                                                                                                                                 |                                                          |
|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| <b>Your Name</b>                                                                                                                |                                                          |
| <b>Pupil's Name</b>                                                                                                             |                                                          |
| <b>Provision Attended</b>                                                                                                       |                                                          |
| <b>Your relationship to the pupil</b>                                                                                           |                                                          |
| <b>Address</b>                                                                                                                  |                                                          |
| <b>Postcode</b>                                                                                                                 |                                                          |
| <b>Daytime telephone number</b>                                                                                                 |                                                          |
| <b>Evening telephone number</b>                                                                                                 |                                                          |
| <b>Please give details of your complaint:</b>                                                                                   |                                                          |
|                                                                                                                                 |                                                          |
| <b>What action, if any, have you already taken to resolve your complaint? Who did you speak to and what was their response?</b> |                                                          |
|                                                                                                                                 |                                                          |
| <b>What actions do you feel might resolve the problem at this stage?</b>                                                        |                                                          |
|                                                                                                                                 |                                                          |
| <b>Paperwork attached</b>                                                                                                       | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <b>Signed</b>                                                                                                                   |                                                          |
| <b>Date</b>                                                                                                                     |                                                          |

|                                   |                                                                           |
|-----------------------------------|---------------------------------------------------------------------------|
| <b>FOR OFFICE USE ONLY</b>        |                                                                           |
| <b>Date received:</b>             |                                                                           |
| <b>Complaint logged:</b>          | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/><br><b>No</b> |
| <b>Date acknowledgement sent:</b> |                                                                           |
| <b>By who:</b>                    |                                                                           |
| <b>Complaint referred to:</b>     |                                                                           |
| <b>Date of referral:</b>          |                                                                           |
|                                   |                                                                           |

## **Appendix 1**

### **Vexatious Complaints Procedure**

#### **1. Introduction**

There may be instances where complaints are vexatious, repetitive, or intended to harass or disrupt the PRU's operations.

#### **2. Definitions**

A vexatious complaint is one that is repetitive, lacks substance, is made with malicious intent, or has been previously addressed and resolved.

#### **3. Identification of Vexatious Complaints**

Vexatious complaints will be identified by the head teacher following a thorough review.

A complaint may be classified as vexatious if it falls into one or more of the following categories:

- Multiple complaints on the same issue that have already been addressed.
- Complaints intended to cause harm, embarrassment, or distress to an individual or the PRU.
- Complaints containing offensive language, threats, or abusive behaviour.
- Complaints that are demonstrably without merit or based on false information.

#### **4. Procedure for dealing with Vexatious Complaints**

Upon identifying a complaint as vexatious, the head teacher will notify the complainant in writing, explaining why the complaint has been categorised as such.

The complainant will be provided with an opportunity to provide additional information or clarify their concerns within 15 days from the date of notification.

If, after the opportunity for clarification, the complaint remains vexatious, the head teacher will take appropriate action, which may include:

- Limiting the complainant's ability to submit further complaints within a specified timeframe.
- Referring the matter to law enforcement if it involves threats or harassment.
- Pursuing legal remedies if the complaint is found to be malicious and damaging to the PRU's reputation or operations.

## **5. Appeals Process**

Complainants have the right to appeal the categorisation of their complaint as vexatious.

Appeals should be submitted in writing to the Chair of Management Committee within 10 days of receiving the notification of vexatious categorisation.

The appeal will be reviewed independently, and the decision will be communicated to the complainant in writing within 10 days.

## **6. Confidentiality and Data Protection**

All information related to vexatious complaints will be handled confidentially and in accordance with applicable data protection laws and regulations.