



# Complaints Policy and Procedure



### Version History

| Version No. | Date       | Author  | Comments   |
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| 1.0         | July 2019  | F Troop | Policy Created and ratified.   |
| 1.1         | Dec 2021   | F Troop | Checked DfE for guidance or statutory Changes, made minor amendments to policy (such as change in staff names and dates)                                       |
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In accordance with Section 29(1) of the Education Act 2002, all maintained schools and maintained nursery schools must have and publish procedures to deal with all complaints relating to their school and to any community facilities or services that the school provides, for which there are no separate (statutory) procedures.

There is a difference between 'legal requirement' and 'good practice'. In this policy, we use:

- must - where the school has a legal duty to do (or not do) something
- can - where the school has a legal power (not a duty) to do something
- should - for guidance on best practice

Under section 29(2) of the Education Act 2002, governing bodies of maintained schools must 'have regard to any guidance given from time to time (in relation to England) by the Secretary of State' when establishing and publishing complaints procedures relating to their school and any facilities or services the school provides. Therefore, our school has adopted the model policy as detailed by the government from:

[Best practice guidance for school complaints procedures 2020 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/best-practice-guidance-for-school-complaints-procedures-2020)

(Checked April 2023 and January 2024)

The phrase 'must have regard', when used in this context, does not mean that DfE's guidance has to be followed in every detail. While DfE's expectations are that schools will adopt our best practice recommendations, schools can apply alternative processes if they have good reason to.

### Time Scales

We acknowledge that there are sometimes circumstances in school, which could affect the school's usual processes and timescales for complaints. However, as a school we will still endeavour to consider and respond to complaints in a timely way.

If there is any change in timescales, we will make the complainant aware of this.

## 1. Who can make a complaint?

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 Bridgewater Primary School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

## 2. The difference between a concern and a complaint

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

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

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Bridgewater Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

Whilst we understand that having a concern or complaint can be upsetting or frustrating, we will not tolerate verbal or written abuse towards any member of staff or the Governing Body and would ask complainants to share their concerns appropriately. This is outlined in the Expected Behaviour/ Communication with Staff Policy.

We would suggest that concerns are best dealt with directly. We respectfully ask parents not to raise them indirectly with others or on social media or approach members of staff outside of school.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the head teacher will refer you to another staff member.

Similarly, if the member of staff directly involved feels unable to deal with a concern, the head teacher will refer you 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 more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Bridgewater Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

### 3. How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or head teacher. If the issue remains unresolved, the next step is to make a **formal complaint**.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them from considering complaints at Stage 2 of the procedure.

**Formal complaints** (excluding those concerning the Head Teacher) should be made in the first instance, to the Head Teacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the head teacher should be addressed to the Chair of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Teresa Elkin (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

When a complaint is received by the School, the School will always acknowledge receipt. If you do not receive acknowledgement, the School ask that you follow up your complaint to ensure effective delivery. All relevant timelines set out in this policy will apply once the complaint has been acknowledged. The school will also record the fact of, and date of, complaints received.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## 4. Anonymous complaints

We will not normally investigate anonymous complaints. However, the head teacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

## 5. Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time-frame only if exceptional circumstances apply.

## 6. Complaints received outside of term time

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

## 7. Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Bridgewater Primary School, other than complaints that are dealt with under other statutory procedures, including those listed below.

| Exceptions  | Who to contact   |
|---|--|
| <ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs</li> <li>• School re-organisation proposals</li> </ul> | <p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Northamptonshire County Council</p>  |
| <ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>  | <p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency</p> |

|   |  |
|---|--|
|   | Safeguarding Hub (MASH). Please see our Safeguarding Policy for links.<br><a href="https://bridgewaterprimary.net/">https://bridgewaterprimary.net/</a>  |
| <ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>  | <p>Further information about raising concerns about exclusion can be found at:</p> <p><a href="#">A guide for parents on school behaviour and exclusion - GOV.UK (www.gov.uk)</a></p> <p><a href="#">Behaviour in schools: sanctions and exclusions: School behaviour policy - GOV.UK (www.gov.uk)</a></p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. The Behaviour Policy is published on the school website: <a href="https://bridgewaterprimary.net/">https://bridgewaterprimary.net/</a></i></p>   |
| <ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>  | <p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="https://www.gov.uk/contact-dfe">https://www.gov.uk/contact-dfe</a></p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p> |
| <ul style="list-style-type: none"> <li>Staff grievances</li> </ul>  | Complaints from staff will be dealt with under the school's internal grievance procedures.   |
| <ul style="list-style-type: none"> <li>Staff conduct</li> </ul>   | <p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>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.</p>   |
| <ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul> | Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.  |
| <ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>   | Please contact the Department for Education at: <a href="https://www.gov.uk/contact-dfe">https://www.gov.uk/contact-dfe</a>  |

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within

this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Bridgewater Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## 8. Resolving complaints

At each stage in the procedure, Bridgewater Primary School wants 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:

- an explanation
- an admission that the situation could have been handled differently or better.
- an assurance that we will try to ensure the event 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 school policies in light of the complaint.
- an apology.

## 9. Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## 10. Stage 1

Formal complaints must be made to the head teacher (unless they are about the head teacher), via the school office. This may be done in person, in writing, preferably on the Complaint Form. If additional support to make a written complaint is needed, for example, those with a disability, a member of the Office Staff will be asked to support the individual to make their complaint.

The head teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing, either by letter or email, within 5 school days.

Within this response, the head teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

*Note: The head teacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*

During the investigation, the head teacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them

to be accompanied if they wish.

- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the head teacher will provide a formal written response for collection from the school within 15 school days of the date of receipt of the complaint. If the head teacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

If a complainant wishes the response to be posted by recorded/signed for delivery, then the complainant will be made aware that this may occur additional time beyond the 15 days.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Bridgewater Primary School will take to resolve the complaint.

The head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the head teacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the head teacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

An independent investigator appointed by the governing body will consider stage 1. At the conclusion of their investigation, the independent investigator will provide a formal written response.

## 11. Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 15 school days of receipt of the Stage 1 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing, either by letter or email, within 5 school days.

Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Bridgewater Primary School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

*Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

Representatives from the media are not permitted to attend.

At least 7 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will **not** normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge

and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part.
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint.
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Bridgewater Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Bridgewater Primary School.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be heard by a committee of independent, co-opted governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Bridgewater Primary School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

## 12. Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Bridgewater Primary School. They will consider whether Bridgewater Primary School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester

### 13. Serial Complaints

There may be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue with the school, we will inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue and the correspondence may then be viewed as 'serial' or 'persistent' and we may choose not to respond. However, we will not mark a complaint as 'serial' before the complainant has completed the procedure.

Under no circumstances will a complainant be marked as 'serial' for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

### 14. Vexatious Complaints

We may receive complaints we consider to be vexatious. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
- insistence upon pursuing meritorious complaints in an unreasonable manner.
- complaints which are designed to cause disruption or annoyance.
- demands for redress that lack any serious purpose or value.

The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

### 15. Managing serial and unreasonable complaints and contact

Bridgewater Primary School is committed to dealing with all complaints and communications fairly and impartially, and to providing a high-quality service to those who complain.

We will not normally limit the contact you can 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.

We define 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. *In this instance the school may stop responding to you in relation to this complaint as set out in our complaints policy).*
- 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 (*as above, the School may stop responding in this instance*)
- 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.

*Wherever the School are concerned that complainants' are behaving unreasonably or in a manner as outlined above, the School's complaint's Governor will be informed and a review of the complaint and the subsequent communications will be conducted.* Whenever possible, the headteacher, Complaints Governor 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 persist in unreasonable behaviour and/or excessively contact Bridgewater Primary School causing a significant level of disruption, the head may specify and limit the methods of communication (for example for requesting contact with one specified email address) and limit the number of contacts in a communication plan.

However, regardless of the application of any communication strategy, Bridgewater Primary School will provide parents and carers with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005, within the statutory timeframe.

These procedures do not apply to freedom of information (FOI) and data protection (DP) correspondence.

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 the School Premises.

*If persistent, unreasonable communication continues then the School may seek further advice and seek legal redress.*

## 16. Stopping Responding

The decision to stop responding will never be taken lightly. The school will take into account the following in such cases:

- Whether we have followed the school procedures and taken every reasonable step to address the complainant's concerns
- Whether the complainant will be given a clear statement of our position and their options
- Whether the complainant will have contacted the school repeatedly, making substantially the same points each time.

The case to stop responding is stronger if the school can evidence that:

- letters, emails, or telephone calls are often or always abusive or aggressive.
- complainants make or have made insulting personal comments about or threats towards staff.

- we have reason to believe the individual is contacting the school repeatedly with the intention of causing disruption or inconvenience.

Bridgewater Primary School will not stop responding just because an individual is difficult to deal with or asks complex questions.

Bridgewater Primary School is committed to acting reasonably and will consider any **new** complaint. We recognise that anyone has the right to raise a new complaint at any time and failure to respond could result in the school failing to act reasonably.

We may also suggest that the complainant asks a third party to act on their behalf, such as the local Citizen's Advice.

If an individual persists in approaching the school repeatedly to the point that may constitute harassment, the school may seek legal advice.

Once Bridgewater Primary School has decided that it is appropriate and reasonable to stop responding, the school will inform the individual in writing.

## 17. Barring from school premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Head teachers and governing bodies will therefore need to act to ensure they remain a safe place for pupils, staff and other members of their community.

If an individual's behaviour is a cause for concern, the head teacher can ask them to leave school premises. In some cases, individuals can be barred from entering school premises. We will give the individual the opportunity to express formally (in writing) their views on a decision to bar.

The Head teacher's decision to bar will then be reviewed by either:

- the chair of governors
- a committee of governors

They should take into account any representations made by the individual and decide whether to either confirm or lift the bar. If the decision is confirmed, the individual should be notified in writing, explaining:

- how long the bar will be in place.
- when the decision will be reviewed

Once the school's appeal process has been completed, individuals may be able to apply to the Courts. Individuals wishing to exercise this option should seek independent legal advice.

<https://www.gov.uk/government/organisations/department-for-education/about/complaints-procedure>

**Key members of staff with regard to this policy:**

- The Head Teacher – Alison Harvey
- Chair of Governors – Simon Mitchell
- Vice Chair of Governors – Angela Watson
- Clerk to the Governors – Teresa Elkin

## 18. Timeline Summary

This timescale summary is intended to be read alongside the full document above. This table is a guide to time scales only – the full procedures above indicate when these may be subject to change. Please note that school days are term-time days when the school is open.

| Stage 1 Action  | Stage 1 Response   |
|---|--|
| Written complaint to Head Teacher   | Acknowledged within 5 school days.   |
| Response to complaint   | Response within 15 school days.<br>Collection from School Office.<br>If requested, 'Signed for/recorded' postal delivery may be offered.<br><i>If the response will take longer than 15 days the complainant will be contacted to advise of this and a revised date given.</i> |
|   |  |
| Stage 2 Action  | Stage 2 Response   |
| Request to proceed to Stage 2 made in writing to Clerk of the Governors.      | 15 school days from date of letter being available for collection.<br><br>Requests to proceed to Stage 2 outside of this timeframe will only be considered in exceptional circumstances.   |
| Receipt of the request to proceed to Stage 2.                                 | Acknowledged by the Clerk within 5 school days.  |
| Convening of Governor Meeting   | Clerk to convene a meeting within 20 school days.<br><br><i>If the meeting will take longer than 20 school days to convene, the complainant will be contacted and the Clerk will provide an anticipated date to the complainant.</i>   |
| Notification of meeting to all parties by Clerk                               | At least 7 school days before the date of the meeting.   |
| Final submission and circulation of written materials by all parties by Clerk | At least 5 school days before the date of the meeting. Materials submitted after this time will/may?not be considered , as they will be unable to be circulated and considered in time for the meeting.  |

|   |   |
|---|---|
| Written response to the meeting circulated by the Clerk | Within 10 school days of the date of the meeting. |
|---|---|

## 19. Complaint Form

Please complete and return to \_\_\_\_\_ *either headteacher / Clerk / Chair of Governors as appropriate to stage and nature of complaint* who will acknowledge receipt and explain what action will be taken.

|  |
|--|
| <b>Your name:</b>                                    |
| <b>Pupil's name (if relevant):</b>                   |
| <b>Your relationship to the pupil (if relevant):</b> |
| <b>Address:</b>                                      |
| <b>Postcode:</b>                                     |
| <b>Day time telephone number:</b>                    |
| <b>Evening telephone number:</b>                     |

**Please give details of your complaint, including whether you have spoken to anybody at the school about it.**

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

|   |
|---|
| <b>Are you attaching any paperwork? If so, please give details.</b> |
| <b>Signature:</b>   |
| <b>Date:</b>  |
| <b>Official use</b>   |
| <b>Date acknowledgement sent:</b>                                   |
| <b>By who:</b>  |
| <b>Complaint referred to:</b>                                       |
| <b>Date:</b>  |

## 20. Roles and Responsibilities

### Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible.
- co-operate with the school in seeking a solution to the complaint.
- respond promptly to requests for information or meetings or in agreeing the details of the complaint.
- ask for assistance as needed.
- treat all those involved in the complaint with respect.
- refrain from publicising the details of their complaint on social media and respect confidentiality.

## Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved.
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning.
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.
- ensure that any papers produced during the investigation are kept securely pending any appeal.
- be mindful of the timescales to respond.
- prepare a comprehensive report for the head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The head teacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

## Complaints Co-ordinator (this could be the headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure.
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure.
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

## Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings.
- circulate the minutes of the meeting.
- notify all parties of the committee's decision.

## Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy.
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person.
- the remit of the committee is explained to the complainant.
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting.

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed.
- key findings of fact are made.
- the committee is open-minded and acts independently.
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.

- the meeting is minuted.
- they liaise with the Clerk.

## Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting.

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting.

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.