



# Complaints Policy

**Ratified by Governors**

March 2023

**Date of Review**

March 2024

**Chair of Governors**

Carol Kirkland

**Headteacher**

Daniel Kerbel

## **1.Introduction and Overview**

- 1.1 Governing Boards are required by law to have a procedure in place to deal with complaints relating to a school or the provision of community facilities or services at the school. The law requires that this procedure must be publicised.
- 1.2 The vast majority of complaints and concerns can be resolved informally.
- 1.3 A complaint can be brought by a parent of a registered child at the school, a person who has been provided with a service or a facility at the school or any third party who may have cause to complain about the school. The procedure refers to this person as a complainant.
- 1.4 The complainant must feel able to raise concerns and complaints with members of staff without formality, either in person, by telephone or in writing.
- 1.5 At first it may be unclear whether a complainant is asking a question or expressing an opinion rather than making an education complaint. A complainant may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.
- 1.6 A concern or unresolved problem becomes a complaint only when the complainant asserts that a school has acted wrongly in some significant decision, action or failure to take action.
- 1.7 Even when a complaint has been made it can be resolved or withdrawn at any stage.
- 1.8 Schools may have a nominated member of staff with responsibility for the operation and management of the school complaints procedure. This member of staff, however, may not necessarily be the Headteacher.

## **2.Dealing with concerns informally**

- 2.1 All complaints/concerns will be dealt with within 48 hours of the complaint being made. In cases of serial and unreasonable complaints please refer to Section 5 of this policy.
- 2.2 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.
- 2.3 If the behaviour continues, the Head teacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan.
- 2.4 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 our school.

## **3.Resolving issues and raising concerns Policy – Grange Primary**

- 3.1 In the event that a parent or member of the School community has a concern to resolve, please make an appointment through the office. Our aim is to work together in the best, efficient way to find a resolution that supports all those involved. Please do always try to resolve the matter directly with the person directly responsible without escalating the matter unless there is need and then follow the table below to make an appointment via our office.

- 3.2 In matters of Child Protection/Safeguarding please ask for: Mrs Watson (DSL/Deputy Head teacher) . If Mrs Watson is not available, then please ask for Ms. Abdullahi (Safeguarding assistant). If neither of these members of staff are available, please specify that your concern relates to Child Protection and your call will be directed appropriately to our Deputy DSLs.

Each area is dealt with by the first point of direct responsibility, as set out below:

AREAS OF CONCERN	Learning	Behaviour Pastoral Emotional wellbeing Bullying issues	SEND	Premises/ Health & Safety	Finance Admin	Welfare and Medical needs
Point of Contact						
1 <sup>st</sup>	Class teacher	Class teacher	Class teacher	Site Supervisor	Finance Officer  Ms. Padian	Welfare Officer:  Ms. Rickwood
2 <sup>nd</sup>	Phase leads: <u>EYFS:</u> Ms Weber <u>KS1:</u> Ms.Edwards <u>KS2:</u> Mr.Rasheed Ms.Watson	Phase leads: <u>EYFS:</u> Ms Weber <u>KS1:</u> Ms.Edwards <u>KS2:</u> Mr.Rasheed Ms.Watson	Inclusion Lead:  Ms. Asmoucha	School Business Manager:  Mr.Hutchinson	School Business Manager:  Mr.Hutchinson	Attendance Officer:  Ms.Shukal
3 <sup>rd</sup>	Head teacher: Mr.Kerbel	Head teacher: Mr.Kerbel	Head teacher: Mr.Kerbel	Head teacher: Mr.Kerbel	Head teacher: Mr.Kerbel	Head teacher: Mr.Kerbel
4 <sup>th</sup>	Chair of Governors: Ms. Katie Atkinson	Chair of Governors: Ms. Katie Atkinson	Chair of Governors: Ms. Katie Atkinson	Chair of Governors: Ms. Katie Atkinson	Chair of Governors: Ms. Katie Atkinson	Chair of Governors:
5 <sup>th</sup>	LEA Harrow Council	LEA Harrow Council	LEA Harrow Council	LEA Harrow Council	LEA Harrow Council	LEA Harrow Council

## STAGES OF SERIOUS COMPLAINTS

### 4. STAGE 1 – Referral to the Head teacher for investigation

- 4.1 The Head teacher should acknowledge the complaint in writing. In some cases, the Head teacher will have already been involved in looking at the matter; in others it will be his/her first involvement.
- 4.2 The Head teacher should consider providing an opportunity to meet with the complainant to supplement any information previously provided.

- 4.3 If the complaint is against a member of staff, the Head teacher should talk to the staff member against whom the complaint has been made.
- 4.4 If necessary, the Head teacher should interview witnesses and take statements from those involved.
- 4.5 The Head teacher should keep reasonable written records of meetings, telephone conversations and other documentation.
- 4.6 Once all the relevant facts have been established, the Head teacher should produce a written response to the complainant. The Head teacher may wish to meet the complainant to discuss/resolve the matter before confirm the outcome in writing.
- 4.7 The written response should include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.
- 4.8 Stage 1 should be completed in 15 school days. However, it is recognised that where the case is complex, it may prove difficult to meet this timetable. In such cases, the Head teacher should write to the complainant giving a revised target date.
- 4.9 Schools will not pay financial compensation as a response to complaints, though may spend money on a relevant educational purpose (e.g. paying a few for a repeat examination).
- 4.10 The formal stage 1 response should also advise the complainant that if s/he is not satisfied with the response and wishes to take the matter further, s/he should write to the Chair of the Governing Board within 15 school days of receiving the outcome letter. The outcome letter should set out the name of the Chair of the Governing Board and the address to which the complainant can send the letter.
- 4.11 Complaints against the Head teacher – if the complaint is wholly or mainly about the Head teacher, the Governing Board should consider the complaint in accordance with Stage 2 of the procedure described below. However, before Stage 2 is instigated the chair of the Governing Board will invite the Head teacher to respond the complaint in writing within ten school days. The Chair will send a copy of the Head teacher;s response to the complainant who will be asked to indicate within five school days of receipt of the response whether s/he is satisfied with the response. If the complainant is not satisfied with the response state 2 should commence as described in paragraph 6.1. below.

## Special Circumstances

Any complaint or other notice that suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual interference or neglect may be referred without further notice to Children's Social Care and/or to the social services authority for the area in which the child lives. If a social services authority decides to investigate a situation this may postpone or supersede investigation by the Head teacher or Governing Board..

### 5. STAGE 2 - Consideration by the Governing Board

- 5.1 If the complainant decides to take the matter further, the Chair of the Governing Board should write to the complainant to acknowledge the complaint within five school days of receipt of the complaint. A copy of the acknowledgement and the complaints form should be sent to the Headteacher and the Clerk to the Governing Board. (A standard letter is attached to this document which the Chair may wish to use).
- 5.2 Investigating the complaint – If the complaint has been investigated at Stage 1, the result of the investigation must be made available to the Clerk/Chair by the Headteacher. However, where the complaint is against the Headteacher and the complaint is referred to Stage 2, the Chair of the Governing Board must decide how the complaint should be investigated. Where the facts of the complaint are clearly established, it is unlikely for the Chair of the Governing Board to order an investigation. The matter may instead be escalated directly to the Complaints Appeal Panel.
- 5.3 Governing bodies are advised to establish a Complaints Appeal Panel (CAP) drawing on three governors with no prior, direct involvement with the complaint. In deciding the make-up of the CAP, where possible the Governing Board will try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation. Where all (or a majority of governors) are aware of the substance of a complaint before the final stage has been completed, the Governing Board may choose to arrange for the panel hearing the complaint to be made up entirely (or include a number) of independent panel members. In this case, independent panel members may be drawn from another school's Governing Board or from the Local Authority.
- 5.4 The Headteacher should not serve on the CAP. If the Chair of the Governing Board has had any prior involvement in the complaint, then the Chair must not sit on the CAP.
- 5.5 The CAP should consider the complaint on the basis of the written evidence and set up a hearing to hear both parties. The CAP should reconsider the issues raised in the original complaint and not confine themselves to consideration of procedural issues.
- 5.6 The Chair of the CAP should take a decision at the beginning of Stage 2 on whether to seek the services of a Clerk to:
  - Deal with the administration of the procedure;
  - Provide independent advice on procedure and evidence;
  - Ensure that the relevant facts are established;
  - Minute the meeting; and
  - Draft the decision letter.
- 5.7 The Clerk/Chair of the CAP should write to the complainant to explain how the review will be conducted. The letter should be copied to the Headteacher.

- 5.8 The Clerk/Chair of the CAP should confirm the date of the meeting with the other governor(s).
- 5.9 The complainant and Headteacher should be invited to attend the meeting. The date and time of the meeting should be convenient to the complainant and Headteacher, within reason. The notification should inform the complainant of his/her right to be accompanied to the meeting by a friend/representative. It should also explain how the meeting will be conducted and of the complainant's right to submit further written evidence to the committee.
- 5.10 The Headteacher should also be invited to prepare a written report for the CAP in response to the complaint.
- 5.11 All relevant correspondence regarding the complaint should be circulated to the CAP; the complainant and the Headteacher in advance of the meeting.
- 5.12 If the Headteacher and/or the complainant wish to call witnesses, the agreement of the Chair of the CAP should be obtained in advance of the meeting.
- 5.13 It is the responsibility of the Chair of the CAP to ensure that the meeting is properly conducted. However, the proceedings should be as informal as possible.
- 5.14 The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, at the end of the meeting the CAP will need to issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others.#
- 5.15 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to respond to the new evidence. Late evidence of witnesses should not be accepted unless there is a good reason for the lateness.
- 5.16 The meeting should allow for:
- The complainant to explain his or her complaint and the Headteacher to explain the reasons for his or her decision;
  - The Headteacher to question the complainant about the complaint and the complainant to question the Headteacher;
  - The CAP to have an opportunity to question both the complainant and the Headteacher;
  - Any party to have the right to bring witnesses (subject to the approval of the Chair of CAP) and all parties having the right to question all the witnesses; and
  - A final statement by the Headteacher and complainant.
- 5.17 The Chair of the CAP should explain to the complainant and the Headteacher that the CAP will consider its decision, and a written response will be sent to both parties as soon as possible. The complainant, Headteacher and any witnesses will then leave.
- 5.18 The CAP will consider the complaint and all the evidence presented and reach a unanimous, or at least a majority, decision on the complaint. Where appropriate the CAP can decide on the action to be taken to resolve the complaint and/or suggest recommended changes to the school's system or procedures to ensure that problems

of a similar nature donot happen again.As in Section 5.9 above, the CAP will not pay financial compensation as a response to a complaint, though may spend money on an appropriate educational purpose.

- 5.19 The Clerk/Chair of CAP will send a written statement outlining the decision with reasons to both the complainant and the Headteacher.
- 5.20 Stage 2 should be completed in 15 school days. However, it is recognised that this timetable may prove challenging where complaints are complex. In such cases, the CAPchair should write to the complainant and Headteacher giving a revised target date.

## **6.Role of the Secretary of State, Department for Education**

- 6.1 If the complainant is unhappy with the way in which a school has dealt with the complaint, they may be able to approach the Secretary of State, Department for Education (DfE) to intervene. The Secretary of State has a duty to consider all complaints raised butwill only intervene where the Governing Board has acted unlawfully or unreasonably and where it is expedient or practical to do so.
- 6.2 The School Complaint's Unit (SCU) considers complaints relating to Local Authority maintained schools on behalf of the Secretary of State. More information regarding what andhow they will consider complaints is set out in the DfE's Best Practice Advice for School Complaints Procedures - a copy of the 2019 toolkit can be downloaded from the Gov.UK website (go to <https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019>).
- 6.3 More information can be obtained from the SCU by calling the national Helpline on 0370-000- 2288 or going online at [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus) or by writing to: Department for Education School Complaints Unit 2nd floor, Piccadilly Gate Store Street Manchester M1 2WD.
- 6.4 The Gov.UK website also has information on how to complain about a school. Go to <https://www.gov.uk/complain-about-school/state-schools>.

## **7.Vexatious, Serial & Persistent or Unreasonable Complaint**

- 7.1 There will be occasions when despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing Board can inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.



**Annexe A - School Complaint Form (for Stage 1 complaints)**

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Headteacher. {If your complaint is against the Headteacher you will need to send the form to the Chair of the Governing Board}

Your Name: \_\_\_\_\_

Address: \_\_\_\_\_ Postcode: \_\_\_\_\_

Telephone Number (Home): \_\_\_\_\_

Telephone Number (Mobile): \_\_\_\_\_

Name of Child: \_\_\_\_\_ Child's Date of Birth: \_\_\_\_\_

What is your complaint about and what would you like the Headteacher to do?

Continue on a separate page if necessary

When did you discuss your concern/complaint with the appropriate member of staff?

Continue on a separate page if necessary

What was the result of the discussion

Signed: \_\_\_\_\_ Date: \_\_\_\_\_