



# Ridgeway Primary School and Nursery

## Complaints Policy

Status: Statutory  
Source: DFE, NAHT model policy and previous Ridgeway policy  
Last reviewed by: HST/governing body  
Date of review: December 2022-Jan 2023  
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Frequency of review: Biannually or as needed  
Date for next review: Spring 2024

Revision date	Page no	Significant changes made
November 2022		Updated throughout and incorporation of serial, persistent and vexatious complaint information as part of this policy
Dec22 - March 23 wording throughout updated by working group		

## Who can make a complaint?

This complaints procedure is not limited to parents/carers of children who are registered at the school. Any person, including members of the public, may make a complaint to Ridgeway 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) as referred to later, we will use this complaints procedure.

## 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 interests 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. Ridgeway Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, one of the head teachers, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, one of the head teachers 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, Ridgeway Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## 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 of a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with the class teacher initially, then raised with the Leading Practitioner for that phase and, if needed, the Headship Team (HST). 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 also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the head teachers) should be made in the first instance, to the head teachers Suzanne Kelly and Rebecca Shelley via the school office. Please mark them as 'Private and Confidential'.

Complaints that involve or are about the head teachers should be addressed to Sharon Slingsby (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 Colin Milson (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 Citizens Advice to help you.

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.

## Anonymous complaints

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

## Complaint campaigns

If we receive what we consider to be a large volume of complaints, all based on the same subject and possibly from complainants not connected to the school, then we will treat these complaints as being part of a campaign and respond in one of the following two ways, depending on the nature and scale of the complaint:

1. Send the same response to all complainants.
2. Publish a single response on the school's website.

## Managing serial and unreasonable complaints

Ridgeway Primary 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.

Ridgeway Primary 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, but not limited to, 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 cooperate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the procedure
- insists on the complaint being dealt with in ways that are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information that they expect to be taken into account
- 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 being advised that the complaint has been addressed
- refuses to accept the findings of the investigation into that complaint
- seeks an unrealistic outcome
- makes excessive demands on school time while the complaint is being dealt with
- uses threats to intimidate or abusive, offensive or discriminatory language or violence
- knowingly provides falsified information and/or
- 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, one of the head teachers or the Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the head teachers will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Ridgeway Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed at reasonable intervals.

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 Ridgeway Primary School.

### **Persistent correspondents**

If complainants frequently contact the school, causing a significant level of disruption, but refuse to engage with the complaints procedure, Ridgeway Primary School can:

- restrict the complainant to a single point of contact via an email address and/or
- limit the number of times the complainant can make contact

This restriction will be limited to the complainant's capacity to complain. For all other issues the complainant can contact the school as normal.

Ridgeway Primary School may decide to stop communicating if:

- the school has taken every reasonable step to address the complainant's concerns
- the complainant has been given a clear statement of the school's position and their options thereafter
- the complainant contacts the school repeatedly, making substantially the same points each time

And/or if:

- the complainant's letters, emails or telephone calls are often or always abusive or aggressive
- the complainant makes insulting personal comments about or threats towards staff
- the school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience

The complainant will be forewarned about this possible course of action to enable them to have time to stop and change their behaviour.

### **Social media complaints**

Using social media to air complaints is a practice that has, not surprisingly, become increasingly common. In respect of social media, the school holds that unreasonable behaviour is committed when a complainant publishes unacceptable information on social media or on other public forums.

In this event, the school will ask the complainant to refrain from publicising the details of their complaint on social media and to remove any offending article/s and respect confidentiality. The school will escalate the matter if the complainant fails to comply with the school's reasonable requests to remove unacceptable content.

The school will take all reasonable steps to protect itself from and against any 'social media' complaint that is deemed to amount to unreasonable behaviour. In these circumstances, the school will seek professional advice and guidance including reporting content for removal to P.O.S.H (the Professionals Online Safety Helpline), consulting with education trade unions and seeking the counsel of the school's legal support services.

### **Resolving complaints**

At each stage in the procedure, Ridgeway 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

### 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 if exceptional circumstances apply.

### 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.

### Scope of this Complaints Procedure

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

Any complaints about services provided by third-party providers using school premises need to be raised with the third-party organisation who will have their own complaint procedures to follow.

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>	Croydon Local Authority
<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. Contact school HST who are trained Designated Safeguarding Officers.</p> <p>If you have serious concerns about staff conduct, you may wish to contact the Local Authority Designated Officer (LADO): lado@croydon.gov.uk Senior LADO: Steve Hall Email: <a href="mailto:steve.hall@croydon.gov.uk">steve.hall@croydon.gov.uk</a> Tel: 020 8726 6000 Ext 24334 Mob: 07825 830328 LADO: Jane Parr Email: <a href="mailto:jane.parr@croydon.gov.uk">jane.parr@croydon.gov.uk</a> Tel: 0208 726 6000 (Ext. 24817) Mob: 07985 590505</p> <p>Or the Multi-Agency Safeguarding Hub (MASH)</p> <p>For urgent matters: Tel: 0208 255 2888. Consultation Line Tel: 0208 726 6464 Email SPOC referrals to: <a href="mailto:childreferrals@croydon.gov.uk">childreferrals@croydon.gov.uk</a></p>
<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: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p> <p><a href="#">Link to Ridgeway's behaviour Policy</a></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 directly with their employer. Referrals can be</p>

	made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> . Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain directly to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. 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.
• Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.
• National Curriculum - content	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</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 Ridgeway 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.

### **Withdrawal of a Complaint**

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

**Procedure and timescales for dealing with a complaint – further detail after the table**

<b>INFORMAL PROCEDURE</b>	<b>SCHOOL ACTION</b>
Stage 1. Informal. Expression of concern made to the school.	If a parent/carer is concerned in the first instance, arrange to discuss the matter with their child's class teacher. Members of the school's senior leadership team (SLT) may also be involved at this stage. In our experience most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress. Most issues can be resolved very quickly and effectively at this stage.
<b>FORMAL PROCEDURE STAGE 1</b>	<b>SCHOOL / GOVERNOR ACTION</b>
The complaint is submitted to one of the head teachers who has not previously been involved, using form in Appendix A.	The head teacher acknowledges receipt within 5 school days. A member of the SLT will investigate and a full written response provided within 20 school days.
Complaints made against the Co-Heads should be directed to the Chair of Governors via the school office in the first instance by completing the form in Appendix A.	The clerk acknowledges receipt within 5 school days. Complaint is investigated by a suitably skilled Governor and a written response provided within 20 school days.
Complaints made against any member of the governing board should be directed to the Clerk of Governors via the school office in the first instance by completing the form in Appendix A.	The Clerk acknowledges the complaint within 5 school days. An independent investigator will be appointed by the governing body or the Local Authority. Complaint is investigated and a full written response provided within 20 school days.
<b>FORMAL PROCEDURE STAGE 2</b>	<b>SCHOOL / GOVERNOR ACTION</b>
The complaint is submitted to the Chair of Governors by completing form in Appendix A via the school office either through email or hard copy stating 'Private and Confidential: for the attention of the Chair of Governors'.	The Clerk acknowledges receipt within 5 school days. The Chair of Governors or Nominated Representative will convene a Governors Complaints Panel, which may include an independent governor, to review the complaint. Panel will convene within 20 school days with a response issued to the complainant within 10 school days of the panel meeting.
Complaints made against any member of the governing board should be directed to the Clerk of Governors via the school office in the first instance by completing the form in Appendix A via the school office either through email or hard copy stating 'Private and Confidential: for the attention of the Chair of Governors'.	The Clerk acknowledges the complaint within 5 school days.  Stage 2 will be heard by a committee of independent 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 Ridgeway Primary School will take to resolve the complaint.  Panel date agreed within 10 school days, panel to sit within 20 school days of complaint. Response within 10 school days of the panel meeting.
<b>FORMAL PROCEDURE STAGE 3</b>	<b>SCHOOL / GOVERNOR ACTION</b>
Appeal – see page 10 for detail	A Governor will review how the complaint was dealt with to ensure policy procedures was followed.

## **Stage 1 - Investigation**

Formal complaints must be made to the head teachers (unless they are about the head teachers), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

The head teachers or a nominated senior leader will be the investigator. They 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 investigator may (if not clear within the initial complaint) seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The investigator will consider whether a face-to-face meeting is the most appropriate way of gathering information. See Appendix C for further information about carrying out an investigation under Investigator.

*Note: The head teachers may delegate the investigation to another member of the school's SLT but not the decision to be taken.*

During the investigation, the investigator will:

- Establish what has happened so far and who has been involved
- Clarify the nature of the complaint including what outcome the complainant is seeking
- Meet with the complainant or contact them if further information is required
- Conduct any interviews with an open mind and be prepared to persist in the questioning
- Keep a written record of any meetings/interviews in relation to their investigation

At the conclusion of their investigation, the head teachers will provide a formal written response within 20 school days of the date of receipt of the complaint.

If the head teachers are unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 Ridgeway Primary School will take to resolve the complaint.

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

Complaints about the head teachers or a 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, Stage 1 will be considered by an independent investigator appointed by the governing body or the Local Authority. At the conclusion of its investigation, the independent investigator will provide a formal written response within 20 school days.

## **Stage 2 – Governor Panel**

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 three, impartial, governors.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 5 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 time frame 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 Ridgeway 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. It is best practice to invite the complainant and school to a face-to-face meeting.

At least 10 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 7 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.

#### Stages of a face-to-face Governor panel hearing:

- Complaint submitted in writing to the Chair of Governors, complaint is acknowledged by the clerk and a panel date agreed by all parties involved (as outlined above)
- Paperwork to be circulated at least 5 days before the hearing. Complainant must outline the outcome they are seeking.
- Each party is invited to the meeting.
  - 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.
  - 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.
  - Representatives from the media are not permitted to attend.
- The meeting will be held in private.
- 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 Chair will manage the meeting to enable all to make their case and for any clarifying questions to be asked and for responses to be provided.
- Written minutes will be taken by a minute taker. 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.

*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.*

#### Powers of the panel:

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 Ridgeway Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days of the meeting.

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 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 Ridgeway Primary School will take to resolve the complaint. **See Appendix B**

The response will also advise the complainant of how to escalate their complaint to the appeals stage or how to contact the Department for Education should they remain dissatisfied with the way their complaint has been handled by Ridgeway Primary School.

### **Stage 3: Appeal Stage**

If the complainant doesn't feel that the complaint was handled in line with the school's policy they may appeal.

Using the form in **Appendix A** the complainant will record the reasons they feel their complaint was not handled in line with the school's complaints policy. The complainant should submit any other written evidence of how this complaint has been handled at Stage 1 and Stage 2 of the process.

The appeal governor may be an independent governor or a governor from the school board who has had no previous involvement in the complaint. The reviewing governor will review the documentation and decide if the complaint policy was followed correctly. If they feel the complaint has followed policy this will be the final school-based stage. If the reviewing governor feels that the policy was not followed, they will make recommendations to the Chair of Governors and to the reviewing panel. This may result in a review of the policy or the complaint being referred to a previous stage.

The decision of the panel is final and will be confirmed in writing to the complainant. **See Appendix B**

### **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 Ridgeway Primary School. They will consider whether Ridgeway 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  
M1 2WD

### **Record of meetings**

If a complainant would like a record of the meetings they need to inform the school in advance and a member of staff will be asked to keep minutes of the meeting. A clerk to the Governing Body will record the minutes of hearings. School will only consider agreeing to the recording of meetings to enable reasonable adjustments to be made for people with a disability, learning difficulties, or only a rudimentary command of English, as stated in under the Equality Act 2010.

## Appendix A Complaint Form

Please complete and return to the school office for the attention of the head teachers or the Chair of Governors (depending on the stage of the complaint - see stages on page 7).

<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>
<b>Before a written complaint can be considered, you should consider resolving this at an informal stage. What actions have you already taken to try to resolve the complaint with staff? If at the appeal stage move to the next box.</b>
<b>Please give details of your complaint, including outcomes of trying to resolve it at the informal stage?</b>
<b>What specific actions do you feel might resolve the problem at this stage?</b>
<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>

## Appendix B: Letter templates following the Investigation at Stage 1 / Panel investigation at Stage 2 / Appeal Stage

### Re: decision following an investigation of a complaint at Stage 1

Dear [name of complainant],

I am writing to inform you of the outcome of your complaint which was investigated by [Insert names of investigator].

The following evidence was considered:

[Summarise the evidence considered as part of the hearing]

After reviewing the evidence, the head teacher has [insert the outcome, which may be:]

- 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

Provide reasons for the decisions you made for each point within the complaint and any specific actions which will be put in place following the investigation.

In all scenarios where complaints are dismissed and no further action will be taken, explain:

If you are dissatisfied with the outcome of your complaint please refer to stage 2 of the complaints policy for the next stage.

Yours sincerely,

Name of HT

Signature: \_\_\_\_\_

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

### Re: decision from the complaints panel at Stage 2

Dear [name of complainant],

I am writing to inform you of the outcome of your complaint hearing on [date], attended by:

[Insert names of those who attended]

The following evidence was considered:

[Summarise the evidence considered as part of the hearing]

After reviewing the evidence, the panel has [insert the outcome, which may be:]

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
- Recommend to the board that relevant school policies are reviewed

Judged the complaint to be unsubstantiated. No further action will be taken

Provide reasons for the decisions you made for each point within the complaint and any specific

actions which will be put in place following the investigation.

In all scenarios where complaints are dismissed and no further action will be taken, explain:

If you feel the complaint was not handled in line with the school's published Complaints Policy please refer to Stage 3 – Appeal Stage of the complaints policy.

Yours sincerely,

[Name of the clerk to governors/panel clerk], on behalf of the panel.

Signature: \_\_\_\_\_

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

### Letter template following decision from the Appeal Stage

Dear [name of complainant],

I am writing to inform you of the outcome of your appeal about how your complaint was handled. This appeal was carried out on [date], by: [Insert name]

The following evidence was considered:

[Summarise the evidence considered as part of the hearing]

After reviewing the process the it has been decided that your complaint was handled with in line with the school's policy

OR

was not handled in line with school policy for the following reasons:

[insert reason)

The reviewing officer is recommending the following action / s:

That the governing board review school policies linked to the complaint

Review the procedures in the Complaints policy (as outlined above) and explore why the policy was not followed

The complaint should be reinvestigated at stage 1 / reheard by a panel as per stage 2.

OR

There will be no further action by the school or board of Governors. OR

If you're unsatisfied with this outcome, you can refer your complaint to the Department for Education (DfE).

The DfE will not re-investigate the matter of your complaint, but will look to see that our complaints policy and any other relevant statutory policies that we hold were followed properly.

The DfE will intervene if we have:

1. Failed to act in line with our duties under education law
2. Acted (or are proposing to act) unreasonably when exercising our functions

If our complaints procedure is found to not meet regulations, we will be asked to correct our procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

Yours sincerely,

[Name of the appeal governor

## Appendix C: 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
- cooperate 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:
  - o sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved. This is best carried out face-to-face where possible
  - o interviewing staff and children/young people and other people relevant to the complaint
  - o consideration of records and other relevant information
  - o 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. These should be placed in a portfolio held centrally once the report of the investigator is submitted to HST
- be mindful of the timescales to respond
- prepare a comprehensive report for the head teachers (if not a head teacher investigating) or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems

The head teachers 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 – the head teachers if not about the head teacher; the Clerk if complaint is about one of the head teachers / Governors

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, head teachers, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - o sharing third party information
  - o 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
- 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 (and complaints coordinator, if the school has one)

## 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
- 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 may feel nervous and inhibited in a formal setting and 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/carer is the complainant, the committee should give the parent/carer the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent/carer should be advised that agreement might not always be possible if the parent/carer 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