

# Complaints Policy

## Parsonage Farm Primary School



<b>Approved by:</b>	Russell Abrahall	<b>Date:</b> Autumn 2023
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### 1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- › Be impartial and non-adversarial
- › Facilitate a full and fair investigation by an independent person or panel, where necessary
- › Address all the points at issue and provide an effective and prompt response
- › Respect complainants' desire for confidentiality
- › Treat complainants with respect and courtesy
- › Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- › Keep complainants informed of the progress of the complaints process
- › Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

## 2. Legislation and guidance

This document meets the requirements of section 29 of the [Education Act 2002](#), which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE), including the model procedure, and model procedure for dealing with unreasonable complaints.

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

## 3. Definitions and scope

### 3.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

### 3.2 Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

We have separate policies for procedures relating to these types of complaint.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

## 4. Roles and responsibilities

### 4.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed

- › Treat all those involved with respect
- › Not publish details about the complaint on social media

## 4.2 The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- › Interview all relevant parties, keeping notes
- › Consider records and any written evidence and keep these securely
- › Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions

## 4.3 The complaints co-ordinator

The complaints co-ordinator can be:

- › The headteacher
- › The designated complaints governor
- › Any other staff member providing administrative support

The complaints co-ordinator will:

- › Keep the complainant up to date at each stage in the procedure
- › Make sure the process runs smoothly by liaising with staff members, the headteacher, chair of governors, clerk and local authority
- › Be aware of issues relating to:
  - Sharing third party information
  - Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person
- › Keep records

## 4.4 Clerk to the governing board

The clerk will:

- › Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- › Arrange the complaints hearing
- › Record and circulate the minutes and outcome of the hearing

## 4.5 Committee chair

The committee chair will:

- › Chair the meeting, ensuring that everyone is treated with respect throughout
- › Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

## 5. Principles for investigation

When investigating a complaint, we will try to clarify:

- › What has happened
- › Who was involved
- › What the complainant feels would put things right

## 5.1 Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- › Set new time limits with the complainant
- › Send the complainant details of the new deadline and explain the delay

## 5.2 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4666, or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

## 6. Stages of complaint (not complaints against the headteacher or governors)

### 6.1 Stage 1: informal

In most cases concerns can and wherever possible should be resolved by contacting your child's class teacher. Your initial communication may be by letter, telephone conversation or in person by appointment. Where a letter is not provided, the member of staff involved will keep a written record of the complaint made. If you feel the issue has not been resolved, then you should arrange an appointment to meet the Year Group Leader to discuss your concerns further. The next stage would be an appointment with the Assistant Headteacher followed by a meeting with the Deputy Headteacher.

Where the outcome of this does not lead to the issue being resolved then your complaint will need to be dealt with through the formal stages of this procedure.

### 6.2 Stage 2: formal

If you are not satisfied with the response from the members of staff at Stage 1 then you need to submit a written complaint to the Headteacher (a written complaint form is included within this document Appendix C – pages 15-16). If your complaint is about the Headteacher, please see page 6).

Within 5 school days of receiving your written complaint form, the Headteacher will write to you setting out how the complaint is to be investigated and advising you that the outcome of the investigation or an update on the progress of the investigation will be notified to the complainant within 25 school days of receipt of the letter. If further investigations are necessary, new time limits will be set and shared with you.

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

Once the Headteacher is satisfied that the investigation into your complaint has been concluded and they have reached a decision on the issue(s) raised, the Headteacher will write to you to inform you of his conclusions and any actions that will be taken as a result of your complaint (except in the case of any action

taken against individual pupils or members of staff which would remain confidential). At this stage, the consideration of the complaint by the Headteacher is concluded.

### 6.3 Formal Stage – Governors’ Complaints Review Panel

If having received the letter from the Headteacher you remain dissatisfied with the manner in which your complaint was dealt with, you may request that the Governors’ Complaints Review Panel is convened to consider the process followed by the Headteacher. To request that the Review Panel meets, you should submit a written request to the Clerk to the Governing Body at the School within 10 school days of the date of the Headteacher’s letter giving the conclusion of the investigation and give details of why you feel that the procedure has not been followed appropriately.

The review panel will usually be a panel of three members of the governing body who will not have had any prior knowledge or involvement, either directly or indirectly, in the issue which is the subject of the complaint. **The role of the review panel is to review the process followed not the decision taken by the Headteacher.**

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 3 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.

Representatives from the media are not permitted to attend.

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 will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

If all members of the Governing Body are aware of the substance of a complaint before the final stage has been completed, an independent panel will be convened to hear the complaint which may include governors from other schools who are unaware of the details of the complaint.

Complainants have the right to request an independent appeal panel, if they believe there is likely to be bias in the proceedings. Such requests should be considered but ultimately, the decision is made by the governors.

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.

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 the school with a full explanation of their decision and the reason(s) for it, in writing, within 20 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 the 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 3 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 the school will take to resolve the complaint.

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

## 7. Complaints against the headteacher

### 7.1 Informal Stage

If you have a complaint regarding an action taken by the Headteacher, you would usually be expected to speak directly with the Headteacher.

### 7.2 - Formal Stage

If the complaint is not resolved at Stage 1, or in the case of serious concerns, the complainant must put the complaint in writing to the Chair of the Governing Body who is responsible for investigating the issue. In some circumstances, it may be more appropriate for the investigation to be conducted by the vice chair and this will be for the Chair to determine.

In your letter of complaint, you should include details which might assist the investigation, such as the dates and times of the event(s), details of anyone else involved or who could corroborate details of the event(s) and copies of any relevant letters or documents. The Chair (or Vice Chair if appropriate) will arrange a meeting with you to clarify the issues that have resulted in the complaint. During such a meeting the Governing Body may arrange for a note taker to be present.

Once the Chair has had an opportunity to consider the complaint and any additional information (such as the notes of the meeting described above), the Chair (or vice Chair as appropriate) will meet with the Headteacher to discuss the complaint and the Headteacher's response.

When the investigation has been concluded, you and the Headteacher will be informed in writing of the outcome. It is expected that this will take no more than 20 school days from the receipt of the written complaint. If the outcome is disciplinary / capability action, this information will not be shared with you as this will remain confidential.

### 7.3 - Formal Stage – Governors' Complaints Review Panel

If having received the letter from the Chair of the Governing Body (or Vice Chair as appropriate) you remain dissatisfied with the manner in which your complaint was dealt with you may request that the Governors'

Complaints Review Panel is convened to consider the process followed by the Chair. To request that the Review Panel meets, you should submit a written request to the Clerk to the Governing Body at the School within 10 school days of the date of the Headteacher's letter giving the outcome of the investigation and give details of why you feel that the procedure has not been followed appropriately.

The review panel will usually be a panel of three members of the governing body who will not have had any prior knowledge or involvement, either directly or indirectly, in the issue which is the subject of the complaint. **The role of the review panel is to review the process not the decision taken by the Chair of Governors (or Vice Chair as appropriate).**

If all members of the Governing Body are aware of the substance of a complaint before the final stage has been completed, an independent panel will be convened to hear the complaint which may include governors from other schools who are unaware of the details of the complaint.

Complainants have the right to request an independent appeal panel, if they believe there is likely to be bias in the proceedings. Such requests should be considered but ultimately, the decision is made by the governors.

## 8. Complaints against a governor or the governing board

The Governing Body has an agreed Code of Conduct for governors which sets out agreed expectations for governors.

Any complaint against a member of the Governing Body should be submitted in writing to the Clerk to the Governing Body at the School.

The Clerk will refer the matter to the Chair (or Vice Chair if the complaint is about the Chair) for consideration and where necessary, investigation.

Should the matter remain unresolved, the issue may be referred to the full governing body. It may be appropriate for the governor to be suspended or removed from the governing body.

## 9. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the DfE.

The DfE will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The DfE also looks at whether the school's statutory policies adhere to education legislation.

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

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

We will include this information in the outcome letter to complainants.

## 10. Persistent complaints

### 10.1 Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out



- › Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- › Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

### **Steps we will take**

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- › Give the complainant a single point of contact via an email address
- › Limit the number of times the complainant can make contact, such as a fixed number per term
- › Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- › Put any other strategy in place as necessary

### **Stopping responding**

We may stop responding to the complainant when all of these factors are met:

- › We believe we have taken all reasonable steps to help address their concerns
- › We have provided a clear statement of our position and their options
- › The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

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 site.

## **10.2 Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- › Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- › Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

## **10.3 Complaint campaigns**

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- › Publishing a single response on the school website
- › Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

# **11. Record keeping**

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and our record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

## 12. Learning lessons

The governing board will review any underlying issues raised by complaints with the headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

## 13. Monitoring arrangements

The governing board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The governing board will track the number and nature of complaints, and review underlying issues as stated in section 11.

This policy will be reviewed by the Headteacher every 3 years.

At each review, the policy will be approved by the headteacher.

## COMPLAINTS NOT IN SCOPE OF THE PROCEDURE

This complaint procedure does not apply to the items listed below for which there are separate (statutory) procedures as indicated below.

### Exceptions

- Admissions to schools
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation (school safeguarding procedures Should be followed)

### Who to contact

Concerns should be raised direct with local authorities (LA). For school admissions, it will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.

- Exclusion of children from school

Further information about raising concerns about exclusion can be found at: [www.gov.uk/school-discipline-exclusions/exclusions](http://www.gov.uk/school-discipline-exclusions/exclusions).

- Whistleblowing

Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk) or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.

- Staff grievances, conduct and disciplinary procedures

These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation. 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.

**COMPLAINTS PROCEDURE FLOW CHART**

**STAGE ONE – INFORMAL STAGE**

Complainant contacts the individual member of staff (where relevant)



Resolved? → Yes

No – complainant arranges meeting with the Year Group Leader



Resolved? → Yes

No – complainant is referred to Assistant Headteacher



Resolved? → Yes

No – Deputy Headteacher is contacted by complainant



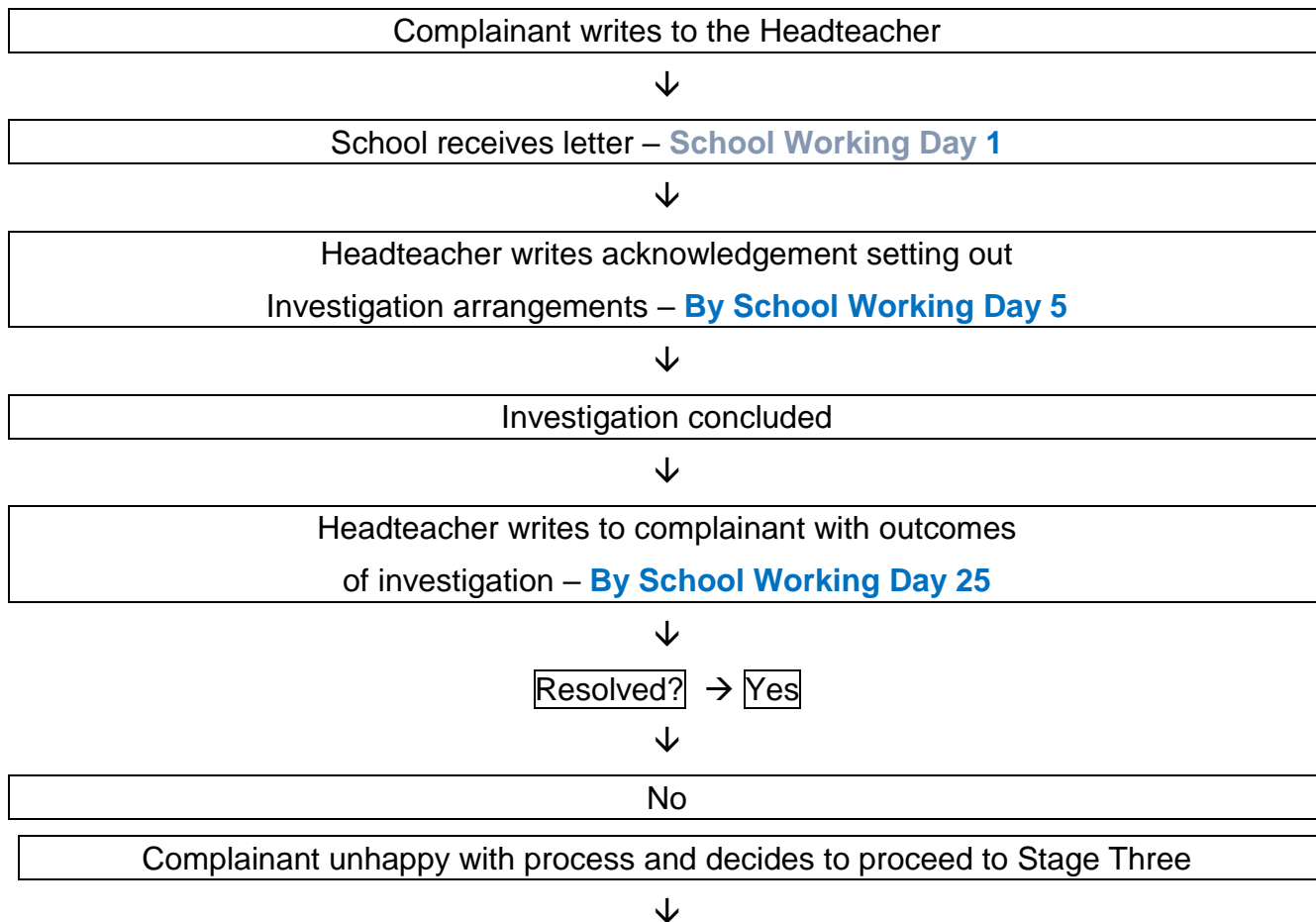
Resolved? → Yes



No – complainant decides to proceed to Stage Two



## STAGE TWO – FORMAL STAGE



**STAGE THREE – FORMAL STAGE  
GOVERNORS' REVIEW PANEL**

Complainant writes to the Clerk to Governors about process followed in Stage 2



Clerk receives letter – **School Working Day 1**



Panel review process



Panel communicates its findings to all parties – **By School Working Day 25**



Resolved? →  Yes



No



If complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State who has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

Note: If the complaint is about the actions of the Headteacher then the chair of the Governing Body carries out the Headteacher's role indicated above.



Please continue on a separate document if necessary and state here how many additional sheets used. There are \_\_\_ separate pages attached.

What action, if any have you already taken to try to resolve your complaint? Please give details of anyone who you have spoken with or written to about this issue and the outcome.

What actions do you feel might resolve the issue that you have raised?



Signature \_\_\_\_\_ Date \_\_\_\_\_

School Use:

Date Form received: \_\_\_\_\_ by: \_\_\_\_\_

Date acknowledgement sent: \_\_\_\_\_ by \_\_\_\_\_

Date of outcome letter sent \_\_\_\_\_ by \_\_\_\_\_