



Turvey Primary School

Complaints Policy and Procedures

Updated: Autumn 2023
To be reviewed: Autumn 2024

Aims:

The purpose of this policy is to provide a framework for resolving any concerns or complaints made to the school and the Governing Body.

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
- Make sure 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 make sure 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.

Definitions and Scope

Occasionally parents, carers, pupils or other adults will have concerns about an aspect of the school's work. These concerns can usually be resolved by arranging a meeting to discuss the issue with the relevant member of staff.

The staff and Governing Body at our school would prefer that all concerns can be addressed and resolved informally with the member of staff involved.

All concerns and complaints will be handled with absolute confidentiality.

However there may be occasions when a concern cannot be resolved by meeting and discussing this with the member of staff and then the parent/carer may decide to make a formal complaint.

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'. The school will resolve concerns through day-to-day communication as far as possible.

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

It is in everyone's interest that 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 procedures. We take informal concerns seriously and 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, 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.

There are occasions when complainants would like to raise their concerns formally. In those cases, the school's formal procedure should be invoked through the stages outlined in this policy.

Complaints should be raised as soon as possible and within three months after the incident has occurred, wherever possible and unless there are exceptional circumstances. We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Where the Headteacher or Chair of Governors is unable to comply with the timescales, he/she will inform the complainant. This will only arise if the complaint is complex or the availability of key people is a problem.

An anonymous complaint will not be investigated unless there are exceptional circumstances. Please see the school's Whistle blowing policy, which can be found either on the school website or a hard copy can be requested from the school office (a charge may apply).

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.

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.

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.

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
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
- School re-organisation proposals
- Curriculum
- Collective worship

Please see our separate policies/procedures relating to these types of complaint.

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 serial and 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.

COMPLAINTS PROCEDURES

The purpose of the following procedure is to ensure a fair and consistent approach to dealing with complaints for all parties.

Stage 1

If the concern has not been resolved informally and the parent/carer wishes to pursue the issue, then a formal complaint should be made. A complaint may be made in person, by telephone, or in writing to the complaints co-ordinator. At Turvey Primary this is the Headteacher. Assistance with completing forms will be provided if required. **(Appendix 1: Complaints form)**.

Complaints that involve or are about the headteacher 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 the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

The Complaints Co-ordinator will:

- Acknowledge receipt of the complaint within 5 school days.
- Ensure that the complainant has a copy of the Complaints Procedures.
- Keep the complainant updated at each stage of the procedure.
- Keep records.
- Offer additional support to the complainant if required including interpretation support.

The Investigator

This person is involved in Stages 1 and 2 of the procedure. The person investigating will be the Head teacher, a Governor or the Chair of Governors depending on individual complaints. This person will:

- Establish what has happened so far and who has been involved.
- Clarify the nature of the complaint and what remains unresolved.
- Request information relating to the complaint from the member of staff (or Head teacher if the complaint is about the Head).
- The headteacher (or designated member of the senior leadership team) will call a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance. In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

- Neither party is able to bring legal representation with them. If after the hearing any party feels that legal action is necessary, please see the contact details at the end of the procedure.
- Conduct any interview with an open mind.
- Clarify what the complainant feels would put things right.
- Make notes throughout the investigation.
- Review the information provided.
- Identify solutions and recommend courses of action to resolve problems.
- Ensure that all people involved in the complaint procedure are aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 2018 and Freedom of Information Act 2000.
- Keep records.
- Inform both parties in writing of the outcome of the investigation within 14 school days of acknowledging the complaint, using plain and clear language and providing a clear explanation of why the decision has been made.

The outcome of the investigation will be:

- To uphold the complaint and explain action to be taken.
- Partially uphold the complaint and explain action to be taken.
- To dismiss the complaint and give details of stage two appeal process including contact details of the clerk.
- Cannot uphold the complaint due to lack of evidence.

This should be the conclusion of the complaint.

Stage 2

If the complainant is not satisfied that the complaint has been addressed properly then the complainant may request that the Governing Board reviews the handling of the complaint.

A request to the Governing Board to review the complaint must be made within 7 school days of receiving the written conclusion of the previous investigation. This will normally be made to the clerk.

The clerk will acknowledge receipt of the request within 5 school days.

The complaint will then be reviewed by the Governing Board's Complaints Panel. The Panel will meet within 21 school days of receiving the request to review the complaint.

Convening the panel

The review panel consists of the first 3 members of the governing board available, who don't have direct knowledge of the complaint. These individuals will have access to the existing record of the complaint's progress. The governors will select a panel chair from among themselves.

If not enough impartial governors are available, we will seek panel members from other schools, or the local authority. We will make sure the governors we source are suitably skilled and can demonstrate that they are independent and impartial.

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 21 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting.

Complaints Panel

The Chair of the Governing Board or person leading the process will appoint a Clerk.

Panel Clerk

The Clerk will be the contact point for the complainant for the Panel meeting and will:

- Acknowledge receipt of the request to review the complaint in writing within 5 school days.
- Convene a panel of three impartial Governors. All three panel members will have no prior knowledge of the content of the complaint.
- Where it is difficult to find three governors with no prior knowledge of the content of the complaint the school will contact a governor(s) from another school to sit on the appeal panel.
- Set the date, time and venue of the hearing, ensuring dates are convenient to all parties and that the venue and proceedings are accessible.
- Collate any written material and send it to all parties in advance of the hearing.
- Meet and welcome the parties as they arrive.
- Record the proceedings in the form of minutes.
- Circulate minutes and the outcome of the meeting.
- Notify all parties of the panel's decision.
- Liaise with the Complaints Co-ordinator.

The procedure for the Panel Hearing will be:

- The Panel will appoint a Chair who will work with the Clerk to ensure correct procedures are followed.
- The Chair will ensure everyone is treated with respect and courtesy.
- The complainant and the school will be asked to state their case. They may be accompanied by 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. (Representatives from the media are not permitted to attend).
- Any witnesses for the complainant or school will be asked to speak.
- Both parties will be asked to sum up their case.
- The Chair will explain that the Panel will write to both parties within 5 school days with the outcome of the review.
- The complainant, Head teacher, school staff witnesses will leave the meeting at the same time.
- 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.

The outcome of the review will:

- Uphold the complaint, the Panel will give reasons and actions to be taken.
- Partially uphold the complaint and explain action to be taken.
- Dismiss the complaint, with the Panel giving reasons.
- Cannot uphold the complaint due to lack of evidence.

If the complaint is upheld, the Panel will refer the outcome and any recommendations to the Governing Board. The Governing Board will reassure the complainant that every effort will be made.

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taken to ensure that the same thing will not happen again and that school procedures and policies will be reviewed as a result of the complaint.

Whatever the result of the review, this ends the Local complaints procedure.

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 Turvey Primary School. They will consider whether Turvey 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, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Complaints about the Head teacher or the Governors

The complainant should first directly approach the Head teacher in an attempt to resolve the issue informally. If the complainant is not satisfied with this outcome they should notify the Chair of Governors. A letter must be sent to the Chair of governors, addressed to the school and marked 'Private and Confidential'. The Stage One process will then commence, normally with the Chair of Governors as the individual responsible for the investigation.

Where a complaint regards a Governor, the same process applies as for the Head teacher. Where a complaint concerns the Chair of Governors, the complainant should write to the Clerk to the governors, addressed to the school. Letters should be marked 'Private and confidential'. Informal resolution will be sought, but where this fails, the complaints procedure at Stage Two will take effect. The Vice Chair will mediate any proceedings.

Safeguarding

Wherever a complaint indicates that a child's safety is at risk, the school is under a duty to report this immediately to the Local Authority. Any action taken will be in accordance with the school's safeguarding policy. Available on the school website.

Special Educational Needs

Our arrangements for handling complaints from parents of children with special educational needs (SEN) about the support the school provides follow the same procedures as outlined in our Complaints Procedures for parents. Our SENCO will be made aware of the complaint.

The Department for Education (DfE) published the Special Educational Needs and Disability (SEND) Code of Practice in July 2014 and was updated in January 2015. The code reflects the changes introduced by the Children and Families Act 2014. Our school has regard to what the code of practice says whenever decisions are taken relating to children with special educational needs (SEN) or disabilities.

Support for parents can be found as follows:

- Bedford Borough's SEN & Disability Guide - Bedford Borough's local offer for children, young people and families (0-25) <https://sendguide.bedford.gov.uk/info.aspx>
- SEND Advice (formerly Parent Partnership)
SEND Advice offers FREE confidential support for parents and carers of children with special educational needs.

01234 276267

sendadvice@bedford.gov.uk

<https://sendguide.bedford.gov.uk/info.aspx>

Social Media

In order for complaints to be resolved as quickly and fairly as possible we request that the complainants do not discuss complaints publically via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved and we expect complainants to observe confidentiality also.

Persistent complaints

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.

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 that 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.

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.

Record keeping/Data Protection

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 records management policy/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.

13. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Suspension and permanent exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

Monitoring and Review

The Governing Board reviews the complaints procedure at regular intervals, in order to ensure that all complaints are handled properly. Details about individual complaints are not shared with the whole Governing Board, except in general terms, in case a Panel needs to be convened.

Date 22.11.23

Approved by Headteacher & Chair of Governors

What action have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?

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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official Use:

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Appendix 2: (Provided by the DfE document 'Best Practice Advice for School Complaints Procedures 2019' for Maintained schools.

Scope of this Complaints Procedure

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

Please note that complaints regarding services provided by other providers who use the school site should be directed to the provider.

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with <insert local authority details></p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<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 Safeguarding Hub (MASH). <insert LADO/MASH details>.</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. <link to school behaviour policy>.</i></p>
<ul style="list-style-type: none"> • Whistleblowing 	<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: www.education.gov.uk/contactus.</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"> • Staff grievances 	<p>Complaints from staff will be dealt with under the</p>

	school's internal grievance procedures.
<ul style="list-style-type: none"> • Staff conduct 	<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"> • Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> • National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

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 Turvey Primary 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.

Informal concern is raised with staff or Head teacher and a resolution is sort.

No

Is the complainant satisfied with the resolution?

Yes

Stage 1

A formal complaint may be made in person, by telephone, or in writing. Assistance with completing forms will be provided if required.

The complaints co-ordinator will acknowledge receipt of the complaint within five school days.

Investigator will establish what has happened, take notes at meetings, identify solutions and outcomes and feed these back to all parties.

No

Is the complainant satisfied with the resolution?

Yes

Stage 2

If the complainant is not satisfied that the complaint has been addressed properly they may request that the Governing Board reviews the handling of the complaint within 7 school days of receiving the written conclusion of the previous investigation. This will normally be made to the Chair of Governors unless the complaint is about the Chair.

The complaint will then be reviewed by the Governing Board's Complaints Panel. The Panel will meet within 21 days of receiving the request to review the complaint.

The outcome of the review will either:

- Uphold the complaint, the Panel will give reasons and actions to be taken.
- Partially uphold the complaint and explain action to be taken.
- Dismiss the complaint, with the Panel giving reasons.
- Be unable to uphold the complaint due to lack of evidence.

THIS ENDS THE LOCAL COMPLAINTS PROCEDURE.

No

Is the complainant satisfied with the resolution?

Yes

The complainant may write to the Secretary of State if they are not satisfied with the outcome. (Maintained schools)