



Growing at Meadowside Primary School

# Complaints Policy

## Our Vision

Meadowside is a nurturing community primary school with a strong sense of pride and belonging, with the belief that all have the potential to thrive.

## Our Purpose

We exist to cultivate a love of learning by broadening horizons and opening minds to new possibilities. Through our School Values, we grow confident individuals who aspire to shape the future.



Rakim

Responsibility



Aretha

Respect



River

Reflection



Rex

Resilience

<b>Chair of Governors:</b>	Angela Pratt	<b>Signed:</b>
<b>Chair of Committee:</b>	Full Governing Body	
<b>Committee Responsible:</b>	Full Governing Body	
<b>Staff Responsible:</b>	Josie Garnham	
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At Meadowside Primary School we take professional responsibility seriously, this applies to:

- reinforcing and promoting a working environment free from discrimination, victimisation, harassment and bullying.
- a clear commitment to treat all information acquired through employment, both formally and informally, in strict confidence.
- to be aware of the school's responsibilities under the Data Protection Act 1984 for the security, accuracy and relevance of personal data held on such systems and ensure that all processes comply with this.

## EQUALITY DUTY

At Meadowside Primary School we want everyone to reach their full potential and to ensure that all members of our community are treated fairly in all situations.

The Equality Act provides us with a framework to support our commitment to valuing diversity, tackling discrimination, promoting equality and fostering good relationships between people

### **Complaints Procedure**

Meadowside Primary School is dedicated to providing the best possible education and support for all pupils within its school. This means having a clear, fair and efficient procedure for dealing with any complaints to or against our school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

The Governors at Meadowside have approved and adopted this policy to allow parents/carers of pupils attending the school to raise a concern or complaint.

### **Scope of this policy**

We will also usually follow this procedure when dealing with complaints from others but reserve the right to substitute this procedure for an alternative process where it is appropriate to do so. This procedure does not apply to concerns and complaints relating to the following, which are dealt with under separate policies:

Exclusions and behaviour

- Admissions
- Appeals relating to internal assessment decisions for external qualifications
- Complaints about statements of SEND/EHC Plans
- Grievances or disciplinary issues relating to members of staff
- Issues related to safeguarding and child protection
- National Curriculum content
- School re-organisation proposals
- Complaints about services provided by other providers who may use school premises or facilities

Please see Appendix 1 for further information.

The aims of the procedure are:

- To deal with any complaint against the school or any individual connected with it by following the correct procedure.
- To deal with all complaints thoroughly and by being open, honest and fair when dealing with the complainant.

All staff will be made aware of this complaints procedure and are expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of assistance when an issue is brought to their attention.

Part 1 of this policy outlines how parental or pupil complaints will be dealt with by the school and concerns or complaints from persons other than parents/carers or pupils should be dealt with in accordance with Part 2.

## **Understanding this Procedure**

### **The difference between a concern and a complaint**

- A '**concern**' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.
- A '**complaint**' may be generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'.

It's in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures. Meadowside will take informal concerns seriously and make every effort to resolve the matter as quickly as possible. However, there will be occasions when complainants want to raise their concerns formally. In those cases, the complaints procedure will be followed.

### **Resolving complaints**

In order to investigate your complaint as fully as possible, we have implemented a staged approach. We anticipate that almost all complaints that arise will be resolved informally at Stage 1.

We expect our members of staff to be addressed in a respectful manner and for communication to remain calm at all times. The procedure under Part 3 will only be used on very rare occasions to deal with unreasonably persistent complainants or unreasonable complainant behaviour.

To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event being complained of will not be considered.

**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 3 of the procedure. Governors are not permitted to act as advocates for parents or complainants.

### **Anonymous concerns or complaints**

An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances.

## Time scales

If it becomes necessary to alter the time limits and deadlines set out within this procedure, the complainant will be advised accordingly and given an explanation as to why this has been the case and provided with revised timescales. If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or tribunals/courts, 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.

In this procedure:

- 'School days' excludes weekends and school holidays.
- 'Parent' means a parent, carer or anyone with legal responsibility for a child.
- Any complaints made or received outside of term time will be considered to have been received on the first school day after the holiday period.

## PART 1: Complaints Procedure and Stages

### Stage 1: Informal Concerns or complaints

1.1 Many enquiries and concerns can be dealt with satisfactorily and informally in the first instance, without the need to resort to the formal procedure. We value informal meetings and discussions and encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding. Informal concerns and complaints may be made in person or in writing.

The process for the Informal stage of this policy is to address your concerns in the following order;

1. **Class Teacher** – they always aim to build strong relationships and they know your child best
2. **Assistant Head Teacher** – they line manage and strategically oversee all staff in Key Stage 2.
3. **Curriculum Lead**– they line manage and strategically oversee all staff in Key Stage 1
4. **EYFS Lead**- they line manage and strategically oversee all staff in EYFS.

1.2 It is always helpful if you can fully explain the nature of the concern and identify the outcome you are looking for. You may be invited to an informal meeting or called over the phone by the member of staff most appropriate for dealing with that concern. The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. More than one member of staff may need to attend the meeting if appropriate.

1.3 If the matter is brought to the attention of the Head of School they may decide to deal with your concerns directly at this stage or direct the matter to the appropriate staff member as per the process above. If the concerns are about the Head of School, these should be referred to the Executive Head Teacher. If the concerns are about the Executive Head Teacher, these should be referred directly to the Clerk in writing to the school office under Stage 2.

1.4 There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion, although it would be expected that most issues will be resolved within 15 school days. Where no satisfactory solution has been found, you will be advised that if you wish your concerns to be considered further you should write to the Executive Head Teacher under Stage 2 within 15 school days.

## **Stage 2: Formal Written Complaints**

2.1 If you have liaised with the informal process in Stage 1 and your concerns are not resolved under Stage 1 or you wish your concerns to be dealt with as a formal complaint, you should put your complaint in writing and send this to the Head of School via the school office.

2.2 Your written complaint should include details which might assist the investigation, such as the nature of the complaint, details of how the matter has been dealt with so far, the names of potential witnesses, dates and times of events and copies of all relevant documents. It is very important that you include a clear statement of the actions that you would like the school to take to resolve your complaint. You may wish to use the Complaint Form provided in Annex 2. If you require help in completing the form, please contact the school office or the Pastoral Support Manager. You can also ask third party organisations like Citizens Advice to help you.

2.3 Your complaint will normally be acknowledged in writing within 5 school days of receipt. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint.

2.4 The Head of School will usually invite you to a meeting to clarify your complaints and to explore possible resolutions. If you accept that invitation, you may be accompanied by one other person, such as a friend, relative, advocate or interpreter, to assist you. Where possible, this meeting will take place within 15 school days of receipt of the written complaint.

2.5 If necessary, witnesses will be interviewed and statements taken from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils may/may not be interviewed with their parent/s present, but if this would seriously delay the investigation of a serious or urgent complaint or if the pupil has specifically said that s/he would prefer that their parent/s were not involved, another member of staff with whom the pupil feels comfortable should be present. If a member of staff is complained against, they must have the opportunity to present their case.

2.6 Once all the relevant facts have been established as far as possible, you will be provided with a written response to the complaint, including a full explanation of the decision and the reasons for it. This will include what action the school will take to resolve the complaint (if any). You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be heard by the Executive Head Teacher.

2.7 If, in the early stages of the investigation, the Head of School, in consultation with the Executive Head Teacher considers that the complaint is best dealt with immediately at Stage 3, it will be passed to the Clerk and you will be informed of this action without delay.

### What if the complaint is about the Executive Head Teacher or the Executive Head Teacher has already considered your complaint at Stage 2?

If the complaint is about the Executive Head Teacher, or if the Executive Head Teacher has been involved at Stage 2, your complaint should be sent to the Clerk who will arrange for a Governor to carry out all of the Stage 3 procedures.

### What if the complaint is about a member of the full governing body?

You should contact the Chair of Governors who will arrange for another Governor to investigate the concerns in accordance with Stage 3. If the complaint is about the full governing body as a whole, you should send your complaint to the Clerk who will arrange for the matter to be independently investigated.

### **Stage 3: Referral to the Complaints Committee**

3.1 If you are dissatisfied with the decision under Stage 2, you may request that a Complaints Committee be convened to consider your complaint. The committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with under Stage 1 of the procedure.

3.2 To request a hearing before the Complaints Committee, you should write to the Clerk within 15 school days of receiving notice of the outcome of Stage 2. Requests received outside of this time frame will only be considered if exceptional circumstances apply. You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you are looking for.

3.3 Your written request will be acknowledged within 5 school days of receipt.

3.4 The Clerk will arrange for a Complaints Committee to be convened, made up of at least three members, including members of the full governing body with no prior involvement in the matter.

3.5 The panel shall appoint one of these members to be the Chair of the Committee.

3.6 Every effort will be made to enable the hearing to take place within 20 school days of the receipt of your request. As soon as reasonably practicable and in any event at least 5 school days before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the committee members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the committee. You will also be informed of the name of the person who will be presenting the case on behalf of the School (referred to in this policy as the School representative). This may be the person who is the subject of the complaint, the person who undertook the investigation at Stage 2 or another person with sufficient knowledge of the matter. This will be the complainant's opportunity to clarify their complaint.

3.7 If, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the Clerk may determine that the hearing proceeds on the basis of written submissions from both parties.

3.8 The notification will also inform you of your right to be accompanied to the meeting by a friend, relative, advocate or interpreter and explain how the meeting will be conducted. You should notify the Clerk, giving the names of anyone you wish to accompany you, 3 days in advance of the hearing. Safeguarding and any conflicts of interest will be considered with regard to friends, relatives or advocates. Governors will make a decision with regard to the appropriateness of the accompanying adults attending the hearing. If it is considered there will be a safeguarding issue or conflict of interest, the request may be declined and the complainant asked to submit another person to accompany them.

3.9 A copy of the complaint and any other documents provided by you in support of your complaint or by the School representative in defence of the complaint, will be provided to the Complaints Committee as soon as practicable upon receipt. Copies of these documents shall also be provided to you or the School representative (as applicable) at least 3 school days before the hearing. The Complaints Committee reserves the right not to consider any documentation presented by either party less than 3 school days prior to the hearing. The Complaints Committee is under no obligation to hear oral evidence



from witnesses but may do so and/or may consider written statements provided the evidence is submitted 3 days prior to the hearing. The committee will not normally accept recordings of conversations that were obtained covertly and without the written consent of all parties being recorded.

3.10 The hearing will be conducted in such a way as to ensure that each party has the opportunity to address the Complaints Committee. The procedure to be followed during the hearing will be set out to the parties by letter in advance of the hearing. The Clerk will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken, or actions agreed.

3.11 The agenda for the Complaints Committee Meeting is:

- The parent and school representative will enter the hearing together
- The Chair of the Committee will introduce the committee members and outline the process
- The parent will explain the complaint
- The school representative and committee members will question the parent
- The school representative will explain the school's actions
- The parent and the committee members will question the school representative
- The parent will sum up their complaint
- The school representative will sum up the school's actions
- The Chair of the Committee will explain that both parties will hear from the committee within 5 school days
- Both parties will leave together while the committee decides
- The Clerk will stay to assist the committee with its decision making.

The Clerk and or Complaints Committee reserves the right to modify the above procedure at their sole discretion, for example requiring the parent and the school representative to present their complaint/actions separately to the Committee in the absence of the other party.

3.12 After the hearing, the Complaints Committee will consider their decision and inform you and the School representative of their decision in writing within 5 school days. The letter will set out the decision of the committee together with the reasons underpinning that decision. The committee can (by a majority if necessary):

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

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 3.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the DfE 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

### **Records of complaints**

A written record will be kept of all complaints, including at what stage they were resolved and action taken by the school as a result of those complaints regardless of whether they were upheld. Correspondence, statements and records relating to individual

complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of a school inspection or under other legal authority. The findings and recommendations of the panel will be made available for inspection by the school and the Executive Head Teacher.

### **Communication**

Papers for the meetings and panel findings will be communicated by letter and sent out by special delivery to the address recorded by the school.

### **PART 2: Concerns or Complaints from persons other than parents/carers of currently registered pupils**

Part 1 of this complaints policy applies solely to complaints made by parents or carers of current registered pupils of schools within the School. The School wishes to work closely with other members of the local community and will deal with concerns and complaints as follows:

1. A concern regarding the school and/or its operations may be made to any member of staff. That member of staff will attempt to resolve the matter immediately or may, if appropriate, refer the matter to their line manager or member of the Senior Leadership Team (SLT) who is best placed to deal with the concern. It is expected that most concerns will be responded to orally or in writing within 5 school days. If a longer period is required, you will be kept informed of the progress of the investigation.

2. Where a concern is not resolved at stage 1, or you wish your concerns to be dealt with immediately as a formal complaint, you should put your complaint in writing and send this to the Head of School. The Head of School may delegate the task of investigation and/or responding to the complaint to a member of the Senior Leadership Team or may escalate the complaint straight to stage 3. A formal response to the complaint will usually be provided within 15 school days of receipt of the letter of complaint although if a longer period is required to respond, you will be kept updated.

3. If you are not satisfied with the response at stage 2, you may request a review by writing to the Clerk. You should write to the Clerk within 15 school days of receipt of the letter at stage 2. Requests received outside this timeframe will only be considered if exceptional circumstances apply. The Clerk will convene a complaints committee on the same terms as set out in Part 1 of this policy. The decision at this stage will usually be sent to you within 20 school days of receipt of the request for a review. The decision at stage 3 exhausts the school's complaints procedure.

Concerns or complaints regarding the Executive Head Teacher or the school as a whole should be referred directly to the Clerk (via an email to the office) who will arrange for the stages above to be considered by an appropriate person.

### **PART 3: Unreasonably persistent complainants and unreasonable complainant behaviour**

There are rare circumstances where we will deviate from the Complaints Procedure set out in Part and this would be a decision made by the Executive Head Teacher and Chair of Governors. These include, but are not necessarily limited to:

- Where the complainant's behaviour or language towards staff, members of the full governing body is unacceptable, for example, is abusive, offensive, discriminatory or threatening;
- Where the complainant's behaviour is hindering the consideration of their or other people's complaints



- Where the complainant's behaviour is hindering the proper running of the school because of the frequency or nature of the complainant's contact, such as if the complainant:
  - Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
  - Introduces trivial or irrelevant information which they expect to be taken into account and commented upon
  - Makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced
  - Raises large numbers of detailed but unimportant questions and insists they are fully answered, often immediately and to their own timescales
  - Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
  - Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
  - Refuses to co-operate with the complaints investigation process
  - Refuses to accept that certain issues are not within the scope of the complaints procedure
  - Changes the basis of the complaint as the investigation proceeds
  - Seeks an unrealistic outcome, such as the inappropriate dismissal of staff
  - Knowingly provides falsified information
  - Publishes unacceptable information on social media or other public forums
  
- Where the complainant's complaint is clearly frivolous, vexatious and/or has patently insufficient grounds. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:
  - Complaints which are obsessive, persistent, harassing, prolific, repetitious
  - Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
  - Insistence upon pursuing meritorious complaints in an unreasonable manner
  - Complaints which are designed to cause disruption or annoyance
  - Demands for redress that lack any serious purpose or value
  
- Where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full.

In these circumstances, we may:

- inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it;
- restrict the complainant's access to the school e.g. requesting contact in a particular form (for example, letters only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times or banning the complainant from the school premises.

This will be reviewed after six months;

- Conduct the Complaints Committee on the papers only i.e. not hold a hearing;
- Refuse to consider the complaint and refer the complainant directly to Stage 4.

In all cases we will write to tell the complainant why we believe their behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action.

We may take the decision not to respond to any further correspondence where:

- We have taken every reasonable step to address the complainant's concerns

- The complainant has been given a clear statement of our position and their options and
- The complainant contacts us repeatedly, making substantially the same points each time

The case for ceasing further correspondence is stronger where:

- Letters, emails or telephone calls are often or always abusive or aggressive or make insulting personal comments about or threats towards staff
- We have reason to believe the complainant is contacting us with the intention of causing disruption or inconvenience

Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff or members of the governing body, we will take appropriate action, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

#### **PART 4: Complaint Campaigns**

For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with a school or the school) which are all based on the same subject.

Depending on the subject in question, we may deviate from the procedure set out in this policy and instead:

- Send a template response to all complainants and/or
- Publish a single response (as applicable)

#### **Duplicate complaints**

If, after closing a complaint at the end of the Complaints Procedure, we receive a duplicate complaint from a spouse, a partner, a grandparent, a child not attending this school or a friend, we will remind them that we have already considered the complaint and the local process is complete. Complainants will be advised to contact the DfE if they are dissatisfied with our handling of the complaint.

## Appendix 1

### Matters excluded from the scope of this policy

<b>Excluded matters</b>	<b>Signposting</b>
Admissions	The process for challenging admissions decisions is set out in our admissions policy in accordance with relevant statutory guidance
Child protection matters	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. 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)
Exclusions	The process for challenging exclusions decisions is set out in the DfE's statutory guidance and information can be found at <a href="https://www.gov.uk/school-discipline-exclusions/exclusions">https://www.gov.uk/school-discipline-exclusions/exclusions</a>
National Curriculum content	Please contact the Department for Education at <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>
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.
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
Statutory Assessments of Special Educational Needs (SEND)	Concerns about statutory assessments of special educational needs should be raised directly with the local authority.
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for whistle-blowers in education who do not want to raise matters directly with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> . Volunteer staff who have concerns should complain through the school's complaints procedure. You may also be able to complain directly to the Department for Education depending on the substance of the complaint.

## Appendix 2

### Stage 2 – Formal Complaint Form

#### Your details

Your name	
Your child's name	
Your relationship to the child	
Your address, including postcode	
Daytime telephone number	
Evening telephone number	
Email address	

#### Details of your complaint

1. Please provide full details of your complaint, including relevant dates and persons concerned where possible in the box below. If you have more than one complaint, please number these. Continue on a separate sheet if necessary.

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2. What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was their response?). Continue on a separate sheet if necessary.

3. What would you like as an outcome from your complaint (s)? Continue on a separate sheet if necessary.

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

**Signed;**

**Date;**

All functions of the complaints procedure must adhere to the requirements of the Data Protection Act 2018 and the Freedom of Information Act 2000.  
Thank you for completing the form and providing us with details of your complaint.  
Please complete and return to either the school office in a sealed envelope addressed to the Head Teacher or Clerk (as appropriate).

Office use Date received;

Date acknowledgement sent;

Responsible office member of staff;

Complaint notification sent to;

## Appendix 3

