



	Name of School	Scotts Primary School
	Policy review Date	September 2024
	Date of next Review	September 2026
	Who reviewed this policy?	Ryan Kinnear & Tony Bonham
	Date approved by Governing body	September 2024
	Headteacher	Ryan Kinnear
	Chair of Governors	Jackie Boardman

Complaints policy and procedure

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Scotts 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), 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 interest 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. Scotts 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, Mr R Kinnear, Headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Mr Kinnear 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, Scotts 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 either the class teacher or member of the Senior Leadership Team (SLT). 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 3 of the procedure.



Complaints against school staff (except the Headteacher and Deputy Headteacher) should be made in the first instance, to Mrs J Bajada (Assistant Headteacher) or Mrs J Taylor, (Deputy Headteacher), via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to Mrs J Boardman (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 Havering Governor Services (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 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.

Anonymous complaints

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

Time scales

Complaints are best resolved when raised promptly (usually within 24 hrs of the incident), however complaints made within three months of the incident will be considered in exceptional circumstances.

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.

Unreasonable complaints

At Scotts Primary School we are committed to dealing with all complaints fairly and impartially, and to provide a high quality service to those who complain. We do recognise that complainants who feel dissatisfied may feel angry about their treatment. We will not normally limit the contact complainants have with the 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 or threatening.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- Maliciously;
- Aggressively;
- Using threats, intimidation or violence;
- Using abusive, offensive or discriminatory language;
- Knowing it to be false;
- Using falsified information;
- Publishing unacceptable information in a variety of media such as in social media websites or newspapers.



SCOTTS PRIMARY SCHOOL

Complainants should limit the number of communications with a school while a 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.

Records of complaints

Details of all complaints will be recorded with details of the progress of the complaint and the final outcome.

The governing body will not receive details of the complaints, except in general terms, in case an appeal panel needs to be organised.

Review of policy and procedure

This policy and procedure will be reviewed by the governing body every three years or earlier if deemed appropriate by the governing body or in response to any new guidance issued by the Department for Education or any legislative changes.

Scope of this Complaints Procedure

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

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to schools• Statutory assessments of Special Educational Needs• School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the London Borough of Havering.
<ul style="list-style-type: none">• Matters likely to require a Child Protection Investigation	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). Lisa Kennedy 01708 431653.
<ul style="list-style-type: none">• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>
<ul style="list-style-type: none">• 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 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 . 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.



SCOTTS PRIMARY SCHOOL

• 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: www.education.gov.uk/contactus

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 Scotts 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.

Resolving complaints

At each stage in the procedure, Scotts 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.

Withdrawal of a Complaint

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

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Havering Governor Services (the Clerk to the Governing Body).

Stage 1 - Informal Stage

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 Phase leader to discuss your concerns further.

Where the outcome of this does not lead to the issue being resolved then you will need to make an appointment with the Assistant Headteacher or Deputy Headteacher by letter, telephone conversation or in person.

If the Assistant Headteacher or Deputy Headteacher is unable to resolve the issue, then your complaint will need to be dealt with through the formal stages of this procedure.

Stage 2 - Formal Stage

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 1).

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.

Stage 3 Formal Stage - Governors' Complaints Review Panel

If the complainant is dissatisfied with the outcome at stage 2 and wishes to take the matter further, they can escalate the complaint to stage 3. A request to escalate to stage 3 must be made to the Clerk to Governors via the school office within 10 days of receiving the Headteacher's letter issued at stage 2, giving details of why you feel that the procedure has not been followed appropriately. The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing either by letter or email within 10 school days.

A review panel meeting will then be arranged. A meeting with members of the governing body's complaints committee will be formed of the first three impartial governors' available. This is the final stage of the complaints procedure. The role of the review panel is to review the process followed, not the decision taken by the Headteacher.

The Clerk to the Governing Body will write to the complainant to inform them of the date of the meeting and invite them to attend (see page 9). They will aim to convene a meeting within 25 school days of receipt of the Stage 3 request. If this is not possible, the Chair will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Chair 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.

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 3 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.

Stage 4 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 Secretary of State at the Department for Education after they have completed Stage 3.

The Department for Education 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 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



Imagine...with all your mind, Believe ...with all your heart, Achieve ...with all your might

SCOTTS PRIMARY SCHOOL



Respect
Teamwork & Exploration

Resilience
Creativity & Innovation

Uniqueness
Fairness & Compassion



Imagine...with all your mind, Believe ...with all your heart, Achieve ...with all your might

SCOTTS PRIMARY SCHOOL



Complaint Form- Appendix 1

Please complete and return to Mr R Kinnear who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.
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:

*Respect
Teamwork & Exploration*

*Resilience
Creativity & Innovation*

*Uniqueness
Fairness & Compassion*



Date:

COMPLAINTS PROCEDURE FLOW CHART

STAGE ONE - INFORMAL STAGE

Complainant contacts the individual member of staff

□

Resolved? □ Yes

□

No - complainant contacts a Phase Leader

□

Resolved? □ Yes

□

No - complainant contacts Assistant Headteacher/Deputy Headteacher

□

Resolved? □ No - Complainant unhappy and decides to move to formal stage 2.

□

STAGE TWO - FORMAL STAGE

Complainant writes to the Headteacher- Complaints form- Appendix 1

□

School receives letter - Day 1

□

Headteacher writes acknowledgement setting out
Investigation arrangements - By Day 5

□

Investigation concluded

□

Headteacher writes to complainant with outcomes
of investigation - By Day 20

□

Resolved? □ Yes

□

No

Complainant unhappy with process and decides to proceed to Stage Three



STAGE THREE - FORMAL STAGE

GOVERNORS' REVIEW PANEL

Complainant writes to the Clerk to Governors via the school office within 10 days of receiving the Headteacher's letter issued at stage 2.

Complaints form- Appendix 1

□

Clerk receives letter - Day 1

□

Panel review process
Complainant informed of date for meeting

□

Panel communicates its findings to all parties - By Day 20

□

Resolved? □ Yes

□

No

□

If a 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.

Department for Education
School Complaints Unit
2nd Floor, Piccadilly Gate
Store Street
Manchester
M1 2WD

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.

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
- co-operate with the school in seeking a solution to the complaint

Respect

Teamwork & Exploration

Resilience

Creativity & Innovation

Uniqueness

Fairness & Compassion



- 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
 - 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
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher 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 (this could be the headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, 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.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- 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 co-ordinator, 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



We 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 will feel nervous and inhibited in a formal setting

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 is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent 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.