

HOLY TRINITY C of E PRIMARY SCHOOL
EAST FINCHLEY
LONDON, N2 8GA



High Standards Together

'At Holy Trinity School we promise to provide opportunities for every child to be the best that they can be.

We aim to create a happy and secure Christian environment in which children can grow in confidence and independence.

We strive for excellence in teaching and learning to achieve high standards together.'

Our vision is to create a family rooted in love for one another where children and adults can flourish and achieve their potential to reach their own spiritual, academic and personal goals.

"Love one another. As I have loved you, so you must love one another" John 13:34

Policy Name - COMPLAINTS POLICY

Sub Committee to review	FSB
Author/Staff member	R Kimani
Governor Reviewer	T Arden
Target Audience	Parents/Carers, All Staff, Governors
Curriculum / non curricular	Non curricular
Associated Policies / Documents	Disciplinary
New Policy or Review of existing policy.	Review
Date of Submission	June 2019
Date for Review	June 2020
Reviewed	Annually
Date ratified by Governors	July 2019

Complaints Procedure

Our vision is to create a family rooted in love for one another where children and adults can flourish and achieve their potential to reach their own spiritual, academic and personal goals.

***“Love one another. As I have loved you, so you must love one another”
John 13v34***

As part of God’s loving family we respect each other and want to manage any issue that may arise. We want to ensure that all stakeholders of the school feel that they have a voice and can be heard. On occasions, this may mean that a member of our community needs to make a formal complaint. These procedures are drawn up in the following documentation to ensure that there are clear procedures.

Purpose: To establish a procedure for dealing with complaints relating to the school, as required by section 29(1)(a) of the Education Act 2002.

Scope: All matters relating to the actions of staff and application of school procedures where they affect the individual pupils concerned, except matters relating to the curriculum, exclusion, admissions, etc., which are subject to separate procedures. Please see the attached sheet for these.

General Principles:

- A concern should be raised with either the class teacher or Head Teacher. If the issue remains unresolved, the next step is to make a formal complaint.
- An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances.
- To allow for a proper investigation, complaints should be brought to the attention of the school as soon as possible. Any matter raised more than 3 months after the event being complained of will not be considered, save in exceptional circumstances.
- Investigation of any complaint or review request will begin within 5 school days of receipt of the same, save in exceptional circumstances. The investigation will be completed as soon as reasonably practicable, with time periods being set by the complaints co-ordinator as appropriate, and subject to review if necessary. *The currently agreed time periods can be found in the Complaint Flow Chart that forms an appendix to this policy.*
- We will consider complaints made outside of term time to have been received on the first school day after the holiday period.
- Investigation of any complaint will be carried out impartially in a non-adversarial manner.
- A complainant’s desire for confidentiality will be respected as far as possible.
- Appropriate arrangements will be made where the complainant is a child.

- Where necessary, a complaint will be investigated fully and fairly by an independent person.
- Investigation of the complaint will address all points at issue and provide an effective response and appropriate redress where necessary, as well as information to the senior management team of the school to ensure future improvement if appropriate.
- Once all stages in the process have been completed the complaints process will be deemed concluded and no further attempt to re-open the complaint will be entertained. Should any further attempt to discuss the complaint be made, the complainant will be informed that the matter is closed.
- The role of complaints co-ordinator will be undertaken by the Head Teacher.

Part A: Complaining about the actions of a member of staff other than the Head Teacher.

Stage 1

A complaint may be made by letter, telephone, email or in person by appointment. It should be addressed to the Head Teacher/Complaints Co-ordinator and marked 'Private and Confidential'. 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 Head Teacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

Receipt of a Complaint

Upon receipt of a complaint, the complaint co-ordinator, or a member of staff designated by the complaint co-ordinator, will:

- Establish what has happened so far and who has been involved.
- Clarify the nature of the complaint and what remains unresolved.
- Contact the complainant (and meet with them if necessary) if further information is required.
- Clarify what the complainant feels is necessary to resolve the problem.
- Interview those involved with the complaint and/or those complained of, if necessary, either by telephone or in person, in which case allowing them to be accompanied by a friend or representative if they wish.
- Keep notes of any such interviews.
- Identify areas of agreement between the parties concerned and any misunderstanding which may have arisen.

If the complainant feels uncomfortable dealing with the complaints co-ordinator or member of staff investigating their complaint then the complaints co-ordinator will if possible refer the matter to another member of staff.

Resolving Complaints and Mediation Consideration

At each stage in the procedure, the school wants to resolve the complaint. At any stage of the complaints procedure the school will consider mediation of complaints. 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.

Conclusion of Complaint

When the investigation has been concluded, the complainant and the member of staff concerned will be informed of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld, or
- The concern is not substantiated by the evidence or
- The concern was substantiated in part or in full and the consequences of such a finding.

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.

Part B Complaining about the actions of the Head Teacher / a member of the Governing Body

Head Teacher

Stage 1

If the complaint is about the Head Teacher, the complainant must put the complaint in writing and mark it 'Private and Confidential' and pass it to the Chair of the governing body or a suitably skilled member of the governing body, who will acknowledge receipt of the complaint in writing and arrange for its investigation by themselves or a governor designated by the Chair to the Governors.

The Governor in charge will:

- Establish what has happened so far and who has been involved.
- Clarify the nature of the complaint and what remains unresolved.
- Contact the complainant (and meet with them if necessary) if further information is required.

- Clarify what the complainant feels is necessary to resolve the problem.
- Interview those involved with the complaint and/or the Head Teacher, if necessary, either by telephone or in person, in which case allowing them to be accompanied by a friend or representative if they wish.
- Keep notes of any such interviews.

The investigation will begin as soon as possible and when it has been concluded, the complainant and the Head Teacher will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The concern is not substantiated by the evidence.
- The concern was substantiated in part or in full and the consequences of such a finding. Details of any disciplinary procedures will not be released.

Where appropriate this communication will include a record of the areas of agreement between the parties and any areas of misunderstanding which have been found to have occurred.

Member of the Governing Body

Stage 1

If the complaint is about a member of the governing body or the Chair of the governing body the complainant must put the complaint in writing and mark it 'Private and Confidential' and pass it to the Clerk of the Governing Body who will acknowledge receipt of the complaint in writing and arrange for its investigation by a suitably skilled member of the governing body.

If the complaint is about:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body or the diocese. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, which will be formed of the first three impartial governors available. This is the final stage of the complaint's procedure.

The complainant must put the complaint in writing and pass it to the Chair of the governing body, or a governor designated by the Chair as the governor responsible for dealing with complaints or if the complaint is about the entire governing body, the Clerk of the governing body. They are responsible for ensuring correct procedure is followed and organising a Clerk to the panel if a hearing is required.

Receiving a Complaint

The chair, or the governor responsible, will acknowledge receipt of the complaint in writing and convene a complaints panel consisting of a minimum of three members and a maximum of five members of the governing body, none of whom will have had any prior dealing or involvement with the matter at issue. The panel will appoint their own Chair from within the panel.

The panel is in charge of setting the timetable and steps required for consideration of the complaint, including the collating of evidence and consideration of whether a hearing will be required. The complainant will be kept informed of the timetable and invited to express their views as to whether there should be a hearing.

If there is to be a hearing

- It will be in private.
- It will be informal in tone and non-adversarial.
- The complainant will be given the opportunity to attend with a friend or representative if desired.
- If the complainant is a child, then their parent will be consulted to consider which parts, if any, of the hearing the complainant should attend.
- Any written material required at the hearing will be collated by the Governor and sent to all parties in advance of the hearing.
- The Governor will welcome all parties to the hearing, record the proceedings and notify the outcome to all parties.
- The Chair of the panel is responsible for ensuring that
 - The remit of the panel is explained at the outset of the hearing and each party has the opportunity to put their case without untoward interruption.
 - The issues are addressed.
 - Key findings of fact are made.
 - Parties have had advance notice of written documentation and are given reasonable opportunity to consider new issues if they arise.
 - Parties who may be unaccustomed to speaking at such a hearing are made to feel at ease.
 - The proceedings are conducted informally and with courtesy and respect on all sides.
 - Each party has the opportunity to ask questions of any witness and to state their case.
 - The panel is open minded and acts independently.
 - No member of the panel has a vested interest in the outcome of the proceedings.
 - No member of the panel has had any prior involvement at any earlier stage in the procedure.
 - That all parties (including the complaints co-ordinator) are informed of the panel's decision in writing within the time limits agreed at the outset of the procedure and any further course of action available to any party explained.

- The panel will ensure
 - The hearing is as informal as possible.
 - Witnesses need only attend for the part which relates to the hearing of their evidence.
 - After introductions the complainant (or their representative) will be invited to explain their complaint and call any witnesses they have.
 - The Head Teacher (or their representative) may question the complainant and any witness after each has spoken.
 - The Head Teacher will then be invited to explain the school's actions and call any witnesses for the school.
 - The complainant may question the Head Teacher or any witness after each has spoken.
 - The panel may ask questions at any point.
 - The complainant will then be invited to sum up their complaint.
 - The Head Teacher will then be invited to sum up the actions of the school and their response to the complaint.
 - The parties will leave while the panel considers whether there is any need for them to remain.
 - The panel will then inform the parties that they will be notified of the panel's decision within a set period of time.

The Panel can dismiss the complaint in whole or in part, it can uphold the complaint in whole or in part, it can decide on the appropriate action to resolve the complaint and it can recommend changes to the school's systems or procedures to ensure problems of a similar nature do not recur. The complainant will be told that consideration of their complaint is now concluded. The complaints co-ordinator will be informed of the outcome and supplied with copies of notes made and correspondence.

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 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.

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 as stated previously.

Notes

All documentation relating to the complaint and its investigation and outcomes will be stored securely for a period of six years. Where the complaint is on behalf of a child, then the school may wish to retain the documentation until 6 years after the child has attained the age of 18. Complainants may have a right to copies of these records under the [Freedom of Information Act 2000](#), the [Data Protection Act 2018](#) and GDPR.

If a complainant believes that the governing body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representations to the London Diocesan Board for Schools and/or the Department for Education.

Annex 1: Model Letters

Model Complaint Form

Holy Trinity C.E Primary School Complaint Form

Please complete this form and return it to the Complaints Co-ordinator, who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school [e.g. parent of a pupil on the school's roll]:

.....

Pupil's name [if relevant to your complaint]:

.....

Your Address:

Daytime telephone number:

Evening telephone number:

Please give concise details of your complaint, [including dates, names of witnesses etc...], to allow the matter to be fully investigated.:

You may continue on separate paper, or attach additional paperwork, if you wish.

Number of additional pages attached =

What action, if any, have you already taken to try to resolve your complaint?
[i.e. who have you spoken with or written to and what was the outcome?]

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

Signature:

Date:

School use: Date Form received: Received by: Date acknowledgement sent: Acknowledgement sent by:			
Complaint referred to:			
Date:			

Model Response to spurious complainant

Dear

Following receipt of your communications and careful consideration of the same, I regret that I am unable to deal with this matter under the governing body's General Complaints Procedure as:

[Please select appropriate wording from the following]

- You have not identified any specific actions of which you might complain.
- Your concerns are presented as conclusions rather than specific actions of which you complain.
- The concerns that you identify relate to historical actions and any evidence which might have enabled an objective investigation of your complaint is no longer available.
- The substance of your complaint has been addressed under this procedure already.
- The concerns that you raise do not fall within the scope of this procedure.
- You have not identified any potential sources of evidence which might allow the matter to be investigated.

If you are unhappy with the outcome of your complaint you may wish to follow Stage 2 of the complaints policy by writing to (the Head Teacher)/(Clerk to the Governing Body).

Yours sincerely,

Complaints
Head
Or Chair of Governing Body

Co-ordinator
Teacher

Model letter of
NOTIFICATION OF DECISION REGARDING GENERAL PARENTAL COMPLAINT

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I conducted an investigation which revealed the following (note areas of agreement between parties and areas of misunderstanding).

I have concluded that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld. If you are able to provide additional evidence forthwith I/we will reconsider this decision.

OR

- The concern is not substantiated by the evidence in that

OR

- The concern was substantiated in part/in full, as The school will review its practices/procedures..... with the intention of avoiding any recurrence. Parents will be informed in due course of any policy changes.

OR

- In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur.

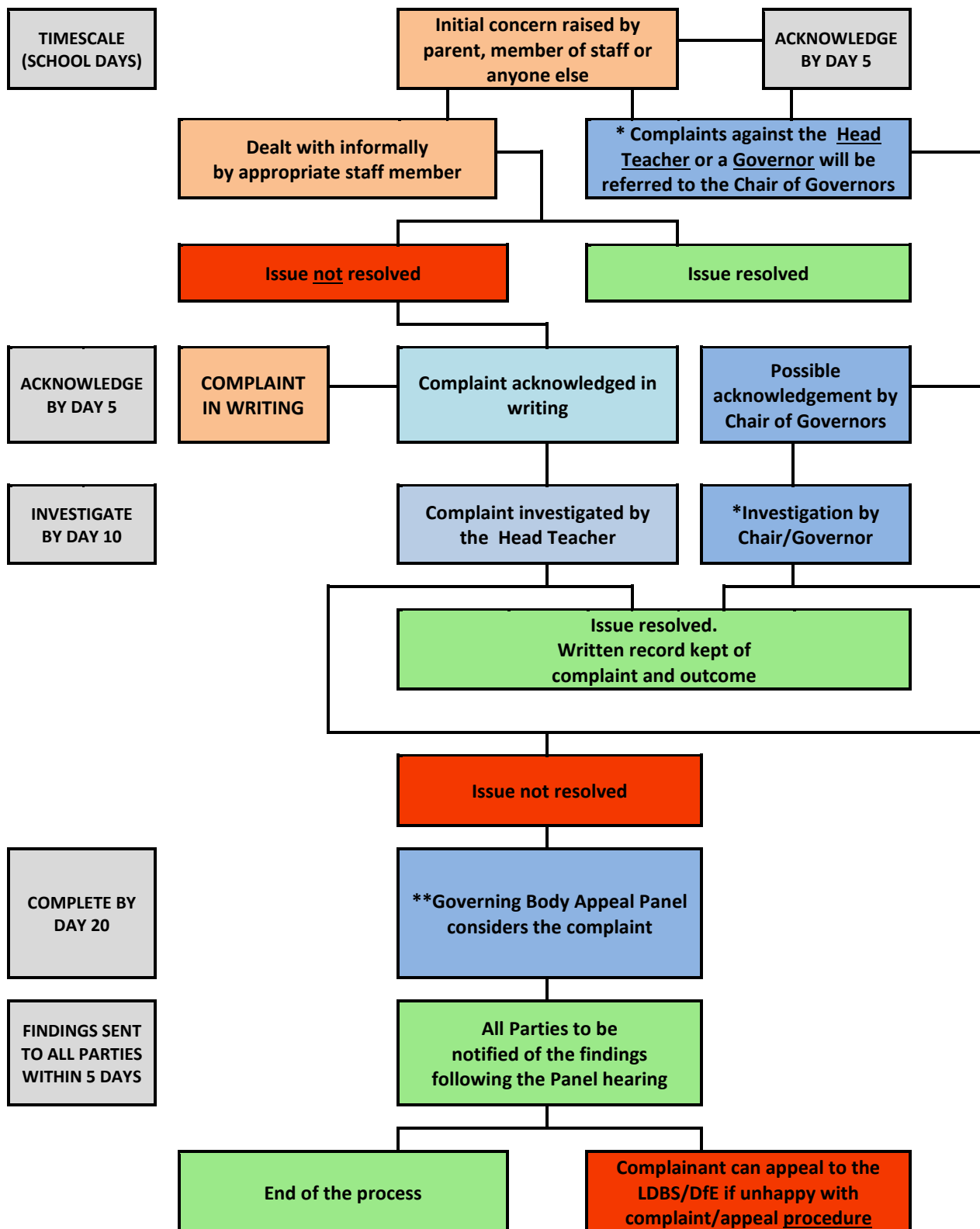
I hope that we may now put this matter behind us and work together for the benefit of your child's progress. However if you are unhappy with the outcome of your complaint you may wish to follow Stage 2 of the complaints policy, by writing to (the Head Teacher)/(Clerk to the Governing Body).

Yours truly

Complaints Co-ordinator/ Head Teacher / Chair of Governing Body
c.c. Head Teacher/ Complaints Co-ordinator

APPENDIX 2: COMPLAINT FLOW CHART

Appendix 2



* Depending on the nature of the complaint, the Chair of Governors may delegate the investigation to another governor in the first instance and only become involved personally if the dispute escalates or goes to appeal. A complaint against the Chair of Governors will be investigated by another Governor, usually the Vice-chair.

** The panel will consist of at least three people who were not directly involved in the matters detailed in the complaint. One panel member will be 'independent of the school' and typically a governor of another school.

Complaints not in scope

A complaints procedure should cover all complaints about any provision of community facilities or services that a school provides other than complaints for which there are separate (statutory) procedures, including those listed below.

Admissions to schools

For school admissions, it will depend on who the admission authority is (either the school or the local authority).

Complaints about admission appeals for local authority maintained schools are dealt with by the appropriate ombudsman.

School re-organisation proposals

Contact the local authority or diocese, as appropriate, in the first instance and then escalate to us, if dissatisfied.

Statutory assessments of special educational needs

Concerns about statutory assessments of special educational needs should be raised directly with local authorities.

Matters likely to require a child protection investigation

Complaints about child protection matters should be handled:

- under the school's child protection and safeguarding policy.
- in accordance with relevant statutory guidance.

Refer to your local authority designated officer (LADO) or the multi-agency safeguarding hub (MASH).

Exclusion of children from school

Further information about raising concerns about exclusions is available in the [school's discipline and exclusion](#) guidance.

Complaints about the application of the behaviour policy can be made through the school's complaints procedure.

Whistleblowing

You must have an internal [whistleblowing procedure](#) for your employees, including temporary staff and contractors.

The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers who do not want to raise matters directly with their employer. Concerns can be raised with DfE using our [contact form](#).

Volunteers who have concerns about schools should complain through the school's complaints procedure. Depending on the substance of the complaint they may also be able to complain to:

- the local authority
- DfE using our [contact form](#)

Staff grievances

Complaints from staff must be dealt with under the school's internal grievance procedures.

Staff conduct complaints

Complaints about staff are 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, you should notify complainants that the matter is being addressed.

Complaints about services provided by other providers who may use school premises or facilities

Schools should direct complainants to follow the external provider's own complaints procedure.

Complaints about the curriculum

Complaints about the content of the national curriculum should be sent to DfE using our [contact form](#).

Complaints about the delivery of the curriculum are for schools to resolve through their complaints procedure. This includes:

- religious education (RE)
- sex and relationships education

The duty on local authorities to consider complaints of this nature was removed under section 45 of the Education Act 2011.

If a school's complaint procedure signposts complainants to the local authority to resolve these and other types of complaints, then governing bodies should seek confirmation from the local authority that they can include these details in their complaint procedure.

Complaints about collective worship

Complainants who are dissatisfied with the content of the daily act of collective worship (DACW) should be signposted to:

- the local authority
- the local Standing Advisory Council on Religious Education
- any other relevant body

Withdrawal from the curriculum

Parents and carers can withdraw their child from any aspect of RE, including the DACW. They do not have to explain why.

If parents or carers are not satisfied with the handling of a request to withdraw their child from RE or the DACW, schools should advise them to follow their complaints procedure.

The right of withdrawal does not apply to other areas of the curriculum where religious matters may be spontaneously raised by pupils or arise in other subjects such as history or citizenship.