



Complaints Policy

This policy is in force from	November 2024
Date of Governing Body approval	November 2024
Next Review Date	November 2025

This Policy has been written by Beeston Primary School and HY Education Solicitors Sandbrook House, Sandbrook Way, Rochdale, OL11 1RY

This policy adheres to all legal requirements set out by the Department for Education

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1. Introduction

Beeston Primary School ("the School") understands the importance of education and fostering good relationships between home and school. However, we know that sometimes concerns or complaints arise and the School wants to address these matters as quickly and efficiently as possible. This policy sets out the School's approach to handling concerns and complaints through a three-stage process intended to resolve issues as amicably as possible to maintain our relationships with our children's homes.

2. Who can make a complaint?

Anyone can make use of this policy to make a complaint to the School about any provision of facilities or services that we provide. This includes parents, carers or any other person, including members of the public.

Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

3. Scope of this Complaints Procedure

This policy covers all complaints about any community facilities or services provided by the School. It does not extend to complaints that are dealt with under other statutory procedures and/or other policies, 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 Leeds City Council.
<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). Details of this are available from Leeds City Council.
<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 School's Behaviour Policy can be made through this policy.</i>

<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 the School should complain through this policy. 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 School's internal grievance procedures.</p>
<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 directly.</p>
<ul style="list-style-type: none"> • National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>
<ul style="list-style-type: none"> • Parent conduct 	<p>Complaints to and from school regarding unreasonable behavior of parents on the school site will be dealt with by HY Legal Firm on behalf of the school.</p>

Where the School receives numerous complaints from various individuals about the same matter these will be classed as "campaigns". Campaigns will not be dealt with under this procedure, however the School will use its discretion to publish or otherwise provide a response to the complaint.

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 the 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.

4. 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'.

5. How to raise a concern or complaint

A concern or complaint can be made in person, in writing at 'mainoffice@beestonprimary.org' or by telephone (0113 2716978). They may be made by the individual affected or by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

At no stage under this procedure complainants should 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 or 3 of the procedure.

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 limit to raise complaints

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will not consider complaints made outside of this time frame.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Equality law considerations

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.

Withdrawal of a Complaint

If you wish to withdraw your complaint, you will need to write to the School confirming this.

6. The Stages of a Complaint

This policy consists of three distinct stages:

- **Stage 1** – complaints are addressed informally, with the primary objective of achieving a mutually satisfactory resolution.
- **Stage 2** – formal stage which commences with the complaints form at Appendix A being submitted to the school office.
- **Stage 3** – where the complainant is dissatisfied with the outcome of Stage 2, they have the option to escalate the matter to Stage 3. This is the final stage of the School's formal complaints process.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage and many issues can be resolved informally, without the need to use the formal stages of this policy. The School therefore encourages complainants to start at stage 1 before advancing to stage 2 and 3. The School takes concerns seriously and will make every effort to resolve the matter as quickly as possible. We understand, however, that there are occasions when you may wish to raise your concerns formally.

Appendix B consists of a flow chart, which clearly shows the process/steps to follow for complaints at each stage of this Complaints Policy.

7. Stage 1 – Concerns or Informal Complaints

In the first instance concerns should be addressed to your child's class teacher. Class teachers have 'on the ground' day-to-day involvement with your child's education and are very often best placed to resolve your concerns.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, another staff member will be asked to consider your complaint. 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.

The School will aim to resolve concerns or informal complaints in person, via telephone, or via a written response, within 20 school days of receipt of the concern or informal complaint

Stage 2 formal complaints will not be considered by School unless Stage 1 has been exhausted.

8. Stage 2 – Formal Complaints

In what form should the Stage 2 complaint be made?

Formal complaints MUST be made on the template complaints form provided at Appendix A at the end of this policy. Please mark complaints as Private and Confidential.

Who should complaints be made to?

Complaints against school staff (except the Headteacher) should be made to the Headteacher via the school office.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors via the school office.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Headteacher via the school office.

Who will consider the Stage 2 complaint?

An impartial investigator will be assigned to the stage 2 complaint.

- For complaints against school staff (except the Headteacher) – a member of the Senior Leadership Team ('SLT') will lead the investigation. There may also be circumstances whereby the school employs an external provider to investigate. If the investigation is delegated to a member of the SLT or external provider, the outcome of the complaint will be taken by the Headteacher.
- Complaints that involve or are about the Headteacher or any governor – a suitably skilled governor.
- Complaints about the Chair and Vice Chair jointly, the majority of, or the entire governing body – an independent investigator appointed by the governing body.

How will the complaint be handled?

The Investigator will record the date the complaint (Appendix A) is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days.

The Investigator will review the complainant's completed complaint form (Appendix A) in order to clarify the nature of the complaint. They will then ask what remains unresolved and what outcome the complainant would like to see. This may be done in writing, over the phone, virtual or face to face.

The Investigator will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish; and
- keep a written record of any meetings/interviews in relation to their investigation.

Within 15 school days of concluding the investigation, the Investigator will provide a formal written response to the Headteacher. If the Investigator is unable to meet this deadline, they will provide the complainant with an update and revised response date. The Headteacher will provide a written response of the outcome of the investigation with the Complainant.

The response will detail:

- any actions taken to investigate the complaint;

- an explanation of the decision made and the reason(s) for it;
- where appropriate, details of actions the School will take to resolve the complaint;
- how the complainant can escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

9. Stage 3 – Governors’ Appeal Panel

What is the purpose of Stage 3?

If the complainant is dissatisfied with the outcome of Stage 2, an appeal can be made to a panel of governors under Stage 3, (Appendix A of this policy). This is the final stage of the internal complaint procedure.

The aim of a panel is **not to reinvestigate the complaint**. The panel will review **how** the complaint has been investigated and determine whether this has been conducted fairly.

The Panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt at Stage 1 of the procedure.

In what form should the Stage 3 complaint be made?

Appeals to Stage 3 can be made on the template complaints form provided at Appendix A at the end of this policy.

Who should appeals be made to?

A request to escalate to Stage 3 must be made to the Headteacher via the school office, within 5 school days of receipt of the Stage 2 written response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

Who will consider the appeal?

A panel of governors will consider appeals at Stage 3 (‘Panel’). The Panel will consist of three governors with no prior involvement or knowledge of the complaint. If there are fewer than three governors from the School available, the School will source any additional, independent governors.

Complaints about the Chair and Vice Chair jointly, the majority of, or the entire governing body will be heard by a committee of independent Panel members.

Can the complainant be accompanied at the Panel meeting?

The complainant will be invited to attend a panel hearing. They may bring someone along to provide support at the Panel meeting. This can be a relative or friend. Representatives from legal or the media are not permitted to attend.

How will the complaint be handled?

School will record the date the stage 3 complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

School will write to the complainant to inform them of the date of a meeting with the Panel. They will aim to convene a meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, the School will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of three proposed dates, without good reason, the School will decide when to hold the meeting. The Panel will proceed in the complainant's absence.

At least 5 school days before the panel meeting, the School will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring so far as possible that the dates are convenient to all parties and that the venue and proceedings are accessible; and
- request copies of any further written material to be submitted to the Panel. All material will be circulated to all parties at least 5 school days before the date of the meeting. The Panel will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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 any proceedings are recorded.

Prior to the meeting, the Panel will decide amongst themselves who will act as the Chair of the Panel.

The Panel will consider the complaint and all the evidence presented. The Panel may adjourn the meeting to conduct further investigation or obtain additional evidence.

The Panel can:

- uphold the complaint in whole or in part; or
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the Panel will:

- decide on the appropriate action to be taken to resolve the complaint; and
- where appropriate, recommend changes to the School's systems or procedures to prevent similar issues in the future.

An outcome letter will be sent to the complainant and the School within 10 school days of the meeting. The response will detail:

- an explanation of the decision and the reason(s) for it;
- how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the School.

10. 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 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.

11. Vexatious or Repeated Complaints, and Unreasonable or Persistent Contact

The School is committed to fostering good relationships with parents, carers and members of the community and is committed to open and transparent communications and addressing complaints and concerns fairly and efficiently and under the above procedure. We will not normally limit the contact that anyone has 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, offensive or threatening. The School reserves the right to identify and manage complaints and/or concerns that are deemed vexatious or repeated in nature; for example if a parent is subject to a communication order or a ban from the school site due to unreasonable behavior, it will not be managed under this policy but via school and HY Legal Firm.

Unreasonable behaviour, vexatious or repeated complaints hinders the School's ability to provide education to our pupils as it redirects our resources. Examples of these types of behaviour are:

- refusing to articulate their complaint, specify the grounds of a complaint, or specify the outcomes sought, despite offers of assistance
- refusing to co-operate with staff and published procedures
- refusing to accept that certain issues are not within the scope of the complaints procedure
- insisting on matters being dealt with in ways which are incompatible with the School's procedures or with good practice
- introducing trivial or irrelevant information which they expect to be taken into account and commented on
- raising large numbers of detailed but unimportant questions, and insisting they are fully answered, often immediately and to their own timescales

- making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced
- changing the basis of the complaint as the investigation proceeds
- repeatedly raising the same matter or questions or making the same complaint
- refusing to accept the findings of an investigation into a complaint where the School's complaint procedure has been fully and properly implemented and completed
- seeking unrealistic outcomes to matters
- making excessive demands on school time by frequent, lengthy and complicated contact with staff in person, in writing, by email and by telephone
- breaching the Schools Parental Code of Conduct
- using threats to intimidate
- using abusive, offensive or discriminatory language or violence
- knowingly providing falsified information
- publishing unacceptable information on social media or other public forums
- conduct which is intended to harass or annoy staff, or cause disruption
- pursuing matters that are unmeritorious
- demanding redress which lacks any serious purpose or value.

Individuals should try to limit their communication with the School. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay outcomes being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the individual informally before applying an 'unreasonable' marking.

If the behaviour continues, the Headteacher will write to the individual explaining that their behaviour is unreasonable and ask them to change it. For individuals who excessively contact the School causing a significant level of disruption, the School may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, the School may revoke your implied licence to enter on the School premises and ban an individual from the School premises. If conduct is sufficiently serious the School will contact the Police.

Appendix A – Complaint Form

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
What stage of the policy are you writing under?
If you are writing to appeal to Stage 3, have you completed Stage 2?
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.

Time limit to raise complaints

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will not consider complaints made outside of this time frame.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Appendix B – The Complaint Process

