



At Lobley Hill Primary School we aim to ‘Be the Best We Can Be’ through being curious, adventurous and respectful in order to achieve personal excellence.

Lobley Hill Primary School

Complaints Policy

Approved by:	Governing Body	Date: 9 November 2021
Last reviewed on:	November 2021	
Next review due by:	November 2024	



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Introduction

This policy covers any **general** complaints which complainants may wish to raise. It is **not** intended to cover those aspects of school life for which there are specific statutory requirements, in particular:

- Arrangements under section 409 of the Education Act 1996 for complaints about the delivery of the National Curriculum and the provision of collective worship and religious education
- Parents who are not satisfied with a local authority decision about special needs assessments
- Concerns about schools’ admissions and exclusions
- Allegations of child abuse, financial improprieties or other criminal activities
- Complaints about general matters of policy, such as the overall resourcing of a school
- Teacher performance

Purpose of the Policy

This policy aims to reassure complainants that any complaint raised will be dealt with in a fair, open and responsive way with the aim of achieving a speedy and satisfactory resolution. The school recognises a willingness to listen to questions and criticisms and to respond positively and in a way in which improvements can be made to school practices.

Concerns and Complaints

The complainant should initially raise any concern directly with the class teacher informally.

If the complainant is not satisfied with the response from the class teacher they should:

- raise any concerns that they have directly with the Headteacher, preferably in writing, using the attached formal complaints form.
- The Headteacher will investigate the complaint via discussions with the parent and those involved.
- Once all of the relevant facts have been established, the Headteacher will produce a written response to the complaint and/or may wish to speak to the parent/carer to resolve the matter directly.
- The response will document the decision reached and the reasons for it. Where appropriate, it will also include what action the school will take/has taken to resolve the complaint.
- As far as is reasonable this will take place within 10 school days of the initial complaint being received by the Headteacher.

If the complainant is not satisfied with the Headteacher’s response then they are invited to put their complaint in writing within 10 school days of the Headteacher’s response, addressing their correspondence to the Chair of Governors, either via the school in a sealed envelope or addressed to:



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Chair of Governors,
Lobley Hill Primary School
c/o Governor Support Service,
Dryden Centre, Evistones Road
Gateshead, NE9 5UR

It is helpful at this point if the complainant can indicate in writing how they would like the matter to be resolved and what outcome they would like to see achieved.

If the complaint relates to the Headteacher, the complainant should write directly to the Chair of Governors with their complaint.

Second Contact: Referral to the Chair of Governors

The Chair of Governors will acknowledge the complaint in writing within five school days of receipt. The Chair will provide an opportunity for parents/ carers to meet with them to discuss the complaint.

The Chair will conduct their own investigation into the complaint. If a pupil/student needs to be interviewed as part of the investigation it shall only be done with the parent/carers consent; and an appropriate adult will be asked to be present during the interview. The Chair may request an independent officer to assist them with the investigation if they feel this is appropriate.

The Chair will decide, on the basis of the information gathered, whether the complaint is justified in whole or in part and decide on the appropriate action, if any, to take. Possible outcomes may include:

- Recommending changes to the school’s systems and procedures to ensure similar issues do not reoccur in the future
- An apology
- An admission that the situation could have been addressed differently or better, and reassurance that similar events will not reoccur
- An undertaking that school policies will be reviewed in light of the complaint
- No fault found, complaint not upheld, no action taken

All decisions will be recorded in writing within 10 school days of the Chair completing their investigation, as far as is reasonably practical, and a copy provided to the complainant. The letter to the complainant will offer the right of appeal to the governing body complaints committee (Vice Chair of Governors to Chair this committee).

If the complaint relates to the Chair of Governors or Governing Body the complainant should write directly to the clerk to the body at the above address who will consider how to best address the complaint.



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If the complainant wishes to appeal they must do so in writing to the Vice Chair of Governors (via the school or at the above address for Governor Support Service) within 10 school days.

The complainant will be offered the opportunity to attend a meeting where they will have the opportunity to discuss their complaint with the committee (minimum of three Governors, not previously involved) and why they are not satisfied with the Chair’s decision. The Chair will also attend this meeting.

The complaints committee will consider the issue and write to inform the complainant within 10 school days of their decision. Possible outcomes may include:

- Recommending changes to the school’s systems and procedures to ensure similar issues do not reoccur in the future
- An apology
- An admission that the situation could have been addressed differently or better, and reassurance that similar events will not reoccur
- An undertaking that school policies will be reviewed in light of the complaint
- No action taken

This is the last stage at which the complaint may be heard at school level.

If the complainant believes that Lobley Hill Primary 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 of Education after they have had a response from the Clerk of Governors.

The Department of Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Lobley Hill Primary 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 of Education online at: www.education.gov.uk/contactus by telephone on: 03700002288 or by writing to:

Department of Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Monitoring the Policy

The Governing Body will review the policy on a three-year cycle (or more often if required) and monitor the number of complaints received, how these were addressed and any action taken.



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Anonymous Complaints

The Governing Body will not consider anonymous complaints. Any anonymous complaints will be retained and the number reported to Governors to enable Governors to monitor any patterns of complaints.

Vexatious Complaints

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of Governors will inform them in writing that the procedure has been exhausted and that the matter is now closed.

If the complainant displays any unreasonable behaviour to any member of staff or Senior Leadership Team then the matter will be passed to our Safeguarding Team (Clennell Education Solutions) or the Local Authority who will then become the point of contact between the complainant and school.

To be reviewed November 2024



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FORMAL COMPLAINT FORM

Name:	
Address	
Postcode:	
Pupils Name (if applicable)	
Pupils Class Teacher (if applicable)	
Telephone Number – Daytime	
Telephone Number – Evening	

What is your complaint about?



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Name: (please print)	
Signed:	
Date:	
Official use	
Date acknowledgement sent:	
By who:	
Complaint referred to:	
Date:	

PLEASE RETURN THIS FORM TO THE HEADTEACHER/CHAIR OF GOVERNORS OR THE CLERK OF GOVERNORS (as appropriate)



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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
- 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:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - 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.



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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:
 - sharing third party information
 - 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:



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- 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



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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.