



Hollymount School Complaints Procedure Policy

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Hollymount Primary School

Complaints Procedure

	Page
1. Introduction	3
2. Aims	3
3. Legislation and guidance	3
4. Definitions and scope	3
4.1 Definitions	
4.2 Scope	
5. Roles and responsibilities	4
5.1 The complainant	
5.2 The investigator	
5.3 Clerk to the governing body	
5.4 Committee chair	
6. Principles for investigation	5
6.1 Time scales	
Complaints about fulfilment of early years requirements	
7. The complaint process	5
7.1 Stage 1: Informal	
7.2 Stage 2: Formal	
7.3 Stage 3: Informing governors	
7.4 Stage 3: At the review panel meeting	
7.5 Stage 3: The outcome	
7.6 Complaints against school staff	
8. Complaints against the Headteacher, a governor or the governing body	7
8.1 Stage 1: Informal	
8.2: Stage 2: Formal	
8.3 Stage 3: Review panel	
9. Referring complaints on completion of the school's procedure	8
10. Persistent complaints	8
10.1 Unreasonably persistent complaints	
10.2 Duplicate complaints	
10.3 Complaint campaigns	
11. Record Keeping	9
12. Monitoring and review	10
13. Learning lessons	10
14. Monitoring arrangements	10
Appendix: Complaint Form	11



1. Introduction

We strive to provide a good education for all our children. The Headteacher and staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are complaints by parents or guardians. The following policy sets out the procedures that the school follows in such cases.

If any parents are unhappy with the education that their child is receiving, or have any concerns relating to the school, we encourage them to talk to the child's class teacher immediately.

We deal with all complaints in accordance with procedures laid down by the Department for Education. If the school itself cannot resolve a complaint, those concerned can refer the matter to the Secretary of State for Education.

2. Aims

Hollymount aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial

- Facilitate a full and fair investigation by an independent person or panel, where necessary

- Address all the points at issue and provide an effective and prompt response

- Respect complainants' desire for confidentiality

- Treat complainants with respect and courtesy

- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law

- Keep complainants informed of the progress of the complaints process

- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed. The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure we publicise the existence of this policy and make it available on the school website. Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

3. Legislation and guidance

This document meets the requirements of section 29 of the Education Act 2002, which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on guidance for schools on complaints procedures from the Department for Education (DfE), including the model procedure, and model procedure for dealing with unreasonable complaints. In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

4. Definitions and scope

4.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:



- A concern is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day-to-day communication as far as possible
- A complaint is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

4.2 Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
- School transport services
- School re-organisation proposal
- Children who are out of school

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school’s support are within the scope of this policy. Such complaints should first be made to the Inclusion Leader; they will then be referred to this complaints policy. Our SEN policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

5. Roles and Responsibilities

5.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect
- Not publish details about the complaint on social media

5.2 The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions

5.3 Clerk to the governing board

The clerk will:



Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings

Arrange the complaints hearing

Record and circulate the minutes and outcome of the hearing

5.4 Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

6. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

6.1 Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved. When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

Set new time limits with the complainant

Send the complainant details of the new deadline and explain the delay

6.2 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

7. The complaints process

7.1 Stage 1: Informal

If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher as soon as possible. In our experience, most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.

Where parents feel that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with a



member of the Leadership Team or Headteacher. The Leadership Team and Headteacher considers any such complaint very seriously, and investigates each case thoroughly. Once the investigation has been carried out, usually within 5 school days, the informal stage will conclude with a meeting between the complainant and the investigating staff member, as appropriate. Most complaints are normally resolved by this informal stage.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

7.2 Stage 2: Formal

Formal complaints can be raised:

By letter or email

Over the phone

In person

By a third party acting on behalf of the complainant

The complainant should provide details such as **relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.** If complainants need assistance raising a formal complaint, they can contact the school office on 020 8946 0454.

The Headteacher will call a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance. In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The Headteacher will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 5 school days. The Headteacher will try their very best to resolve the complaint at this stage, and this may involve the chair of governors participation.

7.3 Stage 3: Informing Governors

Only if the matter remains unresolved a formal complaint can be made to the governing body. If the complainant wishes to proceed to this next stage, they should inform the clerk to the governors. Please ask the school office for the clerk to the governors contact details.

The clerk to the governors will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint. The parent should send this written complaint to the clerk of the governors. *(Attached Formal Complaint form should be used)*

The Chair of Governors must consider all written complaints within 10 school days of receipt. The clerk to the Governors will arrange a meeting with a review panel. The review panel consists of the first 3 members of the governing board available, who don't have direct knowledge of the complaint. These individuals will have access to the existing record of the complaint's progress. The governors will select a panel chair from amongst themselves.



If not enough impartial governors are available, we will seek panel members from other schools within the local cluster of schools. We will make sure the governors we source are suitably skilled and can demonstrate that they are independent and impartial.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. The clerk will aim to find a date within 15 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties. Any written material will be circulated to all parties at least 5 school days before the date of the meeting.

7.4 Stage 3: At the review panel meeting

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the Headteacher.

7.5 Stage 3: The outcome

The committee can:

- Uphold the complaint, in whole or in part

- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint

- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The school will inform those involved of the decision in writing within 5 school days. The governors do all they can at this stage to resolve the complaint to the parent's satisfaction.

7.6 Complaints against school staff

If your complaint amounts to or includes an allegation against a member of staff, this would be dealt with by the Headteacher from stage 1. If the complaint is upheld, then the school would consider invoking disciplinary procedures against the member of staff.

8. Complaints against the Headteacher, a governor or the governing body

8.1 Stage 1: Informal



Complaints made against the headteacher or any member of the governing board should be directed to clerk to the governors in the first instance.

If the complaint is about the headteacher or one member of the governing board (including the chair or vice-chair), a suitably-skilled and impartial governor will carry out the steps at stage 1 (set out in section 7 above).

8.2 Stage 2: Formal

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, an independent investigator will carry out the steps in stage 2 (set out in section 7 above). They will be appointed by the governing board and will write a formal response at the end of their investigation.

a. Stage 3: Review panel

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, a committee of independent governors will hear the complaint. They will be sourced from the cluster of local schools and will carry out the steps at stage 3 (set out in section 7 above).

9. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the School Complaints Unit (SCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.

The SCU will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The SCU also looks at whether the school's statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

10. Persistent complaints

10.1 Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refused to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps we will take



We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

10.2 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

10.3 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

11. Record Keeping

The school will record the progress of all Stage 2 and 3 complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.



Records of complaints will be kept securely, only for as long as necessary and in line with the school's data protection policy.

12. Monitoring and review

The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher logs all complaints received by the school, and records how they were resolved.

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

13. Learning lessons

The governing body will review any underlying issues raised by complaints with the Headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

14. Monitoring arrangements

The governing body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The governing body will track the number and nature of complaints, and review underlying issues as stated in section 12.

The complaints records are logged and managed by the Headteacher.

This policy will be reviewed by the Pupil, Personnel and Community Committee 3 years.

At each review, the policy will be approved by the full governing board.

Contact details

Contact can be made with members of staff, the leadership team or governors via the school office:

Telephone: 020 8946 0454 e-mail: office@hollymount.merton.sch.uk

Headteacher:	Mr Sam Birnage
Chair of governors:	Mr Robert Hatley
Clerk to the Governors:	Mrs Jane Dowek

References: *Best practice guidance for school complaints procedures March 2019*
Model Policy from The Key, April 2019



Hollymount School Formal Complaint Form

Please complete this form and return it, via the school office, to the Headteacher (or Clerk to the Governing Body), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with the school (e.g. parent of pupil on roll):

Pupil's name (if relevant to your complaint):

Yours address:

Telephone numbers

Daytime:

Evening:

e-mail address:

Please give concise details of your complaint, including all relevant dates, names and facts, to enable the matter to be fully investigated.

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



What action, if any, have you already taken to try and 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?

Signed

Date.....

SCHOOL USE

Date form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred:

Date: