

COMPLAINTS POLICY & PROCEDURE



Northgate Primary School

Document details	
Policy reference number:	POL-019
Category:	Human Resources
Authorised by:	Full Governing Body
Document status:	Approved
Chair of Trustee signature:	L Foote
Date approved:	March 2024
Issue date:	March 2024
Next Review:	March 2027
Changes since previous version:	
<ul style="list-style-type: none">N/A	

Contents

1. Who can make a complaint?	3
2. The difference between a concern/informal complaint and a formal complaint.....	3
3. How to raise a formal complaint	3
4. Anonymous complaints	4
5. Timescales	4
6. Complaints received outside of term time	4
7. Scope of this complaints policy	4
8. Resolving complaints	6
9. Withdrawal of a complaint	7
10. Roles and responsibilities	7
11. The complaints process	7
11.1. Stage 1 – Initial investigation.....	7
11.2. Stage 2 - Governors complaint panel	8
Appendix 1 - Formal Complaint Form	11
Appendix 2 – Roles and Responsibilities.....	13

1. Who can make a complaint?

This complaints process is not limited only to parents or carers of children that are registered on roll at Northgate Primary School (the "School"). Other people, including members of the public, may make a complaint to the School about the provision of facilities or services by the School. Unless a complaint should be dealt with under a separate statutory procedure or under a separate School policy or procedure, the School will use this complaints procedure.

2. The difference between a concern/informal complaint and a formal complaint

The School defines a concern or informal complaint as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought".

The School defines a formal complaint as "an expression of dissatisfaction, however made, about actions taken or a lack of action and which requires a formal response in writing".

Concerns/informal complaints should be raised with either the class teacher, the relevant Key Stage Lead or a member of the Senior Leadership Team. If you have difficulty discussing a concern/informal complaint with a particular member of staff, the School will respect this and you will be referred to another staff member. Similarly, if you wish a concern/informal complaint to be considered by a specific member of staff you may request this. If the member of staff first contacted about a concern/informal complaint feels unable to deal with the issue, they will refer the matter to an appropriate member of the Senior Leadership Team.

The School takes concerns/informal complaints seriously and acknowledges that it is in everybody's interest that they are resolved in an efficient manner. The School will therefore endeavour to respond to any concern or informal complaint promptly. The response may at the School's discretion be provided orally or in writing and will detail what action and/or monitoring of the issue the School will undertake. Where an oral response is provided then except where the matter is very minor in nature, the School will record the concern/informal complaint and any action/monitoring in writing for the School's internal records.

If a complainant is not satisfied with the School's response to a concern or informal complaint, the next step is to make a formal complaint. The School also understands that there are some occasions when people may only wish to raise their concern formally as a complaint. In either of these circumstances, the School will attempt to resolve the issue(s) internally, through the stages outlined within this complaints policy.

The School is committed to dealing with all complaints fairly and impartially.

3. How to raise a formal complaint

A complaint can be made in person, in writing or by telephone. A third party acting on behalf of a complainant may make a complaint, provided that the third party is able to demonstrate to the School that he or she has the appropriate consent to do this.

Any complaint made under this policy (except those relating to the Headteacher, the Chair of Governors, any individual governor or the whole Governing Body) should be made to the Headteacher. If the complaint is being made by letter it should be sent via the School office. If the complaint is being made by email it should be sent to the following address: admin@northgate.herts.sch.uk.

Complaints regarding the Headteacher should be addressed to the Chair of the Governing Body. If the complaint is being made by letter it should be sent via the School office. If the complaint is being made by email it should be sent to the following address: clerk@northgate.herts.sch.uk.

Complaints about the Chair of Governors, any individual governor or the whole Governing Body should be addressed to the Clerk to the Governing Body. If the complaint is being made by letter it should be sent via the School office. If the complaint is being made by email it should be sent to the following address: clerk@northgate.herts.sch.uk.

All complaints should be marked private and confidential.

Complaints should not be made to an individual governor. In the event that a governor is approached by a complainant, the governor will signpost the complainant to the procedure for making a complaint set out in this policy. Governors have no power to act on an individual basis and being informed of the details of a complaint before a Stage 1 initial investigation has taken place may prevent the governor from considering the complaint at a Stage 2 governor complaint panel.

The School encourages complainants to make their complaint using the template complaint form which is included at Appendix 1 to this policy. If a complainant requires help to complete the form, they should contact the School office. Third party organisations such as the Citizens Advice Bureau or POhWER can also be asked to assist.

POhWER was founded in Hertfordshire in 1996. It delivers services in Hertfordshire as part of the HertsHelp service, in partnership with a wide range of voluntary sector organisations including Advocacy. It is a free and impartial service. POhWER's contact details are as follows:

POhWER

Telephone: 0300 456 2370

Text: send the word 'pohwer' with your name and number to 81025

Email: pohwer@pohwer.net

Skype: pohwer.advocacy

Post: PO Box 14043, Birmingham B6 9BL

Where a complaint is not submitted in writing, the School will ensure that the complaint is recorded in writing to ensure that the issues being complained about and the complainant's desired outcomes are clear.

In accordance with equality law the School will consider making reasonable adjustments if these are required in order to enable a complainant to access and use this complaints policy. This includes providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

4. Anonymous complaints

The School will not always investigate anonymous complaints. On receipt of an anonymous complaint, the Headteacher, Chair of Governors or Clerk to the Governing Body (as appropriate) will determine whether the complaint warrants an investigation.

If any investigation is undertaken, the outcome of the investigation will not be shared with the complainant as the School will not know the complainant's identity.

5. Timescales

All complaints must be raised within three months of the incident or event which is the subject of the complaint. Where a series of associated incidents have occurred, the complaint must be raised within three months of the last of these incidents. Where a complaint is made outside of this timeframe however the School may, at its discretion, consider investigating the complaint.

6. Complaints received outside of term time

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

7. Scope of this complaints policy

This policy applies to complaints about the provision of facilities or services by the School other than complaints – which include those detailed below - that are dealt with under a separate statutory procedure or under a separate school policy or procedure:

Exception	Who to contact
Admissions to schools.	Complaints about admissions should be handled through a separate process – either through the appeals process or via the local authority.
Matters likely to require a child protection investigation	Complaints about child protection matters are handled under the School’s child protection 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 responsibility for safeguarding or the multi-agency safeguarding hub (MASH): telephone 0300 123 4043.
A member of staff complaining about an action or decision of the School’s Full Governing Body	The Governing Body will have already given the matter full consideration.
Exclusion of children from school*	<p>Further information about raising concerns about exclusion can be found at:</p> <p>Behaviour in schools: sanctions and exclusions: Exclusions - GOV.UK (www.gov.uk)</p> <p>*Complaints about the application of the School’s behaviour policy can be made through this complaints policy. A copy of the School’s behaviour policy can be found on the school’s website.</p>
Staff grievances	Complaints from staff will be dealt with under the School’s internal grievance procedures.
Complaints regarding services provided on School premises by a third party	Complaints regarding services provided on school premises by a third party should be made directly to the provider and be dealt with under the provider’s own complaints procedure. If the matter involves a Safeguarding concern, this should however also be raised with the School immediately.
Complaints regarding internal management decisions – eg. class and teacher allocations and school session time changes	Internal management decisions are the responsibility of the School’s Senior Leadership Team and, as such, complaints regarding these issues cannot be considered under this policy.
National Curriculum content	<p>Contact the Department for Education at:</p> <p>Contact the Department for Education (DfE) - GOV.UK (www.gov.uk)</p>
Complaints regarding the behaviour of parents outside to the school premises	The School regularly communicates with parents to promote and encourage appropriate behaviours and conduct whilst in the immediate vicinity of the School. However, the School is not responsible for parents' behaviour and conduct beyond the boundaries of the School's premises and as such complaints of this nature cannot be considered under this policy.
Staff conduct	Where a complaint is made regarding staff conduct, this will be dealt with under the School’s internal disciplinary procedures set out in the staff Code of Conduct rather than under this policy. Following any investigation the complainant cannot, for reasons of confidentiality, be

Exception	Who to contact
	informed of any disciplinary action taken against any staff member as a result of the complaint. A complainant will however be notified that the matter has been addressed.
Complaints about pupil behaviour outside of School hours, eg. weekends or holiday periods.	The School promotes and encourages appropriate behaviours and conduct by its pupils. However, the School is not responsible for pupils' behaviour and conduct outside of School hours/activities and as such complaints of this nature cannot be considered under this policy.
Whistleblowing	<p>The School has a whistleblowing policy for all its employees. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers who do not want to raise matters direct with their employer. Referrals can be made at:</p> <p>Contact the Department for Education (DfE) - GOV.UK (www.gov.uk)</p> <p>Volunteer staff who have a complaint about the School should follow the School's complaints procedure set out in this policy. Volunteers may also be able to complain direct to the local authority or the Department for Education (using the link above) depending on the substance of the complaint.</p>

8. Resolving complaints

At each stage of the process for resolving complaints set out in this policy, the School will aim to resolve the complaint. If appropriate, the School will acknowledge that the complaint is upheld, either in whole or in part. In addition, the School 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 the School will try to ensure that the event(s) complained of will not re-occur;
- an explanation of the steps that have been or will be taken to help ensure that the event will not happen again, together with an indication of the timescales within which any changes will be made;
- an undertaking to review relevant School policies in light of the complaint; and/or
- an apology.

If other bodies are looking into aspects of a complaint, for example the Police, the Local Authority Safeguarding Teams or another tribunal, this may impact on the School's ability to adhere to the timescales set out within this policy. It may also result in the process set out in this policy being suspended until the other relevant body has concluded its enquiries.

If a complainant commences legal action against the School in relation to their complaint, we will consider whether to suspend the procedure set out in this policy until the legal proceedings have concluded. If the procedures are suspended, the School will only consider investigating the complaint after the conclusion of legal proceedings if those proceedings did not address the issues at the heart of the complaint.

9. Withdrawal of a complaint

If a complainant wishes to withdraw their complaint, they must inform the School. The School will encourage the complainant to confirm this in writing. As soon as reasonably practicable after the complainant withdraws their complaint, the School will write to the complainant to confirm that, in accordance with their wishes, the complaint has been withdrawn.

10. Roles and responsibilities

All parties involved in a complaint should seek to behave in a courteous and respectful manner and in accordance with the requirements contained in Appendix 2.

11. The complaints process

11.1. Stage 1 – Initial investigation

The School will record the date a complaint is received and will acknowledge receipt of the complaint in writing by email within 3 school days. In the acknowledgement the Headteacher (or other investigator) will, where necessary, seek to clarify the nature of the complaint, what remains unresolved and what outcome(s) the complainant would like to see. The Headteacher (or other investigator) will, if he or she considers it necessary, convene a face-to-face meeting with the complainant to decide these issues.

The Headteacher (or other investigator) can delegate the investigation of any complaint to another member of the School's Senior Leadership Team, but cannot delegate the decision(s) to be taken.

If the complaint concerns the Headteacher or a member of the Governing Body, a suitably skilled governor will be appointed to complete the investigation of the complaint.

If the complaint relates to:

- the Chair of Governors and/or the Vice Chair of Governors;
- the majority of the Governing Body; or
- the entire Governing Body,

the investigation will be undertaken by an investigator appointed by the Clerk to the Governing Body. This person will be independent of the School and could be a governor from another school.

The investigation to be undertaken by the Headteacher (or other investigator) will comprise a review of relevant correspondence and meetings/interviews with those involved in the matter. The decision as to who should be interviewed and how is up to the Headteacher (or other investigator). Any person interviewed as part of the investigation may be accompanied if they wish.

The Headteacher (or other investigator) will keep a written record of any meetings or interviews undertaken as part of their investigation.

Once the investigation has been concluded, the Headteacher (or other investigator) will provide a formal written response which details the decision taken in relation to the complaint. The Headteacher (or other investigator) will endeavour to provide this written response within 15 school days from the date of receipt of the complaint. If the Headteacher (or other investigator) is unable to meet this deadline for whatever reason, they will provide the complainant with an update and a revised response date.

The written response will detail the actions taken to investigate the complaint and will provide an explanation of the decision(s) made and the reasoning behind them. Where appropriate and possible, the response will also include details of actions the School will take in light of the complaint.

The Headteacher (or other investigator) will advise the complainant how they may escalate their complaint should they remain dissatisfied with the outcome of the Stage 1 initial investigation.

11.2. Stage 2 - Governors complaint panel

Stage 2 is the second and final stage of the School's complaints process. If a complainant is dissatisfied with the outcome of a Stage 1 initial investigation, he or she can request that a Stage 2 governors complaint panel consider the outcome of a Stage 1 initial investigation.

A request for a complaint to be considered by a Stage 2 governors complaint panel must:

- be addressed to the Chair of the Governing Body and be sent to the Clerk to the Governing Body via the School office (or, where the complaint relates to the Chair of Governors be addressed to the Clerk to the Governing Body and sent to the Clerk to the Governing Body via the School office);
- be made within 10 school days of the date of the written response to the Stage 1 initial investigation. Requests to refer a complaint to a Stage 2 governors complaint panel made outside of this timeframe do not have to be accepted; and
- include any further written material which the complainant wishes the Stage 2 governors complaint panel to consider. Any written material received after the date of the request will not be accepted.

The Clerk to the Governing Body will record the date that the request is received and acknowledge receipt of the request in writing by email within 3 school days.

The Clerk to the Governing Body will convene the panel of governors who will consider the outcome of the Stage 1 initial investigation. The panel will comprise at least three members, all of whom will not have been directly involved in or have had any prior involvement with the complaint. At least one of the panel will be a governor from another school. If the complaint relates to:

- the Chair of Governors and/or the Vice Chair of Governors; or
- the majority of the Governing Body; or
- the entire Governing Body,

the panel will consist entirely of governors from other schools.

The panel will decide amongst themselves who will serve as the chair of the panel.

The panel will only consider the outcome of a Stage 1 initial investigation. A Stage 2 governor complaint panel will not consider new complaints. If the complainant wishes to raise a new or further complaint, he or she must make the complaint in accordance with this policy.

The Clerk to the Governing Body will aim to convene a panel as soon as reasonably possible.

The panel will decide whether to investigate the outcome of the Stage 1 initial investigation by inviting parties to a hearing or by way of written representations. In making their decision the panel will be sensitive to the complainant's needs.

Where the panel deems that no hearing is required, the panel will endeavour to convene to consider the outcome of the Stage 1 initial investigation within 20 school days of the receipt of the request to investigate the outcome of a Stage 1 initial investigation. Where this is not possible, the Clerk to the Governing Body will inform the complainant of this and keep the complainant updated as to the likely timescale for the panel to meet.

Where the panel deem that a hearing is required, the Clerk to the Governing Body will endeavour to convene the hearing within 20 school days of receipt of the request to investigation the outcome of a Stage 1 initial investigation. The Clerk to the Governing Body will endeavour to provide the complainant with not less than 2 school days notice of any proposed date for a panel hearing. The complainant and the School must act reasonably in seeking to agree a proposed time for the hearing. If the complainant rejects the offer of three proposed dates the Clerk to the Governing Body will decide when the hearing will be and will inform the complainant of the proposed date. If necessary, the hearing will proceed in the complainant's absence, in which case the panel will consider all written representations from the complainant and the respondent on behalf of the School. Any hearing may, at the Clerk to the Governing Body's discretion, be online or in person. Where the hearing will be in person, the panel will decide whether the complainant and the respondent on behalf of the School will attend separately or together. This will depend on the circumstances of the complaint. If either the

complainant of the respondent on behalf of the School elects to leave a hearing before it has finished, the hearing will continue in their absence.

Both the complainant and the respondent on behalf of the School may bring someone along with them to a panel hearing to provide support. This could be a friend, relative or independent supporter. Generally, the School does not encourage either party to bring legal representatives to a hearing. All questioning throughout the hearing will be conducted by the panel.

Witnesses, including members of staff, may be invited to give evidence during the course of a hearing. They may also bring someone along with them to provide support, such as a friend, relative, independent supporter or union representative.

The panel will not normally accept as evidence audio or video recordings of conversations that were obtained covertly and/or without the informed consent of all parties being recorded.

Representatives from the media are not permitted to attend a panel hearing.

Any written material submitted will be circulated to all parties as far in advance of the hearing date as is reasonably practicable.

Any panel hearing will be held in private. Electronic recording of the hearing is not permitted unless a complainant's own disability or special needs require this. Where a recording will be made, the consent of all parties attending must be sought and obtained before the hearing begins.

The Clerk to the Governing Body will minute any panel hearing or, where no hearing takes place, the panel meeting convened to consider the outcome of the Stage 1 initial investigation.

The panel will consider all of the evidence presented by both the complainant and the respondent on behalf of the School. The panel can:

- uphold the outcome of the Stage 1 initial investigation in full or in part; or
- uphold the complaint against the outcome of the Stage 1 investigation in full or in part.

If the complaint against the outcome of the Stage 1 investigation is upheld in full or in part, the panel will:

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

The chair of the panel will provide the complainant and the respondent on behalf of the School with confirmation of the outcome of the panel's investigation within 5 school days of the hearing or, where no hearing takes place, the panel meeting. This confirmation will be provided in writing and will include:

- details of all actions taken to investigate the outcome of the Stage 1 initial investigation;
- the panel's decision as to whether to uphold the outcome of the Stage 1 initial investigation or whether to uphold the complaint against the outcome of the Stage 1 decision;
- a full explanation of the panel's decision and the reason(s) for it; and
- where appropriate, details of actions the School will take to try to prevent the matters complained of from recurring.

There is no process by which a complainant can appeal to the Governing Body against the decision of a Stage 2 governors complaint panel. The written confirmation of the decision will include details of how to contact the the Department for Education which the complainant may do if it is dissatisfied with the decision.

Where a complaint has been made and the complainant has accepted either the outcome of a Stage 1 initial investigation into that complainant or the outcome of a Stage 2 governors complaints panel investigation in relation to the Stage 1 initial investigation, the School will not accept a further complaint regarding the same issue(s).

Have you raised your issue(s) with your child's class teacher at the informal stage? If so, when did you do this?	Yes (inc. date)	No
Have you raised your issue(s) with the Headteacher?	Yes (inc. date)	No
What are your desired outcomes?		
Signed:		
Date:		

Appendix 2 – Roles and Responsibilities

Complainant

The complainant should:

- Co-operate fully with the School to try to resolve the complaint.
- Respond promptly to requests for information or meetings.
- If clarification on any aspect of the complaint is sought, provide this (as well as details of the desired outcome(s)) in a timely manner.
- Treat everybody involved in their complaint and the complaints process with dignity and respect.
- Refrain from publicising the details of their complaint on social media and respect confidentiality.
- Refrain from making threats.
- Not knowingly provide false information.
- Not seek to enter into any communication with the School regarding their complaint, other than that required to facilitate the complaints process set out in this policy.
- Not raise detailed but unimportant questions or seek a response outside of the timetable set out in this policy.
- Refrain from making complaints about staff who are dealing with the issues raised by the complaint or seek to have them replaced.

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 any necessary staff, children, young people or other people.
 - Considering records and other relevant information.
 - Analysing information.
 - Referring to any relevant statutory or School policies and procedures that apply.

The Investigator should:

- Conduct interviews with an open mind and be prepared to persist in their questioning if they deem this necessary.
- Keep relevant notes of interviews or arrange for an independent note taker to document the meeting as appropriate.
- Ensure that any papers produced during the investigation are kept securely pending further consideration of the complaint.