

Holy Trinity CE Junior School



Policy for:

Written by:

Date adopted:

Review date:

Complaints Policy

**DFE Model Policy Jan21, with
additions pertinent to the school**

Spring 2025

Spring 2028

Motto	Only with Thee, O God, we journey safely on
Vision	Exemplary education for all, through God's amazing grace.
<u>4 year Vision target:</u>	By the end of July 2027: attainment and progress will remain above or within the national average; children will retain their knowledge securely; children will confidently articulate Christian values, children will be proactive learners and have aspirations for what they can achieve in life; children recognise how to behave towards one another in everyone's best interests; children will know how to be healthy, safe and enjoy life to the full!
<u>Values</u>	Learning, Dignity, Integrity, Confidence, Love
<u>Values statement</u>	Learning together, as we journey with God in Love, we act with Integrity, treat others with Dignity and grow in Confidence.
We Learn:	"Everything was created through Jesus and for him" Colossians 1.16. The sub values are: Curiosity, Wisdom, Teamwork, Hard Work and Failing Well
We Love:	"We love each other because he loved us first" 1 John 4.19. The sub values are: Community, being Non-judgmental, Forgiveness, Compassion and Kindness
We act with Integrity:	"People judge by outward appearance, but the Lord looks at the heart" 1 Samuel 16.7. The sub values are: Faithfulness, Generosity, Honesty, Trustworthiness, Self-Control and Responsibility
Each person has Dignity:	Each person has Dignity: "So God created human beings in his own image." Genesis 1.27. The sub values are: Equality, The Whole Person, Every Person, Tolerance and Advocacy
We have Confidence:	We have Confidence: "Blessed are those who trust in the Lord and have made the Lord their hope and confidence." Jeremiah 17:7. The sub values are: Wholeheartedness, Hopefulness, Joy, Humility and Resilience

Model complaints procedure

Holy Trinity CofE Junior School

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Holy Trinity C of E Junior School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

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'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Holy Trinity C of E Junior School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

Concerns

The concern will be responded to by email or phone call within 2 working days. (NB there are staff who work part-time. The response time also applies to them: two of their working days, in term time).

This is because staff have teaching commitments, training and a range of other meetings that they have to attend.

Staff wish to provide parents with necessary information; it must also be understood that the information may not be available immediately.

Before school

There is a member of SLT at the gate each morning as the school day begins at 8.40a.m.

The purpose of this is to greet and welcome the children; gauge if everyone is settled as they come in or provide support for those who may need it.

If there are quick pieces of information to be passed on, i.e., that can be dealt with in under 5 minutes, it is appropriate to do so at this time.

Staff bring children out at the end of the school day.

The main purpose of this is to ensure that the children are given safely to their grown up so that they can go home; class teachers may then return to their classrooms to carry on with their work. Exit starts at 3.10pm and should be finished by 3.20pm at the latest.

Teachers and parents may wish to exchange short pieces of information. ***This may be positive information, or may be a query or may be a concern. This should take no more than five minutes.***

If the concern or discussion is to take longer, then

- a) The teacher will:

Request a mutually agreeable time to meet with the adult

b) The parent will:

Request a meeting with the teacher, where the teacher will check availability and ask the office to support in liaising to make this happen, or send an email to the school office, clarifying the query in a respectful manner. (Office at Holy Trinity C of E Junior School: office@holytrinityjuniorwallington.com)

NB It is not acceptable for ANY heated discussion to take place in the playground. Emotional responses may be understandable but concerns should be dealt with in a calm and respectful manner.

If there is a concern from school over a child's behaviour or wellbeing, e.g., query regarding a consequence that a child has received, or a concern with one child's behaviour towards another, then, within the confines of the behaviour policy (i.e., a letter home for a 20 min RR, a phone call to parents if a child has been hurt, a phone call to parents if there is a concern re. bullying, inequality or safeguarding, including attendance, then:

- A member of staff will contact the parent to discuss the concern, usually the class teacher; whoever is the most appropriate person.
- The designated safeguarding lead or one of the deputy safeguarding leads may contact the parent to discuss the concern.

If there is a concern from a parent or carer over a child's behaviour, e.g., query regarding a consequence that a child has received, or a concern with one child's behaviour towards another, then:

- The parent should address their query to the most appropriate member of staff via a concise query given to the office staff in person, on the phone, or an email to the school office which can be passed to the member of staff.

Depending on the nature of the concern, concerns should be raised with the most relevant people - office staff (e.g., ParentPay, Clubs), the class teacher first or headteacher.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Holy Trinity C of E Junior School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Whilst concerns will be noted and addressed, a formal complaint will need to be made in writing, with a clear breakdown of any relevant points so that the complaint can be addressed in full and in accordance with this policy.

Complainants should not approach individual governors to raise concerns or complaints. Governors have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the head teacher) should be made in the first instance, to the head teacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the head teacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

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.

Depending on the nature of the complaint, details will be shared with the person or persons complained about, as part of any investigation needed, so that there is opportunity to address issues fully and give the opportunity to present evidence.

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 scales

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 consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

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

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Holy Trinity C of E Junior School other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
- 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 Cognus.
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 CFCS (Children's First Contact Service)
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 behaviour policy</i>

	<i>can be made through the school's complaints procedure.</i>
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. 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.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be 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, the complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

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 timescales cannot be adhered to for reasons given above, this will be explained to the complainant.

If a complainant commences legal action against Holy Trinity C of E Junior 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.

Resolving complaints

At each stage in the procedure, Holy Trinity C of E Junior School wants to resolve the complaint. 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.

Stage 1

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This must be done in writing (on the Complaint Form).

The headteacher and clerk will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 working school days, in term time.

Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

Within this response, the headteacher or clerk, will seek to clarify the succinct nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher or investigator can consider whether a face to face meeting is the most appropriate way of doing this.

During the investigation, the headteacher (or investigator or chair) will:

- **share the complaint with those it involves, giving time for meeting, and time for preparation for meeting those to be interviewed to answer the complaint.**
- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.
- **share their minutes with the relevant person, for the checking of accuracy.**

It is anticipated that the investigation could take up to 15 working days in term time, depending on the nature of the complaint and evidence that may be required for clarification. The investigator will seek to make this a shorter timescale.

At the conclusion of their investigation, the headteacher (or investigator) will provide a formal written response within **15 working school days in term time** of the date of receipt of the complaint, **to allow for a thorough response to the investigation.**

If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The **formal written** response will **summarise** 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 will take to resolve the complaint.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled independent investigator will be appointed to complete all the actions at Stage 1.

Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

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

In this case, all communication and liaison will be via the clerk to the governing body, who will track time scales and main procedures, in liaison with the independent investigator.

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

In this instance, complaints will be ineligible to be escalated to Stage 2, with further escalation being directed to the Department for Education (see Next Steps for details).

When Stage 1 is complete, a meeting will be held between the complainant and the most appropriate person, the appointed investigator, the head teacher and the school business manager. This meeting must take place before Stage 2.

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 complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 10 working school days in term time of receipt of the Stage 1 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 working school days in term time.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting with the three governors. They will aim to convene a meeting within 15 working school days in term time of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Holy Trinity C of E Junior School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 7 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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

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 meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part

- dismiss the complaint in whole or in part.

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

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

The Chair of the Committee will provide the complainant and Holy Trinity C of E Junior School with a full explanation of their decision and the reason(s) for it, in writing, within **10** school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Holy Trinity C of E Junior School

If the complaint is:

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

Stage 2 will be sent to the DFE.

Next Steps

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Holy Trinity C of E Junior School. They will consider whether Holy Trinity C of E Junior 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.

Complaint Form

Please complete and return to Holy Trinity C of E Junior School (either *Headteacher or Chair of Governors or Clerk*) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Please give succinct and clear information of your complaint, including whether you have spoken to anybody at the school about it, making your key points clear.

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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint 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:
 - sharing the complaint with those involved in the complaint, as appropriate, ensuring that each person knows that they will have an opportunity to address the concern
 - sensitive and thorough interviewing of the complainant and people complained about 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 further clarify what the complainant feels would put things right, if needed.

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.

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.

- Where the complaint is about the headteacher and / or member of the governing body, the

independent investigator will decide whether to uphold or dismiss the complaint.

Complaints Co-ordinator (Clerk)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- ensure that those complained about are fully updated at each stage of the procedure.
- liaise with the complainant, staff members, headteacher, Chair of Governors, Clerk, SDBE 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:

- 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
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.