



## **Locks Heath Junior School Governors' Operations Policies**

### **1.3 Complaints Policy**

**Approved by Governing Body – September 24  
To be reviewed – September 27**

Signed on behalf of the Governing Body	Name	Date

<b>Revision Status</b>					
Rev	Issue Date	Reason for Issue	Prepared	Approved	
01	23.05.17	2017 review and issue	NF	FGB	
02	23.05.18	Re-write	NF	FGB 24.05.18	
03	24.5.18	Review to incorporate DFE Model Complaints policy	NF	FGB 23.5.18	
04	20.5.21	2021 Review	NF	FGB 27.5.21	
05	16.5.24	2024 Revision	NF	FGB 26.9.24	

#### **List of Changes to previous revision**

7.2	Delegation of Chair of Governors role in certain circumstances.
8	Prohibiting use of unofficial channels e.g. personal emails

This document sets out a policy and procedure to be followed in the event of complaints being received by the school. The policy should be read in conjunction with HCC's Best Practice Guidance on Handling Complaints which provides advice on resolving complaints in the early stages, as well as detailed guidance if a complaints panel is required.

## 1. Introduction

Locks Heath Junior School is committed to providing the best possible education and support for its pupils. This means having a clear, fair and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

This policy explains the steps that will be followed whenever an issue arises that causes concern. Any person, including members of the general public, may make a complaint about provision of facilities or services that our school provides, unless separate statutory procedures apply.

Any person, including members of the public may make a complaint to Locks Heath Junior School about any provision of facilities or services that we provide.

The school will not respond to anonymous complaints under this policy, however, the headteacher and / or chair of governors will consider whether the issue and fear of identification are genuine or the issue is one of child protection.

If we cannot meet the timescales set out in our policy, we will provide a clear explanation of the reason for this along with details of the indicative timescales.

## 2. Scope of this complaints procedure

Exceptions	Who to contact
<ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• School re-organisation proposals</li></ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with <a href="#">Hampshire County Council</a> .
<ul style="list-style-type: none"><li>• Matters likely to require a Child Protection Investigation</li></ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). <a href="#">The LADO for Locks Heath Junior School is Barbara Piddington.</a></p>
<ul style="list-style-type: none"><li>• Exclusion of children from school*</li></ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure, which is available on the school's website.</i></p>
<ul style="list-style-type: none"><li>• Whistleblowing</li></ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals</p>

	<p>can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>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.</p>
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
• 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: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against [Locks Heath 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.

### **3. 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 policy. [Locks Heath Junior School](#) takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, [Natasha Farrell, Headteacher](#), will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, [Natasha Farrell, Headteacher](#) will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, [Locks Heath Junior School](#) will attempt to resolve the issue internally, through the stages outlined within this complaints policy.

#### **4. When an issue or concern first arises**

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. Only adults with parental responsibility can make a complaint on behalf of a child or about an incident for a child in their care. Complaints should be from a named individual rather than a collective group. Where the school receives several complaints about the same matter, although these are dealt with on an individual basis, trends and patterns will be analysed so that lessons can be learnt. You may wish to approach your child's class teacher first as they will be best placed to help you directly or by letting you know which other member of staff you should be speaking to. We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

We will take your concerns seriously and make every effort to resolve the matter as quickly as possible.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them from considering complaints at stage 2 of the procedure. Therefore, the chair of governors reserves the right to refer complaints that are taken straight to them back to the appropriate member of staff if it does not warrant the governing body's involvement at that point.

#### **5. Initial informal meeting**

When a concern has been received, you may receive a telephone call from the member of staff or headteacher to discuss your concerns, or you may be invited to attend a meeting with a member of staff or the headteacher to discuss your concerns.

If invited to a meeting, you are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent along for support. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed and will make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure your concerns are dealt with appropriately and efficiently, but if an agreement cannot be reached, or if you are dissatisfied with the outcome, you can make a formal complaint to the headteacher. If your complaint is about the headteacher you should make your complaint in writing to the chair of governors. It is preferable for you to make your formal complaint in writing, but complaints can be made in person or by telephone.

For ease of use, a template complaint form is included at the end of this policy. If you require help in completing the form, please contact the school office. You can also ask third party organisations such as 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 the complaints procedure. For instance, providing information in different formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## 6. Timescales

You must raise the complaint within 3 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 outside this timeframe if exceptional circumstances apply.

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

There is no prescribed timescale for resolution of informal concerns or complaints at this stage, given the importance of dialogue and informal discussion, although we expect to resolve most issues within **10 school days**.

Timescales for each of the formal stages are set out below. If we cannot meet the timescales set out in our policy, we will provide a clear explanation of the reason for this along with details of the indicative timescales.

## 7. Formal Complaints

In order to ensure complaints are dealt with efficiently and effectively, Locks Heath Junior School deals with formal complaints in three stages.

### 7.1 Stage 1 – Complaint heard by the headteacher

If you feel that your concern has not been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint to the headteacher. It is preferable for you to make your formal complaint in writing and we provide a proforma for you to complete which can be accessed from the school office or via the school's website, but complaints can also be made in person or by telephone.

The headteacher will acknowledge your complaint in writing or offer a full response within **5 school days**. If further investigation is required, the headteacher will acknowledge receipt of your complaint within 5 school days and will advise you that a full response will be provided within **20 school days**. Within this response the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

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

The headteacher may invite you to attend a meeting to discuss your complaint and possible solutions, or to explain what has happened or will happen as a result of your complaint. The headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint. If your complaint is about a member of staff, the headteacher will talk to that employee and invoke the relevant procedure if required. It will not be appropriate to inform you of the outcome of any investigation in relation to an individual member of staff.

The headteacher will respond to you in writing within **20 school days** of receiving your complaint outlining their full response to your concern, and any action that has or will be taken. Where a parent or carer has made a complaint, they will be informed about the outcome only in relation to their child; no information can be shared regarding actions taken with specified staff members. If the headteacher has decided not to take any further action, they will explain what they have decided and how they reached the decision. You will

also be advised of your right to take the matter further if you are not satisfied with the headteacher's response.

## 7.2 Stage 2 – Complaint heard by the Chair of Governors

If, having spoken to the headteacher, you are dissatisfied with the outcome of your complaint, you should write to the chair of governors within **10 school days**, explaining your concern and the steps that have resulted in you taking this course of action.

The chair of governors will acknowledge your complaint in writing or offer a full response within **5 school days**. If further investigation is required, the chair of governors will acknowledge receipt of your complaint within **5 school days** and will advise you that a full response will be provided within **20 school days**. The chair of governors may invite you to attend a meeting to discuss your complaint and possible solutions, or to explain what has happened or will happen because of your complaint. The chair of governors reserves the right to delegate complaints to another experienced member of the governing board in certain circumstances.

The chair of governors will explain that the governing body has a strategic role, and is responsible for the school's strategic framework and the headteacher is responsible for the internal organisation, management and control of the school and for advising on and implementing the governors' policies. The headteacher is solely responsible for making day to day decisions. This stage offers an opportunity for achieving conciliation between all parties and discussions between the chair of governors and the headteacher will be key to resolving the complaint and agreeing a way forward. The chair of governors will decide what powers are available to governors in respect of the particular complaint. In reaching this decision, the chair of governors will determine to what extent the issues relate to responsibilities that:

- (a) are delegated to the headteacher by the governing body; or
- (b) fall within the governing body's remit only; or
- (c) are within the headteacher's Terms and Conditions of Employment and relate to the internal organisation, management and control of the school.

For delegated responsibilities and matters within the remit of the governing body, the chair of governors may look at the whole issue afresh. If the matter relates to the headteacher's conduct, the chair of governors will decide whether the matter should be dealt with through the Complaints Procedure or Staff Disciplinary Procedure. Advice may be sought from the Local Authority and/or Education Personnel Services. For matters that are the headteacher's responsibility, the chair of governors is empowered only to look at whether the headteacher's decision or action was reasonable in the light of the information available at the time.

The chair of governors will keep a record of all interactions with you and any decisions made in reference to your complaint.

If the chair of governors has decided not to take any further action, they will explain what they have decided and how they reached the decision. You will also be advised of your right to take the matter further if you are not satisfied with the chair of governor's response.

## 7.3 Stage 3 – Complaint heard by governing body's complaints panel

If you are dissatisfied with the outcome of your complaint, you should write to the clerk to governors within **10 school days** of the outcome of stage 2, explaining your concern and the steps that have resulted in you taking this course of action.

The clerk to governors will acknowledge receipt of your request within **5 school days**. The complaints panel will usually be convened within **20 school days** of receiving the request for your complaint to be heard by the governing body's complaints panel. Where it is not possible to find a mutually convenient date

within that timescale, all reasonable steps will be taken to agree a time and date mutually convenient to all parties.

The main function of the complaints panel will be to:

- a) ensure the complaint has been properly handled by the headteacher (and chair of governors)
- b) ensure that a sufficient comprehensive investigation was carried out
- c) ensure that the correct procedure / policies were followed.

The panel will also review whether the headteacher (and chair of governors) acted reasonably.

The clerk to governors will arrange and facilitate the meeting of the complaints panel. You are entitled to an independent panel to hear your complaint and the complaints panel will consist of three governors who have no former knowledge or involvement in the matter being considered. The chair of the panel will be nominated from within the group of panel members. All panel members will have access to, and will be familiar with, this complaints policy. The clerk to governors will confirm to all parties in writing, the date, time and venue for the meeting at least **10 school days** in advance.

The clerk to governors will request that you supply any paperwork you feel the panel will require to consider your complaint fully. The headteacher (and chair of governors) will also be requested to supply copies of their responses to the previous stages of the procedure, and any further paperwork they consider the panel will require to consider the complaint fully. Copies of all paperwork will be distributed to all parties by the clerk to governors at least **3 school days** in advance of the meeting.

You are welcome to bring a friend or partner for support to the meeting and the chair of the panel will ensure the meeting is conducted within a relaxed atmosphere whilst keeping to the formal agenda. The headteacher (and chair of governors if attending) is also invited to bring a representative or member of staff for support.

No previously undisclosed evidence relating to the complaint should be introduced during the meeting.

The clerk will inform you (and the headteacher and / or chair of governors) in writing of the panel's decision within **5 school days** of the meeting. The letter will include a summary of the issues, an outline of the main points of discussion, the reasons for the decision and the proposed actions or outcome. The panel may suggest you meet with the headteacher and / or chair of governors again to agree a way forward.

The letter may set out recommendations which will be made to the governing body.

The panel's decision is the final stage in the complaint's procedure. If you feel the school has acted unreasonably or has not followed the correct procedures in relation to your complaint, you may write to the Secretary of State using the following contact details:

School Complaints Unit, Department for Education,  
2nd Floor, Piccadilly Gate, Store Street, Manchester, M1 2WD

## **8 Unreasonable and Serial Complaints**

Locks Heath Junior School is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with the school. Operating from a position of mutual respect, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour including that which is abusive, offensive or threatening.

Locks Heath Junior School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of their contacts with the school such as if the complainant:

- uses unofficial channels of communication (e.g. personal email addresses, social media)
- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- refuses to accept that certain issues are not within the scope of a complaint's procedure
- insists on the complaint being dealt with in ways which are incompatible with the school's complaints procedure or with good practice
- introduces trivial or irrelevant information which the complainant expects to be considered and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified comments about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into a complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously
- aggressively
- using threats, intimidation or violence
- using abusive, offensive or discriminatory language
- knowing it to be false
- using falsified information
- publishing unacceptable information in a variety of media such as in social media websites and newspapers

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached. Whenever possible, the headteacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Locks Heath Junior School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Locks Heath Junior School.

## **9 Governing body review and monitoring of complaints**

The headteacher will report annually to the governing body on the number of formal complaints received and the levels at which they have been resolved. No details identifying the complainant, or any member of staff will be published. The governing body will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more efficiently.

## **10 Complaints Policy Review**

The governing body of Locks Heath Junior School will review this policy bi-annually, or sooner if there are any legislative changes. The governing body of Locks Heath Junior School will also review this policy following a complaint panel meeting to ensure that it met the requirement to provide a clear, fair and efficient complaints procedure.



## Complaint Form

Please complete and return to **Natasha Farrell, Headteacher** who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>

**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:**

## Complaints Log

### For School Use:

<b>Date received:</b>	
<b>Date of acknowledgement and by whom:</b>	
<b>Summary of action taken:</b>	