



## Blanche Nevile School

# Complaints Policy and Procedure

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## 1. Aims

Our school 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 and maintain good working relationships between all people involved with the school
- › 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
- › Make sure 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 make sure 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.

## 2. 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 serial and 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.

## 3. Definitions and scope

### 3.1 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”
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

### 3.2 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
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
- School re-organisation proposals
- Curriculum

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

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

## 4. Roles and responsibilities

### 4.1 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
- Ask for assistance as needed
- Treat all those involved with respect
- Do not publish details about the complaint on social media

## 4.2 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

## 4.3 The complaints co-ordinator

The complaints co-ordinator can be:

- The headteacher
- The designated complaints governor
- Any other staff member providing administrative support

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the headteacher, chair of governors, clerk and local authority
- Be aware of issues relating to:
  - Sharing third party information
  - Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person
- Keep records

## 4.4 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

## 4.5 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

# 5. 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

## 5.1 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 timeframe 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 first school day after the holiday period.

If at any point we cannot meet the timescales 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

## 5.2 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 4666, or by emailing [enquiries@ofsted.gov.uk](mailto: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.

# 6. Stages of complaint (not complaints against the headteacher or governors)

## Informal discussion

### Introduction

The vast majority of concerns can be dealt with informally. There are many occasions where concerns are resolved straight away without the need to submit a formal complaint. Indeed, many concerns raised at this level might not be classified as complaints.

### Who to speak to informally

Individuals may decide to raise their concerns with a member of school administrative staff, class teacher, senior teacher, governor or Headteacher depending on their wishes and the type of issues they want to discuss.

### Monitoring

It is not necessary to record or monitor concerns at this level.

### Time scales

There are no specific time scales for dealing with concerns at this stage. However, as at all stages, issues should be considered and dealt with as quickly and effectively as possible.

### **Response**

The individual who raised the issue should be informed of any action to be taken to resolve the issue. If appropriate, this might be confirmed in writing.

### **Options for complainant**

If the individual is dissatisfied with the response they have been given and would like to take their concerns further, they should be referred to the school's complaints procedure below.

## **Stage 1: Referral to the Headteacher**

### **Introduction**

This is the first stage of the formal complaints process and, as a result, all communications between parties need to be carefully recorded and monitored as set out in the 'monitoring complaints' section of this document.

When a complaint is made directly against the school's Headteacher, stage 1 is not required and the formal procedure begins at stage 2.

### **Submitting a formal complaint**

By this stage it must be clear that the concern is a definite complaint which will be dealt with according to this policy and should be formally submitted in writing to the Headteacher using the Complaint Form (Appendix 1).

### **Acknowledgement and time scales**

The Headteacher should formally acknowledge the complaint within 3 school days of receiving it and begin an investigation.

### **The investigation**

The Headteacher will need to investigate the complaint and review any relevant documentation and information. If necessary, the Headteacher will take statements from those involved.

### **Response**

The Headteacher will provide the complainant with a full written response within 10 school days of acknowledging it. This response will determine whether or not the complaint has been upheld, the reasons why, and what action (if any) will be taken. The response will provide details of how to move on to the next stage, if the complainant is not satisfied.

## **Stage 2: Complaint referred to the Chair of Governors or Vice Chair, if more appropriate**

### **Introduction**

Upon receiving a formally submitted complaint at this stage the Chair of Governors or his/her nominee will seek to resolve the issue with the complainant by other means without the need for a complaints committee review at stage 3.

When a complaint is made directly against the school's Headteacher, stage 1 is not required and the formal procedure begins at stage 2.

### **Submitting a formal complaint**

The complainant must submit a written request to the Chair of Governors using the Complaint Form (Appendix 1), who will investigate the complaint or arrange for his/her nominee to investigate it.

### **Acknowledgement and time scales**

The Chair of Governors or his/her nominee should formally acknowledge the complaint within 3 school days of receiving it and begin an investigation.

### **The investigation**

The Chair of Governors or his/her nominee will need to investigate the complaint and review any relevant documentation and information. If necessary, the Chair of Governors or his/her nominee will take statements from those involved.

### **Response**

The Chair of Governors or his/her nominee will provide the complainant with a full written response within 10 school days of acknowledging it. This response will determine whether or not the complaint has been upheld, the reasons why, and what action (if any) will be taken. The response will provide details of how to move on to the next stage, if the complainant is not satisfied.

## **Stage 3: Review by Governing Body Complaints Panel**

### **Introduction**

If the complainant remains unsatisfied following an investigation by the Chair of Governors, they can ask for their complaint to be referred to a governor complaints panel in writing, using the Complaint Form (Appendix 1).

The complaints panel will be clerked by a member of the school staff, the clerk to the governing body or another governor.

### **The Committee**

The panel will generally consist of three governors who have not previously been involved with dealing with the complaint. If the Governing Body is unable to find three governors without prior involvement and has formal collaboration arrangements in place with another school's Governing Body, independent governors can be drawn from that governing body to sit on the panel. The panel should elect its own chair.

### **Acknowledgement and time scales**

The Chair of Governors should acknowledge receipt of the complainant's letter within 3 school days. This letter will inform them that their complaint will be heard by a complaints panel within 15 school days.

### **Governor Complaints Panel Arrangements**

The Chair of Governors will contact the clerk and ask them to begin making preparatory arrangements.

The clerk should then formally write to the complainant, the Headteacher and any other relevant staff or witnesses and inform them:

- Of the date, time and venue of the hearing
- How it will be conducted
- Request for any supporting documentation by either the complainant or the school which must be returned to the Clerk no later than 5 school days before the hearing takes place; this should include any request from supporting witnesses or representatives to attend with either party
- Of the rights of accompaniment as outlined in this document.

The clerk will ensure that all parties receive all relevant documents at least 3 school days before the date of the hearing so as to allow individuals to familiarise themselves with them.

### **Governors Complaints Panel Meeting**

The Chair should allow each party involved to explain their understanding or interpretation of events and for the Panel to question them for further clarification. Complainants do not have to attend the Panel meeting if they would prefer not to, and all written evidence will be considered.

Ultimately, the chair of the meeting has control over its proceedings.

### **At the meeting**

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

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.

Representatives from the media are not permitted to attend.

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.

### **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

### **After the Panel meeting**

The panel will then consider the complaint and all the evidence presented and:

- Reach a majority decision, on the complaint
- Decide or recommend upon the appropriate action (if any) to be taken
- Where appropriate, suggest changes to, or request a review of, the school's systems or procedures to ensure that problems of a similar nature do not happen again.

This information will be included in letters to both the Headteacher and the complainant. See Governors Complaints Panel Guidance notes for more detail.

## **7. Complaints against the headteacher, a governor or the governing board**

### **7.1 Stage 1: informal**

Complaints made against the headteacher or any member of the governing board should be directed to the clerk to the governing board in the first instance, using the Complaint Form (Appendix 1).

If the complaint is about the headteacher or 1 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 6 above).



## 7.2 Stage 2: formal

If the complaint is:

- Jointly about the chair and vice-chair or
- 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 6 above). They will be appointed by the governing board and will write a formal response at the end of their investigation.

## 7.3 Stage 3: review panel

If the complaint is:

- Jointly about the chair and vice-chair or
- 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 local schools, the local authority and will carry out the steps at stage 3 (set out in section 6 above).

## 8. 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 DfE.

The DfE 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 DfE also looks at whether the school's statutory policies adhere to education legislation.

The DfE will intervene where a school has:

- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

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.

## 9. Persistent complaints

### 9.1 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
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason

- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses 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 timeframes it sets out
- 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.

## **9.2 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 that 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.

## **9.3 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.

## 10. Record keeping

The school will record the progress of all 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 data protection law, our privacy notices and records management policy.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

## 11. Learning lessons

The [governing board 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.

## 12. Monitoring arrangements

The governing board will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The governing board will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the School Business Manager.

This policy will be reviewed by the Resources Committee and ratified by the Full Governing Body every 2 years – or more frequently if required.

## 13. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Suspension and permanent exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

## Appendix One: Blanche Nevile School | Complaint Form

**Complainants are requested to use this form when formally complaining to the school.**

**Please complete an e-version or in writing in black ink, and submit in one of the following ways:**

**FAO the Headteacher OR Chair of Governors OR Clerk to the Governing Body Complaints Panel**

**By email:** Primary School: [primary@blancheneville.org.uk](mailto:primary@blancheneville.org.uk) Secondary School: [admin@blancheneville.org.uk](mailto:admin@blancheneville.org.uk)

**By Hand or Post:**

Primary: Blanche Nevile Primary School, Storey Road, London N6 4ED

Secondary: Blanche Nevile Secondary School, Burlington Road, London N10 1NJ

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**Complainant's name:** Title: ..... First Name.....Surname.....

Capacity in which you are making a complaint (e.g. parent/carer, neighbour etc) .....

.....

If relevant: Pupil's name and year group: .....

Complainant's relationship to the pupil: .....

Your Contact details: Telephone: ..... Email: .....

Address:.....

**Please provide a summary of your complaint below, including any previous action taken by yourself or the school with regards to this matter:**

**What is your desired outcome?**

***Please continue on another page if required***