



LORDSHIP LANE
PRIMARY SCHOOL

Complaints Procedure

2023/24

Statutory or non-statutory	Haringey Policy adapted for LLPS	Date reviewed	Date of next review
Statutory	Yes	September 2023	September 2024

POLICY AND PROCEDURES FOR DEALING WITH COMPLAINTS

1. INTRODUCTION

This policy establishes the framework within which complaints will be addressed and the philosophy underpinning the framework. It should be read in conjunction with the school's Equal Opportunities Policy and Teaching and Learning Policy. This complaint policy concerns complaints from stake holders who aren't members of staff. For staff complaints against other members of staff, see the school's Grievance Policy. This policy complies with Section 29 of the Education Act 2002.

It is in the interests of everyone that all parties involved in any complaint conduct themselves in a professional, courteous and respectful manner at all times.

It is in the interests of everyone that complaints and responses are dealt with promptly, at all stages.

2. DEFINITION OF A COMPLAINT

A complaint is any expression of dissatisfaction about something which the school, its pupils or its governing body have, or have not done, or about its policies, and which requires a response.

Complaints may be written or verbal. It is not always appropriate to ask for a complaint to be put into writing, as this might unnecessarily formalise the situation, resulting in the involved parties taking more defensive or entrenched positions thus making the conflict more difficult to resolve.

The quality of the complaint increases as more of the following are present:

- It is first hand.
- It relates to recent events.
- The events in question can be dated.
- There is independent corroboration of the allegations.

A complaint will be dismissed if it does not meet at least one of the above criteria.

It is important to bear in mind that every expression of concern is not a complaint. Discretion needs to be applied in determining whether action, over and above the normal day to day discussions on concerns, is needed. All matters must be referred to the Headteacher or Deputy Headteacher, unless the complaint relates to them when it should go to the Chair of Governors.

Problems and expressions of concern should be dealt with as far as is possible, at the point of first contact. Continued dissatisfaction on the part of the third party indicates a need for upward referral.

3. RESPONSIBILITIES

The articles of Government for all county state schools state that 'the conduct of the school shall be under the direction of the Governing Body' but that 'the Headteacher is responsible for the day to day management of the school'.

- This makes the Headteacher responsible for investigating complaints in the first instance and, if appropriate, referring complaints to other members of staff to deal with.
- The Governing body may be called upon to consider, resolve and/or adjudicate if complaints are referred to them by the Headteacher or by a complainant who is not satisfied with the result of the informal process, or if the complaint refers to the Headteacher.

Complaints should be dealt with at the most appropriate level. This will be determined by the nature and seriousness of the complaint. **Under no circumstances should teachers become involved in a discussion about professional performance of a colleague.** The referral structure is given below. In the event of a complaint being made to a member of the Governing Body, the complainant should be advised to speak to the Headteacher, unless the complaint is about that Headteacher, so that an attempt can be made to resolve the matter informally. Governors must not prejudice themselves by discussing the complaint as this would prevent their participating in a panel at a later stage.

4. AIMS

- To underpin the school's aims and objectives by giving due consideration to complaints.
- To ensure that all complaints are considered fully, fairly and confidentially, promptly, thoroughly and, in the first instance, on an informal basis.
- To ensure that there is an effective partnership between school, staff and parents.

In the absence of a resolution to the satisfaction of the complainant to issue a clear decision which will enable the complainant, the Headteacher or the Governing Body to consider how, if at all, the matter should be taken further.

To ensure that all members of the school community can have their points of view heard.

5. THE COMPLAINTS PROCEDURE

The proposed example procedure for dealing with complaints about schools is based on three stages of increasing formality; they are based within a school, and it is hoped that complaints are resolved within these.

The procedure is outlined on the following pages. Following this are example letters to assist where correspondence could be particularly sensitive.

Stage One: Informal

Any member of staff or the Governing Body may be approached with a concern from a member of the school's community. For many concerns at this stage, it is unclear whether a question is being asked, an opinion expressed, or a complaint made. However, following the checklist outlined below will ensure consistency and ensure that details are retained, should the complaint go to subsequent stages.

Note:

If the concern is about a **teacher**, the complainant must be directed to the Headteacher of the school concerned. If the concern is about a **Headteacher**, the complainant must be directed to the Governing Body chair. The Chair is encouraged to arrange for the services of the School Improvement Partner in these cases.

- In most cases, the complainant should be directed to the class teacher who should try to resolve the issues. He/she could discuss the complainant's desired outcome. This often helps to diffuse anger and makes the complaints system more effective for both parties, who can then work towards achieving the desired outcome.
- It is important that concerns can be raised at this time without any formality, and be expressed in any manner – verbally, by letter, by telephone or email.
- Attempts must be made to resolve any issues straight away or through discussion with appropriate teachers and/or support staff. If a parent does not want to speak to the class teacher about an issue, they should speak with the phase leader in the first instance before escalating to a formal investigation.
- Where an issue cannot be resolved immediately, the person receiving the complaint should make a clear note of the complainant's contact details and refer these to the Headteacher, who can deal with the concern.
- Staff should be encouraged to record full details of the complaint, including any action that has been taken. This provides crucial information as to the nature of concerns, a school's ability to resolve them, and also provides a record should the concern remain unresolved and continue to Stage Two.
- The deadline for acknowledging receipt of an complaint is 3 working days.

- The deadline for resolving concerns and giving feedback to all parties involved is ten school days.
- The complainant should be advised that they have twenty days to take their complaint to Stage Two.

5.1 Stage Two: Headteacher's Investigation

This stage can be reached if the class teacher has been unable to resolve the problem, or if the complaint is about a teacher. At this stage the complaint should be properly recorded, either in the form of a letter or on the complaints recording form. Assistance should be provided to any person who may have difficulties recording their complaint in writing.

Note:

If the complaint is about a Headteacher, the complainant should be asked to contact the Governing Body Chair.

The following checklist will ensure transparency and consistency at this stage:

- The Headteacher should copy the details of the complaint to any member of staff named in the complaint.
- Upon receipt of complaint, the Headteacher should acknowledge the letter in writing/verbally (but recorded in a record of the complaint) within three days. This acknowledgement will give a brief explanation of the school's complaints procedure and target date for a response.
- It is important that all paperwork, telephone calls and meetings relating to the complaint are carefully recorded and filed on the SLT shared drive at the school.
- Depending on the nature of the complaint, the Headteacher may want to consider a mediation procedure. This could involve for example, a Deputy Headteacher or other senior member of staff, or the School Improvement Partner, who can help to try to resolve the complaint swiftly.
- Once all the facts have been established, the Headteacher or Governing Body Chair (should the complaint be about the Headteacher), should produce a written response to the complainant and all parties involved within 10 working days. If there is a delay for any reason, the Headteacher will inform the complainant in writing. This letter should contain:
 - 1) a full explanation of the decision and the reasons for it
 - 2) The scope of the investigation and what it entailed
 - 3) where appropriate, the action the school will take to resolve the complaint;
 - 4) advice on how to take the issue to Stage Three if the complainant remains unhappy;
 - 5) advice that this should be done within twenty school days of receipt of the response letter from the Headteacher.

- The deadline for resolving concerns at this stage is fifteen school days.

5.2 Stage Three: The School Governing Body

It is rare for complaints to reach this stage; when they **do**, it is important that the Governing Body is prepared.

When the Governing Body Chair receives a complaint, efforts should be made to resolve this informally. The Chair is encouraged to seek the advice of the school's School Improvement Partner. If, however, this route is neither advisable, or is unsuccessful, the Chair should convene a meeting of the Governing Body Complaints Panel, or secure the services of the governing body clerk or substitute to carry through the procedures. If a complaints panel has **not** been established, the convenor should arrange for a panel of three or five governors to consider the complaint.

It is important that this process is independent and impartial. Therefore, any governor reviewing a complaint must be impartial and *not* have had any previous involvement, since this could result in a conflict of interest. The Governing Body may also wish to seek the advice of the schools Senior School Improvement Advisor.

Although complaints at this stage are to be considered seriously, it is important to remember that many parents are unused to dealing with people in formal situations, and it is recommended that a complaints panel keep proceedings as informal as possible.

Note:

The following checklist will ensure transparency and consistency at this stage:

- The complainant should write to the Governing Body Chair. Assistance should be provided to those who have difficulty in recording their complaint in writing. Previous letters, associated papers etc. should be included.
- If the complainant is unable to provide a written request, they must be able to approach the Chair via telephone, or face to face. In these circumstances, it is important that details are properly recorded by the Chair (e.g. on the form in **Appendix A**).
- The Chair should seek to acknowledge the complaint within three school days of receipt. The Chair must try to make a judgement about trying to resolve the matter informally.
- If it is neither advisable, or an attempt at informal resolution is unsuccessful, the Chair should arrange for a meeting of the Governing Body Complaints Panel. Model letters to involved parties are attached at **Appendices B and C**.
- If moving to the formal stage, it is recommended that the services of a professional clerk be secured. The Chair may wish to delegate the arrangement of the Panel meeting to the clerk. This meeting will take place within fifteen school days of receipt of the complaint.

- The convenor of the complaints panel shall invite the other panel members, complainant, Headteacher, and any relevant witnesses to the meeting, detailing how the meeting will be conducted and giving at least five school days' notice.
- The Headteacher and Complainant will be expected to provide all previous paperwork concerning the issues raised in the complaint. All papers will be circulated in advance.
- The Complainant will be informed of their right to be accompanied by a friend/supporter/interpreter.
- The Headteacher should also be informed of their right to be accompanied by, for example, a member of their professional association.
- The Headteacher and Complainant may also invite any other individual who is directly involved in the complaint to attend the meeting, as a witness. However, the involvement of additional staff is at the discretion of the Panel Chair.
- It is the responsibility of the Panel Chair to ensure that the meeting is properly minuted.
- The aim of the meeting should be to achieve reconciliation between the school and complainant. The complainant should be asked what redress they are seeking. An example agenda for a complaints panel meeting is attached at **Appendix D**.
- It must be recognised that sometimes it will be difficult to establish reconciliation. In such circumstances, the meeting can be used to establish facts, and make recommendations.
- The panel will reply to the Complainant within fifteen school days after the meeting has taken place, stating:
 - Whether the Panel upholds the complaint, in full or in part;
 - The redress that the Panel is recommending, if any;
 - The reasons for their decision;
 - How to move to Stage Four, in case the complainant remains unhappy. Stage Four requires that the Complainant must contact the LA within twenty school days of receipt of the Complaint Panel's letter.

Example letters to involved parties is attached at **Appendix E**.

- A copy of the decision letter should be sent to the Complainant and the Headteacher. This letter to include the scope of the investigation and what it entailed.

APPENDIX A

Complaints recording form

School	
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Details of Complainant

Date		Staff Name	
Complainant's Name		Relationship to pupil	
Pupil's Name		Date of birth	
Complainant's address			
Complainant's phone no./email			

Nature of complaint (please 'X' and describe)

About school		About Headteacher (Action: refer complaint to the governing body)	
About a teacher		About support staff	
About governing body (Action: refer complaint to the LEA)		About SEN, admissions, exclusions, public examinations etc. (Action: refer complainant to correct procedure)	
Another matter			
Description:			

Action taken and advice given (please 'X' and describe)

Complaints leaflet offered	
Complaints procedure followed	

Additional Information

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Summarise outcome here

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APPENDIX B

Convening a complaints panel

(Name 1)(Name 2)
(Address 1)
(Address 2)

London (Post Code)

(Name 1)(Name 2)
Chair (or other)
(Name of School)
governing body
(Address 1)
(Address 2)
London (Post Code)

(Date)

Dear (Name)

Thank you for your letter dated (date), received by me on (date).

I understand that you are unsatisfied with the response from (name of Headteacher) and that you would now like the Governing Body to consider your complaint.

As the convenor of the Governing Body Complaints Panel, I shall arrange a meeting comprising yourself (name of Headteacher), and (three or five) governors from the school, who have no connection to your complaint.

I shall arrange for the meeting to take place within the next fifteen school days and shall notify you of arrangements in the next few days. Please contact me as soon as possible if there are any dates within the next fifteen school days when you cannot attend.

You are welcome to bring a friend or support with you, though please let me know in advance.

Please also send me any papers to support your case. A copy of papers received by all parties will be distributed prior to the meeting. Should you require any translation service either for these papers, or at the meeting, please let me know as soon as possible so that I can arrange this.

I can be contacted by telephone on 0208 888 6541 or via Lordship Lane Primary School, Ellenborough Road, Wood Green, London N22 5PS

Yours sincerely

(Name of Chair of Governors/Convenor of panel meeting). (Position)

c.c. (Name of Headteacher), (School)
(Name of any other involved party), (Position)
(Director of Education)

APPENDIX C

Letter from convenor of complaints panel confirming date of panel meeting

(Name1)(Name 2)
(Address 1)
(Address 2)

London (Postcode)

(Name 1)(Name 2)
Chair (or other)
(Name of school)
governing body
(Address 1)
(Address 2)
London (Postcode)

(Date)

Dear (Name

Further to my correspondence to you dated (date), I am writing to confirm that a meeting to consider your complaint has been arranged for (time) on (date) (date). This will be held at (location), directions for which are enclosed. Please ask for me when you arrive at reception.

An agenda for the meeting is attached. Should you have any queries, please do not hesitate to contact me on (arrangements for contacting Chair to be added here).

Yours sincerely

(Name of Chair of Governors/Convenor of panel meeting) (Position)

c.c. (Name of Headteacher), (School)
(Name of any other involved party), (Position)
(Director of Education)

Agenda for a complaints panel meeting

Note:

- all attendees to receive all paperwork at least 5 days prior to the meeting.
- convenor to ensure that venue has enough space for a hearing room, and separate waiting rooms for witnesses from all involved parties.
- convenor to ensure that arrangements for refreshments have been made since panel meetings can be lengthy.
- convenor to ensure that any interpreters required are present.

Agenda:

- 1) Chair to introduce all attendees and explain their roles and responsibilities.
- 2) Complainant to present their case.
- 3) Witnesses to be called to support the Complainant's case (called to the room to give evidence and be questioned, and then to leave).
- 4) Questions to complainant from Panel and Headteacher.
- 5) School to present their case.
- 6) Witnesses to be called to support the School's case (called to the room to give evidence and be questioned, and then to leave).
- 7) Questions to School from Panel and Complainant.
- 8) Summary statement from School.
- 9) Summary statement from Complainant.
- 10) Exit of all present except Panel Members and Clerk.
- 11) Decision.

Decision letter to complainant, after panel meeting

(Name 1) (Name 2)
(Address 1)
(Address 2)

London (Postcode)

(Name 1) (Name 2)
Chair (or other)
(Name of school)
governing body
(Address 1)
(Address 2)
London (Postcode)

(Date)

Dear (Name)

Further to our recent meeting to consider your complaint, the panel of governors has come to the following conclusion.

In light of the evidence produced, we conclude that (state whether the complaint is upheld or not). The reasons for this decision are:

- (State
- reasons
- in bullet point)

Furthermore, we recommend that (no further action is taken/the following action is taken.....).

I hope you feel that this is a satisfactory resolution. Should you remain unsatisfied, you should contact the Director of Education Services by (date of this letter, plus twenty days). Please write to the Director at:

The Director for Education Services
Haringey Council
River Park House,
225 High Road,
Wood Green, N22 8HQ

Yours sincerely

(Name of Chair of Governors/Convenor of panel meeting) (Position)
c.c. (Name of Headteacher), (School)
(Name of any other involved party), (Position)
(Director of Education)