

## **DALE HALL PRIMARY SCHOOL GENERAL COMPLAINTS PROCEDURE**

**This policy should be carried out in the context of and in conjunction  
with Dale Hall CP School's Safeguarding Policy.**

### **Covid**

Whilst the investigation of some complaints may be a little slower than would usually be the case, we would still advise people to come forward if they have a concern or a complaint.

### **Introduction**

All schools in Suffolk are committed to providing the best education for our young people and want our pupils to be healthy, happy and safe and to do well. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We are aware that there may be occasions where people have concerns or complaints and the following procedure sets out the steps that should be followed in order to resolve these as quickly and informally as possible.

This policy was adopted by the Learning and Development Committee meeting held on **3 March 2022** and will be reviewed biennially, and at any other time as may be necessary.

### **Who can make a complaint**

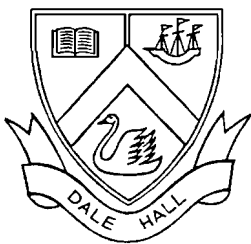
This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint about any provision of facilities or services that we provide.

### **How to raise a complaint/concern**

A concern or complaint can be made in person, in writing or by telephone. It is expected that all complaints will be referred to the school in the first instance.

Complainants are encouraged to follow through each stage of the procedure, as appropriate, in order to resolve their concerns. Please see Appendix A.

Complainants must respect confidentiality and refrain from discussing the complaint with outside parties or publicising the details of their complaint on social media.



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If you have difficulty expressing your views with a particular member of staff, the school will respect your views and refer you to another member of staff. Similarly, if the member of staff directly involved feels unable to deal with a concern, we 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.

Governors should not be approached directly to raise a complaint, they have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2/3 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to the Headteacher. Letters should be marked as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the Chair of Governors. Letters should be marked as Private and Confidential.

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.

Complaints that involve or are about an individual governor should be addressed to the Chair of Governors. Letters should be marked as Private and Confidential. Complaints about the Chair of Governors, 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.

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.

### **Template complaint form**

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.



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### **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.

### **Resolving complaints**

At each stage in the procedure, the 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:

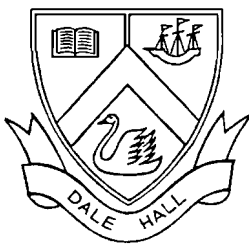
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication 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.

### **Procedures**

#### **INFORMAL STAGE 1A – Class Teacher**



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Please start by telling the class teacher about your concern. This is usually the best and quickest way of resolving issues.

- it is recommended that you make an appointment to speak to the class teacher as soon as possible as this will give both parties the opportunity to talk about the issue in an appropriate manner and without being interrupted
- it is important to recognise that schools are busy organisations and it may not be possible to offer an appointment straight away
- the purpose of this meeting should be to establish the nature of the concern and to seek a realistic resolution to the problem
- it is good practice for the class teacher to make a brief written record of the concern raised and any actions agreed and may be shared

### **INFORMAL STAGE 1B - Phase Manager**

If you feel dissatisfied with the outcome of discussions with the class teacher, or if your complaint is about the class teacher, please ask for an appointment to meet with the Phase Manager.

- it is important to recognise that schools are busy organisations and it may not be possible to offer an appointment straight away
- the purpose of this meeting should be to establish the nature of the concern and to seek a realistic resolution to the problem
- it is good practice for the Phase Manager to make a brief written record of the concern raised and any actions agreed and may be shared

### **FORMAL STAGE 2**

If you feel dissatisfied with the outcome of discussions with the Phase Manager, or if your complaint is about the Phase Manager, the complaint may escalate to the nominated member of staff with responsibility for the operation and management of the

school complaints procedure. This will be the Headteacher or Deputy Headteacher when deputising for the Headteacher.

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 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 can consider whether a face to face meeting is the most appropriate way of doing this.



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

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

- 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.

At the conclusion of their investigation, the headteacher will discuss the outcome of the complaint with you and provide a formal written response within 20 school days of receipt of the complaint.

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

The response will detail 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 the school 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.

### **Concerns or complaints specifically about the nominated member of staff**

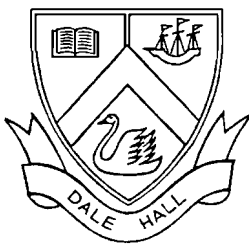
Where you are unhappy about the decision the nominated member of staff has made about your complaint, this does not become a complaint about the nominated member of staff. If you feel that the complaint has not been resolved you should move to the next stage of the procedure.

### **STAGE 3 Formal - letter of complaint to Chair of Governors**

If you are dissatisfied with the outcome at Stage 1 and wish to take the matter further, you can escalate the complaint to Stage 2. To do this you must write a formal letter of complaint to the Chair of Governors. Your letter should set out clearly the concern which has previously been discussed and why you feel that the issue is unresolved. It is also helpful if you can set out in your letter what resolution you are seeking.

The Chair of Governors will consider the complaint and in doing so should:

- establish what has happened so far and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet or contact you if they need further information



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- clarify what you feel would put things right if this has not been set out in your letter or by using the school complaint form
- interview those involved in the matter and/or those complained of allowing them to be accompanied if they wish
- conduct any interview with an open mind and be prepared to persist in the questioning
- keep notes of any interview for the record

The Chair of Governors will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better (nb this is not an admission of negligence)
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review policies in light of the complaint

It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated. The Chair of Governors will discuss the outcome of their consideration of your complaint with you and should send a detailed written response within 20 school days. Where this proves unrealistic you will be informed in writing and given an estimate of how long it will take to provide a detailed response.

### **Concerns or complaints specifically about the Headteacher, Chair of Governor or any individual governor**

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1 and stage 2 will be omitted.

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.

### **STAGE 4 Appeal Process**

Having had your complaint heard under stage 2 of this policy by the Chair of Governors, if you wish to pursue this further, you are entitled to have the outcome reviewed by a panel of governors who will review the investigation, findings and



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conclusions of the Chair of Governors and consider why you feel that the complaint should be further reviewed.

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 available, additional, independent governors through another local school or through their LA's Governor Services team will be sourced, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint.

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 rejects the offer of three proposed dates, without good reason, the Chair of the Committee 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 committee may request for meetings to be clerked by a suitably qualified/experienced person or a member of Schools Choice clerking services.

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.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting we 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



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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 the school with a full explanation of

their decision and the reason(s) for it, in writing, within 20 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.

If the complaint is regarding:

- the entire governing body or
- the majority of the governing body

Stage 3 will be heard by a committee of independent governors.



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The response will detail 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 the school will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

The Chair of the panel of Governors will discuss the outcome of their review with you and will send a detailed written response within 20 days. Where this proves unrealistic, you will be informed in writing and given an estimate of how long it will take to provide a detailed response.

Any conclusions made by the panel of governors will be seen as full and final and the school will consider the matter closed.

## **Roles and Responsibilities**

### **Complainant**

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

- explain the complaint in full 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:
  - o sensitive and thorough interviewing of the complainant to establish what has



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happened and who has been involved

- o interviewing staff and children/young people and other people relevant to the complaint
- o consideration of records and other relevant information
- o analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

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.

**Complaints Co-ordinator** (this could be the headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:



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- o sharing third party information
- o 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**

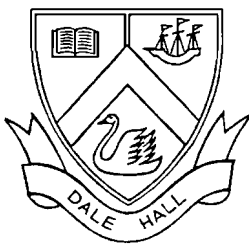
If the Clerk is the contact point for the complainant and the committee they should:

- 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:

- 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
- both parties are asked to provide any additional information relating to the complaint by a specified date in advance of the meeting
- complainants who may not be used to speaking at such a meeting are put at



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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).

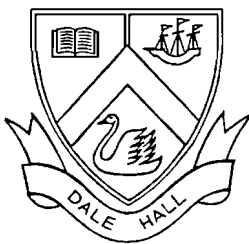
### **Committee Member**

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



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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. 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.

### **Vexatious complaints**

The majority of complaints are resolved through a properly managed complaints procedure. However, there are occasions when:

- despite all stages of the procedure having been followed, the complainant remains dissatisfied. If a complainant tries to reopen the same issue, the Chair of Governors may write informing them that all stages of the procedure have been exhausted and the matter is considered to be closed.
- complainants behave in an unreasonable manner when raising and/or pursuing concerns. In these circumstances the school may take action in accordance with Appendix B of this procedure.

### **Local Authority**

The Local Authority has no legal right or duty to deal with most complaints about schools.



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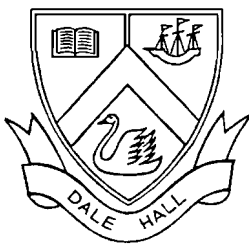
### **Next Steps**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made. They will consider whether the 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](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

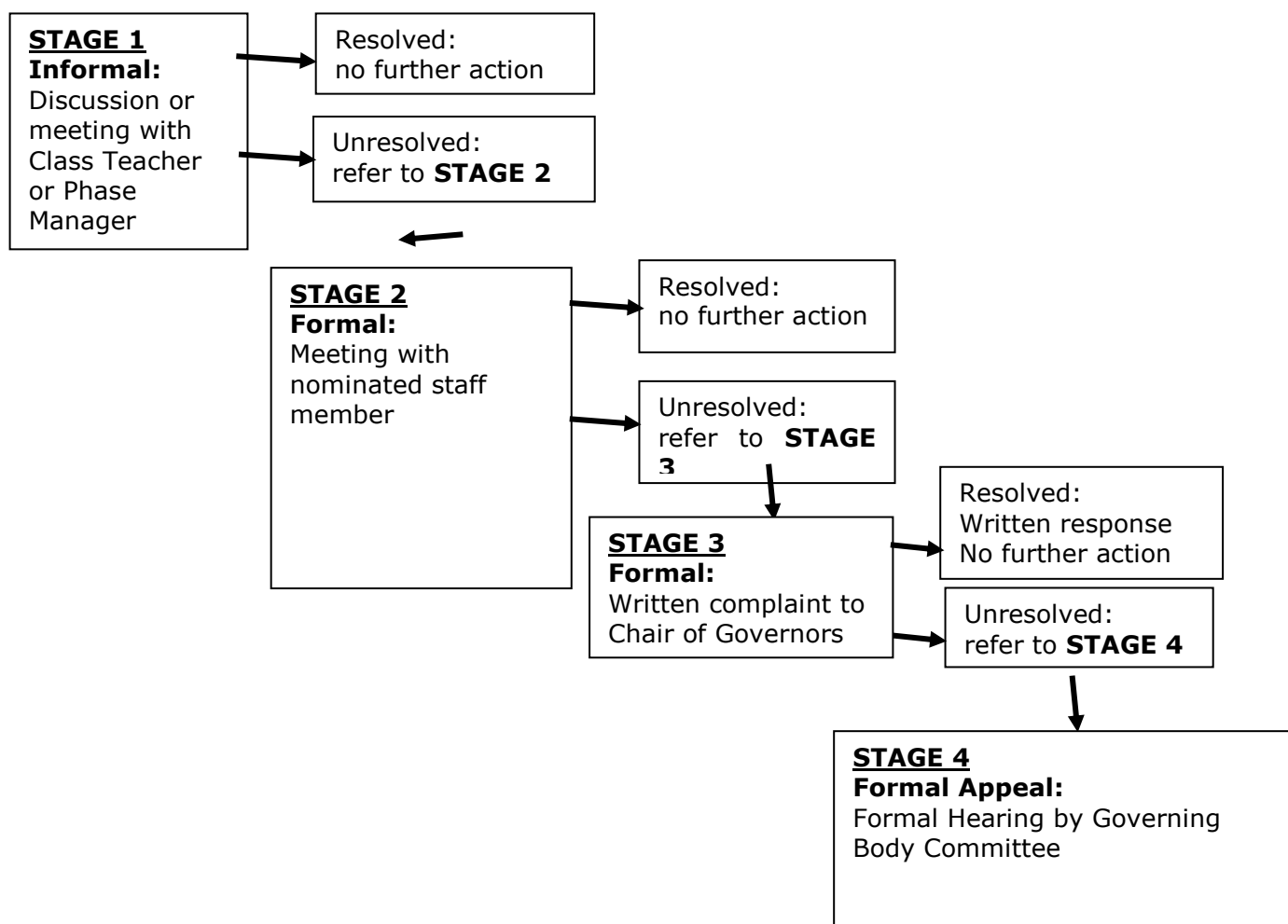
Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.



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### Appendix A

#### Flowchart of procedure for handling concerns and complaints





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**Appendix B**

## **Complaint Form**

Please complete this form and return to the person handling your complaint who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name and class (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Email address:</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>
<b>What actions do you feel might resolve the problem at this stage?</b>



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

**Signature:**

**Date:**

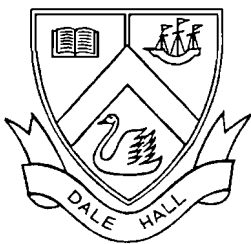
**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**



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### **Appendix C**

#### **Dealing with persistent complainants**

For the purpose of this policy, a persistent complainant is a parent/carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the School and whose behaviour is unreasonable. Such behaviour may be characterised by:

- a) actions which are obsessive, persistent, harassing, prolific, repetitious
- b) prolific correspondence or excessive e-mail or telephone contact about a concern or complaint
- c) an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes
- d) an insistence upon pursuing complaints in an unreasonable manner
- e) an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school because it is unlawful.

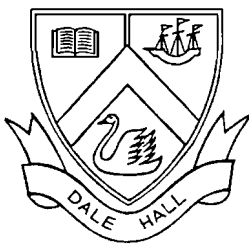
For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in (a) to (e) above in such a way that they:

- a) appear to be targeted over a significant period of time on one or more members of school staff and/or
- b) cause ongoing distress to individual member(s) of school staff and/or
- c) have a significant adverse effect on the whole/parts of the school community and/or
- d) are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health.

#### **The school's actions in cases of persistent or vexatious complaints or harassment**

In the first instance the School will verbally inform the complainant that his/her behaviour is considered to be becoming unreasonable/unacceptable and, if it is not modified, action may be taken in accordance with this policy.

This will be confirmed in writing



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If the behaviour is not modified the School will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the school community:

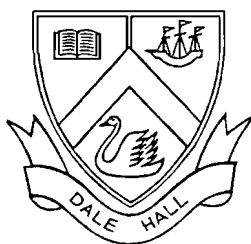
- a) inform the complainant in writing that his/her behaviour is now considered by the School to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy
- b) inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties
- c) inform the complainant that, except in emergencies, all routine communication with the complainant to the School should be by letter only
- d) (in the case of physical or verbal aggression) refer to Local Authority Guidance for Schools, "Dealing with Abuse, Threats and Violence Towards School Staff", and consider warning the complainant about being banned from the School site; or proceed straight to a temporary ban. Consider taking advice from the Local Authority on pursuing a case under Anti-Harassment legislation

Legitimate new complaints will still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Schools. In these circumstances advice may be sought from the Local Authority.

If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the School may resume the process identified above at an appropriate level. In these circumstances advice may be sought from the Local Authority.

### Document History

Date	Description
10 Nov 1992	Adopted at Governing Body meeting
6 Feb 1996	Re-adopted.
3 Feb 1998	Re-adopted without amendment.
19 Nov 2002	Re-adopted without amendment.
10 Feb 2005	Reference change to Spring 05/4 paper
16 Jan 2008	Re-adopted without amendment.
25 Jan 2011	Reference change to Autumn 10/2 paper
22 January 2013	Readopted without amendment.
3 February 2015	LA School Complaints Procedures included



<p style="text-align: center;"><b>DALE HALL PRIMARY SCHOOL GENERAL COMPLAINTS PROCEDURE</b></p>
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10 January 2017	Re-adopted without amendment at the Learning and Achievement Committee
11 June 2019	Reviewed against latest DfE guidance. Local Authority taken out of the policy. Changed name of committee
21 January 2020	Added Safeguarding statement but policy not reviewed
16 June 2021	Re-written and adopted by the committee
3 March 2022	Re-adopted without amendment by the committee