



## Longmeadow Primary School Complaints Procedure

APPROVED	October 2019
TO BE REVIEWED BY	October 2022

## **LONGMEADOW SCHOOL COMPLAINTS PROCEDURE**

This complaints procedure meets the standards set out in the [Education Act 2002: Section 29](#) and reflects current DfE advice as outlined in '[Best Practice Advice for School Complaints Procedures](#)' (2020). It is intended for use by anyone who has a concern or complaint, who may or may not have a formal connection to the School.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

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

### **1. AIMS OF THE COMPLAINTS PROCEDURE**

At Longmeadow Primary School (LPS), each day, staff have to make many decisions and try hard to do the best for all the children and the wider school community.

We care about what you think. Your comments - either positive or negative - are helpful for future planning at the school. You may want to talk to us about a particular aspect of our work, though not actually make a complaint - you just want to get something 'off your chest'. However, it may be that you want to make a complaint about a specific issue and this policy tells you how to do both of these things; share a concern, or raise a specific complaint.

#### **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 raise a concern or make a complaint to Longmeadow Primary School.

#### **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 best interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Longmeadow 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, Samantha Field (Parental Engagement Officer / Headteacher's Personal Assistant), will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Samantha Field

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, Longmeadow will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

**What we will do:**

- your complaint will be dealt with honestly, politely and in confidence
- your complaint will be considered thoroughly and fairly
- we will keep you up to date with progress at each stage
- you will be told what we are going to do to put things right
- you will get a full and clear written reply to formal complaints within 28 working days (5½ weeks)

**What we will not do:**

*We reserve the right not to respond to complaints that:*

- are malicious (that is, they are instituted without sufficient grounds and serving only to cause annoyance or be disruptive)
- use obscenities, racist or homophobic language or are abusive to staff in any way
- contain personally offensive remarks about members of our staff
- are repeatedly submitted with only minor differences after we have fully addressed the complaint
- we will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

**What you should do:**

- approach your child's class teacher as soon as you have a concern
- do not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

## **2. HOW TO RISE A CONCERN OR MAKE A COMPLAINT**

A concern or complaint can be made in person, in writing or by telephone. Your matter will always be dealt with as a concern in the first instance to try and seek a swift resolution.

Concerns are dealt with in a hierarchal way at Longmeadow. You will meet / discuss your concern with the following people in an attempt to resolve it:

1. Your child's class teacher
2. Your child's Head of Key Stage
3. A member of the Senior Leadership Team relevant to your concern (i.e. The Assistant Headteacher, Deputy Headteacher or Head of Inclusion).
4. The Headteacher

If the issue remains unresolved, the next step is to make a formal complaint.

**Time scales for raising concerns and complaints:**

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.

When complaints are made outside of term time, we will consider these to have been made on the first school day Longmeadow returns after the holiday period.

### **Withdrawing a complaint:**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## **RAISING A CONCERN – INFORMAL STAGE**

### **a) Stage 1**

We know that it can feel uncomfortable to question or challenge something, but if you don't tell us what is worrying you we cannot explain what we are doing or try to put it right.

If you have a concern about anything we do, you can tell us by telephone, in person or in writing (by letter or email). The best way to do this is directly with the relevant member of staff your concern is about via email or the school office (01438 351087), who will arrange a meeting for you.

We hope that most concerns can be settled quickly and informally, either by putting matters right or by giving you an explanation. If there is something you are not happy about, or you don't understand why we are doing something in a certain way, please come in and discuss it informally with the appropriate member of staff who is immediately involved with your child, such as the class teacher, or the special educational needs co-ordinator (SENCo) if it is about special needs.

### **b) Stage 2**

If the member of staff you speak to in the first instance is unable to resolve the matter, you should make an appointment with your child's Head of Key Stage. They are a member of the school leadership team who will discuss the matter further on an informal basis.

<b><u>Name</u></b>	<b><u>Phase</u></b>	<b><u>Email Address</u></b>
Mr Sam Clarke	Head of Early Years and KS1	<a href="mailto:sclarke@longmeadow.herts.sch.uk">sclarke@longmeadow.herts.sch.uk</a>
Mr Guy Barlow	Head of KS2	<a href="mailto:gbarlow@longmeadow.herts.sch.uk">gbarlow@longmeadow.herts.sch.uk</a>

### **c) Stage 3**

If after this stage you are still unsatisfied, you should make an appointment with a member of the school's leadership team to discuss the matter. Each oversees a phase within the school.

<b><u>Name</u></b>	<b><u>Phase</u></b>	<b><u>Email Address</u></b>
Mrs Sally Laflin	Early Years and KS1	<a href="mailto:slaflin@longmeadow.herts.sch.uk">slaflin@longmeadow.herts.sch.uk</a>
Mrs Catherine Badesha	KS2	<a href="mailto:cbadesha@longmeadow.herts.sch.uk">cbadesha@longmeadow.herts.sch.uk</a>
Mr Lee Geer	Behaviour and Safeguarding	<a href="mailto:lgeer@longmeadow.herts.sch.uk">lgeer@longmeadow.herts.sch.uk</a>
Mrs Katy Alexander	Head of Inclusion (SENCo)	<a href="mailto:senco@longmeadow.herts.sch.uk">senco@longmeadow.herts.sch.uk</a>

#### d) Stage 4

If after speaking with senior staff your concern is still not resolved, but you do not wish to make an official complaint, the headteacher will be happy to discuss your concerns with you. Please contact the headteacher directly or the headteacher's PA to make an appointment.

Mrs Emily Howley	Headteacher	<a href="mailto:head@longmeadow.herts.sch.uk">head@longmeadow.herts.sch.uk</a>
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Staff will always respond to you politely and with courtesy and respect. However, it is reasonable for them to expect to be treated the same way in return. Shouting, swearing or threatening behaviour is not acceptable, and anyone demonstrating such behaviour will have the discussion terminated. Following unacceptable behaviour, it may be that the original complaint is reviewed and a decision made by the Headteacher or Governors on whether to continue to investigate the complaint.

A written record is kept of all reported concerns made to the school using the schools CPOMs system. This is to inform school self-evaluation and planning.

***We should be able to sort out your worries using these informal measures, but sometimes this is not possible. In this case, there is a next step outlined below.***

### 3. MAKING COMPLAINTS – FORMAL PROCEDURES

#### a) STAGE 1

##### **Inform the headteacher in writing**

The next step is to **inform the Headteacher in writing that you are making a formal complaint** (unless the complaint is about the Headteacher). This should be done via the school office using the complaints for in **Appendix 1**. The school cannot accept official complaints until the complaints form is completed, as this helps all parties to work through the complaint successfully. If you need support with the complaints form, please contact the school office via telephone and inform them of this and the school will arrange for someone to support you.

Please ensure that the form covers:

- Make it clear why you are complaining
- Say who you have spoken to already
- Provide details such as relevant dates, times, and the names of witnesses to events
- Provide copies of any relevant documents
- State what has already happened in relation to your complaint, what has the school already done?
- State what you feel should happen to resolve the complaint

<a href="mailto:admin@longmeadow.herts.sch.uk">admin@longmeadow.herts.sch.uk</a> <a href="mailto:head@longmeadow.herts.sch.uk">head@longmeadow.herts.sch.uk</a>
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The Admin Team will record the date the complaint is received and the complaint will be shared with the Headteacher. The Headteacher will acknowledge receipt of the complaint in writing (either by letter or email) within five 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.

**Note:** *The 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 provide a formal written response within fifteen school days of the date 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 Longmeadow will take to resolve the complaint. The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

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

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

If the complaint is:

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

Stage 1 will be considered by an independent investigator appointed by the Governing Board. At the conclusion of their investigation, the independent investigator will provide a formal written response.

## **b) STAGE 2**

### **Inform the chair of governors in writing**

The complainant should use Appendix 1 to write to the Chair of Governors to explain their complaint. This can be sent to the Admin Office FAO The Chair of Governors.

If you wish to progress to Stage 2, a request must be made to the Chair of Governors within ten school days of receipt of Stage 1 response.

The complaint form (Appendix 1) should be re-completed following the outcome of Stage 1 and should include:

- Set out the details of the complaint, including evidence as set out above
- Specify what they were unhappy about regarding stage 1
- Specify what they feel would resolve the complaint, and how they feel the previous stage of the procedure has not addressed their complaint sufficiently
- Make clear what you think should be done to resolve the complaint

The chair of governors, or a nominated Governor will then investigate the complaint. This may include meeting with you. Written conclusion of this investigation will be sent to the you within ten school days.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the chair of governors, in writing, within 10 working days.

Chair of Governors	01438 351087	Bring to the school office marked for the attention of The Chair of Governors.
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**c) STAGE 3**

If, following an investigation by the chair of governors, you are still dissatisfied, the chair will arrange for your complaint to be considered and investigated by member of the Governing Board’s Complaints Committee. This will be formed of three, impartial Governors. This is the final stage of the complaints procedure.

If you wish to progress to Stage 3, a request must be made to the Chair of Governors within ten school days of receipt of Stage 2 response.

A Chair of the Governing Board’s Complaints Committee will be appointed. The Chair will write to you to inform you of the date of the meeting. They will aim to convene a meeting within fifteen school days of receipt of a stage 3 complaint. If this is not possible, the Chair will provide you with an anticipated date and keep you informed.

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

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

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs. If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

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

Representatives from the media are not permitted to attend.

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

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

Any written material will be circulated to all parties at least five school days before the date of the meeting. It is the complainant's responsibility to circulate any written information or evidence you intend to use in a formal hearing. 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 Longmeadow with a full explanation of their decision and the reason(s) for it, in writing, within five school days. The letter to the complainant will include details of how



to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Longmeadow Primary School.

If the complaint is:

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

#### **4. REFERRING COMPLAINTS FOLLOWING COMPLETION OF THE SCHOOL'S PROCEDURES:**

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 expect complainants to have followed the school's complaints procedure in full.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Longmeadow Primary School. They will consider whether Longmeadow Primary 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.

#### **5. Persistent Complaints**

This is adapted from current DfE advice as outlined in [‘Best Practice Advice for School Complaints Procedures’ \(2020\)](#).

We will always do our best to be helpful when contacted with a concern, complaint or a request for information. However, in cases where the school is contacted repeatedly by an individual making the same points, or who asks us to reconsider our position, we will need to act appropriately.

There will be occasions when, despite all stages of our complaints procedure having been followed, the complainant remains dissatisfied. It is important that we, as a school, recognise when we really have done everything we can in response to a complaint. It is a poor use of the schools' time and resources to reply to repeated letters, emails or telephone calls, making substantially the same points. If a complainant tries to re-open the same issue, the Headteacher or Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time
- 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
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints 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 that 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 and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

*However, this list is not intended to be exhaustive.*

The school will more likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, this includes the use of passive aggressive language and/or
- The individual makes insulting personal comments about, or threats towards, school staff

The decision to stop responding will never be taken lightly and we will let you know this in writing. However, where an individual's behaviour is causing a significant level of disruption, the headteacher may wish to implement a tailored communications strategy, such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term by a fixed method. Alternatively, a representative from the local authority may be sought to conduct communication on the school's behalf. Complainants who may have been restricted in their communications with the school can also be advised to ask a third party to act on their behalf, such as the local Citizen's Advice Bureau. Ultimately, if a complainant persists to the point that the school considers it to constitute harassment, then legal advice will be sought as to the next steps. This includes the use of injunctions and other court orders to protect staff if necessary. 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 Longmeadow. Further advice can be found in the School's Managing Confrontations on Site Policy.



**APPENDIX 1 - COMPLAINTS FORM**

Please complete and return to **the School Office** 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>What has happened?</b> <i>Please give details of your complaint. Please give as much detail about what has happened as possible and why you are unhappy.</i>

**Who have you already spoken to about this and when did you speak to them?**

*Please let us know the staff members you have already spoken to about this. Dates are really helpful too.*

**What has already happened in response to your complaint?**

*Please outline any action the school / staff members have taken. Even if this was or wasn't in line with what you wanted.*

**How would you like your complaint to be resolved?**

*What would you like to happen next? What would make you feel the complaint was resolved? How can we make you happy again?*

**Are you attaching any paperwork?**

*Sometimes you might want to give us some paperwork to support your complaint. Please tell us what this is here.*

**Signature:**

**Date:**

<b>Official use</b>
<b>Date acknowledgement sent:</b>
<b>By who:</b>
<b>Complaint referred to:</b>
<b>Date:</b>



