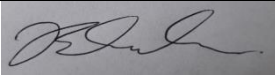


# Townhill Junior School



## Complaints Procedure Policy

Complaints Procedure Policy			
<b>Date last amended:</b>	18 <sup>th</sup> April 2025	<b>Approved by:</b>	Townhill Junior School Full Governing Body
<b>Approval date:</b>	28 <sup>th</sup> April 2025	<b>Signed:</b>	 Jo Proctor Chair of Governors
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## **1. Intentions**

At Townhill Junior School we believe all parents, stakeholders or community members have the right to voice any concerns they have about the school to the school itself, any complaint will be taken seriously and dealt with appropriately.

This policy is to ensure that a concern or a complaint is managed respectfully, sympathetically, efficiently and at the appropriate level and resolved as soon as possible. It is important to us that we act fairly to those concerned and promote parents' and pupils' confidence in our ability to safeguard and promote welfare.

When responding to complaints, we aim to:

- Be impartial and non-adversarial.
- 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.
- Resolve concerns through informal discussions at the earliest stage.
- Keep complainants informed of the progress of the complaints process, providing a named contact and a timescale for a response to be made by the school.
- Respect complainants' desire for confidentiality.
- Allow complaints to communicate either in person or by letter, telephone or email. However, if the complainant has communication preferences then the school will endeavour to allow for alternative methods of contact.

The school will always aim to give the complainant the opportunity to complete the complaints procedure in full (refer to Appendix B).

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

When we refer to working days we mean Monday to Friday and during term time.

### **Practice**

The Headteacher in the first instance will be responsible for managing and coordinating the complaints procedure. If they are unavailable then their duties will be carried out by the Deputy Headteacher.

Their main responsibilities will be:

- The first point of contact while the matter remains unresolved and keep a record.
- To co-ordinate the complaints procedure across the school.
- To arrange assistance for parents who require this, for example, because of a disability.
- To maintain an on-going training programme for all school employees in relation to complaints.
- To monitor the keeping, confidentiality and storage of records in relation to complaints.

Complaints against the Headteacher would first be dealt with by the Chair of the Governing Body.

Complaints against the Chair of Governors or any other member of the Governing Body should be made in writing to the Clerk of the Governing Body.

## 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).

## 3. Definitions and scope

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”.

The school will resolve concerns through day-to-day communication as far as possible.

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

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 is for all complaints with the exception of:

- Admissions - Southampton LA has responsibility for admissions to schools. Any appeals or complaints should be referred to the admissions team.
- Statutory assessments of **Special Educational Needs (SEND)** - Parents and school staff will naturally be in close contact about the special educational needs provision for individual students and concerns will normally be resolved between parents and the school. Arrangements for handling complaints from parents of children with SEND about the school’s support are within the scope of this policy. Such complaints should first be made to the Special Educational Needs Co-ordinator (SENCO) at the following email address: [jparker@townhilljuniorschool.co.uk](mailto:jparker@townhilljuniorschool.co.uk) If this does not resolve the issue, they will then be referred to this Complaints Procedure Policy.
- Exclusions - Governing Bodies are required to set up exclusion committees to consider exclusions.
- Whistle-Blowing – the school have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns about the school not outlined in the Whistleblowing Policy can be raised direct with Ofsted.
- Staff grievances - any staff disciplinary or grievance matters for staff employed in community and controlled schools should be dealt with under the procedures adopted by the Governing Body.
- Staff discipline – refer to the Staff Code of Conduct.

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

#### **4. Principles for investigation**

When investigating a complaint, we will aim to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises and no later than three months afterwards. We will consider exceptions to this time frame 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.

#### **5. Four Stages of Complaint (not complaints against the Headteacher or a Governor)**

##### **Stage 1: Informal**

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue. Appendix C provides a recommended procedure for parents to follow if applicable.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the headteacher as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

The school will provide a written acknowledgement of informal complaints within 5 working days, and investigate and provide a response within 10 working days.

The informal stage will involve a meeting between the complainant and a designated member of the Senior Leadership Team as appropriate and will write to the complainant following this meeting recording the discussion and outcomes.

If the complaint is not resolved informally and the complainant agrees, it will be escalated to a formal complaint.

##### **Stage 2: Formal**

###### **Inform the Headteacher to notify them that they wish to make a formal complaint.**

This record should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint. A complaints form is attached to this policy as Appendix D and further copies are available from the school's reception. Reasonable assistance will be given to complainants in making the complaint. Acknowledgement will be sent within 5 working days.

The Headteacher (or designated member of the Senior Leadership Team) will call a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 20 working days.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the Chair of Governors in writing within 5 working days.

### **Stage 3: Inform the Chair of Governors in writing**

This letter should set out the details of the complaint including evidence as set out above. The complainant should also specify what they feel would resolve the complaint, and how they feel the previous stage of the procedure has not addressed their complaint sufficiently. The Chair of Governors will acknowledge the complainant within 5 working days.

The written conclusion of this investigation will be sent to the complainant within 20 working days.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the Chair of Governors in writing within 5 working days. The Clerk to the Governing Body will acknowledge the complainant within 5 working days and arrange a meeting of the Complaints Panel and invite the complainant to the hearing.

### **Stage 4: Submit the complaint to the review panel**

The review panel consists of members of the Governing Body. These individuals will have access to the existing record of the complaint's progress (see Section 9). Appendix A outlines full details of how to request a Complaints Review Panel, how the panel will be constituted and the procedure that will be followed at the hearing. Typically the panel will be set up within 10 working days.

The complainant must have reasonable notice of the date of the review panel. 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.

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 will not consider any new areas of complaints which have not been previously raised.

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 must then put together its findings and recommendations from the case. The panel will also provide a copy of 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 school will inform those involved of the decision in writing within 10 working days of the panel meeting conclusion.

It should be noted by complainants that the role of the Governing Body is primarily strategic, being responsible for the school's strategic framework, including its aims and objectives, its priorities and targets, and its policies for achieving those aims and objectives. The Headteacher, meanwhile, has sole responsibility for making day-to-day decisions in the school, and is responsible for the internal organisation, management and control of the school, and for implementing governors' policies.

The Department for Education (DfE) has clearly laid out which areas of responsibility are within the remit of the Headteacher and which are within the remit of the Governing Body. The Chair of the Governing Body is bound by this legislation and will decide what powers the Governing Body has to deal with the particular complaint.

The Governing Body is only permitted to reconsider a decision made by the Headteacher if the concern falls within its legislated authority. If the complaint falls within the remit of the Headteacher as laid out in the DfE legislation, the Governing Body can only investigate the reasonableness of the decision. If you are not satisfied with the Chair's decision, you may contact the Education and Skills Funding Agency (ESFA) which will consider the complaint on behalf of the Secretary of State.

## **6. Complaints against the Headteacher or a Governor**

Complaints made against the headteacher will follow the same procedures but should be directed to the Chair of Governors who will appoint an investigating officer to carry out the investigation.

Where a complaint is against the Chair of Governors or any member of the Governing Body, this will follow the same procedures with an investigating officer, but instead the complaint should be made in writing to the Clerk to the Governing Body in the first instance and the Governor Office at the Local Authority.

The relevant investigating officer will inform those involved of the decision in writing within 20 working days of the investigation or panel meeting conclusion.

## **7. 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 School Complaints Unit (SCU) at the DfE, which investigates complaints relating to maintained schools on behalf of the Secretary of State.

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. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

For more information or to refer a complaint, see the following webpage:  
<https://www.gov.uk/complain-about-school>

## **8. Persistent complaints**

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the Chair of Governors (or other appropriate person in the case of a complaint about the Chair) may inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can 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.

The school will be most likely to choose not to respond if:

- We have evidence that 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, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

The decision to stop responding will not be taken lightly. Where an individual's behaviour is causing a significant level of disruption, we may introduce a tailored communications strategy such as restricting the complainant to a single point of contact etc. However once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

## **9. Record-keeping**

The school will hold a written record of the progress of all complaints whether they are resolved at Stage 1 or proceed to a panel hearing and will include 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, 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 under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

In accordance with data protection principles, details of individual complaints will normally be destroyed following each investigation and inspection. In exceptional circumstances, some details will be retained for a further period as necessary.

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

Where the Governing Body 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 Body, who will not unreasonably withhold consent.

## **10. Learning lessons**

The Governing Body will review any underlying issues raised by complaints with the Headteacher / Senior Leadership Team, 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.

## **11. Monitoring arrangements**

The Governing Body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Governing Body will track the number and nature of complaints, and review underlying issues as stated in Section 10.

The complaints records are logged and managed by the Clerk to the Chair of Governors.

This policy will be reviewed by the Full Governing Body annually.

At each review, the policy will be approved by the Full Governing Body.

## **12. Links with other policies**

Policies dealing with other forms of complaints include:

- Child Protection and Safeguarding Policy and Procedures
- Admissions Policy
- Exclusions within the Behaviour Policy
- Staff Grievance Procedures
- Staff Disciplinary Procedures
- SEND Policy

### The Complaints Panel Hearing

The panel will be formed of school Governors who have not been involved in any earlier part of the complaints process and who have no detailed prior knowledge of the nature of the complaint and an independent member who is independent of the governance, management and running of the school. The panel will not consider any new areas of the complaint which have previously been raised as part of the complaints procedure.

**Notification:** To request a Hearing before the Complaints Panel please write to the Clerk to the Governing Body within five working days of the decision complained of. Your request will usually only be considered if you have completed the procedures at Stages 1 and 2 and where appropriate, Stage 3. Please ensure that a copy of all relevant documents and your full contact details accompany your letter to the Clerk to the Governing Body. Please state in your letter the outcome that you desire and all the grounds of your complaint. Please also send the Clerk a list of the documents which you believe to be in the School's possession and wish the Panel to see. The Clerk to the Governing Body will acknowledge your request in writing within two working days. If you require assistance with your request, for example, because of a disability, please contact the Clerk who will be happy to make appropriate arrangements.

**Convening the Panel:** The Clerk to the Governing Body will convene the Complaints Panel as soon as reasonably practicable, but the Panel will not sit during half terms or school holidays, unless there are exceptional circumstances. The Panel will consist normally of a minimum of three individuals who have no detailed prior knowledge of the circumstances of the complaint.

**Notice of Hearing:** Every effort will be made to enable the Panel Hearing to take place within ten working days of the receipt of your request. As soon as reasonably practical and in any event, at least seven working days before the hearing, the Clerk to The Governing Body will send you written notification of the date, time and place of the Hearing, together with brief details of the Panel members who will be present.

**Attendance:** You will be invited to attend the Hearing and may be accompanied by one other person such as a relative, teacher, or friend. It is not necessary for that person to be legally qualified but if you do wish to be accompanied by a legally qualified person, acting in their professional capacity, please notify the Clerk at least five working days before the Hearing. Copies of additional documents you wish the Panel to consider should be sent to the Clerk to the Governing Body at least three clear working days prior to the Hearing.

**Chair:** The Hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.

**Hearing:** All statements made at the Hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. Formal minutes of the meeting will be taken by the Clerk to the Governing Body, who will take no part in proceedings apart from reminding the Chair of procedural protocol as necessary.

**Evidence:** The Chair will conduct the Hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The Hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

**Conduct:** All those attending the Hearing are expected to show courtesy, restraint and good manners or, after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. If terminated, the original decision will stand. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and his / her comment will be minuted.

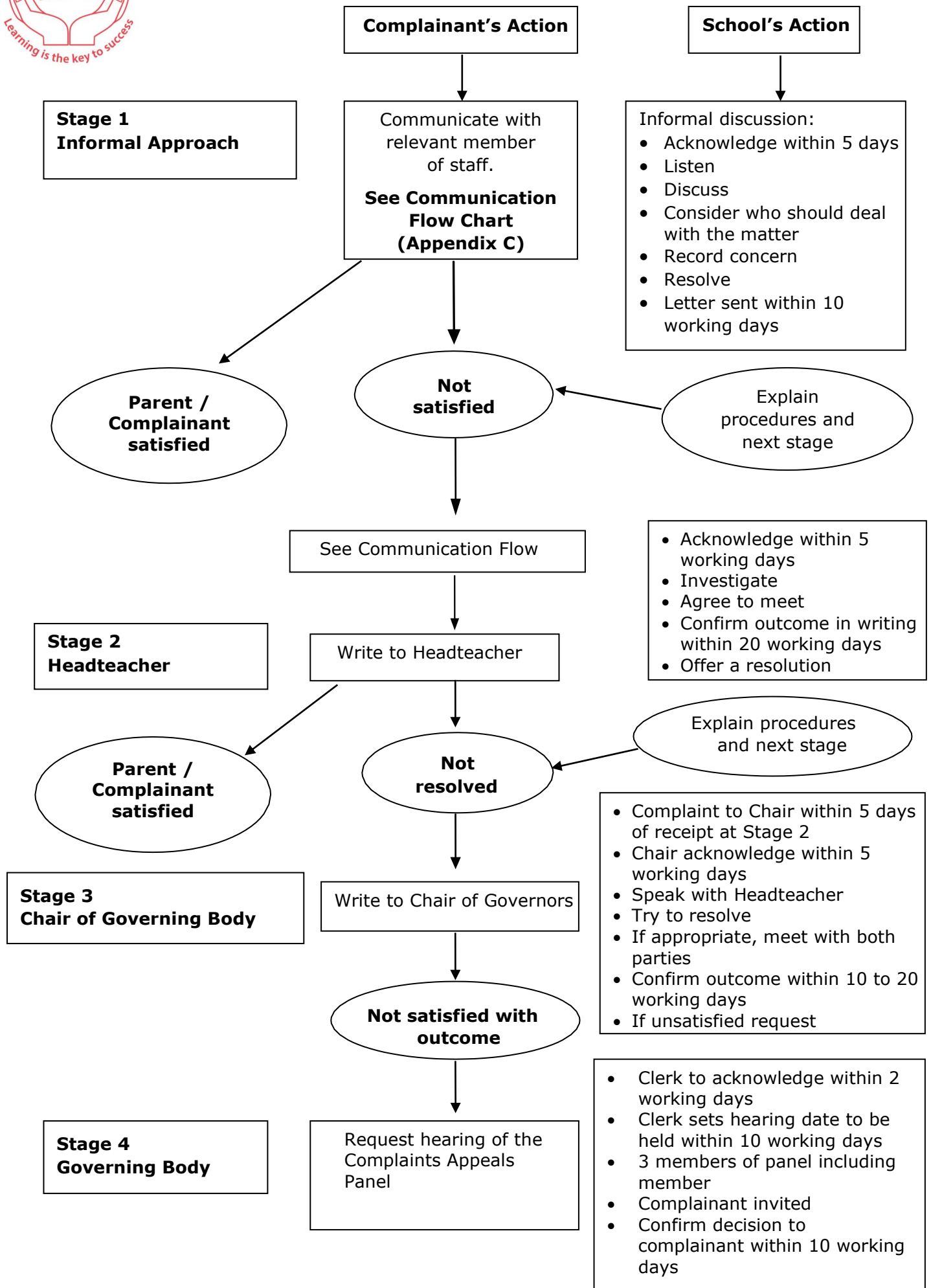
**Adjournment:** The Chair may, at his / her discretion, adjourn the Hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

**Decision:** After due consideration of the matters discussed at the Hearing, the Panel shall reach a decision unless an agreed position is reached and the complaint withdrawn. The Panel's decision, findings and any recommendations may be notified orally at the Hearing or subsequently and shall be confirmed in writing to you by electronic mail, telephone or letter, where appropriate within ten working days. If you do not wish to receive the decision by electronic mail, a copy will be given or posted to you. The decisions, findings and any recommendations will be available for inspection on the School premises by the Governing Body and the Headteacher. Reasons for the decision will be given. The decision may include recommendations and will be sent to you, the Chair of the Governing Body, the Headteacher and, where relevant, any person about whom the complaint has been made.

**Private proceeding:** A Hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.



**Staged Approach to Handling Complaints**





**Communication/Complaint Procedure**

**Recommended Procedure for Parents**

**1. Nature of concern/complaint**

<b>A Pastoral Concern</b>	<b>A Curriculum Concern</b>	<b>Staffing Complaint</b>
Class Teacher ↓	Class Teacher ↓ Subject Leader	↓
Deputy Headteacher ↓	Deputy Headteacher ↓	Deputy Headteacher ↓
Headteacher	Headteacher	Headteacher

**2.** Headteacher – if not contacted under procedure 1 and unable to resolve issue.

**3.** Chair of Governors – for involvement of Governing Body.



**Complaints Form**

When we receive a complaint, we aim to acknowledge receipt of the concern by telephone or letter normally within five working days and will give details of proposed action to resolve the concern.

<b>Name of parent/carer:</b>
<b>Pupil's Name:</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Telephone (day):</b>
<b>Telephone (evening):</b>
<b>What is your concern and how has it affected you?</b>
<b>Are you attaching any paperwork? If so, please list these below:</b>

**Have you discussed this matter with a member of staff before filling in this form? If so, who did you speak to and what was their response?**

**What would you like to happen as a result of making this complaint?**

**Signature**

**Date**

**Official use only**

Initial response and  
Acknowledgement:

By whom:

Date:

Complaints reference number:

Action Taken:

Date:

**Data Protection Act 1998** – We will only process your personal data to respond to your complaint. In general, this will be used for administrative and statistical purposes.