

Feltham Hill Infant & Nursery School

Complaints Procedure

The school aims to meet its statutory obligations when responding to complaints.

The Complaints Procedure is used when all the usual methods for raising concerns have been unsuccessful.

November 2023

Prepared by: Headteacher (HT) Nov 2023

Agreed with: Strategy team & School business manager SBM Oct 2023

Agreed with governors: Chair governors: and Full governing body (FGB): Nov 2023

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Aims

The school aims to meet its statutory obligations when responding to complaints from parents/carers of pupils at the school, and others.

When responding to complaints, school aims to:

- Be impartial and non-adversarial.
- Lead a full and fair investigation.
- Facilitate a Governors' complaints committee, when necessary.
- Address all the points at issue and provide an effective and prompt response.
- Respect complainants' desire for confidentiality.
- Treat complainants with respect and courtesy.
- Make sure that any decisions made are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law.
- Keep complainants informed of the progress of the complaints process.
- Consider how the complaint can feed into school improvement evaluation processes.

- School will try to resolve concerns or complaints by **informal means wherever possible**.
- Where this is not possible, formal procedures can be followed.
- The school will aim to give the complainant the opportunity to complete the complaints procedure in full.
- To support this, school will make sure leaders publicise the existence of this policy and make it available on the school website.
- Throughout the process, leaders will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

Legislation and guidance

This document meets the requirements of section 29 of the [Education Act 2002](#), which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

- It is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE), including the model procedure, and model procedure for dealing with serial and unreasonable complaints.

In early years:

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

Definitions and scope

Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as "*an expression of worry or doubt over an issue considered to be important for which reassurances are sought.*"
- A **complaint** is defined as "*an expression of dissatisfaction, however made, about actions taken or a lack of action.*"

Scope

Leaders intend to resolve concerns informally where possible, at the earliest possible stage.

- So concerns should be raised informally first.
- However, there may be occasions when complainants would like to raise their concerns formally.
- This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN).
- Safeguarding matters.
- Suspension and permanent exclusion.
- Whistle-blowing
- Staff grievances
- Staff discipline

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

It also doesn't cover:

- School re-organisation proposals
- Curriculum
- Collective worship

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

Roles and responsibilities

The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures.
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly.
- Ask for assistance, in the first instance, as needed.
- Speak to their class teacher, in the first instance too.
- **Treat all those involved with respect.**
- **Do not publish details about the complaint on social media.**

The investigator

The Headteacher will be responsible for investigating the complaint initially, and establish the facts.

They will:

- Interview all relevant parties, keeping notes.
- Consider records and any written evidence and keep these securely, on-line.
- Prepare a comprehensive report for the complainant, which will include the facts and potential solutions.

Co-ordinator

The complaints will be co-ordinated by the School Business Manager (SBM).

The SBM will:

- Keep the complainant, up to date, at each stage in the procedure.
- Make sure the process runs smoothly by liaising with staff members, alongside the Headteacher.

Also, alongside the Headteacher, be aware of issues relating to;

- Sharing third party information.
- Additional support needed by complainants, for example interpretation support.
- Keeping records on-line in a confidential folder.

In addition, the SBM will:

- Monitor emails to be the contact point for the complainant.
- Monitor emails to be the contact point for governors' complaints committee, when necessary.
- Circulate the relevant papers and evidence before complaints committee meetings.
- Arrange the complaints meeting alongside the Headteacher.
- Record and circulate the minutes and outcome of the hearing, alongside the Chair of this committee.

Governors' complaints committee

There will be at least two governors sitting on the complaints committee.

A named governor will chair the committee. And will:

- Chair the meeting, ensuring that everyone is treated with respect throughout.
- Make sure all parties, see the relevant information, understand the purpose of the committee, and are allowed to present their case.

Principles for investigation

When investigating a complaint, the Headteacher will try to clarify:

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

Time scales

The complainant must raise the complaint within 3 months of the incident.

If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

- The Headteacher will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint, at that time and the complaint can still be investigated in a fair manner for all involved.
- When complaints are made out of term time, the Headteacher and SBM will consider them to have been received on the first school day after the holiday period.

If at any point school cannot meet the timescales, set out in this policy.

The Headteacher will:

- Set new time limits with the complainant.
- Send the complainant details of the new deadline and explain the delay.

Complaints about schools' fulfilment of early years requirements

The Headteacher will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint.

- The school will keep a record of the complaint on-line and make this available to Ofsted on request.
- Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements.
<https://www.gov.uk/government/organisations/ofsted#org-contacts>.
- The strategy team will notify parents and carers, when school is notified that they are going to be inspected by Ofsted.
- The inspection report will be emailed to parents and carers of children attending early years.
- With a hardcopy available, as requested.

Resolving complaints

At each stage in the procedure, leaders can resolve the complaint. If appropriate.

- School will acknowledge that the complaint is upheld in whole or in part.

In addition, school 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 leaders 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, school will ask them to confirm this in writing.

Informal concern

The school will take informal concerns seriously and make every effort to resolve the matter quickly.

- **The complainant should raise their concerns with the class teacher, in the first instance.**
- A senior leadership team (SLT) member will then meet them alongside the class teacher, to hear their concerns.

- It may be the case that the provision or clarification of information will resolve the issue. An email confirming the outcome of the meeting will be sent to the parent.
- **If the complainant is not satisfied, a meeting with the Headteacher and member of the strategy team will be offered to resolve the concern. An email confirming the outcome of the meeting will be sent to the parent.**

If still dissatisfied:

- If the concern is not resolved informally, it will be escalated to a formal complaint.
- The complainant should raise the complaint, as soon as, possible to the Headteacher, using the office email:

office@fhi.hounslow.sch.uk

See appendix A and B

Stages of complaint including complaints against the Headteacher or governors

There are two stages to schools' complaints.

Stage 1: Formal complaint

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office.

This may be done in person, in writing via email (preferably using the schools' Complaint Form), see Appendix A or by telephone.

If the formal complaint is raised is about the Headteacher or Chair.

The complainant should contact, the Clerk to governors via the office email.

- The SBM will record the date the complaint is received and will acknowledge receipt of the complaint in writing (usually by email but can be a letter) within 10 school days.
- 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.

During the investigation, the Headteacher 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, on-line of any meetings/interviews in relation to their investigation.
- At the conclusion of their investigation, the Headteacher will write a formal written response within 15 school days of the date of receipt of the complaint.
- This will be sent by the SBM via the office email.
- 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 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.
- 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 body.
- At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2: Governors complaints committee

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 - a meeting with members of the governing body's complaints committee, which will be formed of the first two, impartial, governors available.

This is the final stage of the complaints procedure.

- A request to escalate to Stage 2 must be made via the school office, within 10 school days of receipt of the Stage 1 response.
- The Clerk or SBM will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days.
- Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- The Clerk or SBM will write to the complainant to inform them of the date of the meeting.
- They will aim to convene a meeting within 15 school days of receipt of the Stage 2 request.
- If this is not possible, they will provide an anticipated date and keep the complainant informed.
- If the complainant rejects the offer of two proposed dates, without good reason, the Clerk or SBM 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 two 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.
- 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, school does 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.
- Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the Clerk or SBM 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 3 school days before the meeting.
- Any written material will be circulated to all parties at least 3 school days before the 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 with a full explanation of their decision and the reason(s) for it, in writing, within 10 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 the school.

If the complaint is:

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

Stage 2 will be heard by a committee of independent governors.

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

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 (DFE) after they have completed Stage 2.

- The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school.
- 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,

by telephone on: 0370 000 2288

or by writing to:

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

Managing serial and persistent complaints

Leaders should do their best to be helpful to people who contact school with a:

- Complaint or concern.
- Request for information.

However, there will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied.

- **If a complainant tries to re-open the same issue, school can inform them that the procedure has been completed and that the matter is now closed.**
- If the complainant contacts school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and leaders may choose not to respond.
- However, school cannot mark a complaint as 'serial' before the complainant has completed the procedure.

- Also under no circumstances should a complainant be marked as 'serial' for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

School may receive complaints leaders consider to be vexatious.

The [Office of the Independent Adjudicator](#) defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- Complaints which are obsessive, persistent, harassing, prolific, repetitious.
 - Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
 - Insistence upon pursuing meritorious complaints in an unreasonable manner.
 - Complaints which are designed to cause disruption or annoyance.
 - Demands for redress that lack any serious purpose or value.
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- School should not refuse to accept further correspondence or complaints from an individual they have had repeat or excessive contact with.
 - The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

When to stop responding

The decision to for leaders to stop responding will never be taken lightly.

School will need to be able to say yes to all of the following:

- They have taken every reasonable step to address the complainant's concerns.
- The complainant has been given a clear statement of schools' position and their options.
- The complainant contacts school repeatedly, making substantially the same points each time.

The case to stop responding is stronger if leaders agree with one or more of these statements:

- Their letters, emails, or telephone calls are often or always abusive or aggressive.
- They make insulting personal comments about or threats towards staff.
- There is reason to believe the individual is contacting school with the intention of causing disruption or inconvenience.

School should not stop responding just because an individual is difficult to deal with or asks complex questions.

Communication strategy for persistent correspondents

If an individual's behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, schools can implement a tailored communication strategy.

For example, leaders can:

- Restrict the individual to a single point of contact via the office address.
- Limit the number of times they can make contact, e.g. say a fixed number of contacts per term.

- However, regardless of the application of any communication strategy, school must provide parents and carers with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005, within the statutory time frame.
- Different procedures apply to freedom of information (FOI) and data protection (DP) correspondence.
- Leaders need to make sure that school acts reasonably and consider any new complaint.
- Anyone has the right to raise a new complaint, at any time and failure to respond could result in the school failing to act reasonably.
- School can also suggest that the complainant asks a third party to act on their behalf, such as the local Citizen's Advice.
- If an individual persists to the point that may constitute harassment, school should seek legal advice.
- In some cases, injunctions and other court orders have been issued to individuals preventing them from contacting schools direct.

Once school has decided that it's appropriate to stop responding, leaders will inform the individual.

Barring from school premises

Although, fulfilling a public function, schools are private places.

The public has no automatic right of entry.

- Headteachers and governing bodies will therefore need to act to ensure they remain, a safe place for pupils, staff and other members of their community.
- If an individual's behaviour is a cause for concern, they can be asked to leave school premises. In some cases, individuals can be barred from entering school premises.
- Leaders will always give the individual the opportunity to formally express their views on a decision to bar.

The Headteacher's decision to bar should then be reviewed by either:

- The chair of governors.
- A committee of governors.
- They should take into account any representations made by the individual and decide whether to either confirm or lift the bar.

If the decision is confirmed, the individual should be notified in writing, explaining:

- How long the bar will be in place.
- When the decision will be reviewed.
- Once the school's appeal process has been completed, individuals who remain barred may be able to apply to the Courts for a review of the schools decision.
- Individuals wishing to exercise this option should seek independent legal advice.

Record keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome.

The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

- This material will be treated, as confidential and held on-line in a confidential folder, and will be viewed only by those involved in investigating the complaint or on the review panel.
- This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.
- Records of complaints will be kept securely, only for as long as, necessary and in line with data protection law, schools' privacy notices and [records management policy/record retention schedule].
- The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.
- Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.
- Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings.
- The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

Learning lessons

The Chair of governors will review any underlying issues raised by complaints with the Headteacher and Strategy 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.

Links with other policies:

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy
- Admissions Arrangements
- Behaviour including anti-bullying and statement of behaviour principles
- Exclusions policy
- Staff code of conduct, discipline and grievance procedures
- SEN policy and information report
- Privacy notices

Review of this policy

This policy will be reviewed annually by the Strategy team with the Full governing body.

Appendix A Complaint Form

Please complete and return to the School Business Manager (SBM) using the office email. For the attention of Ms White Headteacher.

The SBM will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Please give details of your complaint, including who you have spoken to at the school about it:

What actions do you feel might resolve the problem at this stage?

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Appendix B Contact Details

Name	Contact Details
Headteacher Angela White	Email office@fhi.hounslow.sch.uk
	Phone 0208 890 3814
Chair of Governors Jane Kendall-Nicholas Clerk to governors Paula Passee	Website www.hounslow.gov.uk Governing Bodies Section Children's, Health and Adults' Services Hounslow House 7 Bath Road Hounslow TW3 3EB
DFE	www.education.gov.uk/contactus , by telephone on: 0370 000 2288