



Complaints Policy

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Section A – Introduction

Coldfall Primary School ('the School') welcomes feedback both positive and negative from all stakeholders and recognises that any dissatisfaction ought to be addressed promptly and reasonably.

It is in everyone's interest that any dissatisfaction is resolved at the earliest opportunity. Many issues can be resolved informally, without the need to follow the formal stages of the complaints procedure.

This policy therefore differentiates between dissatisfaction expressed, usually informally, as a "concern" and dissatisfaction that is raised as a formal complaint against the School.

Raising concerns

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 concern can be raised in person, in writing or by telephone and by a third party as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher, Year Team Leader or member of the School office staff if the concern is unrelated to classroom practice.

If the individual raising the concern has difficulty discussing the concern with a particular member of staff, the School's Complaints Coordinator (who can be contacted by email at n.hardingrickards@coldfall.haringey.sch.uk) will refer the matter to another staff member. This 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.

The School takes all concerns seriously and will make every effort to resolve the matter as quickly as possible.

Where the dissatisfaction cannot be resolved informally then the formal complaint procedure set out below should be followed. (Note that raising any matter informally as a concern is not a pre-condition to invoking the complaints procedure.)

The scope of this policy

This policy covers all concerns or complaints about any provision of educational or community facilities or services by the School other than those matters that are dealt with under other statutory procedures, including all matters listed in Appendix 1 to this policy. This policy is primarily aimed at parents and carers of children who are registered at the School, but it is not limited to them. Any member of the public or interested party may raise a concern or make a complaint about any provision of facilities or services that the School provides.

Section B: Making a complaint

For ease of reference, in this policy the person who make a complaint is referred to as ‘the Complainant’.

A complaint can be made in person, in writing or by telephone. Complaints may also be made by a third party acting on behalf of the Complainant, as long as they have appropriate consent and authority to do so.

Ideally, complaints should be made in writing so that there is certainty over the nature of the complaint being made.

For ease of use, a template complaint form is included at Appendix B to this policy. If help is required to complete the form, the Complainant may request assistance from the School office or from any third party organisations, for example, Citizens Advice.

In accordance with equality law, the School will consider making reasonable adjustments if required, to enable Complainants to access and complete this complaints procedure: for example by providing information in alternative formats, assisting Complainants in raising a formal complaint or holding meetings in accessible locations.

The School will process complaints made verbally but in order to avoid any delay in processing the complaint, in such cases the School requests that the Complainant provide as much information as possible and make it clear that the issue raised is a formal complaint. In the case of complaints made verbally, the School will ordinarily provide the Complainant with a written summary of the complaint and ask the Complainant to confirm same.

Submitting the complaint

Complaints should be submitted to the School’s Complaints Coordinator either by e-mail at n.hardingrickards@coldfall.haringey.sch.uk, by hand or by post addressed to the Complaints Coordinator care of the School office, except in the following circumstances:

- Complaints against School staff (except the Head Teacher) should be made in the first instance to the Head Teacher via the School office (or by e-mail to n.hardingrickards@coldfall.haringey.sch.uk) and should be marked “private and confidential”.
- Complaints that involve or are about the Head Teacher should be addressed to the Chair of governors, via the School office (or by e-mail n.hardingrickards@coldfall.haringey.sch.uk) and marked “private and confidential”.

- Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the clerk to the governing body via the School office, (or by e-mail to n.hardingrickards@coldfall.haringey.sch.uk), again, marked “private and confidential”.

Please note that Complainants should not approach School governors in person to make complaints. School governors have no power to act on an individual basis and disclosure of the nature of a complaint to a School governor will usually disqualify that governor from any participation in Stage 2 of the complaints procedure.

Timescales

Complainants must submit the complaint to the School within three months of the incident giving rise to the complaint, or, where the complaint arises out of a series of connected incidents, within three months of the last of these incidents. The School will only respond to complaints made outside of these time limits if the School considers that exceptional circumstances apply.

Complaints made outside of term time will be treated as having been received on the first School Day after the holiday period. (In this policy “School Day” means a day on which the School is open and children are attending in their classes for the purposes of education.)

Resolving complaints

At each stage in the complaints procedure the School will use its best endeavours to resolve the complaint. If appropriate, the School will acknowledge that the complaint is upheld in whole or in part, or that it is not upheld. In addition, the School may offer one or more of the following:

- An explanation;
- An acknowledgement that the situation could have been handled differently or better;
- An assurance that the School will try to ensure that the events giving rise to the complaint will not recur;
- An explanation of the steps that have been or will be taken to help ensure that the events giving rise to the complaint 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 the complaint in whole or in part at any time, this should be confirmed in writing to the School.

Section C: The complaints procedure

The School's procedure for complaints is divided into two stages as follows:

Stage 1

When the School receives a complaint in accordance with Section B of this policy, the Head Teacher will record the date the complaint is received and will acknowledge receipt of the complaint to the Complainant in writing (either by letter or email) within 5 School Days. Within this acknowledgement if appropriate, the Head Teacher may seek to clarify the nature of the complaint and invite the Complainant to indicate what remains unresolved and what outcome the Complainant would like to see. The Head Teacher may consider whether a face to face meeting would be the most appropriate means of achieving any necessary clarification of the complaint.

As soon as is practicable and no later than 10 School Days after the complaint is received by the School in accordance with Section B of this policy, the Head Teacher will commence an investigation into the complaint. If appropriate, the Head Teacher 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 Head Teacher (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 summary record of any meetings/interviews in relation to the investigation.

At the conclusion of the investigation, the Head Teacher will provide a formal written response to the Complainant within 15 School Days of the date that the School received the complaint in accordance with Section B of this policy. If the Head Teacher is unable to meet this deadline, the Head Teacher will provide the Complainant with an update and revised response date.

The written response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made in relation to the complaint and the reason(s) for it. Where appropriate, the response will include details of actions the School will take to resolve the complaint.

The Head Teacher will also advise the Complainant of how to escalate the complaint to Stage 2 should they remain dissatisfied with the outcome of Stage 1.

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

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 conducted by an independent investigator appointed by the governing body. At the conclusion of its investigation, the independent investigator will provide a formal written response.

All communications emanating from the School in connection with Stage 1 will be marked "Complaint – Stage 1".

Stage 2

If the Complainant is dissatisfied with the outcome of Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with a Complaints Panel appointed by the School's governing body ('the Panel').

A request to escalate to Stage 2 must be made to the School's Complaints Coordinator via the School office, within 10 School Days of the Complainant's receipt of the Stage 1 written response from the Head Teacher (or investigator).

Requests to escalate to Stage 2 received outside of this time frame will only be considered if the School considers that exceptional circumstances apply.

The School's Complaints Coordinator will record the date the Stage 2 request is received and acknowledge receipt to the Stage 2 request in writing (either by letter or email) within three School Days.

The Panel

The Panel will be formed of three impartial governors from the School's governing body. Unless there are any reasonable grounds for doubt, such grounds to be notified promptly to the School, the impartiality of the governors on the Panel will be assumed if the governors have no prior knowledge of the substance of the complaint and no pre-existing relationship of any kind with the Complainant and the Complainant's immediate family. The Panel will decide amongst themselves who will act as the chair and will make arrangements to appoint an independent clerk to the Panel ('the Clerk'). The Clerk is independent of the School and the Panel and has no involvement in the Panel's decision making in connection with the complaint.

If there are fewer than three impartial governors available, the Clerk will source any additional, independent governors through another local school or through the local authority's governor services team, in order to make up the Panel.

The names of the Clerk and of the governors forming the Panel will be notified to the Complainant and the School as soon as their appointments are confirmed. Thereafter all communications made in connection with the Stage 2 complaint should be copied to the Clerk, the Panel, the Complainant and the School.

The Panel will decide whether to deal with the complaint by inviting the Complainant to a meeting or through written representations, but in making this decision the Panel will be sensitive to the Complainant's needs.

Arranging the Panel meeting

If a Panel meeting is required the procedure will be as follows:

The Clerk will write to the Complainant to inform them of the proposed date for the meeting which should be within 20 School Days of receipt by the School of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the Complainant informed.

If the first proposed date is inconvenient for the Complainant the Clerk will promptly propose an alternative date.

If the Complainant rejects both proposed dates without good reason, the Panel will then proceed to consider the complaint on the basis of written submissions only.

If a Panel meeting takes place then the venue for the meeting will usually be a convenient and accessible location on the School's premises, unless the Panel reasonably considers that an alternative venue would be more appropriate.

At least 10 School Days before the date fixed for the Panel meeting, the Clerk will confirm and notify the Complainant of the date, time and venue of the meeting. (Ordinarily a full day will be allowed for the purposes of the meeting although the Panel are not bound to use the full day.)

Any written material to be considered by the Panel must be circulated to the Clerk, the Panel, the Complainant and the School at least 5 School Days before the date of the meeting.

At least 5 School Days before the meeting the Complainant and the School should provide to the Panel and to each other:

- The names of their proposed representatives at the Panel meeting (i.e. the people who are expected to do most of the speaking on the Complainant/School's behalf).
- The names of the individuals who will be attending the meeting as witnesses.

In addition, at the meeting the Complainant may bring someone along to provide support. This can be a relative or friend.

If the Complainant or the School require the Clerk to notify any witnesses of the time and place of the meeting, contact details must be provided to the Clerk at least 7 School Days before the date fixed for the Panel meeting. Note that the Clerk has no powers to compel attendance.

Procedure for the Panel meeting

The Panel meeting will be private and confidential. 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 the recording of any discussions takes place. Such consent will be noted in any minutes taken.

The Panel may request that any portable electronic devices be removed from the meeting room.

The Clerk will prepare a non-verbatim minute of the meeting that will summarise the main points discussed. The minute will be circulated to the Complainant and the School within a reasonable time after the meeting.

Representatives from the media are not permitted to attend the meeting.

When conducting the meeting the Panel will follow the guidance set out in the Best Practice Guidance for School Complaints Procedures 2019. See:

<https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019>)

The Panel is otherwise free to adopt a procedure that is reasonable and accords with the principles of natural justice.

In particular:

- The Complainant will be given an opportunity to explain the complaint by reference to documents and witnesses if appropriate and the School will be entitled to respond.

- The Panel will be entitled to ask questions of the Complainant, the School and any witnesses who attend the meeting.
- The Panel will not normally accept as evidence recordings of conversations or video evidence of any kind.
- The Panel is not obliged to consider any new complaints or evidence unrelated to the complaint that is being considered. (New complaints must be dealt with from Stage 1 of this procedure.)
- The Panel is not obliged to consider any material provided outside of the time limits set out above or any material that has not been circulated to the Clerk, the Panel, the Complainant and the School.

Once both the Complainant and the School have been allowed sufficient time to set out their positions the Panel will bring the meeting to a close. The Panel will then consider the submissions and evidence presented and will come to a decision in respect of the complaint. In its decision the Panel 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 Panel will:

- Advise 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 Panel will provide the Complainant and the School with a written explanation of the decision, with reasons, within five School Days of the date of the meeting.

When communicating the decision to the Complainant the chair will explain that if dissatisfied with the outcome of Stage 2, the Complainant may refer the matter to the Department for Education ('the DfE') at the address given below.

All communications emanating from the School and the Panel in connection with Stage 2 will be marked "Complaint – Stage 2".

Next steps

If the Complainant believes the School did not handle the complaint in accordance with this complaints procedure or otherwise acted unlawfully or unreasonably in connection with the complaint, the Complainant can contact the DfE after Stage 2 has been completed.

The Complainant can refer the complaint to the DfE 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

If the complaint is referred to the DfE, the DfE will consider only whether the School has adhered to education legislation and any statutory policies connected with the complaint. The DfE will not normally re-investigate the substance of complaints or overturn any decisions made by the School during Stage 1 or the Panel during Stage 2 – in this respect the DfE will not exercise any appellate capacity in relation to the Panel's decision

Section D – Particular circumstances affecting complaints

Anonymous complaints

The School will not normally investigate complaints made anonymously or where the identity of the Complainant is open to doubt. However, the Head Teacher or Chair of governors, if appropriate, will determine whether the complaint warrants an investigation.

Parallel investigations

If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or other tribunals, this may impact on the School's ability to follow this procedure and may result in the complaints procedure being suspended at the School's discretion. The School will promptly notify the Complainant as appropriate. The complaints procedure will remain suspended until those public bodies have completed their investigations unless the School and the Complainant both agree that the procedure can be re-commenced.

If at any time a Complainant commences legal action against the School in relation to any matter arising out of or in connection with the complaint, the School may in its discretion elect to suspend the complaints procedure until those legal proceedings have concluded and will promptly notify the Complainant of any such election. The complaints procedure will remain suspended until any legal proceedings (including appeals) have been completed unless the School and the Complainant both agree that the procedure can be re-commenced.

Duplicate complaints

If, after closing a complaint at any stage during the complaints procedure, the School receives a duplicate complaint from someone other than the Complainant, the School will be entitled to respond that it has already considered the complaint, that the complaints procedure has been completed and that further communications concerning the School's handling of the complaint ought to be raised with the DfE at the address given above.

Complaint campaigns

If the School receives what it reasonably considers to be a large volume of complaints, all based on the same subject and/or apparently from Complainants not connected to the School, then the School will treat these complaints as being part of a complaints campaign and respond in one of the following two ways, depending upon the nature and scale of the complaint:

- Send the same response to all Complainants; or

- Publish a single response on the School's website.

Serial complaints and unreasonable behaviour

The School is committed to dealing with all complaints fairly, impartially and promptly and will not normally limit the contact Complainants have with the School.

Nevertheless, the School does not expect its staff to be required to tolerate unacceptable behaviour and will take necessary action to protect staff from abusive, offensive or threatening behaviour including when such behaviour occurs in connection with a complaint.

The School characterises unreasonable behaviour as acts or omissions which hinder the efficient consideration of complaints because of the frequency or nature of the Complainant's contact with the School, including but not limited to situations in which the Complainant:

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 cooperate 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 that are incompatible with the complaints procedure or with good practice;*
- *Introduces trivial or irrelevant information that they expect to be taken into account or commented on;*
- *Raises large numbers of details 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, responses and decisions that have addressed the complaint and/or found it to be groundless;*
- *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 DfE;*
- *Seeks an unrealistic outcome;*
- *Uses abusive, offensive, or discriminatory language or violence;*
- *Knowingly provides falsified information and/or;*
- *Publishes unacceptable information on social media or other public forums of any kind.*

If the unreasonable behaviour continues, the Head Teacher will write to the Complainant explaining that their behaviour is unreasonable and asking them to desist. For Complainants

who excessively and repeatedly contact the School and cause a significant level of disruption, the School may in its discretion specify particular methods of communication and limit the number of contacts in a communication plan.

In response to any serious incident of aggression or violence or threats of violence, the School will immediately inform police and communicate its response in writing to the Complainant, which may include barring an individual from the School premises.

Persistent Correspondence

If Complainants frequently contact the School, causing a significant level of disruption but refuse to engage with the complaints procedure, the School can:

- Restrict the Complainant to a single point of contact via an email address; and/or
- Limit the number of times the Complainant can make contact.

This restriction will be limited to the Complainant's communications in connection with the complaint. For all other issues the Complainant may contact the School as normal.

General reservation

The School will generally reserve its right to take reasonable preventative action up to and including suspending the complaints procedure by written notice to the Complainant if it appears that the provisions of this policy are being abused or are being used for an improper purpose.

Appendix 1

Matters excluded from the scope of this policy.

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to schools• Statutory assessments of special educational needs• School re-organisation proposals	Concerns about admissions, statutory assessments of special educational needs or school reorganisation proposals should be raised with Haringey.
<ul style="list-style-type: none">• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under the School's child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). <insert LADO/MASH details>.

<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. <link to school behaviour policy></i></p>
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about the School should complain through the School's complaints procedure. You may also be able to complain direct to the local authority or the DfE (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> Staff grievances 	<p>Complaints from staff will be dealt with under the School's internal grievance procedures.</p>
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the School's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> National curriculum – content 	<p>Please contact the DfE at www.education.gov.uk/contactus</p>

Appendix 2: Template complaint form

Please fill in [the online form](#) or print and return it handwritten to the School office marked for the attention of the School's complaint coordinator.

March 2024