

Park Hill Primary School

Complaints Policy



Approval Level	Governing Board
Date Reviewed	22.04.25
Approved On	15.07.24
Category	Statutory
Next Review Date	Annually – July 2026
Policy Availability	School Website
Written By	Mrs C. Logan
Related Document(s)	Glossary of Acronyms (available on school website)

Policy Version Control

Date of Change	Details of Change
09.05.23	Re-written to take account of DfE guidance and make reporting arrangements / responsibilities clearer. Formal complaint form included as appendix.
17.06.24	Removal of L. Knight from Leadership
22.04.25	Change to name of Clerk

Contents

Statement of Intent.....	4
Key Personnel in Relation to this Statement.....	4
Legal Framework	4
Roles and Responsibilities	5
Who Can Make a Complaint.....	7
Anonymous Complaints	7
Time Scales for Raising a Complaint.....	7
Complaints Received Outside of Term Time	7
How to Report a Concern	8
Exceptions to the Complaints Procedure.....	9
Resolving Complaints.....	10
How to Report a Complaint	11
Stage 1 – Formal Complaint	12
Stage 2 – Formal Complaint	13
Next Steps	14
Managing Serial and Unreasonable Complaints.....	15
Barring from the Premises.....	16
Appendix 1 – Formal Complaint Form	16

Statement of Intent

At Park Hill Primary School, we pride ourselves on our relationships with families and understand that it is in the best interests of everyone involved to resolve concerns at the earliest possible stage. We take concerns and complaints seriously and will make every effort to resolve the matter as quickly as possible.

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.'*

Many issues can be resolved informally, without the use of the formal complaints procedure. However, we understand that there may be occasions when people would like to raise a complaint formally. This policy outlines how the formal complaints procedure should be used.

Key Personnel in Relation to this Statement

Name	Role(s)
Mrs L. Lohan	Chair of Governors
Mrs C. Logan	Head Teacher
Ms. A. Waldron	Clerk to the Governing Board

Legal Framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Freedom of Information Act 2000
- Education Act 2002
- The Education (Pupil Information) (England) Regulations 2005
- Equality Act 2010
- Immigration Act 2016
- The School Information (England) (Amendment) Regulations 2016
- UK General Data Protection Regulation (GDPR)
- Data Protection Act 2018

This policy has also due regard to guidance including, but not limited to, the following:

- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'

- DfE (2021) 'Best practice guidance for school complaints procedures 2020'

This policy operates in conjunction with the following school policies:

- Data Protection Policy (and related policies)
- Child Protection and Safeguarding Policy
- Grievance Policy
- Behaviour Policy
- Exclusion Policy
- Whistleblowing Policy

Roles and Responsibilities

The complainant will:

- Cooperate with the school in seeking a solution to the complaint.
- Express the complaint and their concerns in full at the earliest possible opportunity.
- Promptly respond to any requests for information or meetings.
- Ask for assistance as needed.
- Treat any person(s) involved in the complaint with respect.

The complaint investigator will:

- Ensure that all parties involved in the complaint are fully updated throughout each stage of the procedure.
- Guarantee that all parties involved in the procedure are aware of any relevant legislation, including the Equality Act 2010, UK GDPR, Data Protection Act 2018 and Freedom of Information Act 2000.
- Keep up-to-date records throughout the procedure – these records will be kept securely on the school's ICT system and retained in line with the school's Records Management Policy.
- Liaise with all parties involved to ensure the complaints procedure runs smoothly, including the Head Teacher, clerk to governors and Chair of Governors.
- Ensure, where the complainant is dissatisfied with the response, they are allowed to escalate it to the next formal stage and are provided the opportunity to complete the complaints procedure in full.
- Be aware of issues with regards to sharing third party information.
- Understand the complainant's need for additional support, including interpretation support, and be aware of any issues concerning this.

The Head Teacher, or where the complaint is against the Head Teacher, the Chair of Governors, will be responsible for:

- Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved.
- Considering all records, evidence and relevant information provided.

- Interviewing all parties that are involved in the complaint, including staff and pupils (where appropriate).
- Analysing all information in a comprehensive and fair manner.
- Liaising with the complainant and complaint investigator to clarify an appropriate resolution to the problem.
- Identifying and recommending solutions and courses of actions to take.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales.
- Responding to the complainant in a clear and understandable manner.

The panel chair will:

- Ensure that minutes of the meetings are taken on every occasion.
- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any pupils involved.
- Conduct the hearing in an informal manner, ensuring that everyone is treated with respect and courtesy.
- Ensure that the room's layout and setting is informal and non-adversarial while still setting the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the school the opportunity to state their case and seek clarity without undue interruption.
- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the panel clerk and complaint investigator to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

All panel members will be aware that:

- The review panel meeting is independent and impartial.
- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain a harmonious reconciliation between the parties involved.
- Reconciliation between the school and complainant is not always achievable, and it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.
- The panel can:
 - Dismiss or uphold the complaint, in whole or in part.
 - Decide on appropriate action to be taken.

- Recommend changes that the school can make to prevent reoccurrence of the problem.
- Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.
- When a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child's view is represented equally.

The panel clerk will:

- Continuously liaise with the complaint investigator.
- Record the proceedings.
- Set the date, time and venue of all hearings, ensuring that this is appropriate, convenient and accessible to all parties involved.
- Collate all written material or evidence involved and send it to the parties involved in timely advance of the hearing.
- Greet all parties as they arrive at the hearing.
- Ensure that the minutes of the panel hearing are circulated.
- Notify the relevant parties of the panel's decision and any other actions to be taken.

Who Can Make a Complaint

Any person, including members of the public, may make a complaint about any provision of facilities or services that a school provides, unless statutory procedures apply (such as exclusions or admissions – a list is included on page 9).

Anonymous Complaints

We will not normally investigate anonymous complaints. However, the Head Teacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time Scales for Raising a Complaint

Complainants must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints Received Outside of Term Time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

How to Report a Concern

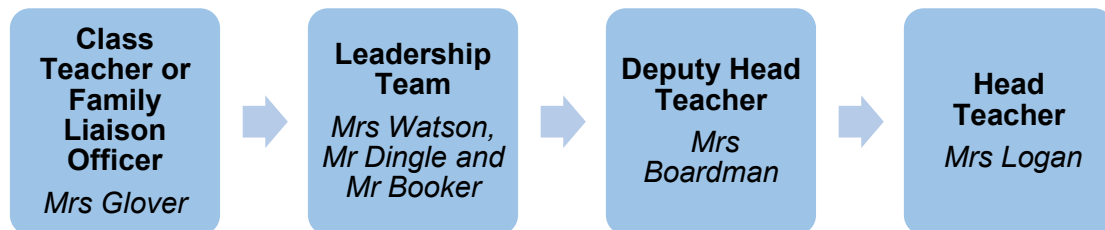
A concern can be made in person, in writing or by telephone.

Wherever possible, staff will meet with you at the earliest opportunity. We aim to respond to your concern within 5 school days.

If you would prefer to write, please address written concerns to the appropriate member of staff (see below) and hand into the school office.

If you would prefer to talk on the telephone, please contact the school office on 01215562188 and ask for the appropriate member of staff (see below).

Concerns should be raised in the following manner:



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

Exceptions to the Complaints Procedure

There are a variety of areas where the complaints procedure does not apply because of other separate statutory procedures being in place. The school will deal with complaints regarding these topics in line with the procedures outlines below.

Exceptions	Who to contact
<p>Admissions to schools</p> <p>Statutory assessments of Special Educational Needs</p> <p>School re-organisation proposals</p>	<p>Concerns about admissions, statutory assessments of Special Educational Needs and Disabilities, or school re-organisation proposals should be raised with the Local Authority.</p> <p>children_families@sandwell.gov.uk</p>
<p>Matters likely to require a Child Protection Investigation</p>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>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) at Sandwell Children’s Trust.</p> <p>Sandwell Children’s Trust – 0121 569 3100</p> <p>LADO – sandwell_lado@sandwellchildrenstrust.org</p>
<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 this complaints procedure.</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 whistleblowers 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 our school should complain through this complaints procedure. You may also be able to complain direct to the LA or the DfE, depending on the substance of your complaint.</p> <p>LADO – sandwell_lado@sandwellchildrenstrust.org</p> <p>DfE – www.education.gov.uk/contactus</p>
<p>Staff grievances</p>	<p>Complaints from staff will be dealt with under the school’s internal grievance procedures.</p>

Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. 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.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.
National Curriculum content	Please contact the Department for Education at: www.education.gov.uk/contactus

Where a complaint is received which should not be dealt with as a formal complaint, the school will write to the complainant to advise them of this and provide the reason for the decision. The school will confirm the correct process to be followed.

If other bodies are investigating aspects of the complaint, for example the police, Local Authority safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences, legal action against Park Hill Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

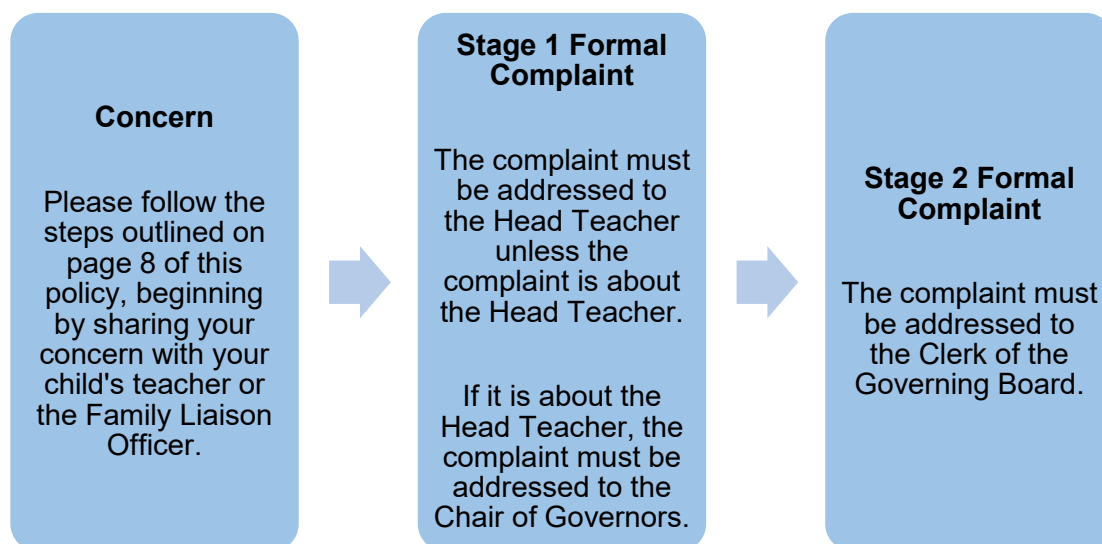
Resolving Complaints

At each stage in the procedure, Park Hill Primary School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that we will try to ensure the event complained of will not recur
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- An undertaking to review school policies in light of the complaint
- An apology.

How to Report a Complaint

The below flowchart is a summary of steps that should be taken to report a complaint. Each stage of a formal complaint is explained fully on the following pages.



When a formal complaint is received, the school will write to the complainant within 5 school days to confirm what will happen next and the anticipated timescales.

Complainants should 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.

Complaints against school staff (except the Head Teacher) should be made, in the first instance, to Mrs C. Logan (Head Teacher) via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Head Teacher should be addressed to Mrs L. Lohan (Chair of Governors) via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Ms. A. Waldron (Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

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

Stage 1 – Formal Complaint

A formal complaint must be made to the Head Teacher (unless they are about the Head Teacher) via the school office. This may be done in person, in writing (preferably on the Complaint Form – see Appendix 1), or by telephone. If the complaint involves or is about the Head Teacher, the complaint must be made to the Chair of Governors.

The Head Teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the Head Teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

The Head Teacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

Note: The Head Teacher may delegate the investigation to another member of the school's senior leadership team but cannot delegate 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 record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Head Teacher will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the Head Teacher is unable to meet this deadline, for example, if the complaint is complex and requires more time to investigate, 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 Park Hill Primary School will take to resolve the complaint.

The Head Teacher 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 a member of the Governing Board (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the following must be made to the Clerk of the Governing Board, via the school office:

- Complaints about the Chair and / or Vice Chair or
- The entire Governing Board or
- The majority of the Governing Board.

Stage 2 – Formal Complaint

If Stage 1 has been completed and the complainant remains dissatisfied and wishes to take the matter further, the complaint can be escalated to Stage 2 – a meeting with a panel of the Governing Board’s complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

The request for Stage 2 should be made in writing to the Clerk to the Governing Board within 10 school days of receiving the Stage 1 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The request to progress to Stage 2 should include a statement from the complainant, which clearly states why they remain dissatisfied with the conduct of the investigation. If the reasons are not clear, the Chair of Governors will write to the complainant to request the additional information required to review the complaint or consider inviting the complainant to attend the panel to present their views in person.

The Clerk will record the date the Stage 2 complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. A meeting will be convened within 10 school days.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk 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 panel 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.

The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel 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 complaints 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 panel 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 Panel will provide the complainant and Park Hill Primary School 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 Park Hill Primary School.

Stage 2 will be heard by a committee of independent governors if the complaint is:

- Jointly about the Chair and Vice Chair or
- The entire Governing Board or
- the majority of the Governing Board

Complainants have the right to request an independent panel if they believe that there is likely to be bias in the proceedings. The school will consider approaching a different school to ask for help or contact Governance Service (SIPS Education). The school will consider any such request but ultimately, the final decision is made by the Chair of Governors.

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Park Hill Primary 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 Unreasonable Complaints

Park Hill Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The school will not normally limit the contact complainants have with it; however, the school will not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

A complaint may be regarded as unreasonable when the person making the complaint:

- 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 while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered to their own timescales.
- 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 complaints procedure has been fully and properly implemented and completed, including referral to the DfE.
- Seeks an unrealistic outcome.
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful 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.

If the behaviour continues, the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, the school may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

A decision to stop responding will only be considered in circumstances where the following statements are true:

- Every reasonable step has been taken to address the complainant's concerns.

- The complainant has been given a clear statement of the school's position and their options.
- The complainant contacts the school repeatedly, making substantially the same points each time.

If the above criteria are met, in making a decision to stop responding the school will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about staff or threats towards them, and if the school believes their intent is to disrupt or inconvenience the school.

The school will not stop responding to a complainant on the basis that they are difficult to deal with or they ask complex questions.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the premises.

Barring from the Premises

The school premises is private property and therefore any individual may be barred from entering the premises.

If an individual's behaviour is cause for concern, the Head Teacher or Chair of Governors will ask the individual to leave the premises.

The Head Teacher will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and why, subject to any representations that the individual may wish to make.

The individual involved will be given the opportunity to formally express their views regarding the decision to bar them. This decision to bar will be reviewed by the Chair of Governors or a committee of the Governing Board, taking into account any discussions following the incident.

If the decision is made to continue barring from the premises, the individual will be contacted in writing, informing them of how long the bar will be in place, and when the decision will be reviewed.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including email, to the Head Teacher or Chair of Governors.

Stage 1 – please complete and return to Mrs C. Logan (Head Teacher). If the complaint involves or is about the Head Teacher, please return to Mrs L. Lohan (Chair of Governors).

Stage 2 – please complete and return to Ms. A. Waldron (Clerk to the Governing Board).

We will acknowledge receipt of this complaint and explain what action will be taken within 5 school days.

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 whether you have spoken to anybody 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: