



ST MICHAEL'S
C of E PRIMARY
HIGHGATE

Complaints Policy and Procedure

Date approved by Governing Board	July 2023
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and become the best they can be*

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1. Aims

As a Church of England School, Christian values are at the heart of all we do. We value our relationship with parents and all members of the school and local community. If you have a concern, we want to know about it so that it can be dealt with immediately. Most issues can be dealt with easily and quickly, but to ensure all concerns are handled effectively, the Governing Body has adopted a complaints policy and procedure.

The school's Complaints Procedure is devised with the intention that it will:

- usually be possible to resolve problems by informal means
- be simple to use and understand
- allow problems to be handled swiftly
- treat complaints confidentially
- inform future practice so that a problem is unlikely to recur
- ensure that the school's attitude to a pupil will never be affected by a parental complaint
- ensure that any person complained against has equal rights with the person making the complaint
- reaffirm the partnership between parents, staff and governors as we work together for the good of the pupils in the school
- discourage anonymous complaints
- be regularly reviewed.

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), including the model procedure, and model procedure for dealing with serial and unreasonable complaints.

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This document meets the requirements of section 35 of the schedule to [the Education \(Non-Maintained Special Schools\) \(England\) Regulations 2011](#), which states that non-maintained special schools must have and make available a written procedure to deal with complaints relating to their school.

It also refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

3. Definitions and scope

3.1 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”.

The school aims to resolve concerns and complaints informally where possible, at the earliest possible stage.

If you do have a concern, we would like you to tell us about it so that we may be aware of the issue, and to allow us to take swift action. Be assured that no matter what you wish to share with us, our support and respect for you and any pupil will not be affected.

The majority of concerns can be resolved informally by speaking to a member of staff confidentially. If you have a concern, please raise it without delay as it is difficult for us to investigate properly an incident or problem that is more than a day or two old.

Please contact your child’s class teacher or other appropriate member of staff, for example Head of Key Stage, and arrange a time when you can discuss your concern. It may be possible for you to see the member of staff straight away, but it is usually better to make an appointment so that you have time to talk things through.

We will make every effort to resolve your concerns informally. It may be possible to give a response immediately, but where any investigation or information is required, a response will be given within five school days (or 5 school days from their next day in school where additional information is required from a part-time member of staff). If, in the event that it is not possible to meet these timescales, this will be communicated to the person raising the concern.

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If you find that we have been unable to resolve your concern, and you would like to make a complaint, you are asked to follow the school's formal complaints policy and procedure- set out in section 6, below.

3.2 Scope

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 and disabilities (SEND)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
- School re-organisation proposals
- Curriculum
- Collective worship.

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

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

4. Roles and responsibilities

4.1 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 as needed
- Treat all those involved with respect

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- Do not publish details about the complaint on social media.

4.2 The investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the Head of School or complaints committee, which includes the facts and potential solutions.

4.3 Clerk to the governing board

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing.

4.4 Complaints committee chair

The committee chair 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.

5. Principles for investigation

When investigating a complaint, we will try to clarify:

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

5.1 Resolving complaints

At each stage in the procedure, St Michael's Church of England Primary School wants to resolve the complaint. If appropriate, we will acknowledge

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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 about 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
- access to mediation.
- (If it's a staff conduct complaint) informing the complainant that the matter is being addressed. NB complainants will not be informed of any disciplinary action taken against staff as a result of the complaint, in line with Haringey's HR Policies.

5.2 Timescales for raising a complaint

The complainant must raise the complaint within 1 month of an incident. If the complaint is about a series of related incidents, they must raise the complaint within 1 month of the last incident.

We 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, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

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

6. Stages in the complaints procedure

- **Informal – reporting a concern to us**

If you have a concern we would like you to tell us about it so that we can talk with you and see how best to resolve the issue. The majority of concerns can be resolved informally by speaking to a member of staff. Whatever your concern, please know that we shall treat it as strictly confidential and that our support and respect for you and your child will not be affected.

Please contact your child's class teacher or other appropriate member of staff, for example Head of Key Stage, and arrange a time when you can discuss the issue. It may be possible for you to see the member of staff straight away, but usually it is better to make an appointment so that you can sit and talk things through. It may be possible to give a response immediately, but where any investigation or further information is required, a response will be given within five school days (or 5 school days from their next day in school where additional information is required from a part-time member of staff). If, in the event that it is not possible to meet these timescales, this will be communicated to the person raising the concern.

- **Formal Stage 1**

If you have tried the above, but do not feel your concern has been resolved by informal means, or if you wish to refer it directly to a formal process, you should contact the Head of School and send them your completed Complaint Form -see Appendix 1. Receipt of your form will be acknowledged within 3 school days.

Note: The Head of School 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 of School (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained about
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of the investigation, the Head of School will provide a formal written response within 5 school days of the date of receipt of the complaint.

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If the Head of School is unable to meet this deadline, they will provide the complainant with an update and revised response date. Where appropriate, it will include details of actions St Michael's School will take to resolve the complaint.

- **Formal Stage 2**

If, following Stage 1, you still have concerns, you may ask for your complaint to be considered by a complaints committee of the governing body by writing to the Clerk to the Governing Board c/o the school office. The complaints committee will be formed of three governors with no prior involvement in the case.

They will listen to you, to the Head of School and, if appropriate, any others involved and come to a decision.

A request to escalate to Stage 2 must be made to the Clerk to the Governing Board, via the school office, within 20 school days of receipt of the Stage 1 response. Requests received outside this time frame will only be considered in exceptional circumstances.

The Clerk will write to the complainant to inform them of the date of the complaints committee meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

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 complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will elect the chair of the complaints committee. If there are fewer than three governors from St Michael's Church of England Primary School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee.

You are entitled to bring one person along to the complaints committee for support. This can be a relative or friend. There may be occasions when an advisor from the LA or LDBS Human Resources team, or Union, will be present at the hearing - for instance, if a school employee is called as a witness, they

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may be supported by union and/or legal representation. Representatives from the media are not permitted to attend.

Any written material will be circulated to all parties at least 5 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 or consider evidence unrelated to the initial complaint. 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 permitted unless a complainant's own disability or special needs require it. In this case the school will make appropriate arrangements and prior knowledge and consent of all parties must be sought. 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 complaints committee will provide the complainant and St Michael's Church of England Primary school with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days of the committee hearing.

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 St Michael's Church of England Primary School.

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7. Complaints against the Head of School, a governor or the governing board

7.1 Stage 1: informal

Complaints made against the Head of School or any member of the governing board should be directed to the Clerk to the Governing Board in the first instance.

If the complaint is about the Head of School or 1 member of the governing board (including the chair or vice-chair), a suitably skilled and impartial governor will carry out the steps at stage 1 (set out in section 6 above).

7.2 Stage 2: formal

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board or
- The majority of the governing board

An independent investigator will carry out the steps in stage 2 (set out in section 6 above). They will be appointed by the diocese, and will write a formal response at the end of their investigation.

7.3 Stage 3: review panel

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board or
- The majority of the governing board

A committee of independent governors will hear the complaint. They will be sourced from local schools, the local authority or diocese and will carry out the steps at stage 3 (set out in section 6 above).

8. 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 DfE.

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.

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The DfE will intervene where a school has:

- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions.

If the complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

9. Persistent complaints

9.1 Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
- Makes a complaint or raises repeated concerns in a manner that causes disruption, distress to staff or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

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If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary to protect staff, pupils and the safe and efficient running of the school.

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

9.2 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint.

If there are new aspects, we will follow the complaints procedure set out in this document again.

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9.3 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

9.4 Social Media

In order for complaints to be resolved as quickly and fairly as possible, the school requests the complainants do not discuss complaints publicly via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

10. 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 centrally, 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 2018, 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, our privacy notices and data management policy.

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.

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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.

11. Learning lessons

The governing board will review any underlying issues raised by complaints with the Executive Head / Head of School / 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.

12. Monitoring arrangements

The governing board will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The governing board will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the School Business Manager.

This policy will be reviewed and approved by the Executive head Teacher, Head of School and the full governing board every 3 years, in line with DfE recommendations.

13. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Suspension and permanent exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

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Appendix A: Complaint Form

COMPLAINT FORM	
FAO Head of School Send to: admin@stmichaelsn6.com	
When we receive a written complaint, we aim to acknowledge its receipt within 3 school days and send a written response within 5 school days.	
Name of complainant:	Name of pupil (if relevant): Relationship to pupil (if relevant):
Address:	
Email address:	
Telephone (day):	Telephone (evening):
What is your concern and how has it affected you?	
Are you attaching any additional information? If so, please list:	

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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 the response?

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

Signature:

Date:

Official use only: date acknowledgement sent:

By whom:

Complaint referred to on

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