



Complaints Policy

This policy was reviewed:	Spring 2019
This policy will be reviewed again:	Spring 2020
Governor Committee Responsibility:	School Improvement Committee
Statutory policy?	Yes
Source:	School

We believe this statutory policy is important because it ensures we can deal fairly and effectively with complaints. Governors monitor both the policy and the application of it on a regular basis and are pleased to report that complaints in both schools are almost always resolved informally, without the need to deploy this procedure.

COMPLAINTS POLICY

The Governors and Executive Head Teacher of HPP are committed to providing the best educational experience they can for every pupil attending our schools.

We value the good relations the schools enjoy with parents and the community, and recognise that they are based on mutual respect and a willingness to listen to other points of view. We also recognise the value to everyone concerned of dealing fairly, speedily and effectively with any complaint against decisions, actions or omissions, which a pupil or parent or other aggrieved person may have. All staff are happy to deal quickly with any day-to-day concerns you may have, and it is therefore rare that a concern becomes a complaint.

From time to time, however, parents and others connected with the schools will become aware of matters that cause them concern. To encourage resolution of such situations, the governing body has adopted the following complaints procedure. It explains how you can raise concerns, with clear guidance at each stage. It acts as a framework for our school communities to ensure all issues are dealt with fairly and effectively.

The procedure follows the London Borough of Richmond policy guidance and has been devised with the intention that it:

- encourages resolution of problems by informal means wherever possible;
- is easily accessible and publicised;
- is simple to understand and use;
- is impartial;
- is non-adversarial;
- allows swift handling with established time-limits for action and keeping people informed of the progress;
- ensures a full and fair investigation by an independent person or people (not a member of staff) where necessary;
- respects people's desire for confidentiality;
- addresses all the issues and provides an effective response and appropriate resolution where necessary;
- provides information to the schools' senior management teams so that services can be improved;
- ensures the procedure is without prejudice, with all equality and disability rights being respected.

Part A of the policy deals with complaints about the actions of a staff member or pupil, while Part B is concerned with complaints about the actions of the Executive Head Teacher. In both cases the procedure begins informally, but may be escalated to a more formal process if required.

Glossary of terms

Definition of complaint

A school complaint is any communication received from a person or persons with a legitimate interest in the school who expresses dissatisfaction about the standard of teaching of members of the teaching staff, or about the conduct of pupils, or about actions or omissions of members of the teaching or non-teaching staff employed at the school.

Complaints which cannot be heard by the Complaints Procedure are those which are covered by an existing legal system of complaint such as complaints about the school admissions, exclusions, school closures etc and complaints by staff about working conditions. (see Appendix 1)

Definition of complainant

A complainant is the person making the complaint; this could be a parent or carer of a pupil at the schools, a pupil, or a person who wishes to complain about the actions, behaviour or omissions of a pupil or member of the staff at this school and will henceforth be referred to as 'you'.

Where a complainant is a pupil under the age of 18 years, the complaint may only be pursued by, or on behalf of, the child's parent or carer. Where someone other than a pupil or their parent/carer is pursuing a complaint on their behalf, this can be done only with the express consent of the pupil or parent concerned.

PART A: Complaining about the actions of a member of staff (other than the Executive Head Teacher) or a pupil

STAGE 1 - Informal: complaint heard by staff member

At this early stage it is expected that the complainant (a parent or a carer of a pupil at this school) would communicate directly with the member of staff concerned. In some circumstances this may not seem to be appropriate and another member of staff may be approached (a member of the leadership team, such as a key stage co-ordinator, or the Head of School for example). This may be by letter, email, telephone or in person by appointment. If you wish to make an appointment, then the School Office will make the arrangements within two working days of your request.

If you are not a parent or carer of a pupil at one of our schools, but you have a complaint which concerns us, then this Complaints Procedure will also meet your needs. You should telephone the relevant School Business Manager leaving your name and telephone number if no reply. Your call will be returned within one working day. If your concern cannot be resolved immediately, you will be asked to fill in a Complaint form (appendix 2) and you will be contacted within two working days of this form being received with an appointment to

meet the Executive Head Teacher. This form is also available on request from the school office. This appointment will be within five working days of receiving your Complaint form.

Most concerns can be resolved by simple clarification or the provision of information and it is anticipated that the majority of complaints will be resolved at this informal stage. If, however, you feel that the concern is too serious for a discussion with the teacher, or that your talk with the teacher or member of the management team has not settled the issue to your satisfaction and you want to discuss it more formally, then you may take your complaint to the Executive Head Teacher.

STAGE 2 - Formal: complaint heard by Executive Head Teacher

If the complaint is not resolved at the informal Stage 1 (or Stage 1 does not apply), you must put the complaint in writing using a complaint form obtained from the School Office (appendix 1). This is then a formal complaint and it will be passed to the Executive Head Teacher, who will be responsible for its investigation.

You should include details that might help the investigation, such as names of potential witnesses, dates and times of events and copies of relevant documents. Contact details should also be given so that the School Office can make the appointment for you with the Executive Head Teacher, which will be within five working days of receiving your formal complaint.

The Executive Head Teacher may meet you to clarify the complaint or, if more convenient, it may be dealt with by telephone. You may wish to be accompanied by a friend at any such meeting. If necessary, an interpreter could be present to help with communication.

The Executive Head Teacher will collect all other evidence that they think is necessary. Where this involves an interview with a member of staff who is the subject of the complaint, a friend or representative may accompany that member of staff if they wish. The investigation by the Executive Head Teacher will begin as soon as possible and when it has been concluded, you and the member of staff concerned will be informed in writing of the outcome. This may be to the effect that

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The complaint is not substantiated by the evidence.
- The complaint was substantiated in part or in full. Some details may then be given of action the school may be taking to review procedures, but details of the investigation or of any disciplinary procedures will not be released.
- The matter has been fully investigated and appropriate procedures are being followed which are strictly confidential (for example, where staff disciplinary procedures are being followed).

You will be formally advised that consideration of your complaint by the Executive Head Teacher is now concluded. They will write to you within five working days outlining what has been agreed between you and what action should be taken.

If you consider that the decision of the Executive Head Teacher is unreasonable, or that the Executive Head Teacher has acted unreasonably in considering the complaint, then you may bring a complaint against the Executive Head Teacher under Part B – Stage 2 of this procedure. At this stage the complaint will be heard and fully investigated by the Chair of Governors together with a Complaints Panel (usually between three and five Governors in total). A Minute Taker will also be present at the meeting to take formal notes so that the meeting is accurately recorded. This meeting will be confidential and no details of the discussion will be given outside the meeting.

STAGE 3 - Formal: complaint heard by Governing Body Complaints Panel

In the unlikely event that you remain dissatisfied with the way in which the process has been followed, or the outcome, you may make a formal request that the Governing Body reviews the process followed by the Executive Head Teacher in handling your complaint.

Any such request must be made in writing within two weeks of receiving notice of the outcome from the Executive Head Teacher and include a statement specifying any perceived failures to follow the procedure.

The procedure outlined in Part C – Stage 3 should then be followed. At this stage, the complaint will be heard and fully investigated by the Chair of the Governors.

Part B: Complaining about the Actions of the Executive Head Teacher

STAGE 1 - Informal: complaint heard by Executive Head Teacher

At this early stage it is expected that you would communicate directly with the Executive Head Teacher. This may be by letter, email, telephone, or in person by appointment. If an appointment is requested, the School Office will make arrangements for a meeting within two working days.

Most concerns can be resolved by simple clarification or the provision of information and it is anticipated that the majority of complaints will be resolved at this informal stage.

In the case of serious concerns it would be appropriate to raise them directly with the Chair of the Governing Body.

STAGE 2 – Formal: complaint heard by Chair of Governors and Complaints Panel

If the complaint is not resolved at the informal Stage 1 (or Stage 1 does not apply), you must put the complaint in writing and pass it to the Chair of Governors who will be responsible for its investigation.

You must fill out a complaint form and include details that might help the investigation such as names of potential witnesses, dates and times of events, copies of relevant documents and so on. The Citizens Advice Bureau can give you a list of organisations that may be able to help you fill out this form. Your complaint form should be handed to the relevant School Business Manager who will pass it to the Chair of the Governors before the meeting takes place. You will be asked when it is convenient to meet, but it should be within two weeks of your last meeting with the Executive Head Teacher.

You will be invited to meet the Chair of Governors and the Complaints Panel to present the complaint in person. If wished, you may bring a friend to the meeting but you must put the complaint, and answer any questions, in person.

The Chair (and Complaints Panel) will collect any other evidence they think is necessary. This may include the interviewing of witnesses and others who may provide relevant information.

The Executive Head Teacher will be provided with a copy of the complaint and any additional evidence presented by you, or collected by the Chair.

Once there has been an opportunity for the Executive Head Teacher to consider the complaint, you and he/she will be invited to meet the Chair of the Governing Body and the Complaints Panel to present written and oral evidence. A friend or representative may accompany the Executive Head Teacher and you may also bring a friend to this meeting. The Executive Head Teacher may be asked questions by the Complaints Panel, and you will have the opportunity to add any information and to say what you would like to happen to resolve your complaint. You and the Executive Head Teacher will leave the room and the Panel will discuss the complaint and come to a decision. Even if your complaint is not resolved, the Governors can make changes to improve procedures as a result of your complaint.

When the investigation has been concluded, both you and the Executive Head Teacher will be informed in writing of the outcome, within 20 working days of this meeting. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The complaint is not substantiated by the evidence.
- The complaint was substantiated in part or in full. Some details may then be given of action the school will be taking to review procedures, but details of the investigation or of any disciplinary or capability action will not be released.
- The matter has been fully investigated and appropriate procedures are being followed which are strictly confidential (for example, where staff disciplinary procedures are being followed).

You will be notified that consideration of the complaint by the Chair is now concluded.

STAGE 3 - Formal: complaint heard by Governing Body's Review Panel

In the unlikely event that you remain dissatisfied with the way in which the process has been followed or by the outcome, you may request the Governing Body to review the process followed by the Chair of Governors and Complaints Panel in handling your complaint.

Any such request must be made in writing within two weeks of receiving notice of the outcome from the Chair of Governors, and must include a statement specifying any perceived failures to follow the procedure.

The procedure outlined in **Part C – Stage 3** should then be followed.

Part C: Formal Review Process

STAGE 3 – Formal: complaint heard by Governing Body's Review Panel

Any review of the process followed by the Executive Head Teacher or the Chair of Governors and Complaints Panel will be conducted by a panel of at least three members of the Governing Body who were not involved in any of the procedures handling this complaint.

The Panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint; or
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The review will normally be conducted by considering written submissions but reasonable requests to make oral representations will also be considered.

The Panel will first receive written evidence from you and will then invite the Executive Head Teacher or the Chair (or designated Governor), as appropriate, to make a response to the complaint.

The Panel may also have access to the records kept of the process that has been followed (to eliminate doubt or ambiguity, it is helpful to specify to all parties the persons who are allowed access to records).

You are not entitled to access any details of the investigation except for any statements that may have been provided by your child. Any information relating to the application of disciplinary procedures is strictly confidential.

You, and the Executive Head Teacher or the Chair, as appropriate, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The complaint is not substantiated by the evidence.
- The complaint is substantiated in part or in full but that the procedural failure did not affect the outcome significantly so the matter is now closed.
- The complaint was substantiated in part or in full and the Governing Body will take steps to prevent a recurrence or to rectify the situation (where this is possible).

This letter must be sent within 20 working days of the date of the Review Panel. This length of time reflects the complex nature of complaints which have reached this stage.

Further Action

Referral to the Secretary of State

All forms of complaint through the school have now been exhausted. You do not have a general right of appeal should you disagree with the governors' decision. In certain circumstances, however, you may raise the matter with the Secretary of State if you feel the governing body is acting unreasonably or is failing to carry out its statutory duties properly. If the governors have followed a proper procedure and considered the complaint reasonably the Secretary of State cannot overturn the decision.

The governing body must give full consideration to any recommendations or directions the Secretary of State may make.

The Secretary of State

Department for Education
Sanctuary Buildings
Great Smith Street
London SW1P 3BT

Complaining to Ofsted

As well as inspecting schools and monitoring how they perform, Ofsted also consider complaints that have not been dealt with effectively having been taken through the appropriate complaints procedures and affect the school as a whole, for example:

- The school is not providing a good enough education
- The pupils are not achieving as much as they should, or their different needs are not being met
- The school is not well led and managed, or is wasting money
- The pupils' personal development and wellbeing are being neglected
- There are concerns around safety, including bullying

Following a complaint to Ofsted, and if requested to do so, the governing body must provide Ofsted with any information specified by Ofsted that the school holds and any other information that the school considers to be relevant to the investigation of the complaint.

If, for the purpose of an investigation, Ofsted considers it appropriate to meet the parents, the governing body must co-operate with Ofsted to arrange the meeting, including allowing a meeting to take place on school premises, fixing a date for the meeting and notifying parents and the LA of the meeting. A representative of the governing body and the LA may also attend the meeting.

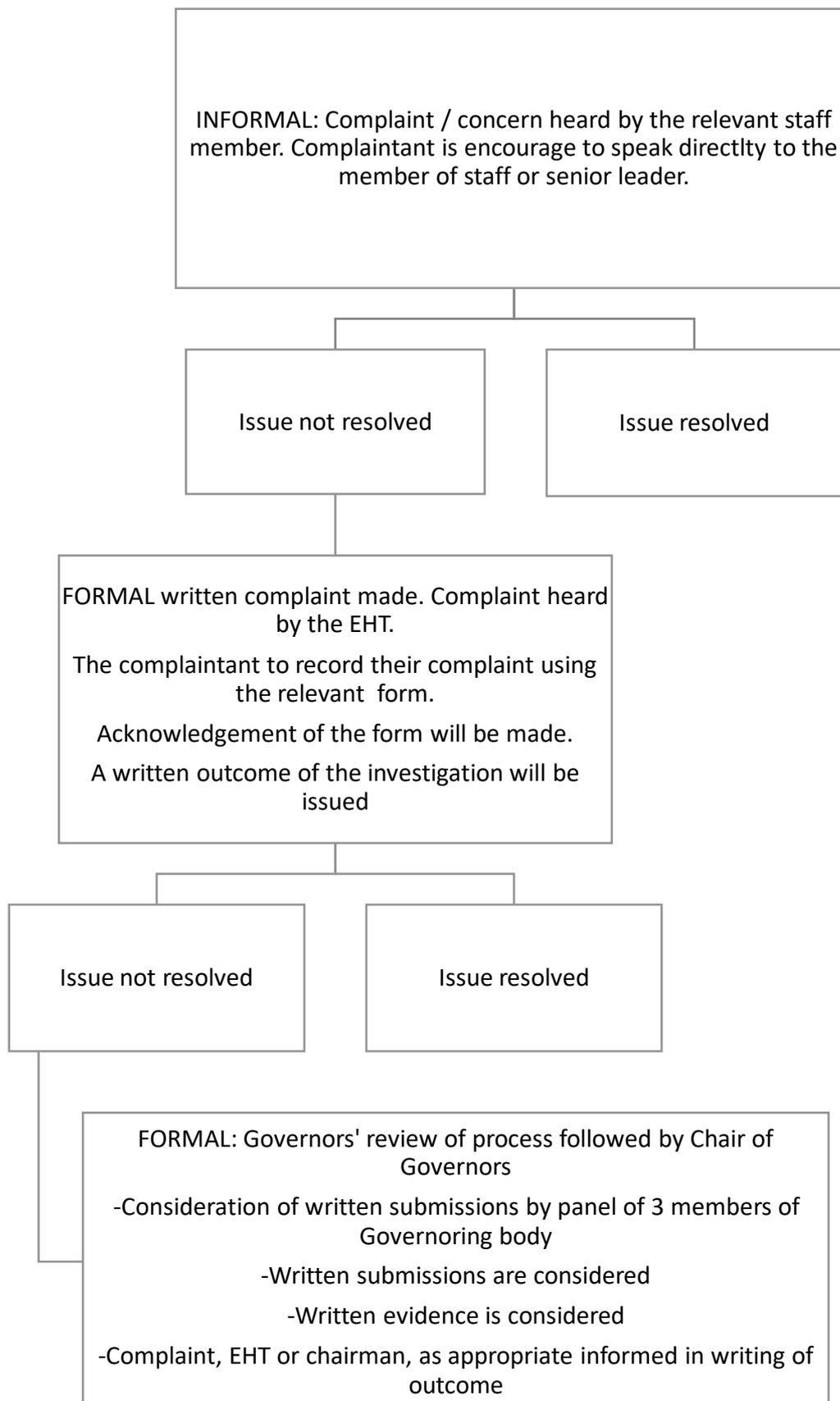
If Ofsted prepares a report of an investigation, that report must be passed to the governing body. The governing body must then send a copy of the Ofsted report to all registered parents.

In the first instance, you should contact the Ofsted helpdesk, which is open from 8.00am to 8.00pm, Monday to Friday. Phone 08456 404045, or email enquiries@ofsted.gov.uk or you can fill in an online Complaint Form at www.ofsted.gov.uk

Social Media

In order for complaints to be resolved as quickly and fairly as possible, the school requests the complainants do not discuss complaints publically 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.

School Complaints Procedure Flowchart



The governing body has determined these complaints procedures to deal with school complaints from parents, carers and pupils. They cover all areas of complaint, **except** in relation to those matters already provided for by existing statutory procedures, which include:

- admissions to community schools
- exclusions from schools and pupil referral units
- special education provision
- school organisation
- complaints by school staff or prospective staff
- education staff and child protection
- public examination administration
- school records on individual pupils

The following list, specified in the Education Reform Act, outlines areas that are currently the responsibility of the LA to ensure complaints are fully investigated and given proper consideration:

- the provision of a curriculum, including religious education and worship, which meets the general requirements of Sections 1 and 2 of the Act;
- the implementation of the National Curriculum and compliance with Orders and Regulations made about its requirements and exceptions to its provision (Sections 4, 10 and 17);
- provision to pupils of compulsory school age of courses leading to an external qualification, only if that qualification and the associated syllabus or syllabus criteria have been approved (section 5);
- provision of religious education and worship as required by the Act and other enactments (Sections 6-10 and 12);
- in the case of an LA, establishment of a Standing Advisory Council on Religious Education (SACRE) and review of the agreed syllabus for the area if the SACRE so requires (Section 11);
- the need to act reasonably in deciding whether or not to be associated with an application for exemption from all or part of the National Curriculum in order to carry out developmental work (Section 16);
- in the case of a governing body, consideration of appeals by parents about the temporary withdrawal of pupils from part or all of the provisions of the National Curriculum (Section 19);

- operation of charging policies in relation to the curriculum (Section 109); □ compliance with regulations about the provision of information (Section 22); and
- compliance with any other enactments relating to the curriculum.

Contact Details

HPP

Executive Head Teacher – Ms Helen Lockey

Chair of Governors – Prof. Courtenay Norbury

Clerk to the Governors – Mrs Andrea Arbiter

Hampton Infant School and Nursery:

Head of School: Mrs Claire Tester

Complaints Co-ordinator: Mrs Sharen Goddard

Hampton Junior School:

Head of School: Mr Jon James

Complaints Co-ordinator: Mrs Anita Clements

Unreasonable Complainants

HPP is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

HPP defines unreasonable complainants as '*those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints*'.

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 co-operate 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, 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 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 complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- 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.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Executive Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues the Executive Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.

For complainants who excessively contact HPP causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

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 HPP.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Executive Head Teacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place. Anyone wishing to complain about being barred can do so, by letter or email, to the headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Appendix 1: School Complaint form

Your name			
Address			
Telephone Number (home)		Telephone Number (mobile)	
Name of child		Child D.O.B	
What is your complaint about and what would you like the Executive Headteacher to do?	(continue on a separate sheet as necessary)		
When did you discuss the complaint / concern with the appropriate member of staff?			
What was the result of the discussion?			
What would you like the outcome of the complaint to be?			
Signed		Date	

