Complaints Policy

School Vision and Values and Introduction



At Emmanuel Church of England School, broad opportunities are provided for individuals to develop their full potential and allow them to be healthy, happy and secure.

Building on our Christian ethos and in partnership with the whole school community, we provide a stimulating and caring environment where individuals are valued and nurtured morally, spiritually and academically.

It is a primary aim of our school that every member of the school community feels cared for, valued, respected, and that each person is treated fairly and well. This is promoted through our school values; where children learn to be respectful, to forgive and to move on so that they can experience:

'Life in all its fullness' – John 10:10

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;
- treat complaints confidentially;
- allow problems to be handled swiftly;
- 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;
- discourage anonymous complaints;
- actively encourage strong home-school links;
- 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;
- be regularly reviewed

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Guidance Notes

Please read these guidance notes before raising a complaint.

Who can make a complaint?
This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Emmanuel Church of England Primary School about any facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The difference between a concern and a complaint
A concern can be defined as 'an expression of worry or doubt 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'. It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure.

How to raise a concern or make a complaint
A concern or complaint can be made in person, in writing or by telephone. It may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so. Concerns should be raised with the class teacher in the first instance. If the issue remains unresolved, the next step is to make a formal complaint.

Complaints against school staff (except the headteacher) should be made in the first instance, to the headteacher via the school office. Please mark them as Private and Confidential.
Complaints that involve or are about the headteacher should be addressed to the 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 the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

Please do not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them from considering complaints at a later stage.

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.

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

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Time scales

You 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 only in exceptional circumstances.

Complaints received outside of term time

We will consider complaints made up to 5 days before the end of term or outside of term time to have been received on the first school day after the holiday period.

Scope of this Complaints Procedure

Some issues have associated statutory procedures and cannot be dealt with under our Complaints Procedure. These are listed below.

Issue	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Camden Local Authority.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our 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 Camden Multi-Agency Safeguarding Hub (MASH). 020 7974 3317. Out of hours: 020 7974 4444 LBCMASHadmin@camden.gov.uk
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-disciplineexclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaints procedure.*
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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. Volunteer staff who have concerns about our school should

	complain through the school's complaints procedure.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff conduct 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 organisations who use school premises or facilities	Providers should have their own complaints procedure. Please contact them direct.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

Legal considerations

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may affect 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 Emmanuel Church of England Primary School in relation to the 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, Emmanuel Church of England 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*
- *access to mediation.*

Withdrawal of a Complaint

If you wish to withdraw your complaint, we will ask you to confirm this in writing.

Stages in the complaints procedure

- **Informal** 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, 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 normally 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 information is required, a response will be given within ten school days.

- **Formal Stage 1**
  If you have not resolved your issue by informal means, or you wish to refer it directly to a formal process you should contact the headteacher. If your complaint is about the headteacher you should contact the chair of governors c/o the school. It is helpful if you can give a brief outline of your concern on the school's complaints form.

  Note: The headteacher 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 headteacher (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 the investigation, the headteacher will provide a formal written response within ten school days of the date of receipt of the complaint.
  If the headteacher 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 Emmanuel Church of England Primary School will take to resolve the complaint.

  The headteacher will advise the complainant of how to escalate their complaint if they are dissatisfied with the outcome of Stage 1.

  If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1. Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

  If the complaint is:
  - jointly about the Chair and Vice Chair or
  - the entire governing body or
  - the majority of the governing body

  Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

- **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 Governors c/o the school. The committee will be formed of three governors with no prior involvement. They will listen to you, to the headteacher and, if appropriate, any others involved and come to a decision. You may bring a friend to the hearing if you wish.

  A request to escalate to Stage 2 must be made to the Clerk, via the school office, within five 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 committee meeting. They will aim to convene a meeting within twenty 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 decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Emmanuel 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 someone along to the complaints committee for support. This can be a relative or friend. 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, they 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 five 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 Committee will provide the complainant and Emmanuel Church of England Primary School with a full explanation of their decision and the reason(s) for it, in writing, within five 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 Emmanuel Church of England Primary School.

If the complaint is about:

- the Chair and Vice Chair jointly or
- the entire governing body or
- the majority of the governing body

Stage 2 will be heard by a committee of independent governors. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Emmanuel Church of England Primary School will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Social Media

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

Staff conduct complaints

If it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the headteacher. The complainant is entitled to be informed that action is being taken and the eventual outcome of any such action, but they are not entitled to participate in the proceedings or receive any detail about them.

Serial and unreasonable complaints

We hope that our procedures will enable complaints and concerns to be resolved amicably. Very occasionally schools experience unreasonable and unacceptable behaviour in relation to complaints or repetition of issues after the complaints procedure has run its course. Emmanuel Church of England Primary School has adopted the DfE model policy for these circumstances, which is attached to this procedure.

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, 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 Emmanuel Church of

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England Primary School. They will consider whether Emmanuel Church of England Primary 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

Policy reviewed	**February 2023**
Agreed review schedule	**3 yearly**
Next review due	**Spring 2026**

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ANNEX A

COMPLAINT FORM	
Name of School	
When we receive a written complaint, we aim to acknowledge its receipt within 3 school days and send a full or interim response within 10 school days.	
Your name	Name of pupil (if relevant): Relationship to pupil (if relevant):
Address / email:	
Postcode:	
Telephone (day):	Telephone (evening):
What is your concern and how has it affected you?	
Are you attaching any paperwork? If so, please list below:	
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:
Please return this form to	
Official use only: Date acknowledgement sent:	By whom: Complaint referred to:…….. on ……..

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ANNEX B

SCHOOL POLICY FOR MANAGING SERIAL AND UNREASONABLE COMPLAINTS

Emmanuel Church of England Primary School 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 our 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.

Emmanuel Church of England Primary School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if 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 co-operate 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 which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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 and complicated 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 or confidential information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an *'unreasonable'* marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Emmanuel Church of England Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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 Emmanuel Church of England Primary School.