



Concerns & Complaints Policy & Procedures

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Updates since last edition

All sections	Reviewed for gender neutral language
Page 3	Revised terminology for concern and complaint Details of how the school manages unreasonable and serial complaints and concerns.
Page 4	Process about how to make a complaint
Page 6	Process of what will happen when a complaint is submitted
	Process of unresolved complaints related to governance

Policy Owners:

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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’.

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.

This procedure covers concerns and complaints about any provision of community facilities or services at Trinity Road Primary School, except where other statutory procedures apply. These exceptions are listed below under “Scope of Complaints”.

How to raise a concern

1. Speak with the class teacher at school pick-up or drop-off times as soon as possible. If the teacher is a supply teacher or you're not able to be at school for pick-up and drop-off, please ring the office and request the teacher call you back about the concern.
2. If the issue remains unresolved, then please request a meeting with the teacher by contacting the school office, in order for the school to agree a timeframe and a course of action in response to your concern.
3. If you feel uncomfortable discussing a concern with a particular member of staff, the Headteacher **will** refer you to another staff member upon request. Similarly, the Headteacher may appoint a staff member who can consider your concern appropriately.

Avoid approaching individual governors with your concerns; governors have no power to act on an individual basis and it will prevent them from being part of related investigation procedures, should you need to call on those procedures at a later date.

How we manage serial and unreasonable concerns and complaints

Trinity Road Primary School is committed to working with families, so they feel heard and valued in our school community. We will not normally limit the contact adults have with our school. However, we do not expect our staff to tolerate unreasonable behaviour which hinders our consideration of concerns and complaints such as, if an adult:

- uses abusive, offensive, intimidating, threatening or discriminatory language or violence,
- disseminates defamatory and/or untrue information on social media and communication platforms, to other agencies, or in public, about the school or the staff or practices at the school, including how a situation raised has been dealt with,
- doesn't specify the grounds of a concern or complaint,
- doesn't specify the outcomes sought by raising the concern or complaint,
- doesn't co-operate with the investigation process,
- doesn't accept that certain issues are not within the remit of the school,
- 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 to their own timescales,

- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced or reprimanded,
- 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 a 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 or by telephone while the complaint is being dealt with,
- knowingly provides falsified information.

In the event of unreasonable concerns, complaints, or requests, the headteacher or Chair of Governors will attempt to speak with you informally before applying an 'unreasonable' marking.

In the event of unreasonable behaviour, you will receive a letter explaining that your behaviour towards staff is considered to be unreasonable and you'll need to change your behaviour. Further correspondence may have to go through a third party or filtering process.

Repeated correspondence while the complaint is being progressed (either by letter, phone, email or text) could delay the outcome being reached. In response to excessive contact causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan valid for six months.

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

Resolving complaints

At each stage in the procedure, Trinity Road Primary School wants to resolve the complaint. If appropriate, we will offer assistance. We may offer one or more of the following resolutions:

- 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 make a complaint

A complaint form is included at the end of this procedure (Appendix A). If you require help completing the form, please contact the school office. You can also ask third party organisations like 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.

To make a complaint about a member of staff (except the Headteacher), complete the complaint form and address it: Complaint Form - Private and Confidential.

To make a complaint about the Headteacher, an individual governor, the chair of governors or the whole governing body, complete the complaint form in the same way, but address it: To the Clerk to the governing body - Private and Confidential.

Avoid approaching individual governors to raise a complaint. Governors have no power to act on an individual basis and it may prevent them from considering complaints at Stage 2 of the procedure.

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 Trinity Road Primary School about any provision of 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.

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. If we can find out enough information to take the complaint further, or if the complaint is serious, we will follow this policy as closely as we can. If we can't find out any other information or the complaint isn't serious, we will take no further steps, although the complaint will be logged.

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 if exceptional circumstances apply.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period. Complaints will not be dealt with during holiday time and responses to these will not be sent until term starts again.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) 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.

Complaints will be investigated alongside the normal running of the school day and the availability of staff that may be involved in any investigation. Therefore, timeframes may change depending on these.

If a complainant commences legal action against Trinity Road 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.

Confidentiality

Electronic recordings of meetings or conversations are not normally permitted unless your 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.

Meetings will be held in private.

When participating in the complaints procedure, each party automatically agrees to undertake to not, at any time, disclose to any person (or more widely on social media) any confidential information concerning any part of the complaint's procedure, including but not limited to any personal information regarding any party to the complaint, any personal information which may be used to identify the complainant or the person subject to the complaint, the content of the complaint, the timeline and result of the complaint, except as permitted by the following clause:

Each party may disclose the other party's confidential information to any professional or volunteer who are required to know such information for the purposes of carrying out the complaint's procedure or as may be required by law, a court of competent jurisdiction or any governmental or regulatory authority.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services at Trinity Road Primary School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools Statutory assessments of Special Educational Needs School re-organisation proposals 	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Essex County Council .
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our Safeguarding and Child Protection Policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). Phone the LADO on 03330 139 797
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . *Complaints about the application of the behaviour policy <u>can</u> be made through the school's complaints procedure. Please refer to our Behaviour and Anti-Bullying Policy on the school website.
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 whistleblowers 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. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
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 but are not employed by the school	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.
Complaints about a processes the school is holding related to governance – such as elections.	If the complaint cannot be resolved in school, then the complainant can seek a resolution through Essex Governor Services.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing. The complaint will be logged to the point of withdrawal. It will be held on file, but there will be no further action.

What happens when you submit a complaint

When you've submitted a complaint form (Appendix A; blank form is included at the end of this document), the school will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within five school days; *unless this is sent during a holiday where you will receive notification within 5 days of when the school term resumes.*

Within this acknowledgment, the Headteacher may ask for more information from you, perhaps to clarify the nature of the complaint, what remains unresolved or what outcome is sought. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

All reasonable complaints will be investigated. 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. The investigator will keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response within fifteen school days of the date of receipt of the complaint. The Headteacher will provide you with an update and revised response date if they are unable to meet this deadline. *This timeframe will inevitably be extended where a complaint is made during the school holidays or whereby an investigation is started before a holiday commences. The school will do its utmost to adhere to the fifteen days, yet complaints will be investigated alongside the normal running of the school day and the availability of staff that may be involved in any investigation. Therefore, timeframes may change depending on these.*

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 Trinity Road Primary School will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome.

If the complaint is about the Headteacher, or a member of the governing body, a suitably skilled governor will be appointed to complete this procedure. If the complaint is about the entire governing body or the majority of the governing body, an independent investigator will be appointed by the governing body.

If you are dissatisfied with the resolution to your complaint

You can request a meeting with members of the governing body's complaints committee, which will be formed of the first three impartial governors available with no prior involvement or knowledge of the complaint. This is the final stage of the complaints procedure.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the resolution in whole or in part
- dismiss the complaint in whole or in part.

Within ten school days of receipt of the response to your complaint, write to or email the clerk at Clerk@trinityroad.essex.sch.uk. The form for you to complete and attach is included in this document in Appendix B.

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

Requests received outside of this time frame will only be considered if exceptional circumstances apply, which will be decided on a case-by-case basis.

The Clerk will write to you to inform you of the date of the meeting. The Clerk will aim to convene a meeting within twenty school days of receipt of your request. If this is not possible, the Clerk will provide an anticipated date and keep you informed.

If you reject three proposed meeting dates without good reason, the Clerk will decide when to hold the meeting. It will then proceed, even in your absence, on the basis of the written submissions from both parties.

Prior to the meeting, the complaints committee will nominate a chair for the meeting who will act as the Chair of the assembled Complaints Committee. If there are fewer than three governors from Trinity Road 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. Alternatively, an entirely independent committee may be convened.

The Complaints Committee 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 your needs. If you're invited to attend the meeting, you 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. Representatives from the media are not permitted to attend. Electronic recording of any part of this process is not permitted unless express permission is sought and granted by the Complaints Committee. Any persons found recording the meeting without express permission will be asked to leave and the recording deleted. This person will not be permitted to reattend any part of the process thereafter.

At least five school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible,
- request copies of any further written material to be submitted to the committee at least three school days before the meeting.

Any written material will be circulated to all parties at least two school days before the date of the meeting.

The committee will not 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 at this stage or consider evidence unrelated to the initial complaint to be included.

If the resolution isn't wholly upheld, the committee will decide on the appropriate action to be taken to resolve the complaint. Where appropriate, the committee will recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide you and the school with a full explanation of their decision and the reason(s) for it, in writing, within ten school days of the meeting. The letter will include details of how to contact the Department for Education if you consider your complaint was not handled in accordance with the published complaints procedure or the committee acted unlawfully or unreasonably in the exercise of their duties under education law. The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Trinity Road Primary School. They will consider whether Trinity Road 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.

The Local Authority (Essex County Council) has no powers to intervene in complaints against schools. You can complain to Ofsted if you think a school isn't run properly and needs inspecting. However, they won't look into problems with individual pupils, e.g. exclusions or not getting a place at the school.

Complaint form:

To be returned to school in the Blue post box outside the office or by email at admin@trinityroad.essex.sch.uk

Your name:	
Relationship with school (e.g. parent):	
Pupil's name <i>(if relevant to your complaint)</i> :	
Your email address:	
Telephone number:	
Who/What is the complaint about? <i>Please include the person's full name and role. Or the event/activity/action that your complaint is about:</i>	
Please give concise details of your complaint <i>(including dates, names of witnesses, etc)</i> to allow the matter to be fully investigated:	
	Please continue on a separate page if necessary. Please number additional pages and sign them.
Which policies or procedures do you feel have been breached?	
Have you already raised this as a concern with the school? <i>If so, please detail who you spoke to and the dates of these conversations and the details of the conversation.</i>	
What action, if any, have you already taken to resolve your complaint?	
What actions do you feel might resolve the complaint?	

	Please continue on a separate sheet, or attach additional documents if you wish.
Number of additional pages attached:	
Signature:	Date:

For Office/Admin Use Only

Date form received:	
Format of form: paper/electronic:	
Person who received the form:	
Who the form was passed to?	

Complaint review request form:

Please complete this form and return it to the school office for the attention of the Clerk to the Governing Body or clerk@trinityroad.essex.sch.uk within 10 school days of receiving outcome notice of a formal complaint.

Your name:	
Relationship with school (e.g. parent):	
Pupil's name <i>(if relevant to your complaint)</i> :	
Your email address:	
Telephone number:	

Dear Clerk,

I submitted a formal complaint to the school on, and I am dissatisfied by the procedure that has been followed.

My complaint was submitted to and I received a response from on

I have attached copies of my formal complaint and the response(s) from the school. I am dissatisfied with the way in which the procedure was carried out, because

What actions do you feel might resolve the complaint?	

	Please continue on a separate sheet, or attach additional documents if you wish.
Number of additional pages attached:	
Signature:	Date: