Complaints Policy

Harrow Way Community School



COMPLAINTS POLICY

This policy, like all school policies, is to be implemented in accordance with the principles and practice stated in our Single Equality Scheme.

This Policy complies with section 29 of the Education Act 2002.

Principles

This procedure exists to provide a formal structure to express a concern about school issues. The aim is to ensure that all concerns and complaints are dealt with efficiently, sensitively and at the appropriate level. All complaints are handled in a balanced, neutral way, and nothing is assumed until all of the facts are established.

Harrow Way Community School is dedicated to providing the best possible education and support for its pupils. This means having a clear, fair and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

This policy explains the steps that will be followed whenever an issue arises that causes concern. Any person, including members of the general public, may make a complaint about provision of facilities or services that our school provides, unless separate statutory procedures apply.

This procedure does not apply to complaints about:

- Admissions to school
- Statutory assessments of Special Educational Needs (SEN)
- School reorganisation proposals
- Matters likely to require a Child Protection investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievance and disciplinary procedures
- Complaints about services provided by other providers who may use the school's premises or facilities

In these cases, there are other separate and statutory procedures.

The school will not respond to anonymous complaints under this policy, however, the Headteacher and / or Chair of Governors will consider whether the issue and fear of identification are genuine or the issue is one of child protection.

For more information on our school's provision for protecting our pupils, please refer to our **child protection** policy and our allegations of abuse against staff policy, both of which are available here.

If we cannot meet the timescales set out in our policy, we will provide a clear explanation of the reason for this along with details of the indicative timescales.

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. Our school takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If a complainant has difficulty discussing a concern with a particular member of staff, they may be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, it may be referred to another staff member. The ability to consider the concern objectively and impartially is important.

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 not consider complaints made outside of this time frame unless exceptional circumstances apply.

Concerns or complaints received outside of term time

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

Resolving concerns and complaints

At each stage in the procedure, the main aim is to resolve the concern or 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 problem will not recur
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing/by email.

Informal Stage - How to raise a concern

We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding. We will take your concerns seriously and make every effort to resolve the matter as quickly as possible.

If you have a concern that you would like to take up with the school this can be communicated in person, in writing, by email or by telephone. Concerns should be raised with either the tutor, class teacher or Head of Year in the first instance. When the concern is received in writing, by email or by telephone, staff should acknowledge the concern within **48 hours** and respond as soon as possible and in all events within **5 school days**.

The Chair of Governors reserves the right to refer complaints that are taken straight to them back to the appropriate member of staff if it does not warrant the governing body's involvement at that point.

Initial informal meeting

When a concern has been received, you may receive a telephone call from the member of staff, a member of the Senior Team or Headteacher to discuss your concerns, or you may be invited to attend a meeting to discuss your concerns.

If invited to a meeting, you are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent along for support. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed and will make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure your concerns are dealt with appropriately and efficiently, but if an agreement cannot be reached, or if you are dissatisfied with the outcome, you can make a formal complaint to the Headteacher. If your complaint is about the Headteacher you should make your complaint in writing to the chair of governors. It is preferable for you to make your formal complaint in writing, but complaints can be made in person or by telephone.

There is no prescribed timescale for resolution at this stage given the importance of dialogue and informal discussion, although we expect to resolve most issues within **10 school days**.

3. Formal Complaints

In order to ensure complaints are dealt with efficiently and effectively, Harrow Way Community School deals with formal complaints in three stages.

3.1 Stage 1 – Complaint heard by the Headteacher

If you feel that your concern has not been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint to the Headteacher. It is preferable for you to make your formal complaint in writing and we provide a proforma for you to complete which can be accessed in Appendix 1 of this policy but complaints can be made in person or by telephone.

The Headteacher will acknowledge your complaint in writing or offer a full response within **5 school days**. If further investigation is required, they will acknowledge receipt of your complaint within 5 school days and will advise you that a full response will be provided within **20 school days**.

The Headteacher may invite you to attend a meeting to discuss your complaint and possible solutions, or to explain what has happened or will happen as a result of your complaint.

The Headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.

If your complaint is about a member of staff, the Headteacher will talk to that employee and invoke the relevant procedure if required. It will not be appropriate to inform you of the outcome of any investigation in relation to an individual member of staff.

Where appropriate, the Headteacher will respond to you in writing within **20 school days** of receiving your complaint outlining our full response to your concern, and any action that has or will be taken. If we have decided not to take any further action, we will explain what they have decided and how they reached the decision. You will also be advised of your right to take the matter further if you are not satisfied with our response.

3.2 Stage 2 – Complaint heard by governing body panel

If you are dissatisfied with the outcome of your complaint, and wish to take the matter further, you can escalate the complaint to Stage 2 - a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available, who have 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. This is the final stage of the complaints procedure.

You should write to the Clerk to governors within **10 school days** of the outcome of stage 1, explaining your concern and the steps that have resulted in you taking this course of action. Requests received outside of this time frame will only be considered if exceptional circumstances apply. The Clerk to governors will record the date the complaint is received

and acknowledge receipt of your request within **5 school days**.

The 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 the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. We do not allow either party to bring legal representatives to the committee meeting. If a school employee is called as a witness in a complaint meeting, they may wish to be supported by union representation. Representatives from the media are not permitted to attend.

The Clerk will write to the complainant to inform them of the date of the meeting and to request copies of any further written material to be submitted at least **5 school days** before the meeting. They will aim to convene a meeting within **20 school days** of receiving the request for your complaint to be heard by the governing body's complaints panel. Where it is not possible to find a mutually convenient date within that timescale, every reasonable effort will be made to agree an alternative date suitable for all parties.

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 main function of the complaints panel will be to:

a) ensure the complaint has been properly handled by the Headteacher
b) ensure that a sufficient comprehensive investigation was carried out
c) ensure that the correct procedure / policies were followed.

The panel will also review whether the Headteacher acted reasonably.

The committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the 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. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The Clerk to governors will request that you supply any paperwork you feel the panel will require to consider your complaint fully. The Headteacher will also be requested to supply copies of their responses to the previous stages of the procedure, and any further paperwork they consider the panel will require to consider the complaint fully. Copies of all paperwork will be distributed from all parties, by the Clerk to governors at least **3 school days** in advance of the meeting.

No previously undisclosed evidence relating to the complaint should be introduced during the meeting.

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 Clerk will inform you (and the Headteacher) in writing of the panel's decision within **5 school days** of the meeting. The letter will include a summary of the issues, an outline of the main points of discussion, the reasons for the decision and the proposed actions or outcome. The panel may suggest you meet with the Headteacher again to agree a way forward. The response will also advise you of how to escalate the complaint should you remain dissatisfied.

The panel's decision is the final stage in the school complaints procedure.

Next Steps

If you feel the school has acted unreasonably or has not followed the correct procedures in relation to your complaint, you can contact the Department for Education after Stage 2 has been completed.

The Department for Education will not reinvestigate the substance of complaints or overturn any decisions made by Harrow Way Community School. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

You can refer your 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

4. Unreasonable Complaints

Harrow Way Community 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 the school. Operating from a position of mutual respect, 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.

Harrow Way Community School defines unreasonable complaints 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 cooperate with the complaints investigation process while still wishing their complaint to be resolved
- refuses to accept that certain issues are not within the scope of a complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the school's 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 comments 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 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, 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 number 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 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 asking them to change it. For complainants who excessively contact Harrow Way Community 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 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 Harrow Way Community School.

5. Governing Body review and monitoring of complaints

The Headteacher will report annually to the governing body on the number of formal complaints received and the levels at which they have been resolved. No details identifying the complaint or any member of staff will be published.

The governing body will review and evaluate all complaints no matter how far they are taken or what the outcome is to ensure that similar problems are avoided in the future or to see if they could have been managed any more efficiently.

6. Staff Complaints

Staff who have a concern about a colleague or volunteer in school should refer to the **whistleblowing** policy which is available to staff.

The procedure for dealing with any other staff complaint or employment grievance is set out in the school's Performance Management Policy which is available to staff.

7. Complaints Policy Review

The governing body of Harrow Way Community School will review this policy every 2 years, or sooner, including if there are any legislative changes. The governing body of Harrow Way Community School will also review this policy following a complaint panel meeting to ensure that it met the requirement to provide a clear, fair and efficient complaints procedure.

Committee responsible for review: PPD Committee

Date ratified by Governing Body: 27/11/2025

Date of next review: Length 2 years – November 2027

Appendix 1 **Complaint Form**

Please complete and return to the headteacher who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:Postcode: **Day time telephone number:** **Evening telephone number:**
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Date: