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## Sheen Mount Primary School

### Complaints 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 Sheen Mount 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 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. Sheen Mount takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Sheen Mount will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## How to raise a concern or make a complaint

A concern or informal complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher, phase leader, deputy headteacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be addressed to the Headteacher through either [headteacher@sheenmount.richmond.sch.uk](mailto:headteacher@sheenmount.richmond.sch.uk) (direct email of the headteacher) or [info@sheenmount.richmond.sch.uk](mailto:info@sheenmount.richmond.sch.uk). Please label the email subject line: *Private and Confidential*. Alternatively, you can submit your complaint in person, or by telephone.

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.

Complaints that involve or are about the headteacher should be addressed to the Chair of Governors through [governors@sheenmount.richmond.sch.uk](mailto:governors@sheenmount.richmond.sch.uk) or by letter sent to the school office. Please mark 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 [clerk@sheenmount.richmond.sch.uk](mailto:clerk@sheenmount.richmond.sch.uk) or to the school office if sent by letter. Please mark as *Private and Confidential*.

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.

## 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 if exceptional circumstances apply.

## 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.

## Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Sheen Mount other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<p>Admissions to schools</p> <p>Statutory assessments of Special Educational Needs</p> <p>School re-organisation proposals</p>	<p>The School Admissions Service is provided by Achieving for Children, in partnership with the Royal Borough of Kingston upon Thames as well as the London Borough of Richmond upon Thames and operates in accordance with the School Admissions Code (2021). Email: <a href="mailto:richmond.admissions@achievingforchildren.org.uk">richmond.admissions@achievingforchildren.org.uk</a></p> <p>Special Educational Needs are assessed by Achieving for Children. Email: <a href="mailto:senteam@achievingforchildren.org.uk">senteam@achievingforchildren.org.uk</a> or Phone: 020 8547 5872.</p> <p>Most problems can be solved by dealing with the school directly and you will need to have completed the school's complaints procedure before you can complain to Department for Education, unless any of the following apply: a child is not getting an education, a child has been exposed to harm, or the school is stopping you from following its complaints procedure.</p> <p>You can contact the Department for Education using their online form: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>
<p>Matters likely to require a Child Protection Investigation</p>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding, you can do so via:</p> <p>Email: <a href="mailto:LADO@achievingforchildren.org.uk">LADO@achievingforchildren.org.uk</a> Phone: 07774 332675 Kingston and Richmond SPA: 020 8547 5008</p>
<p>Exclusion of children from school</p>	<p>The school follows a published 'Positive Behaviour and Relationship Policy including Anti-Bullying' and the 'Exclusion Policy' that includes our appeals process. <a href="http://www.sheenmount.richmond.sch.uk/page/?title=Policies&amp;pid=14">www.sheenmount.richmond.sch.uk/page/?title=Policies&amp;pid=14</a></p> <p>Further information about exclusion including how to challenge exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a></p>
<p>Whistleblowing</p>	<p>The school has a published Whistleblowing procedure that is open to all employees, including temporary staff, contractors and volunteers: <a href="http://www.sheenmount.richmond.sch.uk/page/?title=Policies&amp;pid=14">www.sheenmount.richmond.sch.uk/page/?title=Policies&amp;pid=14</a></p> <p>Further advice and support can be obtained from the Union, from an independent solicitor, or from the following independent whistleblowing charity: Public Concern at Work: Helpline: 020 3117 2520 Email: <a href="mailto:whistle@protect-advice.org.uk">whistle@protect-advice.org.uk</a> Website: <a href="https://protect-advice.org.uk/contact-protect-advice-line">https://protect-advice.org.uk/contact-protect-advice-line</a></p>

	Persons who wish to submit their concerns direct to the Department for Education can do so using their online form: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff are 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 external agencies	External providers who may use school premises or facilities should have their own complaints procedure for dealing with concerns about their services. Please contact them directly as these complaints cannot be dealt with by the school.
National Curriculum	If you have complaints about the content of the national curriculum you can submit them to the Department for Education using their online form: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>  If you have complaints about the delivery of the curriculum you should first try to resolve them with the school, if necessary following the process described in this Complaints Policy.

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.

If a complainant commences legal action against Sheen Mount 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.

## Resolving complaints

At each stage in the procedure, Sheen Mount 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.

## Withdrawal of a Complaint

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

### Stage 1

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing as promptly as possible and within 10 school days.

Within this response, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

*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, normally within 10 school days of the date of receipt of the complaint, either by email or letter.

If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 Sheen Mount 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 of Stage 1.

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), the Clerk will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) as promptly as possible and within 10 school days.

A suitably skilled governor will be appointed to complete all the actions at Stage 1. 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 completed by an independent investigator appointed by the governing body. An extra 5 days is added to the process in order to find the appropriate governor.

At the conclusion of their investigation, the appointed governor will provide a formal written response, normally within 15 school days of the date of receipt of the complaint, either by email or letter.

### Stage 2

If the complainant is dissatisfied with the outcome of Stage 1, and wishes to take the matter further, they can escalate their complaint to Stage 2. This entails convening a governing body's Complaints Committee.

The complainant should notify the Clerk as soon as possible and within 10 school days of receipt of the Stage 1 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will record the date the Stage 2 request is received and acknowledge its receipt in writing as promptly as possible and within 10 school days.

The governing body's 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. If there are fewer than three governors from Sheen Mount 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, if appropriate, an entirely independent committee may be convened to hear the complaint at Stage 2.

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 meet with the Complaints Committee, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage legal representatives to attend these meetings. However, there may be occasions when legal representation is appropriate. *[Note: representatives from the media are not permitted to attend.]*

If a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation. *[Note: Complaints about staff conduct are 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.]*

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 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 a complainant who is invited to meet with the Complaints Committee rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting which will proceed on the basis of written submissions.

At least 10 school days before the Complaints Committee is due to meet, the Clerk will:

- confirm the date, time and venue of the meeting and ensure the venue and proceedings are accessible to all parties who are invited to attend
- request for circulation to all parties in advance of the meeting any further submissions to be considered by the Committee. Submissions must be received at least 5 school days before the date of the meeting.

The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage 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 normally permitted unless a complainant's own disability or special needs require it and the permission of all parties involved can be minuted.

The Committee will consider the complaint and all the relevant 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 a written explanation of their decision and their reason(s). This will normally be available within 20 school days of the receipt of a Stage 2 request. Where appropriate, the explanation will include details of actions the school will take to resolve the complaint.

If the complaint is:

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

The same Stage 2 process will be followed as promptly as possible by convening a committee of independent governors not associated with the school.

Stage 2 is the final stage of the school's complaints 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 in the exercise of their duties under education law, 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 Sheen Mount Primary School. They will consider, however, whether the school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can contact the Department for Education by:

- online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus)
- telephone on: 0370 000 2288
- writing to Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD.

## Complaint Form

Please complete and return to Tom Holmes-Headteacher or Clerk to Governors who will acknowledge receipt and explain what action will be taken.

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



**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:**

## Roles and Responsibilities

### Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

### Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant to clarify what they feel would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

### Clerk to the Governing Body

When the Clerk is the point of contact they should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)

- set the date, time and venue of a Stage 2 meeting ensuring as far as possible that the dates are convenient to all parties who are invited to attend and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within the agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- circulate the final written response to the complaint received.

## Chair of Complaints Committee

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- the Clerk confirms the date, time and venue of the meeting according to the policy's time scales; ensures the venue and proceedings are accessible to all parties due to attend; has requested and circulated any further submissions to be considered by the Committee in advance of the meeting
- the meeting is conducted in a non-adversarial manner and all participants are treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material has been seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- if the complainant is a child/young person, the Clerk establishes in advance if any support is needed to help them present their complaint. Where the child/young person's parent is presenting the complainant, the committee should give them opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the committee considers this is not in the child/young person's best interests
- if new information arises that is relevant to the Stage 1 complaint, this receives appropriate consideration, through short adjournment of the meeting if needed
- both the complainant and the school are given the opportunity to make their case; seeks further clarity if needed, either through written submissions ahead of the meeting or verbally in the meeting itself
- the pertinent issues, key findings and facts are addressed fully
- the committee is open-minded and acts independently by ensuring no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- the Committee's agreed findings are available in writing in line with policy time scales.

## Committee Members

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so. Therefore, no governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it
- the aim of the meeting is to establish the facts to resolve the complaint and achieve reconciliation between the school and the complainant. However, it is recognised that satisfactory reconciliation may not be achievable if the views of the complainant and the school remain substantially different
- many complainants will feel nervous and inhibited in a formal setting and parents/carers often feel emotional when discussing an issue that affects their child. Every care should be taken to put them at ease
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting. The atmosphere and proceedings should ensure that the child/young person does not feel intimidated and their views are given equal consideration to those of adults.
- the welfare of the child/young person is paramount.