



Title	A8b Complaints Procedure
Purpose	To ensure that parents, carers or others are empowered to make a complaint in an effective manner. To enable school staff to respond appropriately to parental concerns
Relevant to	Parents, All staff, Local Governors, Trustees
Responsible Officer	Headteacher
Introduced	9/2009
Modification History	7/2016, 1/2017, 1/2019, 1/2022
Related Policies	Safeguarding Admissions Exclusions Staff Grievance Procedure Staff Disciplinary Procedures SEN policy and information report Privacy notices
Date Due for Review	1/2025
Relevant committee for review	Local Governing Body
Approved	27/06/2022
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COMPLAINTS PROCEDURE

1. AIMS

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

Parents, carers and their children sometimes have worries about aspects of school life. These concerns may be to do with behaviour, aspects of teaching and learning, or the way the school is organised. We work hard to maintain the highest standards in all we provide, welcome comments from parents, and are always happy to receive concerns or complaints directly and in person.

We are also conscious that on rare occasions, our service might raise a concern with someone who is not the parent/carer of a student at the school. We will take seriously all concerns or complaints that are raised, as we intend this procedure will help the school be regarded as an outstanding provision by the whole community

2. LEGISLATION AND GUIDANCE

Oak Lodge School is a Special Academy managed by Barnet Special Education Trust. All academies are required to have a complaints procedure that meets the standards set out in the Education (Independent School Standards) (England) Regulations 2014.

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

3. DEFINITIONS AND SCOPE

3.1 DEFINITION The DfE guidance explains the difference between a concern and a complaint.

A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”.

A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

3.2 SCOPE

The school will resolve concerns through day-to-day communication as far as possible.

The school also intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

- Withdrawal from the curriculum (parents and carers can withdraw their child from any aspect of religious education, including the daily act of collective worship. They do not have to explain why)

Please see our separate policies for procedures relating to these types of complaint.

Complaints about services delivered by other providers who use school premises or facilities should be directed to the provider concerned.

4. ROLES AND RESPONSIBILITIES

4.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Not publish details about the complaint on social media

4.2 The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions

4.3 The complaints co-ordinator

The complaints co-ordinator can be:

- The headteacher/CEO
- A designated complaints governor
- Any other staff member providing administrative support

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the headteacher, chair of governors, clerk, CEO and chair of trustees
- Be aware of issues relating to:
 - Sharing third party information
 - Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person
- Keep records

4.4 Clerk to the governing board

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

4.5 Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

5. PRINCIPLES FOR INVESTIGATION

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

5.1 Time Scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

5.2 General Principles:

- This procedure is intended to allow a parent or other affected party raise a concern or complaint relating to the school, or the services that it provides.
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.

- All concerns or complaints raised will be treated in confidence except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.
- To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible.
- All parties to the complaints process are expected to act reasonably. We expect all parties to behave in a calm and positive manner. If it is considered that a complainant has acted in an unacceptable manner, the procedure may need to be suspended for a period of time.
- Staff, governors or trustees who are likely to be involved in handling a complaint, should have the opportunity for suitable training.

6. STAGES OF COMPLAINT (NOT COMPLAINTS AGAINST HEADTEACHER OR GOVERNORS)

6.1 Stage One; Informal Stage

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It will be helpful if the school knows of a concern or complaint at the earliest opportunity. The complainant should raise the complaint as soon as possible with the relevant member of staff or the Headteacher as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office TEL: 020 8444 6711, EMAIL: info@oaklodeschool.org.

The school will acknowledge informal complaints within 3 days, and investigate and provide a response within 10 days.

The informal stage will involve a meeting between the complainant and the headteacher, and/or the subject of the complaint, if appropriate.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage Two; Formal Stage

The formal stage involves the complainant putting the complaint to the headteacher and/or the subject of the complaint:

- In a letter or email
- Over the phone
- In person
- Through a third party acting on their behalf

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the school office TEL: 020 8444 6711, EMAIL: info@oaklodgeschool.org.

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

The headteacher (or other person appointed by the headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 10 school days.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the clerk to the governing board in writing within 5 school days.

6.3 Stage Three; Review Panel

Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by or on behalf of the proprietor and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the school.

The panel will have access to the existing record of the complaint's progress (see section 10).

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 10 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting.

At the meeting

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. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and headteacher.

The outcome

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The school will inform those involved of the decision in writing within 5 school days.

7. COMPLAINTS AGAINST THE HEADTEACHER, A GOVERNOR OR THE GOVERNING BOARD

7.1 Stage 1: informal

Complaints made against the headteacher or any member of the governing board should be directed to the clerk to the governing board in the first instance.

If the complaint is about the headteacher or one member of the governing board (including the chair or vice-chair), a suitably skilled and impartial governor will carry out the steps at stage 1 (set out in section 6 above).

7.2 Stage 2: formal

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board or
- The majority of the governing board

An independent investigator will carry out the steps in stage 2 (set out in section 6 above). They will be appointed by the governing board and will write a formal response at the end of their investigation.

7.3 Stage 3: review panel

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board or
- The majority of the governing board

A committee of independent governors will hear the complaint. They will be sourced from local schools, and will carry out the steps at stage 3 (set out in section 6 above).

8. REFERRING COMPLAINTS ON COMPLETION OF THE SCHOOL'S PROCEDURE

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint, but will intervene if a school or trust has:

- Breached a clause in its funding agreement
- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

9. PERSISTENT COMPLAINTS

9.1 Unreasonably Persistent Complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options

- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

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 our school site.

9.2 Duplicate Complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

9.3 Complaint Campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

10. Record Keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

11. Learning Lessons

The governing board will review any underlying issues raised by complaint with the headteacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

12. Monitoring Arrangements

The local governing body will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The local governing body will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the Clerk to the local governing body/Governance Professional.

This policy will be reviewed by the headteacher every 3 years].

At each review, the policy will be approved by the local governing body.

Please give concise details of your complaint, (including dates, names of witnesses etc...), to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

School use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:			
Date:			



Complaint Review Panel Hearing Request Form

Please complete this form and return it to Headteacher (or Clerk to the governing body), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Your Address:

Telephone numbers:

Daytime:

Evening:

E-mail address:

Dear Sir/Madam

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

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

I attach copies of my formal complaint and the response(s) from the school. (YES/NO)

I am dissatisfied with the way in which the procedure was carried out, because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

School use

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			

Appendix:

Model Letters

Response to spurious or persistent complainant

Dear [Name of complainant]

Thank you for submitting your concern in the letter received on the [insert date]. After careful consideration, unfortunately, I am unable to deal with this matter under the Governing Body's Complaints Procedure. This is because:

[we suggest that you include one of the following statements]

- The substance of your complaint has been addressed under the complaints procedure already.
- The concerns that you raise do not fall within the scope of this procedure *[suggest alternative for example: admissions policy, exclusion policy, behaviour policy, grievance procedure etc]*

If you wish my decision to be reviewed then you can follow the school's Formal Complaint Procedure, by writing to the Clerk to the Governing Body.

Yours sincerely,

Head Teacher

Or Chair of Governing Body

Acknowledgement of receipt of formal complaint *and* invitation to meet

Dear [Name of Complainant]

I have received your formal complaint, dated I am grateful that you have brought this to my attention.

The school and governing body take any complaint seriously. Therefore, I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. *Please telephone..... in order to arrange an appointment. **OR** I can offer you an appointment at on ,..... Please let me know if this is convenient.*

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place.

Yours sincerely,

Head Teacher

Or Chair of Governing Body

Acknowledgement of receipt of formal complaint referred by a third party [e.g. LA, Diocese, MP]

Dear [Name of Complainant]

I have received a copy of the documentation that you sent in to setting out a complaint about This has been passed to the school as it has responsibility for these matters.

The school and governing body take any complaint seriously. Therefore I would like to meet with you, so that I may understand the details of your concerns more clearly. Please telephone, in order to arrange an appointment. **OR** I can offer you an appointment at on Please let me know if this is convenient.

Meanwhile I would be grateful if you would complete and return the Formal Complaint Form that is enclosed, along with details of the school's complaints procedure.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place.

Yours sincerely,

Head Teacher

Or Chair of Governing Body

Acknowledgements of receipt of formal complaint and advising complainant that the matter is being dealt with under a confidential school procedure

Dear

I have received your formal complaint, dated I am grateful that you have brought this to my attention.

The school and governing body take any complaint seriously. Therefore I have initiated an immediate investigation. It is possible that the investigator will wish to meet with you to clarify the evidence that you have provided so far. If so, he/she will write to you to make suitable arrangements.

As your concerns relate to the conduct/capability of a member of staff, the investigation will be carried out under the school's personnel procedures. This means that the detail of the procedure and its outcome **must** remain confidential to the school and the member of staff concerned.

OR

As your concerns relate to the behaviour of a pupil, the investigation will be carried out under the school's pupil conduct and disciplinary procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the parents of the child concerned.

In due course, I may be able to provide you with some information about the outcomes of the investigation and the processes that have been followed, but in any event will let you know when the matter has been concluded.

If I can be of any further assistance, please do let me know.

Yours sincerely,

Head Teacher

Or Chair of Governing Body

NOTIFICATION OF DECISION REGARDING FORMAL COMPLAINT

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I/the panel have/has concluded that:

The concern is not substantiated by the evidence in that

OR

The concern was substantiated in part/in full, as The school will review its practices/procedures..... with the intention of avoiding any reoccurrence. Parents will be informed in due course of any policy changes.

OR

In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur

OR

In order to address fully the matters of concern that you identified, the panel recommended that the governing body should review its policy, as a matter of urgency. We are confident that this should prevent similar concerns arising in future.

I hope that this will now conclude the matter and we can look to the future working together for the benefit of your child's and the school.

Yours sincerely,

Head Teacher/Chair of Governing Body/Chair of Panel

REVIEW OUTCOME NOTIFICATION

Dear

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint.

Summary of reasons

Therefore, we now consider the matter closed.

Or

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint except

Therefore, the following action will be taken

Once this action has been completed the school will consider the matter to be closed.

Or

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint except

However the panel determined that this procedural failure did not affect the outcome of the consideration of your complaint so, while we regret this error, we will now consider this matter to be closed as far as the school is concerned.

Yours sincerely,

Chair of Complaints Review Panel

c.c. Head Teacher

Chair of Governors