



Blue Gate Fields Junior School

Complaints Policy

Policy details:

Date of policy:	September 2019
Last updated:	September 2021
Date of next review:	September 2023

Person (s) responsible for implementation and monitoring:

Sian Acreman (Head Teacher)

Signature (Chair of governors)

Signature (Head teacher)

Date:

Who can make a complaint?

We aim to provide the best service and education for every child but we know that sometimes things can go wrong. We welcome your views and concerns/complaints, as they help us learn and improve. We are also delighted to hear when things are going well. We make sure that our staff know that someone is pleased, as this motivates them and makes their work even more satisfying.

It is only by listening to your views that we can find out what we are doing well and what we need to improve.

We are committed to continuously improving the school for the benefit of every child and we will act on what you tell us.

Aims of the policy:

- ☐ To underpin the school's aims and objectives by giving due consideration to the complaint of parents, or other parties.
- ☐ To ensure that all complaints are considered fully, fairly and confidentially, promptly, thoroughly and, in the first instance, on an informal basis
- ☐ To ensure that there is an effective partnership between the school, staff and parents.
- ☐ In the absence of a resolution to the satisfaction of the complainant to an issue, a clear decision that will enable the complainant, the Headteacher or the Governing Body to consider how, if at all, the matter should be taken further
- ☐ To ensure that all members of the school community can have their points of view heard.

This guidance will help you understand how to resolve concerns you may have about issues such as:

- your child's academic progress
- special education needs provision
- your child's welfare
- bullying
- something that has happened in school

Whenever you contact us, we will always:

- Be polite, helpful and honest, as we hope you will be
- Treat you with respect, as we would like to be treated
- Treat you fairly
- Not pass you from one person to another
- Listen to your views
- Make it clear what we can and cannot do
- Admit when things go wrong and do our best to put them right

If you are making a complaint, we will also:

- Carry out enquiries independently and fairly
- Deal with your complaint as quickly and effectively as we can
- Keep you informed of our progress

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 [Blue Gate Fields Junior 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.

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. [Blue Gate Fields Junior School \[BGFJS\]](#) 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 Deputy Headteacher or the Headteacher](#) will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, [they](#) 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, [Blue Gate Fields Junior School](#) will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Responsibilities

The conduct of the school is under the direction of the Governing Body. The Headteacher is responsible for the internal organisation and day to day leadership and management of the school.

- ☐ This makes the Headteacher responsible for investigating complaints in the first instance and, if appropriate, referring complaints to other members of staff to deal with
- ☐ The Governing Body may be called upon to consider, resolve or adjudicate if complaints are referred to them by the Headteacher or by a complainant who is not satisfied with the result of the first stage(s) of the process
- ☐ If the complaint is not resolved at school level the interested parties have recourse to the DfE or to the legal process.

Complaints made to the Governing Body

In the event of a complaint being made to a member of the Governing Body, the complainant should be advised to speak to the Headteacher, so that an attempt can be made to resolve the matter. Governors must not prejudice themselves by discussing the complaint, as this would prevent their participating at a later stage.

The Governing Body may be called upon to consider, resolve and/or adjudicate if complaints are referred to them by the Headteacher or by the complainant who is not satisfied with the result of the informal process

Problems and expressions of concern should be dealt with as far as possible, at the point of first contact.

How to raise a concern or make a complaint

A concern or 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. For a complaint to merit serious consideration it should meet at least one of the following criteria:

- It is first hand
- It relates to recent events
- The events in question can be dated
- There is independent corroboration of the allegations

Concerns should be raised with either the class teacher, year group 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 a later stage in the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to [the headteacher](#) via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to [Robert Oakley](#) (the Chair of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to [Azad](#) (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

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

Time scales

You must raise the complaint soon as possible so it can be investigated promptly while recollections are still clear. Complaints should be raised in the half term in which they occur, but in exceptional circumstances complaints outside this time frame may be considered.

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 **Blue Gate Fields Junior 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 The London Borough of Tower Hamlets .
<ul style="list-style-type: none">• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding [Melanie Benzie 0207 364 0677] or the Multi-Agency Safeguarding Hub (MASH). 0207 364 5000
<ul style="list-style-type: none">• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>
<ul style="list-style-type: none">• 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.
<ul style="list-style-type: none"> • Staff grievances 	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>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.</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities 	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> • National Curriculum - content 	Please contact the Department for Education at: www.education.gov.uk/contactus

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 [Blue Gate Fields Junior 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.

Investigating complaints

At each stage, the person investigating the complaint will make sure they:

- ☐ Establish what has happened so far, and who has been involved;
- ☐ Clarify the nature of the complaint and what remains unresolved;
- ☐ Meet with the complainant or contact them (if unsure or further information is necessary);
- ☐ Clarify what the complainant feels would put things right;
- ☐ Interview those involved in the matter and/or those complained of;
- ☐ Conduct the interview with an open mind and be prepared to persist in the questioning;
- ☐ Keep notes of the interview or arrange for an independent note taker to record minutes of the meeting.

Resolving complaints

At each stage in the procedure, [Blue Gate Fields Junior School](#) wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better

- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint

Complainants will be asked at the earliest stage what they think might resolve the issue. In resolving the complaint we will aim to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred, so as to create a positive atmosphere in which to discuss any outstanding issues.

Withdrawal of a Complaint

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

Stage 1 (informal): complaint heard by staff member

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. We take informal concerns seriously and make every effort to resolve matters as quickly as possible.

First, we hope you will speak to the relevant member of staff as soon as there is a concern. This will normally be the class teacher or the year group leader, but as we operate an open door policy you can also speak to the Deputy Headteacher or Headteacher. If you are unclear who to contact or how to contact them, please contact the school office.

This informal approach is nearly always the quickest and most effective way of resolving concerns.

Possible Outcomes at the Informal Stage

- The matter is resolved
- When informal procedures have been exhausted, complainants should be informed clearly by the Headteacher that the matter about which they have complained has been dealt with appropriately by staff within the context of the school policies and procedures.
- The complaint has been found by the Headteacher to be valid and that the Headteacher will take appropriate action

There may be occasions when you would like to raise concerns formally. In these cases, the school's formal procedures (as outlined below) will be followed.

STAGE 2

FORMAL COMPLAINTS

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), by or by telephone., speaking directly to the Headteacher.

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 5 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 by a friend or interpreter if they wish. Solicitors or other members of or associated with the legal profession may not attend
- 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 20 school days of the date of receipt of the complaint.

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

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 BGFJS 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 this stage.

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

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

Stage 2 will be considered by an independent investigator appointed by the governing body . At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 3

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with members of the governing body’s complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 5 school days of receipt of the Stage 2 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

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 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant’s absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from BGFJS 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.

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 who is not in any way associated with now or previously the Legal profession. Generally, we do not permit either party to bring legal representatives to the meeting. However, there may be occasions when legal representation is appropriate. The Clerk will need to be informed of any legal representation 5 days prior to the meeting and attendance will be at the discretion of the Headteacher or Chair of Governors.

For instance, if a school employee is involved in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 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 8 school days before the meeting.

Any written material will be circulated to all parties at least 5 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. New complaints must be dealt with from Stage 1 or 2 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 recordings of meetings or conversations take place. Consent will be recorded in any minutes taken.

At the hearing:

- The Headteacher (or Chair of Governors if the complaint is against the Headteacher) will explain what has already been done to attempt to resolve the complaint and the outcomes of any investigation. The complainant and the Headteacher will be invited into the room where the panel is being held at the same time.
- The complainant will present his or her case.
- The panel and Headteacher will have an opportunity to question the complainant.
- The Headteacher will have the opportunity to respond to the complainant and call witnesses if appropriate
- The panel and complainant will have the opportunity to question the Headteacher and witness.
- The Headteacher, followed by the complainant, will summarise their positions
- All but the members of the panel will withdraw while a panel decision is reached. The Clerk will remain with the panel at this time.

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

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

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and BGFJS with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by BGFJS.

If the complaint is:

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

Stage 3 will be heard by a committee of independent governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions BGFJS will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

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 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by BGFJS. They will consider whether BGFJS 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.

Complaint Form

Please complete and return to [The Headteacher, Sian Acreman](#), 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:

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 and the complaints co-ordinator as appropriate to clarify what the complainant feels 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.

The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (this could be the headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure

- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and 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 the meeting, ensuring that the dates are convenient to all parties (if they 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 an agreed timescale
- record the proceedings
- notify all parties of the committee's decision.

Committee Chair

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

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is 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 is 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 a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself

- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- 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
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

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 should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the 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 parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.