



Hythe Primary School General Complaints Procedure

Rationale

At Hythe Primary School we aim to work in partnership with parents. When problems arise that need to be resolved you should feel able to express your views in the knowledge that they will be dealt with fairly. This policy is not intended to cover those aspects of school life where the law sets specific procedures i.e. admissions, exclusions, complaints about the delivery of the National Curriculum, collective worship or religious education. Further details about these procedures are available on request.

Aims

- To have an easily understood and accessible procedure for complaints
- To develop good communication between you and school
- To develop a shared approach and confidence in the school by encouraging parents to express their views at the earliest opportunity, through appropriate channels
- 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 **safeguarding** policy, both of which are available on the school website.
<https://www.hytheprimaryschool.co.uk/page/?title=Child+Safety+%26amp%3B+Complaints&pid=58>
- Any concern or complaint should be brought to the attention of the school at the earliest opportunity; any matter raised more than three months after the event will only be considered in exceptional circumstances.
- All conversations and correspondence will be treated in confidence; however, it is important that all parties involved should be aware that some information may have to be shared with others as part of the handling of the complaint in accordance with this procedure.
- 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.

Roles and responsibilities

The Headteacher is responsible for the internal management of the school. He/she advises the Governors on the policies for which they are responsible and on their implementation. He/she is solely responsible for the day to day decision making within the school.

The Governors have a largely strategic role. They are responsible for the school's long term objectives and targets and the policies needed to achieve them.

Procedures

Who can make a complaint?

Any person who has dealings with the school in any capacity can make a complaint. Guidance on the stages involved in the complaints procedure are set out below.

Stage 1 - The Informal Stage

- 1.1 This is normally based in open communication within the school as the majority of complaints can be resolved informally.
- 1.2 Initially, you should speak to the class teacher as soon as you have a concern. If the person first contacted cannot deal with the matter they should refer it immediately to the a member of the senior leadership team.
- 1.3 Complaints made informally to governors will be referred back to the appropriate member of staff.
- 1.4 If your concern regards the Headteacher then you are encouraged to have an informal discussion with the Headteacher regarding the complaint. However, if circumstances prevent this you are advised to speak to the Chair of Governors.
- 1.5 Staff have a responsibility to ensure 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.
- 1.6 If invited to a meeting to informally discuss your complaint, you are welcome to bring a friend or partner with you for support.
- 1.7 There is no prescribed timescale for the resolution of your complaint at this stage – given the importance of dialogue and informal discussion, although we expect to resolve most issues within 10 School Days.
- 1.8 Complaints against the Chair of Governors or any individual governor are made to the Clerk to the Governing Body (The Clerk). The Clerk can arrange for the complaint to be considered by the Chair or the Vice Chair of Governors as appropriate.
- 1.9 Complaints against the entire governing body are also sent to the Clerk, who can determine the most appropriate course of action, depending on the nature of the complaint. This may involve asking the local authority's governor services team to investigate.

At Hythe we have an 'Open door' policy and therefore staff will endeavour to speak to you as quickly as possible, teaching commitments and other professional duties permitting.

Where no satisfactory outcome has been agreed you are advised that you are able to take your concerns further. You will be given advice on how to make a formal complaint and signposted towards any independent advice that the school may have available.

Stage 2 – Formal Complaint to the Headteacher

- 2.1 When an informal stage has not been concluded satisfactorily, you are advised to write to the Headteacher, giving details of the complaint, including whether the issue has been

discussed with class teacher or phase leaders. We will provide you with a proforma to complete, which will be used during the assessment of your complaint. Where a written complaint is not possible (EG. English as an additional language), a complainant would need to make an appointment with the headteacher and verbally express the details as stated above. A complainant may invite a translator to help with this process if needed. The headteacher may also request that another member of staff be present in order to minute the meeting.

- 2.2 When a formal complaint is made it will be acknowledged within 5 School Days.
- 2.3 A full response will be made within 20 School Days. If this proves impossible then a written response will be sent explaining the reason for the delay and giving a new target date.
- 2.4 The Headteacher will offer an opportunity for you to meet with them to given any further information that might be relevant to the complaint.
- 2.5 The Headteacher will collect statements from all those involved, as deemed appropriate.
- 2.6 The Headteacher will keep appropriate written records in a file separate from children's record files.
- 2.7 When all relevant information has been reviewed the Headteacher will then produce a full written response to you giving a full explanation of the decisions and the reasons for them. Or they may wish to offer a meeting to discuss the matter directly, before forwarding on their written response.
- 2.8 You will be advised that if you wish to take the matter further then you should advise the Chair of the Governing Body within 10 School Days of receiving the Headteacher's response.

Stage 3 – Chair of Governors

- 3.1 You should send a letter to the Chair of Governors outlining your complaint and your reasons for pursuing it beyond the Headteacher's response and enclosing any relevant details.
- 3.2 The timescale for acknowledging the complaint and making a response will be 20 School Days. If this proves impossible, then a written response will be sent explaining the reason for the delay and giving a new target date.
- 3.3 You should not contact all Governors individually as this may make it difficult to set up a panel of 3 Governors who have no prior involvement or knowledge of the case.
- 3.4 The Chair of Governors will refer to HCC Complaints guidance. For matters that are the Headteacher's responsibility the Chair of Governor's will consider whether the Headteacher's decision was reasonable in the light of the information available at the time
- 3.5 For delegated matters the Chair may look at the matters afresh.
- 3.6 If the matter relates to the conduct of the Headteacher the Chair of Governor's will seek advice from the LA
- 3.7 If the Chair of Governors has decided not to take further action, they will explain what they have decided and how they reached their decision.
- 3.8 Should you continue to be unhappy with the outcome; the Chair of Governors will offer the right of appeal to the Governing Body (Stage 4) and provide information regarding this procedure.

Stage 4 – Governing Body Complaints Panel – Reconsideration and review

- 4.1 If you wish to appeal to the Governing Body you should request this in writing to the Clerk of the Governing Body within 10 School Days. You should describe the issues in detail and say why you are dissatisfied with the outcome of the previous stages.

- 4.2 The Clerk of the Governing Body will acknowledge receipt of your request within 5 School Days.
- 4.3 The Governors' powers remain as stated in para 3.4 – 3.8.
- 4.4 The main function of the Complaints Panel will be to:
 - 4.4.a ensure the complaint has been properly handled by the Headteacher and the Chair of Governors.
 - 4.4.b ensure that a sufficiently comprehensive investigation has been carried out.
 - 4.4.c ensure that the correct procedures / policies have been followed.
- 4.5 If new evidence comes to light the Panel will refer it back to the Headteacher who may consider amending the decision in the light of new information.
- 4.6 The Clerk will arrange and facilitate a meeting.
- 4.7 You are welcome to bring a friend or partner with you for support to the Panel meeting. The Headteacher and Chair of Governors (if attending) may also bring along a representative for support.
- 4.8 The panel will consist of 3 governors with no prior knowledge of the matter and the Chair should be designated before the meeting.
- 4.9 No previously undisclosed evidence relating to the complaint can be introduced during this meeting.
- 4.10 The Clerk will inform you in writing of the Panel's decision, normally within 5 School Days, following the meeting. The letter will include a summary of the issues, an outline of the main discussion points, the reasons for the decision and any proposed action points.
- 4.11 Issues related to the content of the curriculum should be sent to the DfE using their [contact form](#). Complaints about the delivery of the curriculum should be sent to the headteacher using stages 1 and 2 as set out above.
- 4.12 For general complaints this is the final stage of the School's complaints procedure. If you believe that the Headteacher's and Governors' actions have been unreasonable or the correct process not followed, the only recourse is to the Secretary of State in writing or using the online form which can be found on the gov.uk website.
<https://www.gov.uk/government/organisations/department-for-education/about/complaints-procedure#how-to-make-a-complaint-about-the-department-for-education>
- 4.13 You should be advised to seek advice from the LA's complaints adviser, if this has not already been considered.

Stage 5 – The Secretary of State for Education

- 5.1 If a complainant is not satisfied with the decision of the Governing Body's complaints panel they should write to the Secretary of State for Education.

Time limits:

Complaints need to be considered and resolved as quickly and efficiently as possible. As such, complaints made under this procedure must only relate to incidents or concerns occurring within the last 12 months. The complainant's complaint will not usually be able to be considered if their child no longer goes to the school.

Safeguarding referrals:

Schools have a duty to safeguard and promote the welfare of their pupils under section 175 of the Education Act 2002. This includes making referrals to the appropriate organisation, usually local authority children's social care services, if they have a concern about the welfare of a child. It is not for the school to investigate or make a judgment about possible abuse or neglect but they must refer any concerns they may have. As such, complaints about safeguarding referrals made in accordance with a statutory duty will not be considered under this procedure.

Vexatious complaints:

The majority of complaints are resolved through a properly managed complaints procedure. However, there are occasions when despite all stages of the procedure having been followed, the complainant remains dissatisfied. If a complainant tries to reopen the same issue the Chair of Governors may write informing them that all stages of the procedure have been exhausted and the matter is considered to be closed.

If a complainant wishes to pursue a complaint because they feel the school has acted unreasonably they can write to the Secretary of State.

6 – Unreasonable Complaints

Hythe Primary 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.

Hythe Primary 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 co-operate 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 complaints 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 including social media websites and newspapers

Complainants should limit the numbers 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. However, where an individual's behaviour is causing a significant level of disruption, schools may wish to implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term (see communications guidance below).

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 Hythe Primary 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 Hythe Primary School.

7 - Serial or Persistent Complainants and communication guidance

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for Schools to recognise when they really have done everything they can in response to a complaint. It is a poor use of a School's time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the School again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the School may choose not to respond. However, Schools must be careful that they do not mark a complaint as 'serial' before the complainant has completed the procedure.

In cases of serial complaints, the school will only formally respond a maximum of once a week. The school will, where possible, respond once a week in the same format that the complaints are made, EG. Telephone, email, letter etc.

8 - Staff Complaints

Staff who have a concern about a colleague or volunteer in School should refer to the **whistleblowing** policy and/or the **Low level concerns** policy which are both available from the school office.

The procedure for dealing with any other staff complaint or employment grievance is set out in the school's **staff discipline, conduct and grievance** policies which are available from the school office.

9 - Complaints Policy Review

The Governing Body of Hythe Primary School will review this policy every 2 years or sooner if there are any legislative changes. The Governing Body of Hythe Primary 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.

Date agreed by Governing Body: Nov 18

Bi-annually

To be reviewed: **February 2027**

Last reviewed: **February 2025**

HYTHE PRIMARY SCHOOL

Complainant's actions

School's actions

- Informal discussion
- listen
 - discuss
 - consider who should deal with the matter
 - record concern
 - resolve

- acknowledge within five school days
- investigate
- agree to meet
- confirm outcome in writing within 20 school days
- offer a resolution

- acknowledge within five school days
- agree to investigate
- speak with headteacher
- meet with both parties
- try and resolve

- no statutory timescale
- good practice is for the clerk to set up the hearing within 20 school days
- three governors on the panel
- panel to consider written and verbal submissions from all parties
- decision preferably within five days

STAGE ONE

Speak with class teacher or relevant member of staff

Parent satisfied

Not satisfied

Explain procedures and next stage

STAGE TWO

Write to headteacher

Parent satisfied

Not resolved

Explain procedures and next stage

STAGE THREE

Write to chair of governors

Parent satisfied

Not satisfied with the outcome

Explain procedures and next stage

STAGE FOUR

Ask for a hearing by the governors' Complaints Panel

Parent satisfied

Not satisfied with the outcome

STAGE FIVE

Contact the Secretary of State

