



# Complaints Procedure and Policy

Beam County Primary School

**Adopted:**

**Date:**

**Review date:**

**Next review due by:**

## Introduction

Beam County Primary School is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any complaints [from parents of registered pupils] to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

This policy only fully applies to parents of registered pupils at the school.

All school staff will be made aware of complaints procedures and expected to review this document regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This document explains that procedure, and the steps that it outlines should be referred to and followed by all pupils and their parents whenever an issue arises that causes them concern. If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly, given an explanation and provided with revised timescales.

**This document does not apply to complaints where there is another route available to make representations or appeal. This includes:**

- *pupil admissions*
- *pupil exclusions*
- *statutory assessments of special educational needs and education health and care plans*
- *appeals relating to internal assessment decisions for external qualifications*
- *disciplinary issues relating to members of staff*
- *matters likely to require a child protection investigation*
- *national curriculum content*
- *complaints about services provided by other providers who may use school premises or facilities*
- *school re-organisation proposals*
- *staff grievances*
- *staff conduct issues*

Each of these follows its own process of complaints and appeals which are outlined in their relevant policies.

Exceptions	Who to contact
<ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• School re-organisation proposals</li></ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with The London Borough of Barking and Dagenham.
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 or the Multi-Agency Safeguarding Hub (MASH): <ul style="list-style-type: none"><li>• Monday – Friday 09:00 – 16:45: 020 8215 3000</li><li>• Friday, Weekends and Bank Holidays: Out of hours 16:45 – 09:00: 020 8215 3000</li></ul>

	<p>Mike Cullern –Safeguarding Lead for Education and Delegated LADO for Education and Early Years  Phone: 0208 227 3934  <a href="mailto:lado@lbbd.gov.uk">lado@lbbd.gov.uk</a></p>
Exclusion of children from school*	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.  *Complaints about the application of the behaviour policy can be made through the school's complaints procedure.</p>
Whistleblowing	<p>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 whistle blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.  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.</p>
Staff grievances	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
Staff conduct	<p>Complaints about staff will be 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.</p>
Complaints about services provided by other providers who may use school premises or facilities	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
National Curriculum - content	<p>Complaints about the content of the national curriculum should be sent to DfE using our <a href="#">contact form</a>.  Complaints about the delivery of the curriculum are for schools to resolve through their complaint's procedure. This includes:</p> <ul style="list-style-type: none"> <li>• religious education (RE)</li> <li>• sex and relationships education</li> </ul>

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this document. Where the complaint relates to a safeguarding referral made by a member of staff at the school, any consideration of that complaint by the school will be limited to a review of the reasonableness of the decision to make the referral in light of the evidence available to the member of staff at that time and in light of the school's safeguarding policies.

For more information on our school's provision for protecting our pupils, read our **child protection and safeguarding policy**, and the **Safeguarding concerns and allegations made about staff, supply staff, contractors and volunteers'** policy.

Concerns or complaints should be brought to the school's attention as soon as possible to enable a proper investigation to take place. Any matter raised more than 3 months after the incident being complained of (or, where a series of associated incidents have occurred, within 3 months of the last of these incidents) will not be considered unless the headteacher decides that there are exceptional circumstances relevant to the delay in bringing the complaint to the attention of the school.

Anonymous complaints will not be examined under this document.

Reasonable adjustments will be made to this procedure where required to ensure that all complainants can access and complete this complaints procedure.

To access the relevant policies, visit our school website, by pressing this link:

<https://beamcountyprimaryschool.org/policies>

Alternatively, you can attend the office and request a copy of the relevant policy.

## 1. When an issue or concern first arises

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. You will be directed to fill in the school's concern form: <https://forms.office.com/Pages/ResponsePage.aspx?id=noiJDDX00EWYayGZ58m1X41ek1W4jKJNtFFNyAcPDb5UQ0JYUUNTRDhSV1Y0TFNDWFISNjIEQ1ZBNy4u>

You can also attend the main office to obtain a concern form and a member of staff can help you complete the form if required.

*A written explanation of your concern will need to be recorded on the form. Which will be given to the relevant staff member.*

You may then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern. Or you will be telephoned.

Alternatively, you may wish to approach your child's teacher first as they will be best placed to help you either directly or by establishing which other member of staff you should be speaking to.

We encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.

In the first instance it will be given to the class teacher. If applicable, it will be escalated to a member of the Senior Leadership team. If the matter is not resolved, it will be escalated to the headteacher

**If your complaint is about a member of staff**, you should first raise this by completing the concern form. This will be given to a member of the Senior Leadership Team. A meeting will be arranged with the Senior Leadership Team to discuss the issue at hand.

**If your complaint is about the headteacher**, you should raise your concern in writing with the chair of governors. [sekmekci@beam.bardaglea.org.uk](mailto:sekmekci@beam.bardaglea.org.uk); alternatively, you can write a confidential letter and address it to Ms. Sevim Ekmekci (Chair of Governors) which should be left at the main school office.

**If your complaint is about a governor**, you should raise your concern in writing with the clerk to the governing body. **Sherron Alexander-Bedingfield**

Clerk to Clerking Agency

[sherron.alexander-bedingfield@junipereducation.org](mailto:sherron.alexander-bedingfield@junipereducation.org)

0345 200 8600

Any governor will refer complaints that are taken straight to them back to the appropriate member of staff unless one of the above exceptions applies.

## 1.2 Initial informal meeting

Once a concern has been raised you may be invited to attend an informal meeting with a member of staff or the headteacher/chair of governors to discuss your concerns.

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

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

All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the headteacher.

There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 14 school days.

## 2. Formal complaints

In order to ensure that complaints are processed efficiently and effectively, Beam Primary School deals with formal complaints in three stages:

### ***Stage 1***

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the headteacher. If you are emailing, please email [office@beam.bardaglea.org.uk](mailto:office@beam.bardaglea.org.uk) ensure that you indicate on your subject line email that it is a formal complaint stage 1, for the attention of the headteacher. Your written complaint should provide enough detail of the issues to allow the headteacher to investigate and respond to the complaint. You should also set out what you feel would resolve the complaint.

The headteacher should acknowledge your complaint in writing within 5 school working days. The headteacher may already be aware of the situation. They will outline the procedure and a target date for providing a written response to the complaint, which will normally be within *14 school days* of receipt.

The headteacher may call you in for a meeting to discuss the issue outcome, possible solutions, or to explain what has or will happen as a result of your complaint. The headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.

If the complaint is against a member of staff, the headteacher will talk to that employee. If it is an allegation of abuse, a formal investigation may be instigated by the school or external child welfare authorities to whom the school reports. Please refer to our **allegations of abuse against staff policy** for an outline of this procedure.

The headteacher will respond to you in writing outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right to take the matter further and the steps to be taken.

If your complaint is about the headteacher you should go straight to Stage 2 of this procedure

## **Stage 2**

If, having spoken to the headteacher, you are dissatisfied with the outcome of your complaint or your complaint is about the headteacher, you may lodge your complaint with the chair of governors. Your complaint should be lodged within *10 school days of the outcome at Stage 1*. If your complaint is not escalated within this timeframe, it will be deemed that the decision at Stage 1 is accepted, and the complaint will be closed (unless there are exceptional circumstances to explain the delay). The complaint must be in writing and it should explain your concern in sufficient detail and the steps that have led up to you taking this course of action. *You should also set out the actions you feel would be necessary to resolve the complaint.*

If the complaint is against a member of staff, that employee will be given the opportunity to write a response, which will be sent to the chair of governors within *10 school days* of the complaint being lodged with them.

The chair of governors will usually respond to you in writing within *10 school days* outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right of appeal and how you can start your appeal.

## **3. Appeals**

### **Stage 3**

If you would like to lodge an appeal following the outcome of a formal complaint at stage 2, this will be taken to the *appeals panel*. You should write to the clerk to the governing body to exercise this right within *10 school days of the outcome at Stage 2*. If no request for an appeals panel hearing is received within *10 school days*, it will be deemed that the decision is accepted, and the complaint will be closed (unless there are exceptional circumstances to explain the delay).

If an appeals panel is requested, the clerk to governors will acknowledge your appeal and make the necessary arrangements and will usually convene the appeals panel within *10 school days* from the acknowledgement being sent. Where it is not possible to find a mutually convenient date within that timescale, the school will take reasonable steps to agree a time and date mutually convenient to all parties. If, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the clerk to governors may determine that the hearing proceeds because of written submissions from you and the school. The clerk will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. Any supporting documentation relevant to the complaint must be submitted to the appeals panel by both parties at least 5 working days before the appeals panel hearing. The appeals panel is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. The appeals panel will not normally accept recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

You are entitled to attend the panel hearing and to be accompanied to the hearing and should notify the clerk in advance if you attend to bring anyone.

#### **The appeals panel**

The appeals panel will be made up of between three to five members of the governing body.

No person can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The chair of the panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the complaints policy.

The appeals panel will 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 panel will consider how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.

### **Appeals procedure**

The Appeals Panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. The procedure for an appeal is usually as follows:

1. *The complainant and headteacher will enter the hearing together.*
2. *The chair will introduce the panel members and outline the process.*
3. *The complainant will explain the complaint.*
4. *The headteacher and panel will question the complainant.*
5. *The headteacher will explain the school's actions.*
6. *The complainant and panel will question the headteacher.*
7. *The complainant will sum up their complaint.*
8. *The headteacher will sum up the school's actions.*
9. *The chair will explain that both parties will hear from the panel within XX working days.*
10. *Both parties will leave together while the panel decides.*
11. *The clerk will stay to assist the panel with its decision making.*

The clerk to governors will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken, or actions agreed. Electronic recordings of the hearing will not normally be permitted and, in any event, would require the consent of all those present.

The chair of the panel/clerk to governors will notify the complainant of the panel's decision in writing within 10 school days of the appeal hearing. The letter will set out the decision of the panel together with the reasons underpinning that decision. The letter may set out recommendations which will be made to the governing body.

### **The appeals panel may:**

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final.

*If you are unhappy with the outcome, you may wish to put your complaint to the Department for Education. The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school but will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.*

Complaints can be submitted online at <https://www.gov.uk/complain-about-school/state-schools> ]

## 4. Vexatious/persistent complaints

Whilst it is hoped that this document will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the complaint's procedure.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the chair of governors will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints procedure has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which the school will not respond is if:

- the school has taken every reasonable step to address the complainant's needs, and the school's position has been clearly set out in writing together with the complainant's options
- the complainant is contacting the school repeatedly but making substantially the same points each time
- the complainant refuses to follow the complaints procedures
- the school reasonably believes the aim of the contact is to cause disruption or inconvenience
- that the complainant acts or communicates in an inappropriate way towards school staff.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

The [Office of the Independent Adjudicator](#) defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

[Beam County Primary School](#) defines unreasonable behaviour as noted above by the Office of the Independent Adjudicator and that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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 complaint's investigation process
- refuses to accept that certain issues are not within the scope of the complaints' procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints' procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often



- immediately and to their own timescales
  - makes unjustified complaints 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 that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
  - seeks an unrealistic outcome
  - makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
  - uses threats to intimidate
  - uses abusive, offensive or discriminatory language or violence
  - knowingly provides falsified information
- publishes unacceptable information on social media or other public

See our Policy for Managing Serial and Unreasonable Complaints.

## 5. Governing body – records, review and monitoring of complaints

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 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.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law.

Beam County Primary School will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively. All records of complaints will be kept confidential but may be inspected where lawful and appropriate by the Secretary of State or any inspection body.

The governing body will review the complaints procedure every 2 years.

## 6. Staff complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to our **whistleblowing policy**.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's **staff discipline, conduct and grievance policy**.

**Staff will be able to access these policies in the school's internal share area.**

## 7. Complaint campaigns

For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with the school) which are all based on the same subject. Depending on the subject in question, the school may deviate from the procedure set out in this policy and instead:

- send a template response to all complainants and/or
- publish a single response on the school's website (as applicable).

## Contact details

School office: [office@beam.bardaglea.org.uk](mailto:office@beam.bardaglea.org.uk)

020 8270 4700

Beam County Primary School, Oval Road North, Dagenham, Essex, RM10 9ED.

- Headteacher – Miss Whittington: email [office@beam.bardaglea.org.uk](mailto:office@beam.bardaglea.org.uk) in the subject line write for the attention of Miss Whittington
- Assistant Headteachers – Mr. Anderson, Miss Mooney, Mrs. Taylor, Mrs. McKenzie, Mrs. Endacott, (Interim Assistant Headteachers: Mr. Rusirevi, Mr Endacott), in the subject line write for the attention of the relevant Senior Leader
- Chair of Governors - [sekmekci@beam.bardaglea.org.uk](mailto:sekmekci@beam.bardaglea.org.uk); alternatively, you can write a confidential letter and address it to Ms. Sevim Ekmekci (Chair of Governors) which should be left at the main school office.

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### Signed by:

_____	<b>The chair of governors</b>	<b>Date: .....</b>
_____	<b>Headteacher</b>	<b>Date: .....</b>