



St John of Jerusalem
Church of England Primary School

COMPLAINTS POLICY AND PROCEDURE

Guidelines for Parents

OCTOBER 2021- 2022

Our School Vision

Our Christian faith underpins the life of the School, and through God's enduring love, we create a nurturing and caring environment where our pupils develop in body, mind and spirit. Through love, patience and kindness, our children are encouraged to learn and grow together to realise their full potential.

"I can do all things through Him who strengthens me."

Philippians 4:13

School Values

Through our School Values, we foster:

The Love of learning,

love for one another and

love for God,

Note: the following complaints procedure is based on the current (2019) DfE model and earlier versions of this guidance.

ANNEX A

INTRODUCTION

As a Church of England School, Christian vision and values are at the heart of all we do. We value our relationship with parents and all members of the School and the local community. If you have a concern, we want to know about it so that it can be dealt with immediately. Most issues can be dealt with easily and quickly, but to ensure all concerns are handled effectively, the Governing Body has adopted a complaints policy and procedure.

The School's Complaints Procedure is devised with the intention that it will:

- ◆ usually, be possible to resolve problems by informal means;
- ◆ be simple to use and understand;
- ◆ treat complaints confidentially;
- ◆ allow problems to be handled swiftly;
- ◆ inform future practice so that a problem is unlikely to recur;
- ◆ ensure that the School's attitude to a pupil will never be affected by a parental complaint;
- ◆ discourage anonymous complaints;
- ◆ actively encourage strong home-school links;
- ◆ ensure that any person complained against has equal rights with the person making the complaint;
- ◆ reaffirm the partnership between parents, staff and governors as we work together for the good of the pupils in the School;
- ◆ be regularly reviewed

GUIDANCE NOTES

Please read these guidance notes before raising a complaint

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the School. Any person, including members of the public, may make a complaint to St John of Jerusalem Primary School about any facilities or services provided by the school. 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 can be defined as 'an expression of worry or doubt 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.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. It may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so. Concerns should be raised with either the class teacher or Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complaints against school staff (except the Headteacher) should be made in the first instance, to **Asarena Simon** (the Headteacher) via the school office. Please mark the letter of complaint as Private and Confidential. **Complaints that involve or are about the Headteacher** should be addressed to **Alister Bould** (the Chair of Governors) via the school office. Please mark the letter of complaint as Private and Confidential.

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

Please do not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis, and it may prevent them from considering complaints at a later stage.

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, if appropriate, the Headteacher or Chair of Governors will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame only in exceptional circumstances.

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

Some issues have associated statutory procedures and cannot be dealt with under our Complaints Procedure. These are listed below.

Issue	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Hackney Education local authority details></p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>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).</p> <p>Hackney LADO 0208 356 4569 / LADO@hackney.gov.uk</p>

<ul style="list-style-type: none"> • Exclusion of children from School* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the School's complaints procedure.</i></p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>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 directly with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our School should complain through the School's complaints procedure.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the School's internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff conduct 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>
<ul style="list-style-type: none"> • Complaints about organisations who use school premises or facilities 	<p>Providers should have their own complaints procedure. Please contact them directly.</p>
<ul style="list-style-type: none"> • National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

Legal considerations

If other bodies are investigating aspects of the complaint, for example, the police, local authority (LA) safeguarding teams or Tribunals, this may affect 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. In addition, if a complainant commences legal action against St John of Jerusalem Primary School in relation to the complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, St John of Jerusalem Primary 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
- an apology

- access to mediation.

Withdrawal of a Complaint

If you wish to withdraw your complaint, we will ask you to confirm this in writing.

Stages in the complaints procedure

- **Informal**

If you have a concern, we would like you to tell us about it so that we can talk with you and see how best to resolve the issue. The majority of concerns can be resolved informally by speaking to a member of staff. Whatever your concern, please know that we shall treat it as strictly confidential and that our support and respect for you and your child will not be affected.

Please contact your child's class teacher, or another appropriate member of staff, and arrange a time when you can discuss the issue. It may be possible for you to see the member of staff straight away, but normally, it is better to make an appointment so that you can sit and talk things through. It may be possible to give a response immediately, but where any investigation or information is required, a response will be given within five school days.

- **Formal Stage 1 Referral to the Headteacher for investigation**

If you have not resolved your issue by informal means, or you wish to refer it directly to a formal process, you should contact the Headteacher. If your complaint is about the Headteacher, you should contact the Chair of governors c/o the School. It is helpful if you can give a brief outline of your concern on the school's complaints form.

The Headteacher will acknowledge the complaint in writing within 3 school days of receipt of the complaint.

Note: The Headteacher may delegate the investigation to another member of the School's senior leadership team but not the decision to be taken. They will still be responsible for the decision regarding the outcome of the investigation.

During the investigation, the Headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, to supplement any information previously provided.
- allowing them to be accompanied if they wish to
- keep a written record of any meetings/interviews in relation to their investigation.
- If the complaint is against a member of staff, the Headteacher (or delegated investigator) will talk to the staff member against whom the complaint has been made.
- Where necessary, the Headteacher (or delegated investigator) will interview witnesses and take statements from those involved.
- The Headteacher (or delegated investigator) should keep reasonable written records of meetings, telephone conversations and other documentation informing their investigation
- Once all the relevant facts have been established, the Headteacher (or delegated investigator) will produce a written response to the complainant. This will be agreed upon by the Headteacher, who may wish to meet the complainant to discuss/resolve the matter before confirming the outcome in writing.
- At the conclusion of the investigation, the Headteacher will provide a formal written response within 10 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. Where appropriate, it will include details of actions St John of Jerusalem Primary school will take to resolve the complaint.
- The written response will include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the School will take to resolve the complaint.

- Stage 1 should be completed in 15 school days. However, it is recognised that where the case is complex, it may prove difficult to meet this timetable. In such cases, the Headteacher should write to the complainant giving a revised target date.
- The Headteacher will advise the complainant on how to escalate their complaint if they are dissatisfied with the outcome of Stage 1.
- The formal stage 1 response will also advise the complainant that if s/he is not satisfied with the response and wishes to take the matter further, s/he should write to the Chair of the Governing Body within 15 school days of receiving the outcome letter. The outcome letter will set out the name of the Chair of the Governing Body and the address to which the complainant can send the letter.
- 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 1.
- 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 1 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.

- **Formal Stage 2**

If following Stage 1 you still have concerns, you may ask for your complaint to be considered by a complaints committee of the governing body by writing to the Clerk to the Governors c/o the School. The committee will be formed of three governors with no prior involvement. They will listen to you, to the Headteacher, and, if appropriate, any others involved and come to a decision. You may bring a friend to the hearing if you wish.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 1 response. Requests received outside this time frame will only be considered in exceptional circumstances. The Clerk will write to the complainant to within 5 working days to acknowledge receipt of the Stage 2 complaint and to inform them of the date of the committee meeting. They will aim to convene a meeting (panel hearing) within 20 school days giving 10 school days' notice of the meeting to: the members of the panel, the complainant and the Headteacher. 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.

Complaints against the Headteacher - If the complaint is wholly or mainly about the Headteacher, the complaint should be addressed to the Chair of Governors. Please mark your correspondence as confidential and send this to the school office. In this instance, the Governing Body will consider the complaint in accordance with Stage 2 of the procedure. Before Stage 2 is instigated, the Chair of the Governing Body will invite the Headteacher to respond to the complaint in writing within 10 school days. The Chair will send a copy of the Headteacher's response to the complainant, who will be asked to indicate within 5 school days of receipt of the response whether s/he is satisfied with the response. If the complainant is not satisfied with the response, stage 2 should commence.

Complaints about the Chair of Governors, individual governors or the whole governing body should be addressed to the Clerk to the Governing Body at admin@st-johnjerusalem.hackney.sch.uk. These should be marked as private and confidential. Complaints will be considered in accordance with stage 2 of the procedure. In this instance, the Complaints Appeal Panel will be made up of independent panel members who may be drawn from another school's Governing Body & / or from the Local Authority.

Investigating the complaint – If the complaint has been investigated at Stage 1, the result of the investigation must be made available to the Clerk / Chair by the Headteacher. However, where the complaint is against the Headteacher, and the complaint is referred to Stage 2, the Chair of the Governing Body must decide how the complaint should be investigated. Where the facts of the complaint are clearly established, it is unlikely for the Chair of the Governing Body to order an investigation. The matter may instead be escalated directly to the Complaints Appeal Panel

A Complaints Appeal Panel (CAP) The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint, *will be established to hear the complaint at stage 2 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 St John of Jerusalem Primary School 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.

In deciding the make-up of the CAP, where possible, the governing body will try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation. Where all (or a majority of governors) are aware of the substance of a complaint before the final stage has been completed, the Governing Body may choose to arrange for the panel hearing the complaint to be made up entirely (or include a number) of independent panel members. In this case, independent panel members may be drawn from another school's Governing Body or from the Local Authority. The CAP will agree a single member to act as panel chair

You are entitled to bring someone along to the complaints committee for support. This can be a relative or friend. We do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness, they may be supported by union and/or legal representation. Representatives from the media are not permitted to attend.

Any written material will be circulated to all parties at least 2 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. In this case, the School will make appropriate arrangements, and prior knowledge and consent of all parties must be sought. Consent will be recorded in any minutes taken.

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

The meeting will allow for:

- The complainant to explain his or her complaint and the Headteacher to explain the reasons for his or her decision;
- The Headteacher to question the complainant about the complaint and the complainant to question the Headteacher;
- The CAP to have an opportunity to question both the complainant and the Headteacher;
- Any party to have the right to bring witnesses (subject to the approval of the Chair of CAP) and all parties having the right to question all the witnesses; and
- A final statement by the Headteacher and complain

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 St John of Jerusalem Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 5 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 St John of Jerusalem Primary School

If the complaint is about:

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

Stage 2 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 St John of Jerusalem Primary School will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Social Media

In order for complaints to be resolved as quickly and fairly as possible, St John of Jerusalem Primary School requests the complainants do not discuss complaints publicly via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

Staff conduct complaints

If it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Headteacher and/or the individual's line manager. The complainant is entitled to be informed that action is being taken and the eventual outcome of any such action, but they are not entitled to participate in the proceedings or receive any detail about them.

Serial and unreasonable complaints

We hope that our procedures will enable complaints and concerns to be resolved amicably. However, very occasionally, schools experience unreasonable and unacceptable behaviour in relation to complaints or repetition of issues after the complaints procedure has run its course. The School has adopted the DfE model policy for these circumstances, which is attached to this procedure.

Next Steps

If the complainant believes the School did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably, they can contact the **Department for Education** after they have completed Stage 2. The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by St John of Jerusalem Primary School. They will consider whether St John of Jerusalem Primary School 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

Vexatious, Serial & Persistent or Unreasonable Complaints

There will be occasions when the complainant remains dissatisfied despite all stages of the procedure having been followed. If the complainant tries to reopen the same issue, the Chair of the Governing Body can inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.

ANNEX B

COMPLAINT FORM	
Name of School	
When we receive a written complaint, we aim to acknowledge its receipt within 3 school days and send a full or interim response within 10 school days.	
Your name	Name of the pupil (if relevant): Relationship to pupil (if relevant):
Address / email:	
Postcode:	
Telephone (day):	Telephone (evening):
What is your concern, and how has it affected you?	
Are you attaching any paperwork? If so, please list below:	
Have you discussed this matter with a member of staff before filling in this form? If so, who did you speak to, and what was the response?	
What actions do you feel might resolve the problem at this stage?	
Signature:	Date:
Please return this form to	
Official use only: Date acknowledgement sent:	By whom:
Complaint referred to:..... on	