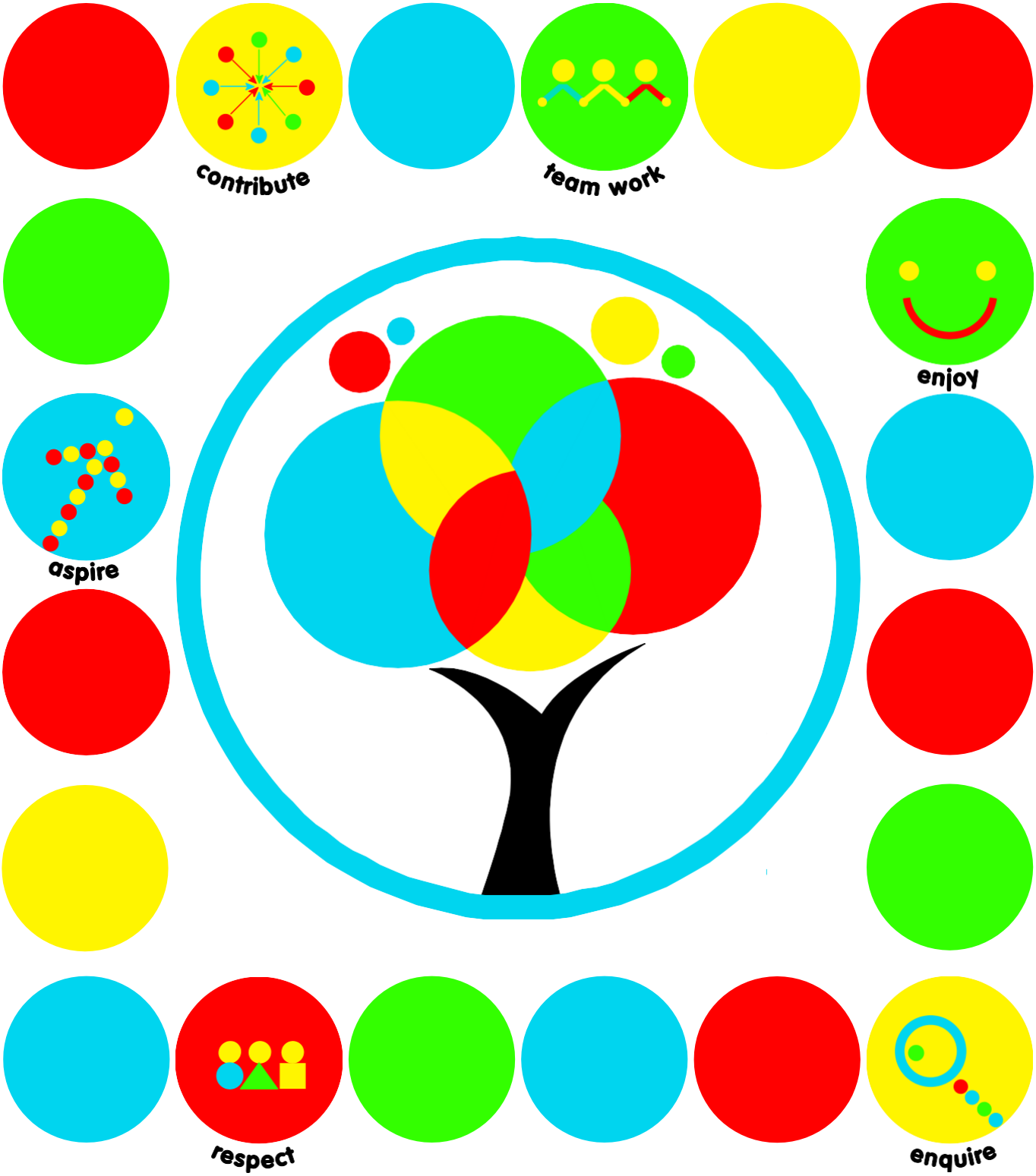


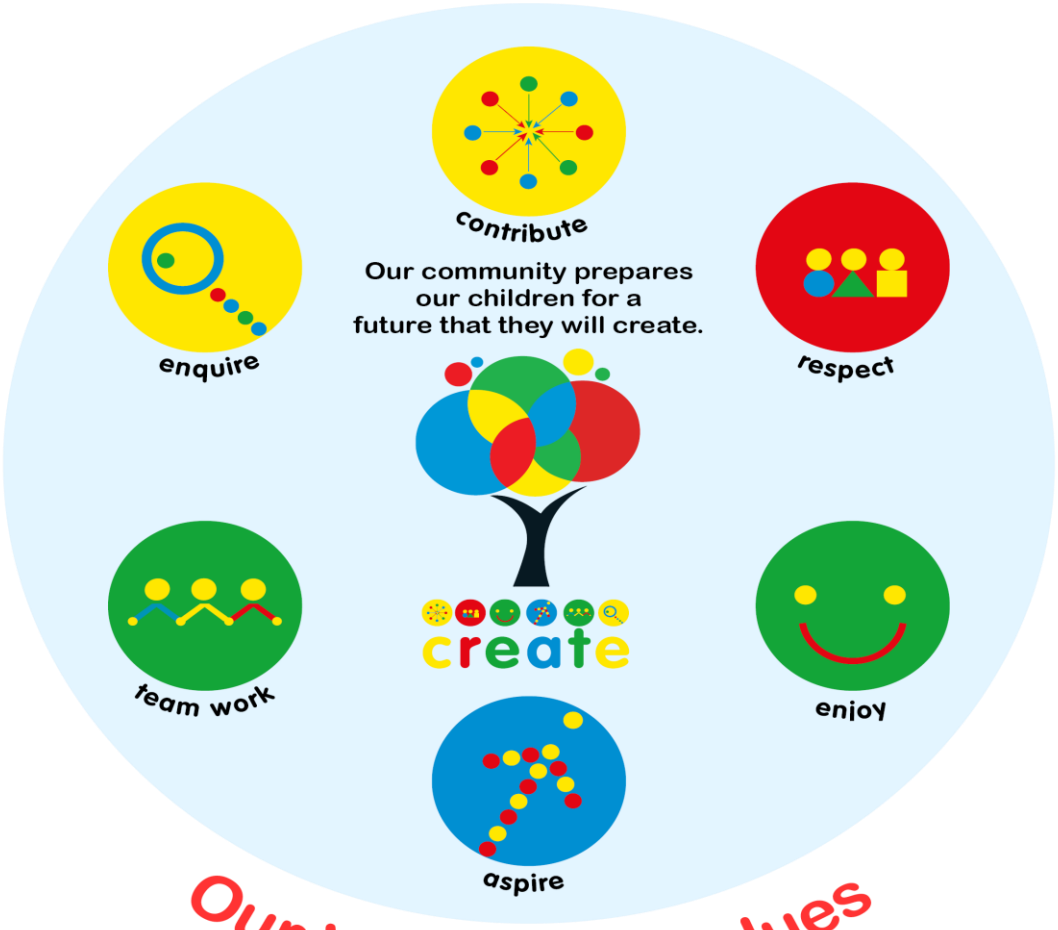

# COMPLAINTS POLICY AND PROCEDURE

Headteacher signature:

Chair of Governors signature:

Review date: April 2027

Thomas Buxton Primary School
Learning Together




# Our Vision and Values

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## 1. INTRODUCTION

We strive to provide an outstanding education for all our children. The Headteacher and staff work hard to build positive relationships with all parents and carers and to support this we have put in place this Complaints Policy and Procedure.

This document meets the requirements of section 29 of the Education Act 2002, which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on guidance for schools on complaints procedures from the Department for Education (DfE).

In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed. The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

www.thomasbuxton.towerhamlets.sch.uk/school-information/policies

## 2. POLICY STATEMENT

Our school is committed to being fair, open and honest when dealing with any complaint. We give careful consideration to all concerns and complaints, and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases, we put the interests of the child above all else.

We welcome feedback on what parents and carers feel we do well or not so well, as a school. We carefully consider all feedback, whether positive or otherwise, and will review our policies and practices accordingly.

We treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. A person does not have to be a parent or carer to make a complaint. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school will not be expressed inappropriately or in front of pupils.

The school's procedures will be reviewed regularly and updated as necessary.

The school ensures that any third party providers offering community facilities or services through the school premises, or using school facilities, have their own complaints procedure in place.

The school will learn from complaints raised and will provide information to the school's senior management team so that services can be improved.

Arrangements for handling complaints from parents of children with SEND about the school'ssupport are within the scope of this policy. Such complaints should first be made to the SENDCo, they will then be referred to this complaints policy. Our SEND Policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

## 3. 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 Thomas Buxton Primary 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.

## 4. THE DIFFERENCE BETWEEN A COMPLAINT AND A CONCERN.

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. Thomas Buxton Primary School 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 Headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher 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, Thomas Buxton Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## 5. 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 on a complainant, as long as they have appropriate consent to do so.

Concerns should, in the first instance, be raised with either the class teacher, Senior Leader 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 Stage 2 of 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 the Chair of Governors (Md. Pervez Qureshi), 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 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 Bureau or the Tower Hamlets Parents Advice Centre 020 7650 8936 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.

## 6. SCOPE OF THIS COMPLAINTS PROCEDURE

This procedure covers all complaints about any provision of community facilities or services by Thomas Buxton Primary School, other than complaints that are dealt with under other statutory procedures, including those listed below in Appendix 1.

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 Thomas Buxton Primary 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.

## 7. RESOLVING COMPLAINTS

At each stage in the procedure, Thomas Buxton 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.

## 8. WITHDRAWAL OF A COMPLAINT

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

## 9 FORMAL COMPLAINT – STAGE 1

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), or by telephone.

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. This should take place within 10 days of receipt of the complaint where possible.

*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 if they wish
- 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. The investigation should be concluded within 20 days of beginning.

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 Thomas Buxton Primary School 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 Stage 1.

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), an external investigator may be engaged or a governor with suitable investigations training and experience.

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

Then 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.

## 10. FORMAL COMPLAINT – STAGE 2

**If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2. (A meeting with members of the Governing Board's Complaints Committee which will be formed of the first three, impartial Governors available.) This is the final stage of thecomplaints procedure.**

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 5 school days of receipt of the Stage 1 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 5 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 10 schools days  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.

Any review of the process followed by the school will be conducted by a panel of three members of the governing body. This will usually take place within 10 school days of receipt of your request. The review will normally be conducted through consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

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 Thomas Buxton 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. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

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. Generally, 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 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 5 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 5 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 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 at this stage or consider evidence unrelated to the initial complaint to be included. 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 normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.
- 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 the Headteacher 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 Thomas Buxton Primary School.

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 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 Thomas Buxton 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.

## 11. 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 2.

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

Thomas Buxton 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.

## 12. 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.

## 13. TIMESCALES

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 if exceptional circumstances apply.

## 14. 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**.**

## 15. COMPLAINTS MADE DIRECTLY TO THE GOVERNING BODY

In the event of a complaint being received directly by the Governing Body from a parent or other stakeholders, governors will have regard to the following:

*Any complaint to the Governing Board or one of its members must be passed immediately to the Headteacher for investigation. If the complaint is about the Headteacher then the Chair of Governors must be informed immediately.*

## 16. COMPLAINTS RECEIVED BY PETITION

Complaints received by petition will be dealt with informally in the same way as other complaints. If it is not clear who the response should be directed to, the complaint will be treated as an anonymous complaint.

## 17. COMPLAINT CAMPAIGNS

Occasionally, the school may become the focus of a campaign and receive large volumes of complaints: all based on the same subject and from complainants unconnected with the school. The Headteacher shall investigate the complaint according to the complaints procedure outlined above. A response to the complaint will be sent to complainants where contact details are given using a template response. The response will also be published on the school website if appropriate.

## 18. CONFIDENTIALITY

Confidentiality is vital. All conversations and correspondence will be treated with discretion. Complainants have the right to know what use will be made of personal information and, accordingly, personal information will only be shared between staff on a 'need to know' basis.

## 19. EQUAL ACCESS, ACCOMPANIMENT AND REPRESENTATION

Appropriate steps will be taken to ensure that any individual has the opportunity to raise their concerns or submit a formal complaint. This includes the right to be accompanied or represented by a friend or relative at discussions and hearings and/or to submit formal complaints which have been written by another individual on their behalf.
Should any meeting need to be held where any parties would have difficulties in terms of access, the school will assist with providing an appropriate venue.

## 20. 'SERIAL' AND 'PERSISTENT' CORRESPONDENTS

**(Also see Serial and Unreasonable Complaints Policy)**

The school will do its best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where the school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, the school will act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for the school to recognise when they really have done everything they can in response to a complaint. It is a poor use of the 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. The school will only mark a complainant as 'serial' once the complainant has completed the procedure.

## 21 . RECORDING, MONITORING AND REVIEW
## (See Appendix 4)

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

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

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

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

The process of listening to and resolving complaints can contribute to school improvement and can be a useful tool in evaluating the school's performance. When individual complaints are heard, the school may also identify underlying issues that need to be addressed.

The governors monitor the complaints procedure at regular intervals. This ensures that all complaints are handled properly and informs improvements and the effectiveness of the complaints procedure itself. The Headteacher logs all complaints received by the school and records how they were resolved.  Governors examine this log periodically.

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy.

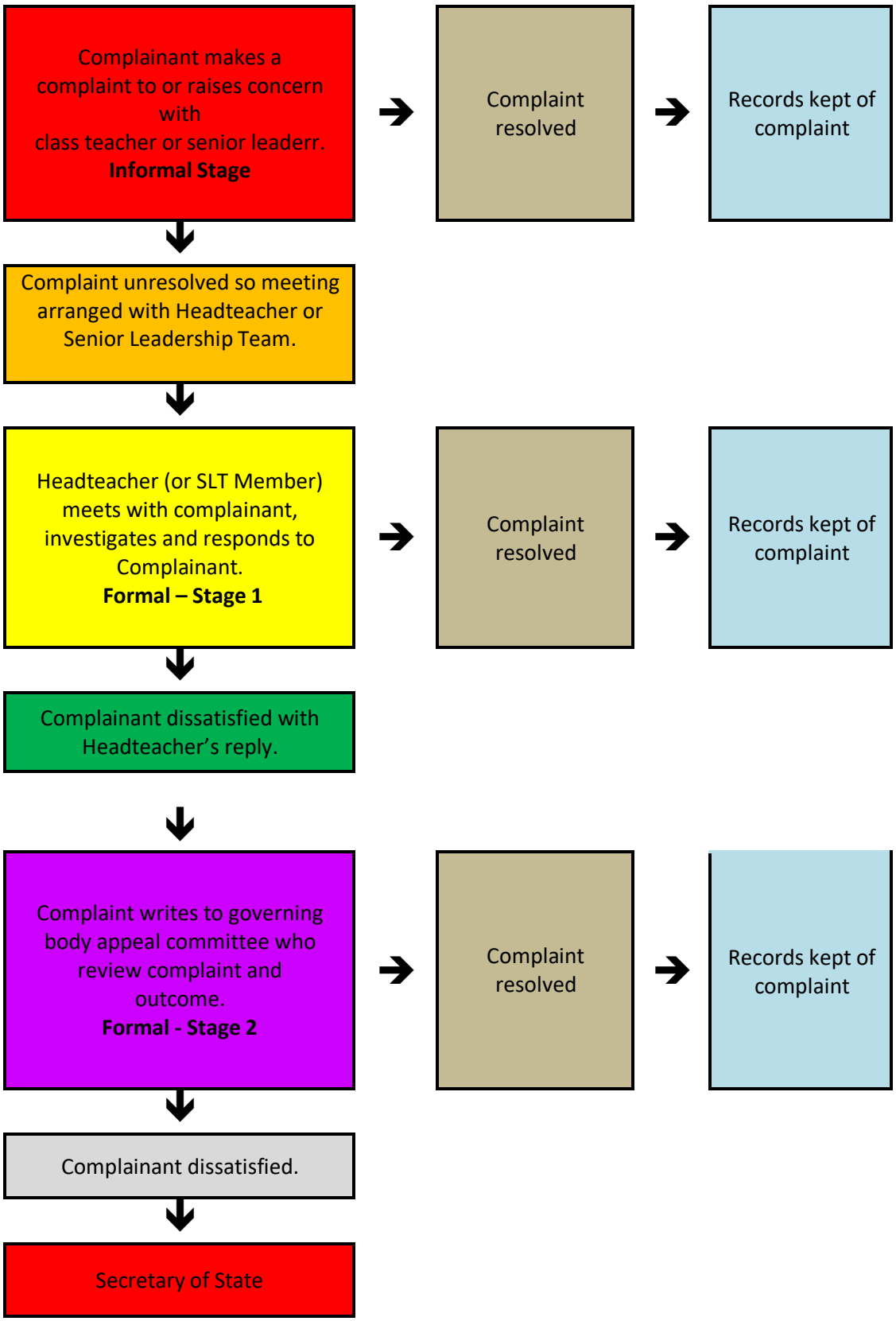
This policy is made available to all parents, so that they can be properly informed about the complaints process.

This policy will be reviewed every two years, or before if necessary.

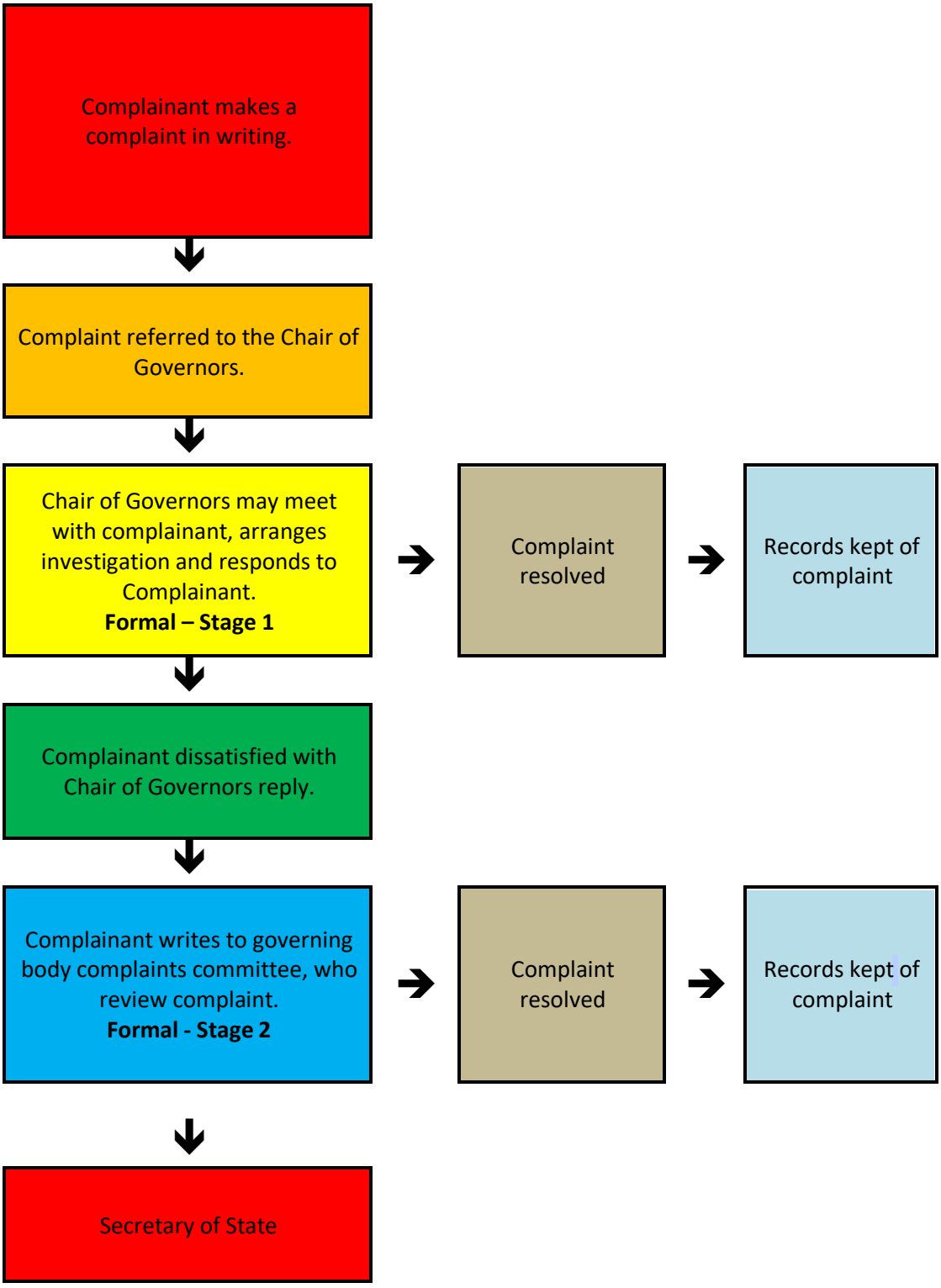
## APPENDIX 1: CONTACTS FOR COMPLAINTS NOT IN SCOPE OF THE PROCEDURE

| EXCEPTIONS | WHO TO CONTACT |
|---|---|
| • Admissions to schools<br>• Statutory assessments of Special Educational Needs (SEN)<br>• School re-organisation proposals<br>• Matters likely to require a Child Protection Investigation | Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with London Borough of Tower Hamlets<br>Pupil Services 02073645006<br>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.<br>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). LADO@towerhamlets.gov.uk 02073643444 |
| • Exclusion of children from school | Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions |
| • Whistleblowing | Thomas Buxton has an internal whistleblowing Policy for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted<br>Piccadilly Gate<br>Store Street<br>Manchester M1 2WD.<br>The Department for Education is also a prescribed body for whistleblowing in education. |
| • Staff grievances and disciplinary procedures | These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation. |
| • 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. They should be contacted direct. |
| • National Curriculum - content | Please contact the Department for Education at: www.education.gov.uk/contactus |

## APPENDIX 2: GENERAL SCHOOL COMPLAINTS FLOWCHART



## APPENDIX 3: COMPLAINTS AGAINST THE HEADTEACHER FLOWCHART



## APPENDIX 4: RECORD OF COMPLAINT FORM

| RECORD OF COMPLAINT | | |
|---|---|---|
| COMPLAINT MADE BY | DATE RECEIVED: | INVESTIGATED BY: |
| | | |

| | |
|---|---|
| **Details of the complaint:** | |
| **Information obtained from school investigation:** | |
| **Steps taken to resolve complaint:** | |
| **Outcome:** | |

| | | | |
|---|---|---|---|
| Complaint Closed: | Informal Stage<br><br>Date:…… | Written Stage<br><br>Date:…… | Appeal Stage<br><br>Date:…… |
| Signature:…… | | Print Name:…… | |
| Date:…… | | | |

**Meeting Request (Optional Use)**

| | |
|---|---|
| Your name | |
| Person you wish to meet | |
| To discuss the following | |
| Details regarding the topic for discussion | |
| Date and times when it would be convenient to meet | |
| Relationship with the School | |
| Childt's name (if applicable) | |
| Address | |
| Telephone Numbers | |
| Email Address | |
| Signature | |
| Date | |
| Please submit this form to the School Office | |
| Admin Use | |
| Date form received | |
| Received by | |
| Date response sent | |
| Response sent by | |

| Formal Complaint | |
|---|---|
| Your name | |
| **Relationship with the School** | |
| Child's name (if applicable) | |
| Address | |
| Telephone Numbers | |
| Email Address | |
| Please give concise details of your complaint. Please include;<br>The nature of the complaint<br>The actions taken so far<br>The names of any witnesses<br>The relevant dates and times<br>The outcome you are seeking<br><br>(Please attach additional sheets if required and indicate the number of additional sheets submitted) | |
| Signature | |
| Date | |
| Please submit this form to the School Office | |
| Admin Use | |
| Date form received | |
| Received by | |
| Date response sent | |
| Response sent by | |

| Request for Governing Board Review (Can only be completed after Stage 1 has been concluded) | |
|---|---|
| **Your name** | |
| Relationship with the School | |
| Student's name (if applicable) | |
| Address | |
| Telephone Numbers | |
| Email Address | |

Dear Sir / Madam

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

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

…….. on ……

I have attached copies of my formal complaint and of the response received.

I am dissatisfied with the way in which the procedure was applied because:

Please continue on separate paper if required and indicate the number of additional pages submitted

| | |
|---|---|
| Signature | |
| Date | |

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

Please submit this form to the School Office

| Admin Use | |
|---|---|
| Date form received | |
| Received by | |
| Date response sent | |
| Response sent by | |
| Complaint referred to | |
| Date complaint referred | |
| Request referred to | |
| Date request referred to | |

| Version Control | | |
|---|---|---|
| **Date** | Version | Comments |
| 09.05.2023 | V1 | No changes to this policy |