



Dalmain Primary School Concerns & Complaints Procedure

This policy complies with section 29 of The Education Act 2002

Part 1: The School Complaints Policy

Aims of the Policy

To set out procedures for responding to concerns or complaints made against the school.

To ensure that the school operates in line with the Department for Education Best Practice Advice for School Complaints March 2019. To this end, we have ensured that this policy and procedure:

- is simple to understand and use
- is impartial and non-adversarial
- enables a full and fair investigation
- respects confidentiality where necessary
- addresses all the points at issue and provides an effective response and appropriate redress where necessary
- provides information to the school's senior leadership team so that services can be improved

Dealing with concerns – informal procedures

A 'concern' is 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. Dalmain School takes all concerns seriously and will make every effort to resolve the matter as quickly as possible. The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The school will address informal concerns seriously at the earliest stage in order to reduce the need for lengthy and time-consuming formal procedures. 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.

Dealing with complaints – formal procedures

A complaint is 'an expression or statement of dissatisfaction about actions taken or a lack of action'. All complaints should follow the formal procedures outline below and should only be invoked when initial and informal attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. **Formal complaints MUST be made in writing using the School's Complaints Form (see below).**

Who can make a complaint?

This procedure is for parents or carers with parental responsibility for children that are currently registered at the school (or those who have left up to three months previously), but it is not limited to them. Any member of the public may make a complaint to Dalmain School about any provision of facilities or services that the school provides. Under GDPR regulations, the school cannot disclose any confidential information about a child, member of staff or governor in response to a complaint.

What concerns and complaints are not covered by this procedure?

The procedure is not intended to cover those matters for which there is a specific statutory process to object, complain or appeal: for example child abuse, statutory special needs assessments, staff conduct, school admissions or exclusions. If this is the case, on receipt and review of your complaint the school will confirm this with the complainant. Information about complaints subject to statutory procedures are detailed on page 15 of this document.

Anonymous complaints

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

Time Limits

The school aims to consider and resolve all complaints as quickly and efficiently as possible so time limits have been set for each of the formal procedures and actions within each stage. However, where further investigations are necessary, new time limits can be set. The school will keep the person who raised the complaint informed of progress and provide an explanation for any delay.

Formal complaints should be raised by the complainant as soon as possible but no later than 3 months after the incident or issue has occurred.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay.

Recording Complaints

The school will record the progress of the complaint and the final outcome. At the end of meetings or telephone calls the member of staff should ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note can be kept and a copy of any written response added to the record.

The school will record the progress of the complaint and the final outcome. The Headteacher is responsible for these records and will hold them centrally.

The school is aware that complainants have a right to copies of these records under the Freedom of Information Act 2000 and Data Protection Act 1998.

Governing Body Review

The Governing Body will monitor the level and nature of complaints, and review the outcomes on a regular basis to ensure the effectiveness of the procedure, making changes where necessary. The policy and procedure is reviewed annually (at least) and is ratified by the full Governing Body

Unreasonable Complaints

Most complaints raised will be valid, and therefore we will treat them seriously. Dalmain 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. However, 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. Dalmain Primary School defines unreasonable complainants 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 become unreasonable if the person:

- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- knowingly provides false information
- insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- 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 adopted complaints procedure or with good practice
- changes the basis of the complaint as the investigation goes on
- makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- seeks unrealistic outcomes, or a solution that lacks any serious purpose or value
- 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 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
- 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

- 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, 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
- publishes unacceptable, untrue or inappropriate information in a variety of media such as social media websites and newspapers.

Steps we will take

We will take every reasonable step to address the complainant's concerns and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as the Citizens Advice Bureau
- Put any other strategy in place as necessary

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate any further actions to the complainant in writing. This may include barring an individual from our school site: the school is legally entitled to do so and has appropriate procedures in place which we will not hesitate to follow if necessary.

Duplicate complaints

If, after closing a complaint at the end of the complaints procedure, we receive a duplicate complaint from a spouse, a partner, a grandparent or other individual, we will first assess whether there are aspects of the case that had not considered or any new information that should be taken into account. If this is not the case, we will remind them that we have already considered the complaint and the local process is complete. Complainants will be advised to contact the DfE if they are dissatisfied with our handling of the complaint.

Complaint campaigns

If we receive what we consider to be a large volume of complaints, all based on the same subject and possibly from complainants not connected to the school, then we will treat these complaints as being part of a campaign and respond in one of the following two ways, depending upon the nature and scale of the complaint:

- send the same response to all complainants; or
- publish a single response on the school's website.

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

Serial and Persistent Complaints

If properly followed, this complaints procedure should limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

If a complainant tries to reopen an issue or contacts the school again on the same issue, the school may choose not to respond if:

- the school has taken every reasonable step to address the complainant's needs;
- the complainant has been given a clear statement of the school's position and their options (if any);
- they are contacting the school repeatedly but making substantially the same points each time.

If the school finds it difficult to deal with a complainant because of their unreasonable behaviour and other strategies are not working, they may ask the local authority governor services team to assist by dealing with future communications. If a complainant persists to the point that the school considers it to constitute harassment, legal advice will be sought as to the next steps.

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. 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 or Chair of Governors will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.

Resolving complaints

At each stage in the procedure, Dalmain 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 and procedures in light of the complaint
- an apology.

Withdrawal of a Complaint

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

Part 2: The School Complaints Procedure

Stages of the Procedure

- **Informal Stage, dealing with concerns:** initial concerns are heard by a Class Teacher, Phase Leader, Deputy Headteacher, Headteacher or another appropriate member of staff on an informal basis, either in person, by telephone or in writing, including email.
- **Formal stage 1:** a formal written complaint is considered by the Headteacher, or, if the complaint is about the Headteacher, by the Chair of Governors/nominated Governor. If the complaint is about the Chair of Governors or the Full Governing Body, it is considered by an independent investigator (eg. a Governor at another educational setting or the Clerk to the Governing Body).
- **Formal Stage 2:** If Stage 1 has been completed and the complainant is unhappy with the outcome or the way the complaint has been handled, the case can be referred to a panel of three Governors. The panel will review the investigation carried out at Stage 1 to consider the way the complaint was investigated and handled by the school.
- **Secretary of State Review:** Having exhausted the previous stages, complaints can finally be taken to the Secretary of State for Education, but only on the grounds that the Governing Body is acting or proposing to act unreasonably or illegally.

1. Informal Stage: initial contact with the school

Many concerns can be dealt with informally. Your first point of contact should be the pupil's class teacher, Phase Leader, the Assistant or Deputy Headteachers or the Headteacher. All of these staff are usually available in the school playground at the beginning or end of the school day.

A concern can also be raised in writing, by telephone or by email. Arrangements can be made for you to meet with staff member/s (either in person or by telephone) via the school office. A concern may be raised by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

A formal complaint can only be made in writing using the Complaint Form (see below).

When you raise a concern, depending upon the circumstances, the school will give consideration as to who would be the appropriate person to address it and whether it should be dealt with informally or moved to the formal stage.

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. The school will always give consideration as to which member of staff is best suited to address a concern.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Dalmain School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Concerns about school staff (except the Headteacher) or operational matters within the school should be raised in the first instance with the Headteacher.

Concerns that involve or are about the Headteacher should be raised with the Chair of Governors. You should contact the School Office to obtain the Chair's contact details.

Concerns about the Chair of Governors, any individual governor or the whole governing body should be raised with the Clerk to the Governing Body via the school office.

All other concerns should be raised with either the class teacher or Headteacher.

Concerns will receive an acknowledgement and an appropriate response based on school policies and procedures within 14 working school days.

It may be necessary to take advice before responding to a concern. If so, the school will endeavour to provide you with an update on the progress of their enquiries as quickly as possible.

Persons who wish to raise a concern should not approach individual governors to raise a concern. They have no power to act on an individual basis, and should the matter reach the formal stages it may also prevent them from considering it as part of the Complaints Procedure.

Mediation

If no agreement has been reached between you and the school a mediation meeting can be initiated by either party within 15 school days of the response to the concern. You may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns. A member of staff will also be present to represent the school's view. The meeting will be chaired by the Headteacher or a designated Governor as appropriate. Such an approach should allow for all options to be explored and for all parties to work together to reach a resolution.

If the issue remains unresolved, the next step is to make a formal complaint.

Formal Stage 1: formal consideration of your complaint

1. If you have been unable to resolve a concern informally, you are entitled to progress to the formal stage.
2. Formal complaints should be lodged as soon as possible but no later than **3 months** after the incident or issue has occurred.
3. Formal complaints must be put in writing, **using the Complaints Form (Appendix 2)**, and submitted via the school office. The form should include details of the complaint, action already taken to resolve it and proposed future actions that may help to resolve the problem.
 - If the complaint concerns any member of staff it should be sent to the Headteacher.
 - If the complaint concerns the Headteacher, it should be sent to the Chair of Governors.
 - If the complaint is about the Chair of Governors it should be made in writing to the Vice-Chair of Governors.
 - If the complaint is about the Governing Body it should be made to the Clerk of the Governors.

All complaints should be marked Private and Confidential.

The school will acknowledge any complaint that is put in writing within **5 school days** of receiving it.

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.

4. An Investigating Officer will be identified to investigate the complaint and will carry out the complaint in a timely manner. The Investigating Officer should not have had any direct involvement with the case.
 - If the complaint concerns any member of staff then the Investigating Officer will usually be the Headteacher. The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.
 - If the complaint concerns the Headteacher then the Chair of Governors will appoint an Investigating Officer to investigate the complaint.
 - If the complaint is about the Chair of Governors then the Vice Chair of Governors will appoint an independent person to act as Investigating Officer. They may approach a different school to ask for help or the local governor services team at the Local Authority.
 - If the complaint is about the Governing Body then the Clerk of the Governors will appoint an independent person to act as Investigating Officer. They may approach governors from a different school to ask for help or the local governor services team at the Local Authority.
5. During the investigation the Headteacher/Investigating Officer will contact you to clarify the details of the complaint as necessary. You will be allowed the opportunity to meet with the Investigating Officer. If you wish, you may ask someone (not acting in a legal capacity) to accompany you at the meeting for support and to help you to explain the reasons for your complaint. The choice of person is your own but it may be preferable to involve someone in whom you have confidence but who is not directly connected with the school.
6. The Headteacher/Investigating Officer will, where necessary, talk to witnesses and take statements from others involved. A written record will be kept of any meetings or interviews in relation to their investigation.
7. Confidentiality is important to securing the confidence of all concerned in the process. Conversations and correspondence must be treated with discretion. However, the parties to a complaint should be aware that some information may have to be shared in order to carry out a thorough investigation.
8. Once the Headteacher/Investigating Officer has established all the relevant facts, they will provide a written response to you. This will provide an explanation of the Headteacher/Investigating Officer's decision and the reasons for it. If follow-up action is needed, the school will indicate, where appropriate, what they are proposing to do. You may be invited to a meeting to discuss the outcome.
9. The school will aim to respond to formal complaints within 15 school days. If this is not possible the School will write to you to ensure you are kept informed of their progress in addressing their complaint.
10. The decision at this stage will usually be final. However, if you are dissatisfied with the way in which the complaint was investigated at Stage 1 you may proceed to Stage 2, as described below. In most cases, this should be done by writing to the Chair of Governors within 10 school days of receipt of the Stage 1 response letter. However, if the complaint is about the Chair of Governors or the Governing Body then this letter should be addressed to the Clerk of the

Governors who will arrange for an independent appeals panel to be set up. They may approach governors from a different school to ask for help or the local governor services team at the LA.

Formal Stage 2: Consideration by a Governors' Appeal Panel

If the complainant is dissatisfied with how their complaint has been handled at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2, consideration by a Governors' Appeal Panel. This is a formal process and the final stage of the procedure at school level.

The purpose of this appeal is to give you the chance to present your arguments as to whether the investigation has been conducted fairly and the correct procedure followed.

A request to escalate to Stage 2 must be made to the Clerk of the Governing Body, via the school office, within ten school days of receipt of the Stage 1 response.

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

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

The Stage 2 review will be undertaken by a panel comprised of three members of the Governing Body, which will be formed of the first three available and impartial governors with no prior knowledge of the complaint.

The panel will decide amongst themselves who will act as the Chair of the Complaints Panel. If there are fewer than three governors from Dalmain 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 Panel. Alternatively, an entirely independent Panel may be convened to hear the complaint at Stage 2.

The aim of the Panel is to review how the complaint has been investigated and to determine whether the investigation has been conducted fairly and that correct procedure has been followed. It is there to establish facts and make recommendations in order to reassure you that the school has taken the complaint seriously.

The Governors Appeal Panel operates according to the following formal procedures:

1. The Governing Body will convene a Panel of three governors and will aim to arrange for the hearing to take place within 15 school days of receiving the request to review the process. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. If the complainant or defendant reject 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 or defendant's absence on the basis of written submissions from both parties.
2. The Panel 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 needs and rights of both complainant and defendant.

3. If the investigation is based on written evidence, in addition to the written complaint, the panel can request additional information from the complainant, the Stage 1 investigating governor or the defendant. If the defendant is asked for evidence, the complaint should be shared with them and due time allowed, to be at least five school days, for their review and response.
4. You will be asked whether you wish to provide any further written documentation in support of your appeal. This must be submitted to the Panel at least five school days before the meeting. Any further written material will be circulated to all parties at least three school days before the date of the meeting.
5. The Headteacher/Investigating Officer will be asked to prepare a pack of documentation detailing the process followed and the outcome for the panel. The Panel can request additional information from other sources if necessary.
6. You will be informed, at least 10 school days in advance, of the date, time and place of the hearing. We hope you will feel comfortable with the hearing taking place in the School but we will do what we can to make alternative arrangements if you prefer.
7. With the letter, you will receive any relevant correspondence or reports regarding Stage 1 and you will be asked whether you wish to submit further written evidence to the Panel. Any additional information should be provided prior to the panel review meeting. The defendant will also receive all relevant correspondence and reports at this time.
NB: The 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.
8. The letter will explain what will happen at the hearing and that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the School. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish (not acting in a legal capacity).
9. If it is necessary in the interests of the ratifying of the investigative process, the Headteacher/Investigating Officer may, with the agreement of the Chair of the Panel, invite relevant witnesses directly involved in matters raised by you to attend the hearing.
10. The Chair of the Panel will bear in mind that the formal nature of the hearing can be intimidating for you and will do his or her best to put you at your ease.
11. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the hearing by any of the participants. If either party wishes to do so, the hearing will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
12. If a school employee is called as a witness or defendant in a complaint panel meeting, they may wish to be supported by union and/or legal representation.

13. Representatives from the media are not permitted to attend.
14. The Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. If, at any stage of the Concerns and Complaints procedure, a member of staff suspects they are being recorded they are at liberty to end the conversation after explaining why they are doing so. Alternative arrangements will be made for communication.
15. The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's or defendant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before the recording of meetings or conversations take place. Consent will be recorded in any minutes taken.
16. The Chair of the Panel will ensure that the hearing is properly minuted. Since such minutes usually name individuals, they are understandably of a sensitive, and therefore confidential nature.
17. Normally, the written outcome of the hearing, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the Panel is happy for the minutes to be copied to you, the Clerk can then be asked to maintain confidentiality in the minutes.
18. During the hearing, you can expect there to be opportunities for:
- The Panel to hear you explain your case and your argument for why it should be heard at Stage 2;
 - The Panel to hear the Investigating Officer's case in response;
 - You to raise questions via the Chair;
 - You to be questioned by the Investigating Officer through the Chair;
 - The panel members to be able to question you and the Investigating Officer.
 - You and the Investigating Officer to make a final statement.
19. In closing the hearing, the Chair will explain that the Panel will now consider its decision and that written notice of the decision will be sent to you and the Headteacher within five school days. All participants other than the Panel and the Clerk will then leave.
20. The Panel will then consider the complaint and all the evidence presented in order to:
- Reach a unanimous, or at least a majority, decision on the case. The complaint can be fully or partially upheld, or fully or partially dismissed
 - Decide on the appropriate action to be taken, if necessary;
 - Recommend to the Governing Body, where appropriate, changes to the School's systems or procedures to ensure that similar problems do not happen again.
 - The Clerk will send you and the Headteacher a letter outlining the decision of the Panel,

with a full explanation of actions taken to investigate the complaint, their decision and the reason(s) for it, in writing, within five school days of the panel concluding the review of the complaint. It will also include details of action the school will take to resolve the complaint.

21. The response will also advise the complainant as to how to escalate their complaint should they remain dissatisfied.
22. We will keep a copy of all correspondence and notes on file in the school's records but separate from students' personal records.

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. If the complaint concerns SEND provision, the complainant should refer to the school's SEND Policy.

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

Closure of Complaints

1. Very occasionally, the school may feel that, regretfully, we need to close a complaint despite the complainant remaining dissatisfied. The school will do all they can to help to resolve a complaint but it may simply not be possible to meet all of the complainant's wishes. Sometimes it may be a case of 'agreeing to disagree'.
2. Serial or persistent representations can detract from key responsibilities in school. For this reason the school reserves the right to close a complaint and cease correspondence where all reasonable action has been taken to resolve the complaint and the official process has been exhausted.
3. If the complainant continues to make representations to the school or attempts to re-open the same issue, then the correspondence may be recognised as vexatious and the Chair of Governors will inform them in writing, that the procedures have all been followed and that all reasonable action has been taken to try to resolve the issue and that the matter is now closed. There will be no obligation on the part of the school to engage in any further correspondence.

Scope of this Complaints Procedure

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

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools Statutory assessments of Special Educational Needs School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Christine Tarrant, Admissions & Fair Access Manager (London Borough of Lewisham)</p> <p>christine.tarrant@lewisham.gov.uk Tel: 0208 314 6211</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.</p> <p>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>mashagency@lewisham.gov.uk tel: 0208 314 6660</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 school Behaviour Policy can be made through the school's complaints procedure. See download.asp (dalmain.lewisham.sch.uk) for the Behaviour Policy</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 direct 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. 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>
<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 will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary</p>

	action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
<ul style="list-style-type: none"> Complaints about services provided by other providers who may use school premises or facilities 	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> National Curriculum - content 	Please contact the Department for Education at: www.education.gov.uk/contactus

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Dalmain 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 conclude.

Approval Level:	Full Governing Body
Responsible Governor:	Catriona Scott
Signed by Chair Of Governors (Catriona Scott):	<i>Catriona Scott</i>
Date approved:	December 2023
Next review date:	December 2024
Author:	Erika Eisele (from Lewisham model)
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Version:	004

HISTORY		
Policy review date	Reason for review	Description
November 2022	Annual review	Updated in line with current LA advice and practice. Formatting and organisational changes for clarity.
November 2023	Annual Review	No changes



Dalmain School Complaint Form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your name	
Relationship with school [e.g. parent of a pupil on the school roll]	
Pupil's name [if relevant to your complaint]	
Your Address	
Daytime telephone number	
Evening telephone number	
Email	

Please give concise details of your complaint, [including dates, names of witnesses etc.], to allow the matter to be fully investigated.

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

**What action, if any, have you already taken to try to resolve your complaint?
i.e. who have you spoken with / written to and what was the outcome?**

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

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Signature

Date

School use:

Date Form received

Received by

Date acknowledgement
sent

Acknowledgement sent by

Complaint referred to:

Date:

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints Panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

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

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

The complaints co-ordinator should:

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

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the Panel and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the Panel's decision.

Panel Chair

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

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the Panel is explained to the complainant

- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the Panel is open-minded and acts independently
- no member of the Panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Panel Member

Panel members should be aware that:

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

No governor may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

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

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

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

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

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

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

If the child/young person is the complainant, the Panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the Panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the Panel considers is not in the child/young person's best interests.

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