



NORTHFIELD SCHOOL & SPORTS COLLEGE

CONCERNS AND COMPLAINTS POLICY & PROCEDURES

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1. Introduction

Policy statement

Northfield School and Sports College endeavours to provide the best education possible for all its pupils in an open and transparent environment. The school welcomes all feedback from parents, pupils and third parties and accepts that not all of this will be positive. Where concerns are raised the school intends these to be dealt with:

- Fairly
- Openly
- Promptly
- Without Prejudice

In order to do so, the governing body has approved the following procedure which explains what to do if you have any concerns about the school. This policy will be implemented taking note of the Department for Education document Best Practice Guidance for School Complaints Procedures 2020, updated 15 September 2020.

Handling complaints during the coronavirus (COVID-19) outbreak

From the start of the autumn term, DfE expects schools to respond to new and existing complaints. Schools are not expected to respond if a tier 4 local restriction is in place or school access is restricted due to localised cases of coronavirus (COVID-19). Schools should still, however, engage with parents and pupils where possible.

2. 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 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.

3. The difference between a concern and a complaint

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. Northfield 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 school will refer you to either the Headteacher or another member of the Senior Leadership Team.

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

4. How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing, by email or by telephone. They 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 initially be raised with either the class teacher or headteacher (Informal stage). 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.

A complaint against school staff (except the headteacher) should be made in the first instance, to Mr Henderson via the school office. Please mark it as Private and Confidential.

A complaint that involves or is about the headteacher should be addressed to the Chair of Governors, via the school office. Please mark it as Private and Confidential.

A complaint 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 it 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 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.

5. Anonymous complaints

We will not normally investigate an anonymous complaint. However, the Headteacher (or Chair of Governors if the complaint involves the headteacher) will determine whether the complaint warrants an investigation.

6. Time scales

The complaint must be raised 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.

7. 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.

8. Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by the 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 Stockton Borough Council.</p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under the school Safeguarding Policy and in accordance with relevant statutory guidance.</p> <p>If you have serious child protection concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding. Contact details can be found in the school Safeguarding Policy.</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>You have the right to make representations about decisions around exclusions to the governing body. If you wish to make representations please contact the Chair of Governors at Northfield.School@northfieldssc.org as soon as possible following notification of an exclusion.</p> <p>In the case of a fixed period exclusion which does not bring the pupil's total number of days of exclusion to more than five in a term, the governing body must consider any representations made by parents. However, it cannot direct reinstatement and is not required to arrange a meeting with parents.</p> <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 our Positive Behaviour policy can be made through the school's Complaints Procedure.</i></p>
<ul style="list-style-type: none"> • Whistle-blowing 	<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 whistle-blowers 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>Staff who have concerns about the school should complain through the school's complaints procedure. A complaint may</p>

	be taken direct to the LA or the Department for Education (see link above), depending on the substance of the complaint.
<ul style="list-style-type: none"> • Staff grievances 	Complaints from staff will be dealt with under the school's internal grievance procedures.
<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 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 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 directly.
<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 safeguarding teams or tribunals, this may impact on the school's 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 the school in relation to their complaint, the school will consider whether to suspend the complaints procedure in relation to the complaint until those legal proceedings have concluded.

9. Resolving complaints

At each stage in the procedure, Northfield will endeavour to resolve the complaint. If appropriate, the school will acknowledge that the complaint is upheld in whole or in part. In addition, one or more of the following may be offered:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that every effort will be made 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.

10. Withdrawal of a Complaint

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

11. 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, by email (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 10 working days, excluding holidays.

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.

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 within 20 working days, excluding school holidays, 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.

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 the school will take to resolve the complaint. 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.

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), 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 to the Governors, 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.

12. Stage 2 (the final stage)

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 body’s complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 10 working days, excluding school holidays, 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 working days, excluding school holidays.

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

The clerk will aim to convene a meeting within 20 working days, excluding school holidays, of receipt of the Stage 2 request. 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.

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 available, the Clerk will source any additional, independent governors through another local school or through the 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, legal representatives are not allowed to take part in the 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 the complainant.

Representatives from the media are not permitted to attend meetings.

At least 10 working days, excluding school holidays, 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 7 working days, excluding school holidays, before the meeting.
- circulate written material to all parties at least 5 working days, excluding school holidays, 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 recorded.

The committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with starting 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. Prior knowledge and consent of all parties attending must be sought before meetings or conversations are recorded. 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 school with a full explanation of their decision and the reason(s) for it, in writing, within 5 working days, excluding school holidays.

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 the 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 the school will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

13. 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 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 a complaint or overturn any decisions made by the school. They will consider whether the school has adhered to 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.

14. Repeated complaints

Where a complainant raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the school will not reinvestigate the complaint unless there are exceptional circumstances, for example where new evidence has come to light.

If a complainant persists in raising the same issue, the Headteacher will write to them explaining that the matter has been dealt with fully in line with the school complaints procedure. The complainant will be provided with the contact details of the Department for Education, as detailed above, if they wish to take the matter further.

15. Unreasonable Complaints

Unreasonable complaints include the following:

- The complainant refuses to co-operate with the school's relevant procedures.
- The complainant changes the basis of the complaint as the complaint progresses.
- The complainant seeks an unrealistic outcome
- Excessive demands are made on the time of staff and school governors
- The complaint is clearly intended to aggravate.
- The complainant acts in a way that is abusive or offensive.

The Headteacher will use their discretion to choose not to investigate these complaints. Where they decide to take this course of action, they must inform the Chair of governors of their decision explaining the nature of the complaint and why they have chosen not to investigate. If the Chair deems it appropriate, they can direct the Headteacher to investigate the complaint. The full complaints procedure will commence from stage 1 on this direction.

If the Chair upholds the Headteacher's decision not to investigate the complaint and the complainant deems this decision to be so unreasonable that no other rational body in the same position would have made that decision, then the complainant may write to the Department for Education, contact details as above.

16. Relevant legislation and guidance

<https://www.gov.uk/government/publications/school-complaints-procedures> 2020

The Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/contents>

General Data Protection Regulations (GDPR) <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

The Education (Independent School Standards) Regulations 2014

Education Act 2002 <http://www.legislation.gov.uk/ukpga/2002/32/contents>

15. Review

This policy will be reviewed annually.

16. Data Privacy Statement

Does any review/amendment to this policy have an impact on the security of personal data or rights of individuals?

Yes/No: **Yes**

Appendix 1 - Northfield School and Sports College

Formal Complaints Form

Name	
Name of pupil, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint	
Action taken so far including staff member involved or solutions offered	
The reason that this was not a satisfactory resolution for you	
What action would you like to be taken to resolve the problem?	

Signed:

Date:

<i>Official use</i>	
Date received:	Signed:

Appendix 2

Proposed Format for a Complaints Panel Hearing.

The Governors Complaints Panel needs to take the following points into account:

Participants must show respect for each other and wait until a speaker has finished before asking questions.

- The hearing should be as informal as possible.
- Witnesses will only attend for the part of the hearing in which they give their evidence.
- The Clerk to the Governing Body will meet with the panel members who will appoint a Chair for the meeting.
- The complainant and Headteacher will be invited to enter the room together.
- The Chair will introduce the panel members and the Clerk and outline the procedure for the hearing.
- The complainant will be invited to explain their complaint.
- The Headteacher may question the complainant.
- The panel members may question the complainant.
- The complainant's witnesses, if any, will be called in to the room to give their information.
- The Headteacher may question the witnesses.
- The panel members may question the witnesses.
- The complainant's witnesses will then leave the room.
- The Headteacher will be invited to explain the school's actions and response to the complaint.
- The complainant may question the Headteacher. The panel members may question the Headteacher.
- The Headteacher's witnesses, if any, will be called in to the room to give their information.
- The complainant may question the witnesses.
- The panel members may question the witnesses.
- The Headteacher's witnesses will then leave the room.
- The complainant will be invited to sum up their complaint.
- The Headteacher will be invited to sum up the school's actions and response to the complaint.
- The Chair of the meeting will explain that both parties will hear from the panel within 5 working days.
- Both parties will leave together while the panel decides on the issues
- The Clerk will remain with the panel to clarify any issues.
- The Clerk will record the decision of the panel and the wording of the decision.
- The Clerk will notify the complainant and the Headteacher in writing within 5 working days.