



# Complaints policy and procedures

This policy was adopted:	Summer 2024
This policy will be reviewed again:	Summer 2026
Governor Committee Responsibility:	FGB
Statutory policy?	No
Source:	Governing Body

At The Russell School, we welcome suggestions for improving our practice. Please be assured that, no matter what parents / carers wish to tell us, our support and respect for all children will not be affected in any way. We ask that parents tell us of their concern as soon as possible. It is difficult for us to investigate an incident or problem properly if it took place some time ago. We do appreciate the assistance we receive from parents /carers in addressing any problems that arise.

At The Russell School, we receive very few complaints. Problems sometimes arise from misunderstandings which are easily addressed. Most concerns and complaints can be sorted out quickly by speaking with the class teacher. When parents /carers and teachers treat each other with mutual respect and support, this provides a very positive model for all of our children.

### **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. The Russell 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, Laura Brooks, Headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Laura Brooks 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, The Russell School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

If, having spoken to the class teacher, parents /carers still have concerns, they should see the headteacher. She will investigate the problem and discuss the findings so that we can find a way forward together which serves the best interest of both the school and the child. In the unlikely event of the problem remaining unresolved, parents/carers can put their complaint in writing and, if necessary, could subsequently refer it to Neil Cutting, Chair of Governors.

### **How to raise a concern or make a complaint**

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

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 3 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to Laura Brooks via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to Neil Cutting (Chair of Governors), 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 Amanda Bungey (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 to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### **Anonymous complaints**

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

### **Time scales**

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

### **Complaints received outside of term time**

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### **Scope of this Complaints Procedure**

<b>Exceptions</b>	<b>Who to contact</b>
<ul style="list-style-type: none"><li>• Admissions to schools</li></ul>	Concerns about admissions, statutory assessments of

<ul style="list-style-type: none"> <li>• Statutory assessments of Special Educational Needs</li> <li>• School re-organisation proposals</li> </ul>	<p>Special Educational Needs, or school re-organisation proposals should be raised with Richmond School Admissions</p> <p><a href="#">AfC Info website - Kingston and Richmond :: Community Information / Information and advice / School admissions / Appealing school place allocation</a></p>
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<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). <a href="#">AfC Info website - Kingston and Richmond :: Community Information / Information and advice / School admissions / Appealing school place allocation</a></p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<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: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</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"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<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"> <li>• Complaints about services</li> </ul>	<p>Providers should have their own complaints procedure</p>

provided by other providers who may use school premises or facilities	to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

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 The Russell 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.

### **Resolving complaints**

At each stage in the procedure, The Russell 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.

### **Withdrawal of a Complaint**

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

The procedure to be followed in the event of a complaint being made is summarised in the following stages.

### **Stage 1: Informal Action**

- Parents / carers should discuss concerns with the class teacher who records them on CPOMS (child protection online management system).
- If the class teacher is unable to deal immediately with the matter, a clear note of the concern is made in CPOMS and the parent /carer is contacted as soon as the matter has been investigated - this will be within five working days. The class teacher will inform the headteacher at this stage
- The class teacher ensures that the parent / carer is clear about what action or monitoring of the situation has been agreed and this is recorded
- If no satisfactory solution has been found, parents/ carers are asked if they wish their concern to be considered further. If this is the case the complaint should be referred in writing to the headteacher (Stage 2)

## **Stage 2: Referral to the Headteacher**

- Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This should be done in writing, via email or hard copy, on the attached complaint form.
- The headteacher acknowledges receipt of the complaint in writing within five working 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. The class teacher may be asked to attend to clarify and supplement any information given.  
*Note – the headteacher may delegate the investigation to another member of the school’s senior leadership team but not the decision taken.*
- The headteacher investigates further, interviewing witnesses as appropriate. If the complaint centres on a child, the child would normally be interviewed with an additional member of staff present
- The headteacher keeps written records of meetings, telephone conversations and other documentation
- Once all relevant facts have been established, the headteacher responds. A written response will be sent within fifteen working days of the headteacher receiving the initial referral
- 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 and actions taken to investigate the complaint and provide full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions The Russell School will take to resolve the complaint.
- If the complainant is not satisfied, they are advised to write to the Governing Body
- If the complaint is against the headteacher, the Stage 2 procedures are carried out by the Chair of Governors
- IF the complaint is:
  - Jointly about the Chair or Vice Chair or
  - The entire governing body or
  - The majority of the governing body

Stage 2 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.

## **Stage 3: Review by the Governing Body**

- A request to escalate to stage 3 must be made to the clerk, via the school office, within 20 working days of receiving the stage 2 response. This may be by email or hard copy.
  - The Chair of Governors acknowledges receipt of the written complaint within five working days
  - 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 school days of the receipt of the stage 3 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 complaint will be investigated by a committee of three members of the School's Governing Body within ten working days
  - The Chair of Governors arranges to convene a Complaints Panel elected from members of the Governing Body. The members should have no prior involvement with the complaint and they should elect a Chair for the committee. All documentation regarding the complaint should be given to the members of the committee as soon as possible
  - The Chair of the Committee will write and inform all parties concerned of the date, time and place of the meeting at least five working days in advance. The notification to the complainant should also inform him/her of the right to submit further written evidence
  - Any written material to be circulated to parties at least 3 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 2 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 need requires 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.
  - It is the responsibility of the Chair of the Committee to ensure that a formally minuted written record is made of all meetings and that these are the only records kept
  - A meeting with the Complaints Committee and the complainant and a representative will take place within a further ten working days
  - 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
  - After the meeting, the Committee will consider the evidence and a written decision will be sent to the headteacher and the complainant within ten working days
  - The committee will consider the complaint and all evidence presented. The committee can:
    - Uphold the complaint in whole or part
    - Dismiss the complaint in whole or 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 Russell School with a full explanation of their decision and the reason(s) for it, in writing, within 10 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 The Russell 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 3 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 Russell School will take to resolve the complaint.
- The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.
- If the complainant is not satisfied by the end of Stage 3, The Russell School will inform the Local

#### **Stage 4: Beyond the Governing Body**

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 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by The Russell School. They will consider whether The Russell 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](http://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.

#### **The Russell School Complaints Procedures – Key Roles and Responsibilities**



### **The Complainant should**

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

### **The Class Teacher should**

- provide a comprehensive, open, transparent and fair consideration of the complaint
- be sensitive and thorough when speaking with the complainant to establish what has happened and who has been involved
- speak with children and other staff members relevant to the complaint
- liaise with the headteacher at an early stage
- be mindful of the timescales to respond
- identify actions to be taken
- respond to the complainant in plain and clear language

### **The investigator should**

- provide a comprehensive, open, transparent and fair consideration of the complaint
- be sensitive and thorough when speaking with the complainant to establish what has happened and who has been involved
- give full consideration to existing and previous records and other relevant information
- interview staff, children and other stakeholders relevant to the complaint
- analyse gathered information
- liaise effectively with the complainant as appropriate to clarify what the complainant feels would remedy the situation
- Conduct interviews with an open mind and be prepared to persist in the questioning
- Keep notes of interview 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 committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems

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 Local Authority (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 committee 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 committee's decision.

### **Committee Chair**

The committee'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 committee 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 committee is open-minded and acts independently
- no member of the committee 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).

### **Committee Member**

Committee 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 committee 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 committee 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 committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent/carer is the complainant, the committee should give the parent/carer the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent / carer should be advised that agreement might not always be possible if the parent / carer wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.

## **When is it time to stop responding to a complainant?**

Schools should not stop responding just because a parent /carer is difficult to deal with or asks complex questions. Schools must provide parents/carers with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005.

The decision to stop responding to a complainant should never be taken lightly. A school needs to be able to say yes to all of the following statements before this is considered:

- 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

The case to cease responding is stronger if the school agrees with one or more of the following statements:

- The school has reason to believe that the complainant is contacting them with the intention of causing disruption or inconvenience
- The complainant's letters/ emails/ telephone calls are often or always abusive or aggressive
- The complainant makes insulting, personal comments about or threats towards members of staff

Where an individual's behaviour is causing a significant level of disruption the school may implement a tailored communications strategy such as restricting the complainant to a single point of contact via an email address or by limiting the number of times that they make contact; e.g. a fixed number of contacts per term.

Complainants have a right to have any new complaint heard and failure to respond to a complainant could mean that the school is failing to comply with its legal obligations. A school needs to ensure that they are acting reasonably and that any genuine complaint can still be heard.

If school staff find it difficult to deal directly with a complainant because of their unreasonable behaviour and other strategies are not working, they may be able to approach Governor Services at the Local Authority to ask for assistance. If this is agreed, complainants can be advised not to contact the school, but to communicate instead with the Local Authority who will coordinate any response. Complainants who may have been restricted in their communications with the school can also be advised to ask a third party to act on their behalf, such as the local Citizen's Advice Bureau.

Ultimately, 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. In some cases, injunctions and other court orders have been issued to complainants because of their behaviour.

Once a school has decided that it is appropriate to stop responding, they will need to inform the complainant, ideally through a hard copy letter.

## **Barring from the School Premises**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure that they remain a safe place for pupils, staff and other members of their community.

If a parent or carer's behaviour is a cause for concern, a school can ask the parent/carer to leave school premises. In serious cases, the headteacher or the Local Authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked, subject to any representations that the parent/carer may wish to make. Schools should always give the parent/carer the opportunity to formally express their views on the decision to be in writing.



## The Russell School Complaint Form

Please complete this form and return it to Headteacher/ Clerk to the Governing Body, via email or hard copy, who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name: .....

Relationship with school (e.g. parent /carer of a child on the school's roll)

.....

Child's name (if relevant to your complaint) .....

Your Address

Daytime telephone number .....

Evening telephone number .....

Please give concise details of your complaint (including dates, names of witnesses etc.), including whether you have spoken to anybody at the school about it.

You may continue on separate paper, or attach additional paperwork, if necessary

Number of additional pages attached

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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

***Official use***

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:			
Date:			