

# Complaints Procedure/Policy



**RIVERSIDE BRIDGE SCHOOL**  
**INSPIRE, EMPOWER, ACHIEVE**



Partnership Learning

**This policy is adopted from London of Barking and Dagenham borough- Schools leave of absence policy.**

## **1.0 INTRODUCTION**

This policy is based on departmental advice from the Department for Education 2016. This advice is non-statutory and has been produced to help governing bodies understand their obligations and duties in relation to Section 29 of the Education Act 2021.

## **2.0 PURPOSE**

This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides.

## **3.0 SCHOOL VISION AND PRINCIPLES**

- leading excellence in Special Educational Needs and Disability (SEND) Provision;
- ensuring outstanding person-centred achievement and outcomes;
- including everyone in meaningful and safeguarded life.

We value... our pupils and their families. We strive to keep them safe and offer an excellent education, personal development, training and inclusion.

Where we fall short of our 'Vision and Values', we will respond appropriately to your concern or complaint as set out in this policy.

## **4.0 SCOPE**

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions). We will not limit complaints to parents or carers of children that are registered at the school.

An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances.

To allow for a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible and usually within 3 months. However, any matter raised more than 3 months after the event, will be considered.

Some complaints fall outside the school's complaints procedure:

- Staff grievances or disciplinary procedures;
- Admissions
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Exclusion of children from school
- Whistleblowing

- Complaints about services provided by other providers who may use school premises or facilities

## **5.0 RAISING A CONCERN OR 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 generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. In line with the Equality Act 2010, complaints can be raised in person, in writing or by telephone.

Records of complaints and their progress through the Stages will be kept by the school office. Complainants will have access to these records under the Freedom of Information and Data Protection Acts.

## **6.0 INFORMAL STAGE**

- It is normally appropriate to communicate directly with the member of staff concerned by letter, by telephone or in person by appointment;
- It is anticipated that most concerns or complaints will be resolved by this informal stage;
- In the case of serious concerns, address them directly to the Headteacher [or to the Chair of the governing body, if the complaint is about the Headteacher];
- Complaints against the chair of governors or any individual governor should be made by writing to the clerk to the governing body;
- If you are uncertain about who to contact, please seek advice from the school office or the Clerk to the governing body

## **FORMAL STAGES**

### **7.0 FORMAL STAGE 1**

#### **7.1 Stage 1 – Record of Complaint**

- If your concern or complaint is not resolved at the informal stage, you must put the complaint in writing, make arrangements to meet in person or talk over the telephone where written notes will be kept by the school.
- Complaints recorded in writing will be passed to the Headteacher, [or to the Clerk to the governing body, for the attention of the Chair, if the complaint is about the Headteacher] who will be responsible for ensuring that it is investigated appropriately.

#### **7.2 Stage 1 - Complaint Form**

- A Complaint Form is provided to assist you. (Appendix 1)
- Please pass the completed form, in a sealed envelope, to the Headteacher or to the Clerk to the governing body, as appropriate

#### **7.3 Stage 1 - Meeting**

- The Headteacher [or Chair] may invite you to a meeting to clarify your concerns and to seek a resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns

#### **7.4 Stage 1 - Outcome Letter**

- Your complaint may be resolved at this point and summarised in a letter from the Headteacher or Chair within 5 working days.

### **8.0 FORMAL STAGE 2**

#### **8.1 Stage 2 - Investigation and Concluding Letter**

- If the complaint remains unresolved at Formal Stage 1, you will receive a letter within 5 working days of the Stage 1 meeting detailing how the school intends to proceed.
- This will include details of the investigation and the date by which you will receive a further letter summarising the conclusions of the investigation, usually within a 10 working days of the first letter. (ie 15 working days in total from the date of the Stage 1 meeting. Depending on the complexity of the case, these timescales may be extended whilst we keep you fully informed.)
- Investigation procedures are included in Appendix 2.

### **9.0 FORMAL STAGE 3**

#### **9.1 Stage 3 - Review process**

- If you are not satisfied with the manner in which the process has been followed, you may request that the governing body reviews the process followed by the school in handling the complaint. Any such request must be made in writing to the clerk to the governing body, within 10 school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed.

#### **9.2 Stage 3 - Complaint Review Request Form**

- A Review Request form is provided for your convenience.- in Appendix 3.

#### **9.3 Stage 3 Governing Body Panel**

- Within 10 school days of receipt of your request

#### **9.4 Formal Stage 3 Outcome Letter**

- Within 5 days of Stage 3 Governors Panel

Please see Appendix 4 for details of the Review process

## **10.0 The School Complaints Unit (SCU), Department for Education**

If a complaint has completed the local procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

The SCU will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably.

Schools may wish to contact the SCU for advice on whether they have acted reasonably; for example, in closing down a complaint from a serial complainant before the local procedure has been completed. However, the SCU will not be able to advise on how to resolve the complaint.

Further information can be obtained from the SCU by calling the National Helpline on 0370 000 2288

Online at: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)

By writing to: Department for Education School Complaints Unit 2nd Floor, Piccadilly Gate Store Street Manchester M1 2WD

## **11.0 Dealing with persistent or serial complaints**

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. The Department for Education advises that a school need not respond if a complainant raises again an issue that has already been taken through the complaint's procedure.

If the complainant tries to reopen the same issue, the Chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed at school level

This does not preclude a complaint being escalated to the Secretary of State for Education who will make an independent judgement about each case.

## **12.0 Monitoring Complaints**

The Governing Body will monitor the level and nature of complaints termly. However, complaints information shared with the whole Governing Body should not name individuals in case an appeal panel needs to be constituted.

The Complaints procedures will inform the Senior Leadership Team of issues so that services can be improved where necessary

**Appendix 1**  
**Riverside Bridge School**  
**Formal Stage 1 Complaint Form**

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

Your name: .....

Relationship with school [ e.g. parent of a pupil on the schools roll ]:  
.....

Pupil's name [ if relevant to your complaint ]:  
.....

Your Address:

Daytime telephone number: .....  
Evening telephone number: .....

Please give concise details of your complaint to allow the matter to be fully investigated.

Potential Witness name(s):

Dates and times of events:

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 or written to and what was the outcome?]

What actions would you like the school to take to resolve your concern at this stage?

Signature:

Date:

Riverside Bridge School use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

|                        |  |  |  |
|------------------------|--|--|--|
| Complaint referred to: |  |  |  |
| Date:                  |  |  |  |

## **Appendix 2**

### **Riverside Bridge School Investigation Procedure**

Investigations should aim to clarify what has happened, who has been involved and what the complainant feels would put things right.

The investigation of an allegation or a complaint should always be carried out thoroughly and responsibly, irrespective of whether the complaint appears to be trivial or serious. The outcome of such an investigation will have significance, not only for the complainant, but also for any member of staff against whom a complaint has been made.

Any anonymous complaint will not be investigated, unless there are exceptional circumstances. These would include serious concerns such as Child Protection issues or bullying allegations, where the school should either involve appropriate external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.

#### **Preparing for an Investigation**

It is essential that there is a clear understanding of the complaint. Where necessary the nature of the complaint should be confirmed with the complainant. e.g. through an initial meeting. [If an investigator is appointed there may need to be more detailed follow-up.]

Any member of staff against whom a complaint has been made, should be notified that a complaint has been received and that the appropriate school procedure will be followed. It is usually not appropriate to provide the member of staff with details of the evidence on which the complaint is based until any investigation has been completed. However, the member of staff does need to be able to understand the nature of any allegations against them.

Once any complaint has been confirmed, the school needs to determine which procedure [school or LA] is most appropriate and to select an appropriate person to conduct any investigation.

#### **Conducting the investigation**

The investigation must be carried out in accordance with the provisions of the relevant procedure.

Arrangements should be agreed so that accurate notes can be taken of all interviews and the outcome of the investigation be accurately recorded.

The complainant should be given the opportunity to offer documentation and to identify potential witnesses or sources of evidence. The member of staff subject to the complaint should be advised that they may be accompanied by a friend or trade union representative when invited to be interviewed.

Where children are potential witnesses, discretion should be exercised over their involvement. Pupils should only be interviewed when the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available. Only in extreme circumstances will younger pupils be interviewed.



Any interviews should be conducted as soon as possible to ensure that recollections are as fresh as possible and to minimise the possibility that evidence will become tainted through witnesses discussing alleged incidents with other persons.

In conducting interviews, the investigator should prepare the questions to be asked prior to the interview. These can always be supplemented during the interview. The investigator should allow the interviewee to answer in their own way. Their responses should be listened to attentively. Any temptation to cut an interviewee short or seek to 'lead' them must be resisted. The interviewee should be given the opportunity of providing other relevant information at the end of the interview.

Interviewees should however, be advised that their responses must be confined to the substance of the complaint. Any attempt by the interviewee to introduce information relating to other members of staff or to issues unrelated to the complaint, should be resisted.

The investigator should avoid reaching conclusions or passing judgement until the investigation has been completed and their report is being written.

Concluding the investigation

The report may contain:

- a brief outline of the process that has been followed;
- a statement of the complaint/concern;
- a summary of the findings linked to the relevant evidence;
- any recommendations for future action;
- annexes containing copies of witness statements and other evidence;
- collected during the investigation

The report of the investigation will usually be confidential to the school, as it is likely to contain sensitive personal information. If a request is received to release the report, under either the Data Protection Act or Freedom of Information Act, the school should seek legal advice from the Local Authority.

A summary of the process undertaken and the outcome of the investigation may be provided to the complainant. Caution must be exercised in reporting back to the complainant as revealing certain details may prejudice the ability of an employee to continue in their post.

Following consideration of the report by the relevant body, any final recommendations may also be shared with the parties, unless there is good reason not so to do. Wherever possible, recommendations should be constructive and not punitive.

The complainant should be advised that he/she may, if they are not satisfied that the appropriate procedure has been followed, request a review of that process by the governing body