

Newington Community Primary School



PROCEDURE FOR HANDLING COMPLAINTS 2025-2027

Amended:	Term 1 2025
Updated by:	Hannah Tudor
Approved by the Governing Body:	
Signed:	(Chair of Governors)
Review:	Term 1 2027

Complaints Policy and Procedure

Aims

Newington Community Primary School aims to meet its statutory obligations when responding to complaints from parents and pupils at the school, and others:

When responding to complaints we aim to resolve them at the earliest possible stage and, where possible, informally, and are dedicated to continuing to provide the highest quality of education possible. We aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect any desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure decisions are lawful, rational, reasonable, fair and proportionate
- Keep complainants informed of the progress of the process
- Consider how the complaint can feed in to school improvement evaluation processes

Legislation and Guidance

This policy has due regard to all relevant legislation including, but not limited to:

- Freedom of Information Act 2000
- Education Act 2002
- Equality Act 2010
- Immigration Act 2016
- Data Protection Act 2018
- ESFA (2021) Best Practice Guidance for Academies Complaints Procedures”
- Academy Trust Handbook 2023

Definitions

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.

Newington Community Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the complaints co-ordinator **Miss H Tudor**, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, **Miss Tudor** 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, **Newington Community Primary School** will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person by parents, carers (including parents or carers of children no longer at the school) and members of the public, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with the class teacher/head of year in the first instance. At this stage informal mediation may be offered. While this can be useful in helping the school and complainants reach an agreement and move forward, there are times when it may not be the most appropriate course of action.

Mediation can:

- provide a helpful mechanism for discussion when a concern is raised
- help to rebuild the relationship between all parties

It should not be used as a substitute for an investigation during the formal stages of the complaints procedure.

If neither the complainant nor the school considers that mediation will serve any practical purpose at this point, the complainant will not be prevented from moving to the next investigative stage of the complaints procedure.

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

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

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

Complaints that involve or are about the headteacher should be addressed to **Mrs S Snaydon** (the Chair of Governors, care of the complaints co-ordinator), 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 **Miss Hannah Tudor** (the complaints co-ordinator and/or 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.

Complaints arising from, or supported by, the use of covert recording equipment

Complainants must obtain informed consent of all parties before recording any conversations or meetings. **Newington Community Primary School** reserves the right to refuse permission for a complainant to use a recording that has been obtained covertly in the complaints process. All cases are assessed individually.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by **Newington Community Primary 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>For concerns about admissions please see the School's Admissions Policy or contact Kent County Council Admissions team</p> <p>Special Educational Needs: The Complainant can use this policy to complain unless the Complainant's child has an Education Health and Care Plan and the Complainant wishes to appeal against a decision that the Local Authority has taken. If this is the case, the Complainant needs to contact the Local Authority</p> <p>School re-organisation proposals should be raised with the KCC Contact Centre 01622 671411</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>
<ul style="list-style-type: none">• Freedom of Information	<p>Subject Access Requests and Freedom of Information Requests: please see the School's Data Protection and Freedom of Information Policies</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</p>

	<p>exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. <link to school behaviour policy>.</i></p>
<ul style="list-style-type: none"> • Staff grievances 	Staff grievance, capability or disciplinary; these are covered by separate School Policies and 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 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 **Newington Community Primary School** in relation to their complaint, we will suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

If a complainant contacts **Newington Community Primary School** again in relation to their complaint, the correspondence may then be viewed as 'serial' or 'persistent' and **Newington Community Primary School** will not respond but will continue to complete the initial complaints procedure in full.

Withdrawal of a Complaint

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

Roles and responsibilities

The complainant

- The complainant will get a more effective and timely response to their complaint if they:
- Follow these procedures
- Co-operate with Newington Community Primary School throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect

- Not publish details about the complaint on social media

The investigator

An individual will be appointed to look into the complaint and establish the facts.

They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions

The complaints co-ordinator

The complaints co-ordinator can be:

- The headteacher or CEO of our academy trust
- The designated complaints governor
- Any other staff member providing administrative support

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the headteacher, chair of governors, clerk and CEO and chair of trustees of the Coastal Academies Trust (CAT)
- Be aware of issues relating to:
- Sharing third party information
- Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person
- Keep records

Clerk to the governing board

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

Stages of Complaint (not complaints against the headteacher or governors)

Ambition, Achievement, Aspiration

Stage 1: Informal

Newington Community Primary School will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue. The complainant should raise the complaint as soon as possible with the relevant member of staff or the headteacher, either in person or by letter, telephone or email.

If the complainant is unclear who to contact or how to contact them, they should contact the school office on 01843 593412. The school will acknowledge informal complaints within 5 school days, and investigate and provide a response within 10 school days.

The informal stage will involve a meeting between the complainant and the Headteacher or the subject of the complaint. If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: Formal

The formal stage involves the complainant putting the complaint to the headteacher and/or the subject of the complaint in writing via an email or letter. The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents.

The complainant should also state what they feel would resolve the complaint. If complainants need assistance raising a formal complaint, they can contact the school office on 01843 593412.

Stage two of the process will be completed within 15 school days. Where the situation is recognised as complex, and it is deemed to be unable to be resolved within this timescale, the person managing the complaint will contact the complainant to inform them of the revised target date via a written notification.

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. The headteacher (or other person appointed by the headteacher for this purpose) will then conduct their own investigation.

The written conclusion of this investigation will be sent to the complainant within 10 school days. If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the clerk to the governing board in writing within 10 school days.

Stage 3: Review Panel

Convening the Panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by or on behalf of the Coastal Academies Trust and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school.

The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the school.

The panel will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 10 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties. Any written material will be circulated to all parties at least 5 school days before the date of the meeting.

At the meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place.

Consent will be recorded in any minutes taken. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present.

Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. We don't encourage either party to bring legal representation but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union. Representatives from the media are not permitted to attend.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence. The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions.

Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered. The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Coastal Academy Trust and headteacher.

The outcome

The committee can: Uphold the complaint, in whole or in part Dismiss the complaint, in whole or in part If the complaint is upheld, the committee will: Decide the appropriate action to resolve the complaint. Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The school will inform those involved of the decision in writing within 10 school days.

Complaints against the headteacher, a governor or the governing board

Stage 1: informal

Complaints made against the headteacher or any member of the governing board should be directed to the clerk to the governing board in the first instance. If the complaint is about the headteacher or one member of the governing board (including the chair or vicechair), a suitably skilled and impartial governor will carry out the steps at stage 1 (set out above).

Stage 2: formal

If the complaint is:

Jointly about the chair and vice-chair or the entire governing board or the majority of the governing board, an independent investigator will carry out the steps in stage 2 (set out above). They will be appointed by the governing board and will write a formal response at the end of their investigation.

Stage 3: review panel

If the complaint is:

- Jointly about the chair and vice-chair or

- The entire governing board or
- The majority of the governing board

A committee of independent governors will hear the complaint. They will be sourced from local schools and will carry out the steps at stage 3 (set out above).

Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the school.

The ESFA will not overturn a school's decision about a complaint, but will intervene if a school or trust has:

- Breached a clause in its funding agreement
- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly. For more information or to refer a complaint, see the following webpage: <https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

Persistent complaints

Unreasonably persistent complaints

The head teacher and governing body are fully committed to the improvement of our school. We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible. There is a procedure for parents to use if they wish to make a formal complaint. Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable.

Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community.

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable. For the purposes of this policy, "unreasonable complaints" include:

- Vexatious complaints, which: -
 - Are obsessive, persistent, harassing, prolific, or repetitious. –
 - Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason. –
 - Insist upon pursuing meritorious complaints in an unreasonable manner.
 - Are designed to cause disruption or annoyance.
 - Demand for redress which lacks any serious purpose or value.
- Serial or persistent complaints, which: -
 - Are duplicated, sent by the same complainant once the initial complaint has been closed. –
 - Are new complaints that are submitted additionally, as part of an existing open complaint, by the same complainant.

A complaint may also be regarded as unreasonable when the complainant:

- 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 cooperate 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.
- Introduces trivial or irrelevant information which they expect 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.
- Repeatedly makes the same complaint despite previous investigations or responses concluding that the complaint is groundless or has been addressed.
- Refuses to accept the findings of the investigation into that complaint where the trust's complaints procedure has been fully and properly implemented and completed, including referral to the ESFA.
- Seeks an unrealistic outcome.
- 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 complainant:

- Acts maliciously or aggressively.
- Uses threats, intimidation or violence.
- Uses abusive, offensive or discriminatory language.
- Knows the complaint to be false.
- Uses falsified information.
- Publishes unacceptable information in media such as social media websites and newspapers.

The above applies regardless of the method the complaint is made, e.g. face-to-face, by telephone, in writing or electronically.

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 Citizens Advice
- 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 our actions in writing. This may include barring an individual from our school site.

Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

Complaint campaigns

If we receive a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, Newington Community Primary School may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

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

Record keeping

Newington Community Primary School will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome.

The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

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

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and records management policy/record retention schedule

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point. Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

Learning lessons

- The local governing body and the Coastal Academies Trust will review any underlying issues raised by complaints where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

Monitoring arrangements

The local governing body will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly.

The local governing body will track the number and nature of complaints, and review underlying. The complaints records are logged and managed by the Headteacher

This policy will be reviewed by Headteacher and local governing body every 2 years. At each review, the policy will be approved by local governing body.

13. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report

Concern Form

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

Your name:

Pupil's name (if relevant):

Your relationship to the pupil (if relevant):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your concern, including whether you have spoken to anybody at the school about it.

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Concern referred to:

Date:

Complaint Form

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

Your name:

Pupil's name (if relevant):

Your relationship to the pupil (if relevant):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions 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 acknowledgement sent:

By who:

Complaint referred to:

Date:

For full details of the Newington Community Primary School's privacy notice and compliance with GDPR regulations, please navigate to: www.newington-ramsgate.org.uk