



# HPP

## Complaints Policy

This policy was reviewed:	Spring 2024
This policy will be reviewed again:	Spring 2025
Governor Committee Responsibility:	School Improvement Committee
Statutory policy?	Yes
Source:	School

# Hampton Primary Partnership (HPP)

## Who can make a complaint?

Any person, including members of the public, may make a complaint to Hampton Primary Partnership (HPP) 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. This complaints procedure is not limited to parents or carers of children that are registered at the school.

## 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. HPP takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

We understand that there are occasions when people would like to raise their concerns formally or where it is otherwise appropriate to do so. In this case, HPP will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## How to raise a concern or make a complaint

### Concerns

A concern can be made in person, in writing or by telephone. Concerns should be raised with either the Class Teacher, Senior Leader or Head of School. If the issue remains unresolved, the next step is to make a formal complaint.

### Complaints

A complaint should always be made in writing and can be made by a parent or guardian or may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

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 Executive Headteacher) should be made in the first instance, to the Executive Head Teacher (currently Ms H Lockey) via the school office. These should be made in writing and marked as Private and Confidential.

Complaints that involve or are about the Executive Headteacher should be made in writing and addressed to the Chair of Governors, via the school office, and marked as Private and Confidential.

Complaints 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, and marked 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. Complainants are encouraged to include details of requested reasonable adjustments in the complaint form.

## Anonymous complaints

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

## Time scales

Complaints 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 only consider complaints made outside of this time frame if we consider that 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

This procedure covers all complaints about any provision of community facilities or services by HPP, 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"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• School reorganisation</li></ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school reorganisation proposals should be raised with Achieving for Children.

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

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 HPP 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, HPP wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part, or not upheld. In addition, we may provide 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.

### Stage 1

Formal complaints must be made as described above via the school office. This must be done in writing (preferably on the Complaint Form).

We will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email). This will usually be within 3 school days but sometimes it might take longer.

We may seek to clarify the nature of the complaint, ask what remains unresolved and/or what outcome the complainant would like to see. We may consider whether a face to face meeting is the most appropriate way of addressing these points. .

The complaint will then be investigated.

*Note: The Executive Headteacher (or other person to whom the complaint is correctly made as described above) may delegate the investigation to another member of the school's Executive Leadership Team but not the decision to be taken.*

During the investigation, the investigator will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- consider other documents. The information gathered will be treated as confidential.

At the conclusion of their investigation, the Executive Headteacher (or other person to whom the complaint is correctly made as described above) will provide a formal written response. This will usually be done within 20 school days of the date of receipt of the complaint.

If the Executive Headteacher (or other person to whom the complaint is correctly made as

described above) 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 an explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions HPP will take to resolve the complaint.

The Executive Headteacher (or other person to whom the complaint is correctly made as described above) 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 or concerns the Executive 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.

If the complaint is:

- jointly about the Chair and Vice Chair of the governing board 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.

## Stage 2

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 – consideration by members of the governing body's complaints committee, which will be formed of three governors (Complaints Committee). This is the final stage of the complaints procedure.

The Complaints Committee will consist of at least three governors with no prior involvement in the complaint. This could be a panel of HPP governors or an entirely independent committee. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee.

A request to escalate to Stage 2 must be made via the school office, addressed to the clerk, within 5 school days of receipt of the Stage 1 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

We will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email). This will usually be done within 5 school days but sometimes it might take longer.

The Complaints 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 endeavour to be sensitive to the complainant's needs.

If a meeting is to be held, the Complaints Committee will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of

receipt of the Stage 2 request. If this is not possible, the Complaints Committee will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Complaints Committee 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.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend, and the name of the person accompanying will need to be supplied to the school in advance of the meeting. If a complainant wishes to bring a companion to the meeting, they should notify the school before the meeting of the name of their companion, and explanation of who they are. Generally, we do not encourage either party to bring legal representatives to the Complaints Committee meeting. However, there may be occasions when legal representation is considered to be 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.

Representatives from the media are not permitted to attend meetings conducted under this policy.

Before the meeting, the Complaints Committee 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 Complaints Committee at least 3 school days before the meeting.

This will usually be done at least 5 school days before the meeting.

The Complaints Committee will not normally accept recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded as evidence as part of any complaint.

The Complaints 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 1 of the procedure.

The meeting with the Complaints Committee will be held in private, either in person or virtually. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it and it has been agreed in advance. 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.

The Complaints Committee will consider the complaint and all the evidence presented. The Complaints 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 Complaints 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 HPP with a full explanation of their decision and the reason(s) for it, in writing. This will usually be done 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 HPP.

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.

## Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

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

## Complaining to Ofsted

As well as inspecting schools and monitoring how they perform, Ofsted also consider complaints that have not been dealt with effectively having been taken through the appropriate complaints procedures and affect the school as a whole, for example:

- The school is not providing a good enough education
- The pupils are not achieving as much as they should, or their different needs are not being met
- The school is not well led and managed, or is wasting money
- The pupils' personal development and wellbeing are being neglected
- There are concerns around safety, including bullying

Following a complaint to Ofsted, and if requested to do so, the governing body must provide Ofsted with any information specified by Ofsted that the school holds and any other information that the school considers to be relevant to the investigation of the complaint.

If, for the purpose of an investigation, Ofsted considers it appropriate to meet the parents, the governing body must cooperate with Ofsted to arrange the meeting, including allowing a meeting to take place on school premises, fixing a date for the meeting and notifying parents and the LA of the meeting. A representative of the governing body and the LA may also attend the meeting.

If Ofsted prepares a report of an investigation, that report must be passed to the governing body. The governing body must then send a copy of the Ofsted report to all registered parents.

In the first instance, you should contact the Ofsted helpdesk, which is open from 8.00am to 8.00pm, Monday to Friday. Phone 08456 404045, or email [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk) or you can fill in an online Complaint Form at [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

## Social Media

In order for complaints to be resolved as quickly and fairly as possible, the school requests that complainants do not discuss complaints publicly via social media platforms such as Facebook, Whatsapp, Instagram or Twitter (X). Complaints will be treated confidentially by the school, and we expect complainants to also respect confidentiality also.

## Contact Details

### HPP

**Executive Head Teacher – Ms Helen Lockey**

**Co-Chair of Governors – Mrs Jane Fallon and Mrs Mary Buxton**

**Clerk to the Governors – Mrs Lucy Amoroso**

### Hampton Infant School and Nursery:

Head of School: Mrs Claire Cook

Complaints Co-ordinator: Mrs Lauren Drake

### Hampton Junior School:

Head of School: Mr Jon James

Complaints Co-ordinator: Mrs Lauren Drake

## Unreasonable Complainants

HPP is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

HPP defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

A complaint may be regarded as unreasonable when the person making the complaint:

- 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 the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- 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 school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- 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 person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the number of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Executive Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues the Executive Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.

For complainants who excessively contact HPP causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from HPP.

## **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 they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Executive Head Teacher 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 may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place. Anyone wishing to complain about being barred can do so, by letter or email, to the headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Please see the HPP policy-**Expected Behaviour of Visitors/Parents on School Premises**

## Complaint Form

Please complete and return to the Executive Head Teacher. who will acknowledge receipt and explain what action will be taken. If the complaint concerns the Executive Head Teacher then this complaint should be addressed to the clerk.

**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:**

## Roles and Responsibilities

### Complainant

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

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

### Investigator

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

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

The investigator should:

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

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

## Complaints Co-ordinator

The complaints co-ordinator should:

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

## Clerk to the Governing Body

The Clerk is the contact point for the complainant and the 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 UK 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 is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

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

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