



Complaints Policy

REVIEWED:	Autumn 2025
APPROVED (L&M):	Spring 2026
EFFECTIVE PERIOD:	Spring 2026 - Spring 2027
DUE FOR REVIEW:	Autumn 2026
RESPONSIBLE PERSON:	MRS L SEARLE

SIGNED BY CHAIR OF GOVERNORS



Contents

1. Introduction
2. Anonymous Complaints
3. Timescales
4. Complaints received outside of term time
5. Special circumstances
6. Dealing with concerns informally
7. Formal stage 1
8. Complaints against the Headteacher
9. Formal Stage 2 – Consideration by the Governing Body
10. Role of the Secretary of State for Education.
11. Confidentiality

Appendix 1:

Vexatious Complaint

Appendix 2:

Complaint Form

1. **Introduction:**

Governing bodies are required by law to have a procedure in place to deal with complaints the procedure outlined in this document is based upon the current Department of Education guidance.

A complaint can be brought by a parent of a registered child at the school or any person who has been provided with a service or a facility at the school. This document refers to this person as the complainant.

The complainant must feel able to raise concerns and complaints with members staff without formality, either in person, by telephone or in writing.

At first it may be unclear whether a complainant is asking a question or expressing an opinion rather than making an education complaint. A complainant may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

A concern or unresolved problem becomes a complaint only when the complainant asserts that a school has acted wrongly in some significant decision, action or failure to act.

Even when a complaint has been made, it can be resolved or withdrawn at any stage.

The Head Teacher is responsible for the operation and management of the school's complaints procedure.

2. **Anonymous Complaints**

We will not normally investigate anonymous complaints. However, the Head Teacher/Chair of the Local Governing Board will, if appropriate, determine whether the complaint warrants investigation.

3. **Timescales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. We will consider complaints made outside of this timeframe if exceptional circumstances apply.

4. **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.

5. **Special circumstances**

Any complaint or other notice that suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual abuse or neglect should be referred without delay through the school's safeguarding lead where it will be processed. If Havering social service decide to investigate a situation this may postpone or supersede investigation of the complaint by the school.

Where a matter is capable of resolution through a legal appeal it will not be considered as a formal complaint and the complainant should be directed to the appropriate appeal procedure. The key areas are: admission decision; certain decisions relating to formal assessment of special educational needs; and decisions to exclude a child.

6. Dealing with concerns informally

The vast majority of complaints and concerns can be resolved informally.

The complainant will be encouraged to discuss their concern with the appropriate member of staff. On major issues. The Head Teacher may be the appropriate member of staff at this stage, but more usually it may be the class teacher or a member of SLT.

- The complainant may bring a friend to any discussion.
- The member of staff dealing with the concern should make sure that the complainant is clear what action (if any) or monitoring of the situation has been agreed.
- The complainant may escalate the concern to the Head Teacher if the conclusion of the monitoring or actions have not resolved the matter.
- Where no satisfactory solution has been found, the complainant should be informed that s/he will need to consider whether to make a formal complaint in writing to the Head Teacher To assist in this process the complaint should be provided with a copy of the Harrow Lodge Primary Formal Complaint Form. However, formal complaints may be made in any written format.

7. Formal stage 1

The Head Teacher must acknowledge receipt of the complaint in writing. In some cases, the Head Teacher will have already been involved in looking at the matter; in others it will be his/her first involvement. The Head Teacher may appoint a senior member of staff to investigate the complaint (the Investigating

Officer) who has no prior involvement in the complaint.

The Head Teacher (or other investigating officer) should consider providing an opportunity to meet with the complainant to supplement any information previously provided.

If the complaint is against a member of staff, the Head Teacher (or other investigating officer) should talk to and if necessary take a written statement from the staff member against whom the complaint has been made

If necessary, Head Teacher (or investigating officer) should interview witnesses and take statements from those involved.

The Head Teacher (or other investigating officer) must keep reasonable written records of meetings, telephone conversations and other documentation.

Once all relevant facts have been established, the Head Teacher will produce a written response to the complainant. The Head Teacher may wish to meet the complainant to discuss/resolve the matter before confirming the outcome in writing.

The written response must include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.

Stage 1 must be completed in 15 school days. However, it is recognised that where the case is complex, it may prove difficult to meet this timetable. In such cases, the Head Teacher will write to the complainant giving a revised target date.

The school will not pay financial compensation as a response to complaints.

The Formal Stage 1 response must also advise the complainant that if s/he is not satisfied with the response and wishes to take the matter further, s/he should write to the Chair of the Local Governing Board within 15 school days of receiving the school outcome letter. The outcome letter will set out the name of the Chair of Governing Body and the address to which the complainant can send the letter.

8. Complaints against the Headteacher

If the complaint is wholly or mainly about the Head Teacher, the Local Governing Board must consider the complaint in accordance with Formal Stage 2 of the procedure described below. The school must forward the complaint without delay to the Chair of the Local Governing Board.

However, before Stage 2 is instigated the Chair of the Local Governing Board will invite the Head Teacher to respond to the complaint in writing within ten school days. The chair will send a copy of the Head Teacher's response to the complainant who will be asked to indicate within five school days of receipt of the response whether s/he is satisfied with the response. If the complainant is not satisfied with the response Formal Stage 2 should commence as described below.

9. Formal Stage 2 – Consideration by the Local Governing Board

If the complainant decides to take the matter further and the Chair of the Local Governing Board receives a formal complaint following an unsuccessful attempt to resolve the matter at Formal Stage 1, the chair will write to the complainant to acknowledge the complaint within five school days of receipt of the complaint. A copy of the acknowledgement and the complaints form will be sent to the Head Teacher and the Clerk to the Governing Body.

If the complaint has been investigated at Stage 1, the result of the investigation must be made available to the Clerk/Chair by the Head Teacher.

However, where the complaint is against the Headteacher and the complaint is referred to Stage 2, the Chair of the Local Governing Board must decide how the complaint should be investigated.

Where the facts of the complaint are clearly established, it is unlikely for the chair to order an investigation. The matter may instead be escalated directly to the Local Governing Board's Complaints Appeal Panel (CAP).

The Local Governing Board's CAP consists of three governors with no prior, direct involvement with the complaint. In deciding the make-up of the CAP, where possible the governing body will try to ensure that it is a cross-section of the categories of governor.

The Head Teacher may not serve on the CAP. If the Chair of the Local Governing Board has had any prior involvement in the complaint then the Chair must not sit on the CAP.

The CAP will consider the complaint on the basis of the written evidence and set up a hearing to hear both parties. The CAP will consider the issues raised in the original complaint and not confine themselves to the consideration of procedural issues although it will not re-investigate the complaint.

The chair of the CAP should take a decision at the beginning of Stage 2 on whether to seek the services of a Clerk to:

- Deal with the administration of the procedure;
- Provide independent advice on procedure and evidence;
- Ensure that the relevant facts are established;
- Minute the meeting;
- Draft the decision letter.

The Clerk/Chair of the CAP will write to the complainant to explain how the review will be conducted. The letter will be copied to the Head Teacher. The Clerk/Chair of the CAP will confirm the date of the meeting with the other governors.

The complainant and the Executive Headteacher/Head of School will be invited to attend the meeting. The date and time of the meeting should be convenient to the complainant and Head Teacher within reason. If the complainant is invited to attend the meeting, they may bring someone along to the meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation. It will also explain how the meeting will be conducted and of the complainant's right to submit further written evidence to the committee.

The Head Teacher will also be invited to prepare a written report for the CAP in response to the complaint.

All relevant correspondence regarding the complaint will be circulated to the CAP, the complainant and the Head Teacher in advance of the meeting.

If the Head Teacher and/or the complainant wish to call witnesses, the agreement of the Chair of the CAP will be obtained in advance of the meeting.

It is the responsibility of the Chair of the CAP to ensure that the meeting is properly conducted. However, the proceedings will be informal as possible.

The aim of the meeting will be to resolve the complaint and achieve reconciliation between school and the complainant. However, at the end of the meeting the CAP will need to issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others.

If either party wished to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to respond to new evidence. Late evidence of witnesses will not be accepted unless there is a good reason for the lateness.

The meeting will allow for:

- The complainant to explain his or her complaint and the Head Teacher to explain the reasons for his or her decision
- The Head Teacher to question the complainant about the complaint and the complainant to question the Head Teacher
- The CAP to have an opportunity to question both the complainant and the Executive Headteacher/Head of School
- Any party to have the right to bring witnesses (subject to approval of the Chair of the CAP) and all parties having the right to question all the witnesses;
- A final statement by the Head Teacher and complainant.

The Chair of the CAP will explain to the complainant and the Head Teacher that the CAP will consider its decision, and a written response will be sent to both parties as soon as possible. The complainant, Head Teacher and any witnesses will then leave.

The CAP will consider the complaint and all the evidence presented and reach a unanimous, or at least majority, decision on the complaint. Where appropriate the CAP can decide on the action to be taken to resolve the complaint and/or suggest recommended changes to the school's system or procedures to ensure that problems of a similar nature do not happen again.

As in Stage 1 the CAP will not pay financial compensation as a response to a complaint.

The Clerk/Chair of the CAP will send a written statement outlining the decision with reason, incorporating the findings of the panel and any recommendations, to both the complainant and the Head Teacher. A copy of the written statement will be made available for inspection on the school premises by the Head Teacher.

Stage 2 will be completed in 15 school days. However, it is recognised that this timetable is likely to improve impossible for complaints which are complex. In such cases the chair of the complaints committee will write to the complainant and Head Teacher giving a revised target date.

10. Role of the Secretary of State for Education.

If the complainant is unhappy with the way in which a school has dealt with the complaint, they may be able to approach the Secretary of State for Education to intervene.

For the Secretary of State to intervene following a complaint, s/he needs to be sure that either:

- The school has acted or is proposing to act unreasonably in the exercise or performance of its functions imposed by or under the Education Act 1996; or
- The school has failed to discharge any duty imposed by or for the purposes of the Education Act 1996.

Guidance on making a submission about a school complaint to the Department for Education can be found on Department for Education website at the following link:

<https://www.gov.uk/complain-about-school/state-schools>

11. **Confidentiality**

All correspondence statements and records of complaints will be kept confidential.

Appendix 1

Malicious, Persistent and Vexatious Complaints

Harrow Lodge Primary School is committed to dealing with all complaints fairly and impartially. 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.

A malicious complaint is made with the intention to cause harm and is defined as one that the investigation has shown to be without foundation or where the investigation evidence demonstrates that the complainant has knowingly lied

A vexatious complaint is one that is pursued, regardless of its merits, solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted.

Harrow Lodge Primary School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if 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 co-operate with the complaint's investigation process
- refuses to accept that certain issues are not within the scope of the complaint's procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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's 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 and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information from themselves or others
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 Head Teacher will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behavior continues, the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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 the school.

Appendix 2

Complaint Form

Please complete this form and return it to the Head Teacher or the Chair of the Local Governing Board, via the School Office, who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (e.g. parent of pupil on the school's roll):

.....
Pupil's name (if relevant to the complaint)

.....

Your address:

Daytime Telephone number:

Evening Telephone number:

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

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

Signature

Date:

School use:

Date Form received:

Received by:

Date acknowledgement sent: Acknowledgement sent by:

Complaint referred to:			
Date:			

