

HAYFIELD LANE PRIMARY SCHOOL



Concern and Complaints Policy

Agreed by Governors: 14/10/26

Next Review: Nov 27

Hayfield Lane Primary School Concern and Complaints Policy

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Hayfield Lane Primary regarding 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 concerns and complaints procedure.

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. Hayfield Lane Primary 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 Headteacher (Mrs Tempest), will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Mrs Tempest 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, Hayfield Lane Primary will attempt to resolve the issue internally, through the stages outlined within this concerns and complaints procedure.

How to raise a concern or make a complaint

General everyday queries/ concerns should be raised with the class teacher, or in cases about a staff member, with the Headteacher. If the issue remains unresolved, the next step is to express an official concern/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 4 of the procedure.

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 concern/ complaint or holding meetings in accessible locations.

Anonymous concerns and 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 concern or 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 timeframe 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.

Stage 1: Informal Query/ Concern Raised

Basic concerns and queries where answers or clarifications are sought should be raised with the child's class teacher. If the query or concern is about the actions of the class teacher, the complainant should arrange to speak to the Head teacher. Informal queries are verbal or may be via email if the complainant is unable to attend the school. In event of the query being about the Head teacher, the complainant should contact the Chair of Governors by handing or emailing the concern in to the school office

If the complainant is not satisfied with this response, they must follow Stage 2 procedures. The move from a query/concern to a formal concern will be acknowledged within 5 school days of receipt and responded to within 15 school days.

Stage 2: Formal Concern Raised

A concern is the first stage of the complaints process and procedure and can be raised in person, by email, or by telephone but must be accompanied with a completed Concern Form as given by the school. School are able to help parents to complete the form if they require this.

If the concern is regarding the Head teacher then this form must be returned to the Chair of Governors (Kathleen Lister and James Clark -Allen). This is done by handing or emailing the concern/complaints in to the school office

If the concern is regarding a Governor, the Headteacher will liaise with the Clerk to the Governing Body who will advise on the best person to deal with the concern

Concerns may also be raised by a third party acting on behalf of a complainant if they have appropriate authority to do so.

The completion of the concern form will provide the appropriate detail and the outcome that is being sought.

Concerns will be acknowledged within 5 school days of receipt and responded to within 15 school days.

All concerns raised and their outcomes will be logged on CPOMS.

We value meetings and discussions and encourage parents/carers to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.

Where appropriate, the person raising the concern may be invited to a meeting with the member of staff most appropriate for dealing with that concern. The member of staff dealing with the concern will make sure that everyone is clear on what action (if any) has been agreed. This will be put in writing where appropriate.

We will respect the views of the person raising the concern who indicates that they would have difficulty discussing a concern with a particular member of staff. In this case, the Head will refer the parent to another designated member of staff. Similarly, if the member of staff directly involved in the circumstances leading to the concern feels the same, the Head may consider referring the parent to another member of staff.

A concern will be reviewed by the school and an outcome provided within 15 school days. **Where no satisfactory solution has been found, the person raising the concern will be advised that they can escalate to a formal written complaint within 10 school days of the outcome of the concern, detailing the nature of their complaint and why it has not been satisfactorily resolved as a Stage 1 Concern.**

All stages of the process must be followed as part of this policy.

Stage 3: Formal Written Complaints

If the complainant is not satisfied with the outcome of Stage 2, then they are able to escalate their concerns to a Stage 3 Written Complaint.

This must be escalated within 10 school days of receiving the Outcome of Stage one and the complaint must be put in writing using the Complaints Form as supplied by the school.

This form must be addressed to the Head teacher, marked as confidential and sent to office@hayfieldlane.co.uk

If the complaint is regarding the Head then this form must be addressed to the Chair of Governors. This is done by handing or emailing the complaints form in to the school office

If the complaint is regarding a governor, this should be addressed to the Clerk to the Governors by handing/emailing the complaint form in to the school office, marking it for the attention of the clerk..

It is very important that the complainant provides the detail requested in the form including the actions that they would like to be undertaken in order to resolve the complaint. It is also important

that the complainant details the outcomes from Stage 1 and 2 that they remain dissatisfied about and reasons for escalation accordingly.

If the complainant requires support in completing the form, they can contact the school office for support depending upon who the complaint is about.

The complainant can also ask third party organisations like the Citizens Advice to help them. In all cases your written complaint must include:

- The nature of the complaint.
- Details of how the matter has been dealt with so far.
- The names of potential witnesses, dates and times of events and copies of all relevant documents; and
- A clear statement of the actions that you would like us to take to resolve your complaint.

The complaint will normally be acknowledged in writing within 5 school days of receipt. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This will normally be within 20 school days of receipt.

The school may engage an independent, external person to carry out the investigation into the Stage 1 and 2 complaint, or to review the investigation and response at Stage 1 and 2. This may be appropriate where the complaint is particularly complex or involves legal issues.

If appropriate, the Head (or someone appointed by them) may invite the complainant to a meeting to clarify the complaint and to explore possible resolutions. If the complainant accepts the invitation, they may be accompanied by one other person, such as a friend, relative or interpreter, to assist them. Where possible, this meeting will take place within 10 school days of receipt of the written complaint.

If necessary, witnesses will be interviewed, and statements taken from those involved. If the complaint centres on a pupil/student, the pupil/student will usually be interviewed with their parent present, but if this would seriously delay the investigation of a serious or urgent complaint or if the pupil/student has specifically said that they would prefer that their parents were not involved, another member of staff with whom the pupil/student feels comfortable will be present.

If other pupil(s)/student(s) require interviewing as part of the investigation then the Head will make the decision on whether the pupil(s)/student(s) will be interviewed with their parent present or with another member of staff that the parent/student feels comfortable with.

If the matter includes a complaint relating to a member of staff, the member of staff will have the opportunity to respond to the complaint.

Once the relevant facts have been established as far as possible, the complainant will be provided with a written response to the complaint, including an explanation of the decision and the reasons for it. This will include what action will be taken to resolve the complaint (if any). The complainant will be advised that if they are dissatisfied with the outcome of the complaint, they may request that the complaint be escalated to Stage 4 within 10 school days of receiving the outcome of the complaint.

All records will be kept on CPOMS.

Stage 4: Referral to the Complaints Committee

If the complainant is dissatisfied with the outcome of the complaint under Stage 3, within 10 school days of receiving the outcome of Stage 3, the complainant may escalate this to Stage 4 in which a Complaints Committee will be convened to consider the complaint.

The complainant should write to the Headteacher via email head@hayfieldlane.co.uk within 10 school days of receiving notice of the outcome of Stage 3. Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

The complainant should provide copies of all relevant documents and state all the grounds for escalation to Stage 4 and the outcome that is being sought.

This written request will be acknowledged within five school days of receipt.

The Complaints Committee will principally consider how the complaint was handled at Stage 3 but has discretion to review other aspects of the complaint as it sees fit. **The Complaints Committee will not review any new concerns or complaints at this Stage or consider evidence unrelated to the initial complaint.**

For Stage 4 complaints the Committee will be made up of at least 3 Committee members, including:

- Governors of any Local Governing Body within the school with no prior involvement in the matter; and/or,
- One member of the panel may be independent of the management and running of the school (for example, this might be a Governor from another school, a Governor from another local Academy/college or an educational professional who has no link to the school)

Governance services shall appoint one of these committee members to be the chair of the Complaints Committee.

Every effort will be made to enable the hearing to take place within 15 school days of the receipt of the Stage 4 complaint but may be extended to meet the need of the complainant.

As soon as reasonably practicable and in any event at least 5 school days before the hearing, the complainant will be sent written notification of the date, time, and place of the hearing, together with brief details of the committee members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the Complaints Committee. You will also be informed of the name of the person who will be presenting the case on behalf of the school. This may be the person who is the subject of the complaint, the person who undertook the investigation at Stage 3 and/or another person with sufficient knowledge of the matter.

If, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the Governors may determine that the hearing proceeds on the basis of written submissions from both parties.

The complainant has the right to be accompanied to the hearing by a friend, relative or interpreter. They should notify the Chair of Governors in advance if they intend to bring anyone to the hearing. We do not encourage either party to bring legal representatives to the Complaints Committee hearing. Representatives from the media are not permitted to attend. The Complaints Committee itself may take legal advice and/or be supported by a legal advisor at the hearing on matters of law and procedure.

A copy of the complaint and any other documents provided by you in support of the complaint, or by the school representative in defence of the complaint, will be provided to the Complaints Committee as soon as practicable upon receipt.

Copies of these documents shall also be provided to the complainant school representatives (as applicable) at least 5 school days before the hearing. The Complaints Committee reserves the right not to consider any documentation presented by either party less than 5 school days prior to the hearing. The Complaints Committee is under no obligation to hear oral evidence from those other than the parties (e.g., witnesses) but may do so and/or may take written statements into account. The Complaints Committee will not accept recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The hearing will be conducted to ensure that each party has the opportunity to address the Complaints Committee. The procedure to be followed during the hearing will be explained to the parties by letter in advance of the hearing. Schools Governance Services will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken, or actions agreed. Electronic recordings of the hearing will not be permitted.

Unless otherwise stated, the procedure for the Stage 4 hearing is as follows:

- The complainant and school representative will enter the hearing together. This could be arranged to be separate.
- The Chair of the Complaints Committee will introduce the committee members and outline the process.
- The complainant will explain the complaint.
- The school representative and committee members will question the parent.
- The school representative will explain the school's actions.
- The complainant and the committee members will question the school's representative.
- The complainant will summarise up their complaint and define what outcome they are seeking.
- The school's representative will sum up the school's actions.
- The Chair of the Complaints Committee will explain that both parties will hear from the committee within five school days.
- Both parties will leave together while the Complaints Committee decides.
- The Governance Services representative, and any legal advisor assisting the Complaints Committee (if applicable), will stay to assist the Complaints Committee with its decision making.

The Complaints Committee reserves the right to modify the above procedure at their sole discretion, for example requiring the complainant and the school representative to present their complaint/actions separately to the Complaints Committee in the absence of the other party.

If the complainant has not arrived by the start of the Complaints Committee, an attempt will be made to contact the complainant via telephone to ascertain if they are delayed, have chosen not to attend,

or wish to withdraw their complaint. If they are unable to speak with the complainant, or if the complainant confirms that they have chosen not to attend, the hearing will proceed in the complainant's absence 30 minutes after the scheduled start time. Findings and recommendations will be based on the written submissions previously provided by both parties.

The Complaints Committee may be adjourned if the Complaints Committee require further evidence, or in exceptional circumstances (for example, if clarification sought by the Complaints Committee is essential to the proceedings). The adjourned date must be as soon as possible.

After the hearing, the Complaints Committee will consider their decision and inform the complainant and, where relevant, the school about of their decision in writing within five school days. The letter will set out the decision of the Complaints Committee together with the reasons underpinning that decision. The Complaints Committee can (by a majority if necessary):

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Decide on the appropriate action to be taken to resolve the complaint.
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

Where the complainant is not satisfied about the outcome of Stage 4 they have 10 school days to escalate this further to the Department for Education.

Stage 5: Referral of Complaint to the Department for Education (DfE)

If the complainant is dissatisfied with the decision of the Complaints Committee at Stage 4, they are entitled to refer the complaint to the Department for Education (DfE). The DfE will only investigate the complaint in limited circumstances.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Hayfield Lane Primary, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
- Admissions to schools - Statutory assessments of Special Educational Needs - School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Doncaster Council
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. 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). Please see the school's Safeguarding Policy for further information.
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. 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.
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.
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 Hayfield Lane Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Withdrawal of a Complaint

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

Appendix 1: Stage 2: Concern form

Your name:
Pupil/student's name:
Your relationship to pupils/students:
Your address and postcode:
Your daytime telephone number:
Your evening telephone number:
Your email address:
Your concern is: (if you have more than one concern, please number these and feel free to continue on a separate piece of paper).
What action have you already taken to try and resolve your concern(s) (Who did you speak to and what was the response?)
What would you like as an outcome from your concern(s)?
Are you attaching any paperwork? If so, please provide details here:

Your signature..... Date

All functions of the concern and complaints procedure must adhere to the requirements of the Data Protection Act 2018 and the Freedom of Information Act 2000.

Please complete and return as outlined in the Complaints Policy

Office Use Only:

Date received

Date acknowledgement sent

Appendix 2: Stage 3 Complaints form

Your name:
Pupil/Student's name:
Your relationship to Pupil/Student's:
Your address and postcode:
Your daytime telephone number:
Your evening telephone number:
Your email address:
Your complaint is: (if you have more than one complaint, please number these and feel free to continue on a separate piece of paper).
What action have you already taken to try and resolve your complaint(s) in accordance with Stage 1 of the complaint's procedure? (Please detail the areas of the outcome from Stage 1 that you wish to escalate into a formal complaint and your reasons accordingly – you may continue on a separate piece of paper if necessary).
What would you like as an outcome from this Stage 2 Complaint?
Are you attaching any paperwork? If so, please provide details here:

Your signature..... Date

All functions of the concern and complaints procedure must adhere to the requirements of the Data Protection Act 2018 and the Freedom of Information Act 2000.

Please complete and return as outlined in the Concern and Complaints Policy

Office Use Only:

Date received

Date acknowledgement sent

Responsible member of staff