

## Complaints Procedure

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<b>Governor Responsibility:</b>	Full Governing Body
<b>Staff Responsibility:</b>	Annie Ashraf
<b>Review Period:</b>	Two years
<b>Status:</b>	Statutory
<b>Reviewed:</b>	Autumn 2023
<b>Next Review Date:</b>	Autumn 2025
<b>Governor Signature</b>	

## **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 Tetherdown School 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.

## **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. Tetherdown 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 Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher 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, Tetherdown 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 at the informal stage**

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Beginning at the informal stage your concern should be addressed following the steps identified:  
Class Teacher >>> Phase Leader >>> Senior Leader >>> Headteacher  
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 formal complaints procedure.

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office email: [admin@tetherdownschool.org](mailto:admin@tetherdownschool.org) Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, by email to the School Business Manager: [businessmanager@tetherdownschool.org](mailto:businessmanager@tetherdownschool.org) Please mark 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 Business Manager's email: [businessmanager@tetherdownschool.org](mailto:businessmanager@tetherdownschool.org) Please mark 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 only 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. This should be taken into account when working within the 3 month deadline referred to above

### Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Tetherdown 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"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs</li> <li>• School re-organisation proposals</li> </ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Haringey Council.
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	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 Haringey Council's Children's Services. <b>LADO:</b> <a href="mailto:LADO@Haringey.gov.uk">LADO@Haringey.gov.uk</a> 020 8489 2968/1186 <b>Haringey Council's Children's Services:</b> <ul style="list-style-type: none"> <li>• Monday to Thursday 8:45 am to 5:00pm; Friday 8:45 am to 4:45 pm <b>020 8489 4470</b></li> <li>• Out of office hours, including weekends: <b>020 8489 0000</b></li> <li>• <b>Do not use this number if a child needs immediate assistance from the Police or</b></li> </ul>

	<b>Ambulance Services. In these cases, call 999</b>
<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. The Behaviour and Anti-bullying Policy is available on the school website.</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. 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: <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 direct 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. 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 direct.</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 Tetherdown 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.

## **Raising a formal complaint**

### **Resolving complaints**

At each stage in the procedure, Tetherdown School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer 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 considering the complaint.
- an apology.

The complainant will be advised in writing of the process for escalating their concern or complaint in accordance with Stage 1 of the Complaints Procedure.

### **Withdrawal of a Complaint**

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

### **Stage 1 - managing formal complaints**

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person, in writing (using the Complaint Form), or by telephone. The person managing the complaint should request supporting materials from the complainant as quickly and as efficiently as possible. Additional submissions must be handled with sensitivity; aware that further information should only be received which will add weight to the complaint. For complaints received in person or by telephone the Headteacher will complete the Complaint Form with the complainant. The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (by email) within five school days. Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

*Note: The Headteacher may delegate the investigation to another member of the school's Senior Leadership Team but not the decision to be taken. Under such arrangements communication must be maintained between the complainant and the member of staff handling the case to ensure clear lines of communication and to avoid possible confusion.*

During the investigation, the Headteacher (or member of staff / governor handling the complaint) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response within ten school days of the date of receipt of the complaint. If the Headteacher is unable to meet this deadline, an update and revised response date will be provided to the complainant. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Tetherdown School will take to resolve the complaint. The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the formal complaint is about the 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. Complaints about the Headteacher or member of the governing body must be made to the Clerk to the Full Governing Body, via the School Business Manager: [businessmanager@tetherdownschool.org](mailto:businessmanager@tetherdownschool.org)

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body
- the majority of the governing body

Then Stage 1 will be considered by an independent investigator. The appointment of an independent investigator will be managed by Haringey Education Partnership (Governor Services). At the conclusion of their investigation, the independent investigator will provide a formal written response.

<b>Timeline for managing complaints at Stage 1</b>			
Written complaint received using the school's agreed Complaints Template.	Headteacher writes to acknowledge complaint within 5 school days.	Headteacher explores with the complainant the nature of the complaint and identify what the complainant would like to see as an outcome.	Headteacher investigates complaint.
Written response to the complainant following investigation.	Within 10 school days of the date the complaint was received. (Contact is made to explain reasons why the deadline may not be met should the situation arise).	The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Tetherdown School will take to resolve the complaint.	The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

### **Managing formal complaints – 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 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk to the Full Governing Body, via the School Business Manager: [businessmanager@tetherdownschool.org](mailto:businessmanager@tetherdownschool.org) within five school days of receipt of the Stage 1 response. The Clerk will record the date the complaint is received and

acknowledge receipt of the complaint in writing (either by letter or email) within five school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within fifteen school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

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

Prior to the meeting the three governors will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Tetherdown School available, the Clerk to the Full Governing Body will source any additional, independent governors through Haringey's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The 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 be sensitive to the complainant's needs. If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee 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.

*Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*  
Representatives from the media are not permitted to attend.

At least ten school days before the meeting, the Clerk to the Full Governing Body 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.

At least five school days before the meeting, the Clerk to the Full Governing Body will request copies of any further written material to be submitted to the committee.

At least four school days before the date of the meeting any written material will be circulated to all parties. This amount of review time and cut off for material submissions will be reviewed on a case-by-case basis considering the amount of material submitted. Therefore, deadlines may be amended.

The committee will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The 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 will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Confirmation of consent for electronic recording will be recorded in the minutes.

The committee will consider the complaint and all the evidence presented. The 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 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 Tetherdown School with a full explanation of their decision and the reason(s) for it, in writing, within ten 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 Tetherdown School.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- most of the governing body

Stage 2 will be heard by a committee of independent governors. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Tetherdown School will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

<b>Timeline for managing complaints at Stage 2</b>			
Written request to the Clerk to the Full Governing Body to escalate complaint to Stage 2 received within 5 days of the decision / outcome from Stage 1.	Clerk to FGB writes to acknowledge complaint within 5 school days from the date escalation request received.	Clerk organises an agreed meeting to take place within 15 school days of receipt of escalation request for the complainant and Complaints Committee.	Complaints Committee investigates the complaint.
Written response to the complainant following investigation made by the Chair of the Complaints Committee	Within 10 school days of the date of the meeting between the complainant and the Complaints Committee.	The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Tetherdown School will take to resolve the complaint.	The Complaints Committee Chair will advise the complainant of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Tetherdown School.

### **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 the school. They will consider whether



Tetherdown School 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.

## **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
- co-operate 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 – this could be the Headteacher, senior member of staff or Chair of Governors**

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 people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the responsible person managing the complaint (this may be the Headteacher, Member of staff, chair of complaints committee or Clerk to the Full Governing Body) 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 (where should the papers be kept – by the head? ) and passed to the Headteacher for secure storage. Paper and electronic documents will be stored according to the school's information retention policy.
- be mindful of the timescales to respond
- prepare a comprehensive report for the Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The 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** (this could be the Headteacher or the Chair of Governors)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaint's 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 and ensure these are archived in accordance with the school's retention policy.

### **Clerk to the Full 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
- minute 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 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. The Chair must decide whether the new issue constitutes a new complaint and advise how to proceed.
- 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 (who keeps the paperwork afterwards)
- they liaise with the Clerk
- they deliberate with the committee members to reach a conclusion following the meeting and communicate this to the Clerk within an agreed timeframe

### **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.

**Complaints Form** - To raise a complaint please complete our online complaints form [here](#).