NEWCOMEN PRIMARY SCHOOL

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COMPLAINTS PROCEDURE

Effective from	Review date
October 2026	October 2028

In operating this Complaints Procedure we aim to:

- encourage resolution of problems by informal means wherever possible;
- allow swift handling of a complaint within established time-limits for action,
- keep persons informed of progress;
- ensure a full and fair consideration of the complaint;
- have due regard for the rights and responsibilities of all parties involved;
- respect confidentiality;
- address all the points at issue and provide an effective response an appropriate redress, where necessary; and
- monitor the nature of complaints to inform school improvement

The procedure is designed to be:

- easily accessible and publicised. A copy of the procedure is available on the school's website or, on request from the school;
- simple to understand and use;
- impartial; and
- non-adversarial

We welcome feedback on the procedure to consider at the time of the next review.

1. Who can make a complaint?

1.1 Any person, including members of the general public, can use this procedure to make a complaint about any provision of facilities or services provided by the school. It cannot be used to make a complaint on behalf of another person; or to make an anonymous complaint.

1.2 The governing board expects anyone who wishes to raise concerns about the school to:

- treat all staff with courtesy and respect;
- respect the needs of pupils and staff within the school;
- recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a concern.

1.3 Whilst we recognise that some concerns may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour, and will take steps supported by legal action as appropriate to ensure that the school can continue its work safely and securely.

1.4 In the event that a person submits repeated complaints on the same issue(s) or remains dissatisfied despite all stages of the complaint procedure having been followed, the governing board may view the requests to be unreasonable. The governing board will not respond to unreasonable requests and will consider taking legal advice. Circumstances under which a complaint will be regarded as unreasonable are set out in Appendix A.

2. Do I have a concern or a complaint?

2.1 There can often be confusion between a concern and a complaint. Non-statutory guidance from the Department for Education (DfE) suggests that 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 generally defined as 'an expression of dissatisfaction however made, about actions or decisions taken or a lack of action'. Regardless of the subtle difference, a response is required.

2.2 We aim to create a fair, open and transparent culture that allows concerns to be voiced and responded to as quickly as possible. The governing board is confident that all members of staff take concerns seriously and make every effort to resolve concerns quickly and informally as possible, as it is everyone's best interest to do so. Many issues can be resolved informally. However, we recognise that there may be occasions when initial attempts to resolve issues are unsuccessful and the person raising the concern feels it is necessary to take the matter further by submitting a formal complaint.

3. Is the nature of the complaint covered by this procedure?

3.1 This procedure fulfils the requirements of The Education Act 2002 (Section 29) for "all governing bodies to have a procedure to deal with complaints relating to aspects of the school, and any community facilities or services that the school provides." It has been produced bearing in mind the Department for Education's Best practice guidance for school complaints procedures (last updated January 2021).

3.2 Some complaints do fall outside of this procedure simply because there are alternative processes which need to be followed for dealing with certain matters, some of which are statutory. Complaints not in the scope of this procedure are listed in the table below:

Nature of complaint/appeal	How will be dealt with
Admissions to school	Appeals against a decision not to admit a child will be dealt with in accordance with the provisions of the School Admission Appeals Code.
Safeguarding allegations and matters likely to require a child protection investigation	Any allegation of abuse or harm of a child or concern raised about a person's suitability to work with children will be referred to the Local Authority Designated Officer (LADO)
Exclusion of children from school	Appeals against a decision about an exclusion will be dealt under statutory guidance issued by the Department for Education (DfE). Appeals should be addressed to the Chair of Governors
Staff concerns/Whistleblowing	Such matters will be dealt with under internal procedures adopted by the governing board.
Staff grievances and disciplinary matters	Such matters will be dealt with under the governing board's internal grievance/disciplinary procedures.
Matters relating to external assessments about a child's special educational needs	Such matters should be raised direct with the local authority. The Head Teacher will advise on the person in the local authority to contact.
Complaints about services provided by third party providers using school premises or facilities.	Such matters should be raised direct with the provider

4. How do I make a complaint?

4.1 Any formal complaint must be made in writing to the Chair of Governors as soon as possible and preferably no later than three months after an incident arises. Complaints submitted after three months will be considered where there are extenuating and justifiable reasons for the delay. Please note that the Chair has the right to nominate someone to deal with the complaint.

4.2 It is important that the Chair (or person nominated by the Chair) can establish the nature of the complaint; the person to whom the complaint relates (if applicable); what has happened so far; who has been involved; and what action you want to put things right. This will enable the Chair (or person nominated by the Chair) to determine the next step in the process. To ensure that the nominated person has the necessary information and that your complaint is dealt with promptly the complaint form at Appendix B must be used. Any supporting/corroborating evidence available, including a record of any discussions with school in connection with the complaint must be included with the complaint form.

4.3 Should the complaint relate to the Chair of Governors you should contact the Clerk to the governing board. The school can provide contact details.

4.4 The governing board is aware of its obligations under the Equality Act 2010. If you have a disability or learning difficulty which prevents you from putting a complaint in writing, you can request for an alternative method of contact with the Chair of Governors (or person nominated by the Chair).

5. How will my complaint be handled?

5.1 On receipt of the complaint the Chair of Governors (or person nominated by the Chair) (or Clerk to the Governing board on behalf of the Chair/ or where the complaint relates to the Chair) will acknowledge the complaint within three working days.

5.2 The Chair of Governors (or person nominated by the Chair) will consider the information provided to decide what discussion and actions have happened to date and explain what action will be taken to ensure it is considered in accordance with this procedure and within the stages indicated below (further explanation of each stage is given later in this document):

Stage 1 Informal resolution

Stage 2 Investigating formal complaint

Stage 3 Appeal to the governing board

5.3 Realistic and reasonable timescales will be agreed at each stage of the process and shared with you. However, timescales may need to be extended to allow for further enquiries to be made. You will be informed of any changes to timescales, along with an explanation for the delay. Please be assured that the governing board will try to deal with your complaint as quickly as possible.

5.4 The governing board expects that the progress and outcome of all complaints will be clearly recorded, and that all communications relating to concerns and complaints managed under this procedure are documented (for example notes of meetings). You can make a request under the Freedom of Information and Data Protection Acts to access such records if not shared with you as a matter of course during the process.

5.5 The governing board recognises that the process of monitoring and reviewing complaints can contribute to school improvement. We will review the nature of complaints, how they were managed and the outcomes, to inform improvements and the effectiveness of the complaints procedure.

5.6 If, having completed all three stages of the processes, you are dissatisfied with the outcome you have the right to refer the complaint to the Secretary of State.

5.7 Complaints will be treated as confidentially as possible allowing for the possibility that we may have to consult with other appropriate parties about your complaint. Throughout the process of dealing with your complaint we also aim to ensure that you receive:

- fair treatment;
- courtesy;
- a timely response; and
- accurate advice.

6. What can I expect to happen at each stage of the process?

6.1 The following paragraphs provide an overview of what you can expect at each stage.

6.2 Stage 1 – Informal resolution

6.2.1 If your concern is about something that a person has or has not done, for example the class teacher, head teacher, another member of staff, a governor, or a volunteer, you will be given an opportunity to discuss your concern with a member of staff closest to the cause of the concern. To do so, please make an arrangement through the school to speak to the class teacher or senior member of staff. The school should direct you to the appropriate person. The Headteacher may be the appropriate member of staff at this stage. Alternatively where your concern is about the Headteacher, an aspect of school practice, a policy or a governor, the Chair of Governors may be the most appropriate person. So that full attention can be given to

your concern we ask that you do not approach members of staff while they are 'on duty'. Please make an appointment to talk to the relevant member of staff after school.

6.2.2 We want to respond to your concern as quickly as possible, but it may not be possible to arrange an immediate meeting: an appointment within a few days may be necessary.

6.2.3 The member of staff (or the Chair of Governors/ person nominated by the Chair) will meet with you to clarify the nature of the concern; respond with an explanation of how the situation happened and make sure you are clear what action (if any) or monitoring of the situation has been agreed. The member of staff (or Chair of Governors/ person nominated by the Chair) may conduct further enquiries and ask to contact you with a response within an agreed timescale. Other than in exceptional circumstances a response can be expected within 10 school days.

6.2.4 Where no satisfactory resolution has been agreed after this informal stage has been completed, you can request that your concern be referred to the Headteacher (if they have not already dealt with the issue).

6.3 Stage 2-Investigating a formal complaint

6.3.1 If you are not satisfied with the response received following completion of the informal stage, you should make a formal complaint to the Headteacher (or Chair of Governors if your concern is in relation to the Headteacher). The complaint form (as at Appendix B) should be completed and any supporting documentation attached.

6.3.2 The Head Teacher (or Chair of Governors/person nominated by the Chair) will acknowledge receipt of your complaint within three working days. He/she may invite you to a meeting to clarify the details of your complaint and/or supplement any information already provided, before carrying out a full investigation into your complaint. Once all the relevant facts have been established, the Head Teacher (or Chair of Governors/person nominated by the Chair) will produce a written response. You may be asked to attend a further meeting to provide an opportunity to share and discuss with you the findings of the investigation. Please be aware that if your complaint alleges misconduct by a member of staff, any investigation by the school and subsequent formal action is protected by confidentiality. You will not know the outcome and the right of appeal described at stage 3 of this procedure will not apply.

6.3.3 The nominated person investigating the complaint will aim to:

- establish what has happened so far, who has been involved and if the matter is the Head Teacher's responsibility, then the Chair/person nominated by the Chair can only look at whether the Head Teacher acted reasonably in light of the information available at the time;
- clarify the nature of the complaint and what remains unresolved;
- meet or contact you if further information is necessary;
- clarify what your expectations are on how the matter could be resolved;
- interview those involved in the matter and/or those complained of;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of all meetings and telephone discussions or arrange for an independent note taker

6.3.4 Other than in exceptional circumstances, you will receive a written response within 10 school days from the date your complaint was acknowledged. Where this cannot reasonably be met, you will be advised of a revised target date.

6.3.5 The written response should:

- 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; and
- will make you aware of the procedure for appealing against the findings should you remain dissatisfied with the response

6.3.6 If your complaint is about the Chair of Governors, you should contact the Clerk to the governing board.

6.4 Stage 3 - Appeal to the Governing Board

6.4.1 If you remain dissatisfied with the process of the investigation into your complaint, you may appeal to the governing board by writing to the Chair of Governors, through the Clerk to the governing board should you prefer. The governing board will only hear appeals that have already progressed through stages 1 and 2 of this procedure.

6.4.2 On receipt of a written request for an appeal. the Chair of Governors (or Clerk to the Governing board) will immediately log and acknowledge receipt of the appeal and arrange for a Complaints Appeal Panel (CAP) to consider the appeal as soon as it is practical to do so and, other than in exceptional circumstances, within 20 school days of receipt of the letter requesting an appeal.

6.4.3 The CAP will aim to resolve the complaint and achieve reconciliation between the 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. In reaching a decision, consideration will be given to the issues raised in the original complaint and will not be confined to procedural issues.

6.4.4 Every effort will be made to arrange a meeting at a date and time convenient to you and others required to be in attendance. You will be given 7 calendar days' written notice of the meeting, along with all relevant correspondence regarding the complaint. The notice will explain you have a right to be accompanied to the meeting by a friend/representative and invite you to submit any further written evidence.

6.4.5 The Complaints Appeal Panel (CAP) will comprise three governors with no prior, direct involvement with the complaint and who are not employed by the school. In deciding the make-up of the panel, where possible, the governing board will try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation. Where it is not possible to identify three governors who can act impartially (usually because they are aware of the substance of a complaint) the panel may be made up entirely (or include a number) of independent panel members drawn from another's governing board. You can request an independent panel if you believe there is likely to be bias in the proceedings. However, the decision on membership of the panel will be made by the governing board, or Chair of Governors where so delegated.

6.4.6 An order of proceedings to be followed at a Complaints Appeal Panel is illustrated at Appendix C. It is the responsibility of the Chair of the CAP to ensure that the meeting is properly conducted.

6.4.7 The Chair of the CAP (or Clerk where nominated by the CAP) will notify you in writing the outcome of the appeal, within 5 school days. A copy of the letter will be forwarded to the Head Teacher.

7. What if I am not happy with the response at the end of the process?

7.1 Once this procedure has been followed and a formal response to your complaint has been given by the Governing Board, there is no further right of appeal to the governing board. However, if you are not satisfied with the Governing Board's decision there are circumstances under which you have the right to refer your complaint to the Secretary of State.

7.2 The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing board has acted unlawfully or unreasonably and where it is expedient or practical to do so. The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State.

7.3 The SCU will:

- look at whether the complaints policy and any other relevant statutory policies were adhered to;
- look at whether statutory policies adhere to education legislation;
- not normally re-investigate the substance of the complaint;
- not overturn a decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably.

7.4 If the SCU finds that a complaint has not been handled appropriately, it may request that the complaint be looked at again by the governing board.

7.5 If legislative or policy breaches are found, the SCU will report them to the school and the complainant, and where necessary, ask for corrective action to be taken. The SCU normally also seeks written assurances, as to future conduct. Failure to carry out remedial actions or provide written assurances could ultimately result in a formal Direction being issued by the Secretary of State in accordance with powers under sections 496 and 497 of the Education Act 1996.

7.6 Further information can be obtained by using the online form at www.gov.uk/complain-to-dfe, by calling the National Helpline on 0370 000 2288, or by writing to: Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD.

Approved by: The Governing Body of Newcomen Primary School

Signed (Chair of Governors): 

Name: Mr Mark Hassack

Date of approval: October 2026

Signed (Headteacher): 

Name: Kinga Pusztai

Next review: September 2028, or sooner if required

APPENDIX A

UNREASONABLY PERSISTENT, ABUSIVE OR HARASSING COMPLAINANTS

The Governing board of Newcomen Primary School 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.

We define 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 co-operate 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 numbers 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.

If the behaviour continues, the Chair of Governors/Nominated person will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school or governing board 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. Whenever possible the Chair of Governors/Nominated person will discuss any concerns with the complainant informally.

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

APPENDIX B

NEWCOMEN PRIMARY SCHOOL

Complaint Form

Please complete and return completed form in a sealed envelope marked "Confidential - For Immediate Attention" to the Chair of Governors, c/o Newcomen Primary School, Trent Road, Redcar, TS10 1NL. Alternatively you can forward to the Clerk to the Governing board and ask that it be forwarded to the Chair of Governors.

On receipt of the completed form, the Chair of Governors (or Clerk to the Governing board on behalf of the Chair/ where the complaint relates to the Chair) will acknowledge receipt within three working days.

If you require help in completing the form, then please contact the school office.

NAME:

CHILD'S NAME (if appropriate/relevant):

RELATIONSHIP TO THE PUPIL (if appropriate/relevant):

ADDRESS:

POSTCODE:

EMAIL ADDRESS:

DAY TIME TELEPHONE NUMBER:

EVENING TELEPHONE NUMBER:

MOBILE NUMBER:

AVAILABILITY TO ATTEND A MEETING:

PREFERRED DAY(S) OF THE WEEK (Please tick preferred day(s))

☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday

PREFERRED TIME OF THE DAY: (Please tick the time of the day you are most likely to be available to attend a meeting)

☐ Between 9.00 am and 12 midday

☐ Between 1.00 pm and 3.00 pm

☐ Between 3.00 pm and 5.00 pm

If your complaint is about a particular person(s) please state name(s) below:

_____

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?

DETAILS OF YOUR COMPLAINT

(Please attach to your completed form and any supporting/corroborating evidence you have available, including a record of any discussions you have had with school in connection with the complaint) (Please continue on a separate sheet if needed)

WHAT ACTION WOULD YOU LIKE TO SEE HAPPEN IN RESPONSE TO YOUR COMPLAINT?

SIGNED: _____

DATE: _____

REMAINING PARTS TO BE COMPLETED BY CHAIR/CLERK TO THE GOVERNING BOARD

Date acknowledgement sent: _____

By who: _____

Method: _____

Complaint referred to: _____

Date: _____

APPENDIX C

Complaints Committee

Order of Proceedings

The appointed Chair will invite the complainant(s) and the Head Teacher to join the meeting, ensuring that neither party is in attendance without the other. Witnesses may be invited by either party to attend the hearing, but will only be required to attend for the part of the hearing in which they give their evidence.

- Welcome and introductions by the Chair of the Committee
- After introductions by the Chair, the complainant will be invited to outline the original complaint. At this point the complainant may provide any witnesses, if they choose to do so
- The Chair will ask the Head Teacher if they wish to question the complainants or seek further clarification on any matters. There will also be an opportunity to question any witness after each has spoken
- The Chair will then invite the Head Teacher to explain the school's response to the complainants' concerns and provide any witnesses, if she wishes to do so
- The Chair will ask the complainant if they wish to question the Head Teacher or seek further clarification on any matters. There will also be an opportunity to question any witness after each has spoken
- The Chair of the Panel will ask the Chair of Governors to explain his investigation into the complaint at the previous stage and outline his/her response to the complainant
- The Chair of the Panel will ask the complainant if they wish to question the Chair of governors or seek further clarification on any matters
- Members of the committee may ask questions at any point
- The complainant will be invited by the Chair to sum up their complaint
- The Head Teacher will be invited to sum up the school's actions and the response to the complaint
- The Chair of Governors will be invited to sum up the response to the complainant
- The Chair will explain that all parties will be notified of the outcome of the hearing within an agreed timescale
- The complainant and Head Teacher will leave the meeting together to allow governors to deliberate the issues raised and reach a decision on the outcome of the hearing.

GDPR 2018

School staff, volunteers and others who process or use any personal information must comply with the Data Protection Act 2018. The security of personal data is paramount and as such obtaining, disclosing, sharing and retention of information should conform to the requirements of the Data Protection Act 2018. If there is any doubt as to how the specific data is handled guidance should be sought from the Data Protection Lead in school in the first instance. Failure to comply with the school Data Protection Policy may result in a data breach which would be investigated in line with the procedures within the Data Breach Policy. In accordance with that Policy, the School will treat any breach as a serious issue.