



HOWE GREEN HOUSE

BISHOP'S STORTFORD

COMPLAINTS PROCEDURE

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To be made available	YES
To be on website	YES
Internal staff only	NO
Internal students only	NO
Internal staff and students	YES

Complaints Procedure

Howe Green House School

This Policy also includes the Early Years Foundation Stage and Before and After School Provision

Statement of Intent

The Governors and staff of Howe Green House School believe that we should provide a caring, positive, safe and stimulating environment, which promotes the academic, social, physical and moral development of the individual child.

Introduction

Howe Green House School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with this procedure.

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1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents/carers of pupils at the school.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents/carers of pupils at the school.

It also refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage (EYFS) requirements.

3. Scope

This policy does **not** cover complaints procedures relating to:

- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistle-blowing

- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned and the Co-Headteachers.

4. Roles and responsibilities

4.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not approach individual governors about the complaint
- Do not publish details about the complaint on social media

4.2 The investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the Headteachers or complaints panel, which includes the facts and potential solutions

4.3 The complaints co-ordinator

The complaints co-ordinator can be:

- One of the Co-Headteachers
- A Governor
- Any other staff member providing administrative support

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the Headteachers and Co-Chair of Governors
- Be aware of issues relating to:
 - Sharing third-party information
 - Additional support needed by complainants; for example, interpretation support or where the complainant is a child or young person

- Keep records

The investigator and complaints co-ordinator can be the same individual.

4.4 Complaints panel chair

The appointed chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

5. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

5.1 Timescales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

5.2 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage (EYFS) requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by:

- Calling 0300 123 4666
- Emailing enquiries@ofsted.gov.uk
- Using the online contact form available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>

6. Stages of complaint (not complaints against a Co-Headteacher or Governors)

6.1 Stage 1: informal

- It is hoped that most complaints and concerns will be resolved quickly and **informally**.
- The complainant should raise the complaint as soon as possible within the timescales set out in section 5.1.
- The complainant should normally contact their son/daughter's class teacher. In many cases, the matter may be able to be resolved straightaway with the provision or clarification of information. If the class teacher cannot resolve the matter alone, it may be necessary for him/her to consult with a member of the Leadership Team.
- Complaints made directly to a member of the Leadership Team will usually be referred to the relevant class teacher unless the member of the Leadership Team deems it appropriate for him/her to deal with the matter personally.
- The class teacher or member of the Leadership Team will make a **written record of all concerns and complaints and the date on which they were received**. Should the matter not be resolved within 10 working days or in the event that the class teacher and the parent fail to reach a satisfactory resolution then parents are advised to proceed with their complaint in accordance with stage 2 of this procedure.

6.2 Stage 2: formal

- If the complaint cannot be resolved on an informal basis, then the parents should **put their complaint in writing to the Co-Headteachers**. The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint. The Headteachers will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 working days.
- The Co-Headteachers will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headteachers will meet or speak to the parents concerned, normally within 5 working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the Headteachers (or other person appointed by the Headteachers for this purpose) to carry out further investigations.
- The Headteachers will **keep written records** of all meetings and interviews held in relation to the complaint.
- Once the Headteachers are satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Headteachers will also give reasons for their decision.
- The complaint will be resolved within 28 working days of receipt of written notification of the intention to proceed to Stage 2.

- If parents are not satisfied with the decision, they should proceed to Stage 3 of this procedure within 5 working days of receiving the Headteachers decision in writing. Requests received outside of this timeframe will be considered in exceptional circumstances.

6.3 Stage 3: review panel

- If parents seek to invoke Stage 3 of the complaints procedure in writing, they shall inform the Headteachers of that fact, whereupon the Governors will make provision for the matter to be considered by a Complaints Panel.
- The Panel members shall be appointed by the Board of Governors with a Complaints Panel Chair selected and will consist of at least two persons not directly involved in the matters detailed in the complaint, but normally members of the Board and, in addition, a third panel member will be appointed who is independent of the management and running of the school – the choice of who this may be will depend upon the nature of the complaint, but will be a person who has held a position of responsibility in a suitable profession – i.e. civil servants, retired police officers, Heads or senior leaders from another school - in line with DfE guidance. The Panel will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 14 working days from the date the Headteachers received notice from the Parents that they wish to invoke Stage 3 of the complaints procedure
- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 2 working days prior to the hearing.
- The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.
- Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 14 working days of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it within 20 school days of the outcome being decided, or within 28 days of the written complaint being received for Early Years and Foundation Stage. The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Headteachers, the Governors and, where relevant, the person complained of and will be made available on the school premises for inspection by the Governors and the Headteachers.
- A written record will be kept of all complaints which were not deemed resolved at the informal stage and which details – whether the complaint was resolved following the formal procedure or if they proceeded to a panel hearing. Details of the actions taken by the school as a result of complaints will also be logged.

- Once a parent has indicated that they are not satisfied with the school's response to their complaint at stage 2, a panel hearing will take place unless the parent later indicates that they are now satisfied and do not wish to proceed further. In all other circumstances the panel will therefore proceed notwithstanding that the parent may subsequently decide not to attend. If necessary, the panel should consider the parent's complaint in his / her absence and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion.

7. Complaints against a Co-Headteacher, a Governor or the Governing Board

7.1 Stage 1: informal

Complaints made against a Co-Headteacher or any individual member of the governing board should be directed to a Co-Chair of the governing board in the first instance.

A suitably skilled and impartial governor will then carry out the steps at stage 1 set out in section 6 above.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Complaints about the whole governing board will be resolved at stage 2 below.

Complaints can be escalated by contacting a Co-Chair of the governing board by letter or email. They will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

7.2 Stage 2: formal

Complaints that involve or are about a Co-Headteacher, individual governor or the whole governing board should be addressed to a Co-Chair of governors and marked as private and confidential.

If the complaint is about a Co-Headteacher or an individual governor, a suitably skilled and impartial governor will then carry out the steps at stage 2 set out in section 6 above.

If the complaint is:

- Jointly about the Co-Chairs and Vice-Chair or
- The entire governing board or

An independent investigator will carry out the steps in stage 2 set out in section 6 above. They will be appointed by the governing board, and will write a formal response at the end of their investigation.

The written conclusion of this investigation will be sent to the complainant within 28 school days.

If the complainant wishes to proceed to the next stage of the procedure, they should inform a Co-Chair of governors in writing within 5 school days. Requests received outside of this timeframe will be considered in exceptional circumstances.

7.3 Stage 3: review panel

If the complaint is about:

- The headteacher
- An individual governor
- The chair and vice-chair or

- The entire governing board, or
- The majority of the governing board

The steps outlined in stage 3 of section 6 above will be followed.

8. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure and the complaint is regarding the school not meeting standards set by the DfE in any of the following areas, the complainant can refer their complaint to the DfE:

- Education
- Pupil welfare and health and safety
- School premises
- Staff suitability
- Making information available to parents
- The spiritual, moral, social or cultural development of pupils

The DfE will consider reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the school deals with serious failings.

For more information or to refer a complaint, see the following webpage:

www.gov.uk/complain-about-school

9. Unreasonable and persistent complaints

9.1 Unreasonable complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- 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
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information which they expect to be considered 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 procedure has been fully and properly implemented and completed
- 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
- Publishes unacceptable information on social media or other public forums

Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.

Complainants should try to limit their communication with the school 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.

Steps we will take

We will take every reasonable step to address the complainant's comments, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

Whenever possible, the Co-Headteachers or Co-Chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the Co-Headteachers will write to the complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, we may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Put any other strategy in place as necessary

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 school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

9.2 Serial/persistent complaints

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school repeatedly, making the same points each time

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern

9.3 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the process is complete

If a duplicate complaint is raised which in the view of the school warrants further consideration, the procedure outlined in section 6 or 7 (as appropriate) will be repeated.

9.4 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

10. Record keeping and confidentiality

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and stored securely, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law and privacy notices.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

11. Learning lessons

The Co-Chairs of governors will review any underlying issues raised by complaints with the Co-Headteachers, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

12. Monitoring arrangements

The Finance Committee will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The Governing Board will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the Co-Headteachers.

13. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy
- Suspension and exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- Special educational needs policy

A record of complaints will be kept for a minimum of three years. A record of any complaints from the previous academic year, which were received at the formal stage or that proceed to a panel hearing, will be made available on this document annually which can be found on the school website.

During the previous academic year (September 2023 – August 2024) the following complaints were recorded:

Stage 2 complaints: 0

Stage 3 complaints: 0

Date of Policy Update: March 2025

Next Review: March 2026

Reviewed by: The Finance & Premises Committee

Signed by: Sam Bristow and Ed Fielding - Chair of Governors

Signed by: Paul Bailey and Anna Lipani - Co-Headteachers