



**Malden Parochial Church of England Primary School**  
**Reflecting the Kingdom of God by Enriching and Transforming Lives**

## **COMPLAINTS POLICY**

|                      |                |
|----------------------|----------------|
| Approved by:         | Governing Body |
| Status:              | Statutory      |
| Review cycle:        | Annual         |
| Last reviewed:       | September 2025 |
| Date of next review: | September 2026 |

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## Introduction

As a Church of England School, all that Malden Parochial C of E Primary School does or aspires to achieve, is informed, and strengthened by Christian belief and practice. We value our relationships with our children, our parents and carers, members of the school and the local community.

If you have a concern, we want to know about it so that it can be dealt with promptly. Most issues can be resolved easily and quickly at an informal level, but to ensure all concerns are handled effectively the Governing Body has adopted this Complaints Policy and Procedure.

The aim of this Complaints Procedure is to ensure that a concern or complaint is considered fairly, openly, promptly and, wherever possible, resolved to the satisfaction of the complainant.

The procedures identified in this policy should not be seen as replacing the good practice of resolving concerns or problems as and when they arise, but as further steps when a complainant remains dissatisfied.

We aim to maintain open communication and adhere to timescales stated in this procedure.

Our Complaints Policy is written with the intent that it will:

- usually be possible to resolve problems
- be simple to use and understand
- treat concerns and complaints in confidence
- allow concerns to be handled efficiently
- inform future practice so that a problem is unlikely to recur
- reaffirm the partnership between parents and carers, staff, and governors as we work together for the good of the pupils in the school
- ensure that the school's attitude to a pupil will never be affected by a parental complaint
- discourage anonymous complaints
- actively encourage strong home-school links
- ensure that any person complained against has equal rights with the person making the complaint
- be sensitive to the needs of all parties involved and make any reasonable adjustments needed to accommodate individuals
- be subject to a regular review cycle.

## **Roles and Responsibilities**

### **The complainant**

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

- Follow these procedures
- Cooperate with the school
- Treat all those involved with respect
- Not publish details about the complaint on social media

### **The Investigator**

The individual will be appointed to look into the complaint and establish the facts.

They will:

- Interview all relevant parties
- Consider records and any written evidence, and keep them securely
- Prepare a comprehensive report to the Headteacher or complaint committee which includes the facts and potential solutions

### **The Clerk to the Governing Body**

The Clerk will:

- Be the contact point for the complainant and the complaints panel, including circulating the relevant papers and evidence before complaints panel meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

### **The Complaints Panel Chair**

The Chair of the Complaints Panel 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 panel, and are allowed to present their case.

### **Who can make a complaint**

This Complaints Procedure is not limited to parents or carers that are registered at Malden Parochial C of E Primary School. Any person, including members of the public may make a complaint to Malden Parochial C of E Primary 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.

Parents / Carers are encouraged to come to the school to talk about their concerns as we aim to provide the best education possible for all of our pupils in an open and transparent environment. In addition to our termly consultations, staff are available to see parents and carers before and after school, and at other times by appointment.

### **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** within the terms of this Policy is defined as an 'expression of dissatisfaction 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.

The Staff and Governors of Malden Parochial C of E Primary School take 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 this case, please contact the Headteacher, who 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, Malden Parochial C of E Primary School will attempt to resolve the issue internally, through the stages outlined within this Complaints Procedure.

The Complaints Policy is available on the school website. A hardcopy can be obtained from the school office.

### **Safeguarding**

If a complaint is raised that the Headteacher, or the Designated Safeguarding Lead (DSL) considers to be a safeguarding issue they will contact Kingston's Single Point of Access (SPA), to ensure the safety and well-being of the child.

Malden Parochial C of E Primary School has separate policies referring to Safeguarding, which can be accessed from the school website.

## **Social Media.**

In order for a complaint to be resolved quickly and without prejudice, we request that complaints are not discussed publicly via social media such as Facebook or Instagram. Complaints will be dealt with by the school in a confidential manner and we also expect complainants to observe confidentiality.

## **The Complaint Process-How to raise a concern or complaint.**

### **Raising a concern.**

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

Concerns should be raised with either the class teacher or Headteacher. The majority of concerns can be dealt with informally, by speaking to a member of staff. We welcome suggestions for improving our work in the school. Whatever your concern, please know that we shall treat it as strictly confidential.

Be assured that our support and respect for you and your child in the school will not be affected in any way; please do not delay telling us of your concern. It is difficult for us to properly investigate an incident which is more than a day or two old.

Please do 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 a later stage of the procedure.

If you have not been able to resolve your concern informally, or the circumstances justify it, you may raise a formal complaint.

### **Raising a complaint.**

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, via the school office or by email to the Clerk to the Governors, Please mark as 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 office or by email. Please mark and Private and Confidential.

School Office: [office@maldenparochial.school](mailto:office@maldenparochial.school)

Clerk to Governing Body: [clerk@maldenparochial.school](mailto:clerk@maldenparochial.school)

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 for making a Complaint**

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 consider complaints made outside of this time frame only in exceptional circumstances.

### **Complaints received outside of term time**

The school will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### **The scope of this Complaints Procedure**

Some issues have associated statutory procedures and cannot be dealt with under our Complaints Procedure. These are listed below.

| <b>Exceptions</b>                                                                                                                                                              | <b>Who to contact</b>                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• School reorganisation proposals</li></ul> | Concerns about admissions should be raised with the Chair of the Admissions Committee via the School Office of Clerk to Governors.<br>Concerns about statutory assessments of Special Educational Needs, or school reorganisation proposals should be raised with <a href="https://www.afcinfo.org.uk/local_offer">https://www.afcinfo.org.uk/local_offer</a> |
| <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.<br><br>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has                                                                               |

|                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                   | <p>local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p> <p><a href="mailto:LADO@achievingforchildren.org.uk">LADO@achievingforchildren.org.uk</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <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:</p> <p><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.</i></p> <p><a href="https://www.maldenparochial.co.uk/behaviour-policy/">https://www.maldenparochial.co.uk/behaviour-policy/</a></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.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters directly 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 directly 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.</p> <p>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 directly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>                                                                   | <p>Please contact the Department for Education at:</p> <p><a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |



## **Legal Considerations**

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 Malden Parochial C of E 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.

## **Resolving complaints**

At each stage in the procedure, Malden Parochial C of E Primary 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 in light of the complaint
- an apology

*Please note that in certain circumstances, for example, if the outcome of an investigation is related to safeguarding or employment law, full details of the outcome of an investigation may not be shared with the complainant.*

## **Withdrawal of a Complaint.**

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

## **Stages in the Complaints procedure**

### **1. Raising a concern.**

If you have a concern, we would like you to tell us about it so that we can talk with you and see how best to resolve the issue. The majority of concerns can be resolved informally by speaking to a member of staff. Whatever your concern, please know

we shall treat it as strictly confidential and that our support and respect for you and your child will not be affected.

Please contact your child's class teacher or other appropriate member of staff and arrange a time when you can discuss your concern. It may be possible to see the member of staff straight away but normally it is better to make an appointment so that you can sit and talk things through. It may be possible to give a response immediately, but where any investigation or information is required, a response will be given within five working days.

## **2. Formal Stage 1**

If you have not resolved your issue by informal means, or you wish to refer it directly to a formal process you should contact the Headteacher. This may be done in person or in writing.

Unless the complaint is about the Headteacher, when you should contact the Chair of Governors. We ask you to give a brief outline of your concern on the school's Complaints Form (found at the end of this procedure).

You will receive an acknowledgement of the receipt within 5 working days and a reply explaining the action to be taken within 10 working days.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unsolved 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.

The Headteacher may delegate the investigation to another member of the School's Senior Leadership Team but not the decision to be taken.

During the investigation the Headteacher, or nominated investigator, 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 in relation to their investigation

At the conclusion of the investigation, the Headteacher will provide a formal written response within 20 school days of having sent the confirmation of the intended action. If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

After the investigation, 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 Malden Parochial C of E Primary School will take to resolve the complaint.

This could be:

- There was insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The concern was not substantiated by the evidence.
- The concern was substantiated in part or in full (some details will then be given of the action the school may be taking to review procedures etc)
- The matter was fully investigated, and appropriate procedures are being followed which are strictly confidential.

The Headteacher will also advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Headteacher, or a member of the Governing Body (including Chair or Vice-chair) a suitably skilled Governor will be appointed to complete all the actions in Stage 1.

If the complaint is:

- Jointly about the Chair and Vice-chair or
- The entire Governing Body or
- The majority of the Governing Body

Stage 1 will be considered by an Independent investigator appointed by the Local Authority or Southwark Diocese Education Board. At the conclusion of their investigation, the independent investigator will provide a formal written response.

### **3. Formal Stage 2**

If you still have concerns with the outcome at Stage 1 and wish to take the matter further, you may request that the complaint be moved to Stage 2. A meeting with members of the Governing Body's Complaints Panel.

A request to escalate to Stage 2 must be made to the Clerk of the Governing Body, through the school office or by email, within 10 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 5 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to you to inform you of the date of the Complaints Panel meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 2

request. If this is not possible, the Clerk will provide an anticipated date and keep you 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. The Complaints Panel will consist of at least three Governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Panel. If there are fewer than three Governors from the Governing Body of Malden Parochial C of E Primary School available, the Clerk will source any additional, independent Governors through another local school or through the LA's Governor Services team, in order to make up the panel.

You are entitled to 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 Complaint Panel meeting.

However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

**Representatives from the media are not permitted to attend.**

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

***The Complaints Panel will 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 normally permitted unless a complainant's own disability or special needs require it. In this case the school will make appropriate arrangements. All parties involved must be informed beforehand and give consent before meetings or conversations take place. Consent will be recorded in any minutes taken.

The Complaints Panel will consider the complaint and all the evidence presented. The Panel 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 Panel 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 Complaints Panel will provide the complainant and Malden Parochial C of E Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days of the meeting.

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 Malden Parochial C of E Primary School.

If the complaint is about:

- The Chair and Vice-chair of the Governing Body jointly or
- a member of the Governing Body
- the majority of the Governing Body),

Stage 2 will be heard by a panel of Independent Governors appointed by the Local Authority or Southwark Diocese Education Board.

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 also advise details of the actions Malden Parochial will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

### **Staff conduct complaints**

If it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Headteacher and /or the individual's line-manager. The complainant is entitled to be informed that action is being taken and the eventual outcome of any such action, but they are not entitled to participate in the proceedings or receive any details about them.

### **Serial and unreasonable complaints**

We hope that our procedures will enable concerns and complaints to be resolved amicably. Very occasionally schools experience unreasonable and unacceptable behaviour in relation to complaints or repetition of issues after the Complaints Procedure has been completed. Malden Parochial has adopted the DfE model policy for these circumstances, which is attached in this procedure.

### **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 they can contact the Local Authority or the Department for Education after they have completed Stage 2.

The complainant will be advised of this course of action should they remain dissatisfied with a decision made by the Governing Body Complaints Committee meeting.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Malden Parochial C of E Primary School. They will consider whether Malden Parochial C of E Primary 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.

The Governing Body will give their full consideration to any recommendations or directions the Secretary of State may make.

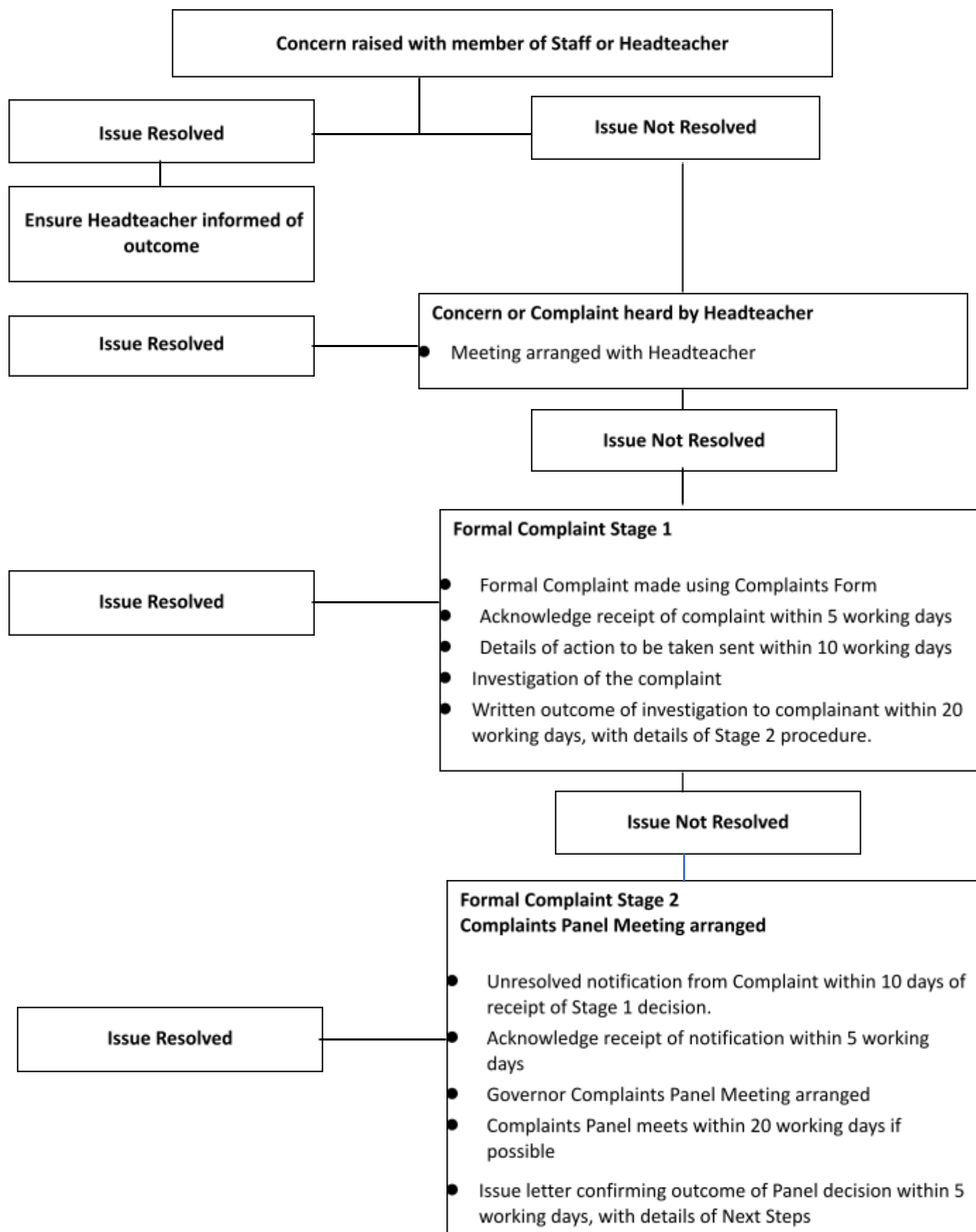
### **General Data Protection Regulation (GDPR)**

Where a complainant raises an issue that has implications for data protection, the Chair of Governors will take advice from the Data Protection Officers (DPO) at Satswana Ltd. Malden Parochial C of E Primary School have appointed Satswana Ltd as their chosen company for Data Protection. The officers at Satswana may communicate decisions directly to the complainant.

## Appendix A

### Flowchart

#### **Summary of Dealing with Complaints** (Not against the Headteacher or Governors)



## APPENDIX B

### Complaint Form

Please complete and return to Mrs McMullan, the Headteacher or the Clerk to the Governing Body, who will acknowledge receipt and explain what action will be taken.

|                                                                                                                                                                            |                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>Malden Parochial C of E Primary School</b>                                                                                                                              |                          |
| <b>COMPLAINT FORM</b>                                                                                                                                                      |                          |
| Your name                                                                                                                                                                  |                          |
| Pupil's name (if relevant):                                                                                                                                                |                          |
| Your relationship to the pupil (if relevant):                                                                                                                              |                          |
| Address:                                                                                                                                                                   |                          |
| Postcode:                                                                                                                                                                  |                          |
| Day time telephone number:                                                                                                                                                 |                          |
| Evening telephone number:                                                                                                                                                  |                          |
| Email address:                                                                                                                                                             |                          |
| Please give details of your concern and how it has affected you.                                                                                                           |                          |
| What action, if any, have you already taken to try and resolve your complaint<br>Include whether you have spoken to anybody at the school about it and any relevant dates. |                          |
| Are you attaching any paperwork? If so, Please list below                                                                                                                  |                          |
| What actions do you feel might resolve the problem at this stage?                                                                                                          |                          |
| <b>Signature:</b>                                                                                                                                                          |                          |
| <b>Date:</b>                                                                                                                                                               |                          |
| <b>Official use</b>                                                                                                                                                        |                          |
| <b>Acknowledgement sent by:</b>                                                                                                                                            | <b>Date sent:</b>        |
| <b>Complaint referred to:</b>                                                                                                                                              | <b>Date of referral:</b> |



## **APPENDIX C**

### **Malden Parochial C of E Primary School Policy for managing Serial and Unreasonable complaints**

Where a complainant raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the school will not reinvestigate the complaint except in exceptional circumstances, for example where new evidence has come to light.

Malden Parochial C of E 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 our 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.

Malden Parochial C of E Primary School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to cooperate 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 taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy, and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with

- uses threats to intimidate
- uses abusive, offensive, or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email, or text), as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before making a formal determination that a complaint is '*unreasonable*'.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Malden Parochial C of E Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the school.

## **Appendix D**

### **Roles and Responsibilities of all parties**

#### **Complainant**

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- cooperate 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**

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 staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate 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
- 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 / designated complaints governor or other staff member providing administrative support.

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 Complaints 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.

### **Clerk to the Governing Body**

The Clerk is the contact point for the complainant and the Panel 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
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the Panel's decision.

### **Complaints Panel Chair**

The Panel'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 Panel 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.*

- 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 Panel is open-minded and acts independently
- no member of the Panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk.

### **Complaints Panel Member**

Panel 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 Panel if they have had 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

Will 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.
- extra care needs to be taken when the complainant is a child/young person

and present during all or part of the meeting.

- careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- the Panel should respect the views of the child/young person and give them equal consideration to those of adults.
- if the child/young person is the complainant, the Panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the Panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- however, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- **the welfare of the child/young person is paramount.**