



**Broxbourne CE Primary School, EYFS & Extended Schools
(Voluntary Aided)**

Complaints Policy

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| Ratified by Governors | February 2026 |
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| Signed Chair of Governors |  |

Dream, Believe and Achieve with God

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1. Aim of the School

We strive to do our best in our practice and always act rightly and with integrity. It is very important to us that our families are happy with the school and confident with our provision. When dealing with problems or issues, the school will respect confidentiality and endeavour to be approachable, thorough and fair. It will keep all interested parties informed of any relevant developments, findings and decisions.

2. General Advice

It is important for the school to be informed of any particular concern at an early stage so that the issue can be dealt with fairly, quickly, and informally. Most problems can be resolved in this way. In the event of a matter requiring additional consideration, the school will follow this policy and guidance notes (DfE and Herts for Learning).

Contact can be made either by telephone, letter, email or in person. When contacting members of staff for a personal discussion, this should be done through the School Office. With full teaching commitments, it may be difficult for staff to see people at short notice and during lesson time. It is helpful if the staff are given an outline of what the meeting will be about, so that they can gather any relevant information available.

This process is not limited only to parents or carers of children that are registered on roll at the school. Other people, including members of the public, may make a complaint to our School, provided that the complaint relates to the provision of facilities or services that we provide. Any issues for which a separate statutory process applies (such as appeals regarding exclusions or admissions) do not fall within the scope of this process. The School will confirm to you upon receipt whether or not your enquiry falls under this policy and procedure and what will happen next if it does. For issues that fall outside of this policy and procedure, the School will confirm the correct process that applies instead.

3. The difference between a concern and a complaint

We define a concern as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought.’

We define a complaint as ‘an expression of dissatisfaction however made, about actions taken or a lack of action that requires an investigation and formal response in writing.’

It is in everybody’s interest that concerns and complaints are resolved as swiftly as possible. Most issues can be resolved informally, without needing to escalate to any formal stages. Broxbourne CE Primary School takes concerns seriously and we will make every effort to resolve matters as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In such cases, you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with your concerns, you will be referred to another staff member.

Broxbourne CE Primary School understands however, that after following the informal steps above, there are some occasions when people wish to raise their concerns formally. In such instances, the School will attempt to resolve the issue(s) internally, through the stages outlined within this complaints policy and procedure.

4. How to raise a concern or make a complaint

4.1 Step 1 Raise Concern with the Class Teacher

If you are unhappy, concerned or do not understand something, please speak to your child's class teacher in the first instance. This can be done by requesting a meeting through the school office – office@broxbourne-pri.herts.sch.uk – please provide an indication as to the topic to ensure a quick resolution. Please do not raise issues with class staff before school, as their priority at this time is getting the children into class and they will not be able to give you their full attention.

We hope the majority of issues can be resolved quickly through parents and the school working together.

If, for any reason, you do not feel comfortable raising the issue with your class teacher – or the teacher does not feel comfortable – then please move to Step 2.

4.2 Step 2 Raise Concern with the Deputy Headteacher

If you are unable to resolve the matter with the class teacher, or the issue relates to the school as a whole, please call or email the office to request a meeting or call with the Deputy Headteacher. The Deputy Head, Class Teacher (if appropriate) and parents can then work together to find a resolution.

4.3 Step 3 Raise Concern with the Headteacher

Should the Deputy Head be unable to resolve any issue, a subsequent appointment should be made to meet with the Headteacher. Please request a meeting with the Headteacher (through the School Office, as detailed previously). This meeting will be with the Headteacher, who may subsequently ask a Governor to attend should a follow-up meeting be required. The initial meeting will be held at the earliest convenience for all parties.

5. How To Raise an Official Complaint

If, having followed Step 4.1 to Step 4.3, you are still concerned by the issue, you can submit an official complaint. A form will need to be completed which will ask you to outline the reason for your complaint and the outcomes you are seeking. For ease of use, a template complaint form has been included within this complaints policy and procedure (Appendix 2).

This form can be submitted in writing or by email to the Clerk to the Governors – clerk@broxbourne-pri.herts.sch.uk. If you require support to complete this form, please raise this with the School Office. You can also ask third party organisations like the Citizens Advice Bureau or an Independent Advocate to help you.

In accordance with equality law, as outlined above, the School will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints process. This includes providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

If a complainant is unable to submit their complaint in writing, the School will ensure that the issues being complained about and the outcomes being requested are documented in writing. The School may do this in the following way:

Invite the complainant to a meeting with the Headteacher or Chair of Governors (depending on what stage the complaint has reached) and a Notetaker. The Notetaker will document the issues being complained about and the complainant's desired outcomes, as discussed and agreed during the course of the meeting. At the end of the meeting, the complainant will be given a copy of the notes of the meeting containing this information and the School will retain the original copy for the purpose of investigating the complaint(s).

Complainants should not approach individual Governors to raise concerns or complaints. They have no power to act on an individual basis. If a complainant approaches a Governor, they should signpost the complainant back to the most appropriate person. This could be the Class Teacher, Deputy Head, Headteacher or Chair of Governors,

Complaints against School staff (except the Headteacher) should be made in the first instance, to the Headteacher via the School Office. They should be marked Private and Confidential. The Headteacher will then conduct an investigation of the complaint, which will involve all parties.

If the investigation is unable to resolve the issue, thereafter a Complaints Panel will be formed, consisting of a minimum of three Governors. Again, all parties involved will be asked to provide information to this panel, either in writing or at a hearing.

Complaints regarding the Headteacher should be addressed to the Chair of Governors and submitted via the School Office. They should be marked as Private and Confidential. The School Office will ensure that the Chair of Governors receives this promptly. The Chair of Governors will ensure that the complainant has sought to follow the equivalent necessary informal stages of the complaints policy and has met with the Headteacher to discuss any issues. If this has not occurred, meetings will be held with the Chair of Governors to ensure any issue is a qualifying complaint. Follow-up meetings may also be held to resolve matters before formal proceedings are required.

Complaints about the Chair of Governors, any individual Governor or the whole Governing Body should be addressed to the Clerk to the Governing Body and submitted to the School Office. They should be marked Private and Confidential. The School Office will ensure that the Clerk receives this promptly.

5.1 Formal Complaint – Stage 1

Formal complaints must be made to the Headteacher in the first instance (unless the complaint is about the Headteacher) via the School office.

The Headteacher will record the date the complaint was received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 School days.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome(s) the complainant would like to see. The Headteacher will consider whether a face-to-face meeting is the most appropriate way of doing this. The Headteacher can delegate the investigation of the complaint to another member of the School's Senior Leadership Team, but not the decision(s) to be taken.

During the investigation, the Headteacher (or Investigator) will:

- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish. The decision in terms of who should be interviewed and how is up to the Headteacher (or Investigator).
- Keep a written record of any meetings or interviews in relation to their investigation.

Once the investigation has been concluded, the Headteacher will provide a formal written response within 10 School days from the date of receipt of the complaint.

If the Headteacher is unable to meet this deadline for whatever reason, they will provide the complainant with an update and a revised response date.

The response will detail the actions taken to investigate the complaint and will provide a full explanation of the decision(s) made and the reasoning behind them.

Where appropriate and possible, the response will include details of actions Broxbourne CE Primary School will take to hopefully resolve the complaint.

The Headteacher will advise the complainant how they may 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 the Chair or Vice-Chair of Governors), a suitably skilled Governor will be appointed to complete all the required actions at Stage 1 as set out above.

Complaints about the Headteacher or a member of the Governing Body must be made to the Clerk, via the School Office.

If the complaint is:

- jointly about the Chair and Vice Chair of Governors,
- the majority of the Governing Body or
- the entire Governing Body,

Stage 1 will be considered by an Independent Investigator appointed by the Clerk to the Governing Body. This person could be a Governor from another School. At the conclusion of their investigation, the Independent Investigator will provide a formal written response to the complainant.

If the complainant is dissatisfied with the Stage 1 response to their complaint, they have 10 School days in which to request escalation to Stage 2 of the complaints process.

Escalation requests made outside of this period do not have to be accepted.

If the request is late, the complainant will be asked to explain why they have taken longer than 10 School days to request escalation of their complaint to the next stage. If the complainant does not provide any explanation or the School deems that the explanation given is not compelling or exceptional enough to warrant accepting the escalation request out of timescale, the School will confirm this in writing and take no further action.

5.2 Formal Complaint – Stage 2

5.2.1 Governor's Complaint Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – where the complaint is heard by a Panel of Governors. The Panel is comprised of three impartial Governors,

usually from the School's Governing Body. In exceptional circumstances however, a decision may be taken to use Governors from other Schools to make up the Panel. Stage 2 is the final stage of the School's complaints process.

A request to escalate to Stage 2 must be made by the complainant to the Chair of the Governing Body (or the Clerk to the Governing Body if the complaint is about the Chair) via the School office, within 10 School days of the Stage 1 response being issued.

The Chair of Governors (or the Clerk) will record the date the Stage 2 escalation request is received and acknowledge receipt of the request in writing (either by letter or email) within 3 School days.

Requests received outside of this period will only be considered if the School deems that exceptional circumstances apply. Stage 2 will only consider complaints that have already been lodged and investigated at Stage 1. It is not an opportunity to raise new complaints, and any such new complaints will not be considered.

The Chair of Governors (or the Clerk) will write to the complainant to inform them of the date of the Stage 2 Complaints Panel Hearing. They will aim to convene a Panel within 20 School days of receipt of the Stage 2 request. If this is not possible, they will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates and without good reason, the Chair of Governors (or the Clerk) will decide when the Panel Hearing will be. It is permitted to proceed in the complainant's absence on the basis that the Panel will consider all written submissions from both parties.

The Complaints Panel will decide whether to deal with the complaint by inviting parties to a Hearing or by way of written representations, but in making their decision they will be sensitive to the complainant's needs. The Hearing may take place with both parties present or attending separately at different times. Once again, this will depend on the circumstances of the complaint.

Both parties (i.e. the complainant and the respondent on behalf of the School) may bring someone along with them to provide support. This could be a friend, relative or independent supporter. Generally, whilst not prohibited, we do not encourage either party to bring Legal Representatives to the Panel Hearing as it is not a Court of Law and cross questioning is not permitted. All questioning throughout the Hearing is conducted solely by the Panel. Witnesses, including members of staff, may be invited to give evidence during the course of the Panel Hearing. They may also bring someone along with them to provide support, such as a friend, relative or independent supporter.

If a complaint is made regarding the behaviour or conduct of a member of staff and it is upheld in full or in part, this may result in some form of disciplinary action taking

place. Where this is the case, complainants will be informed that the matter will be progressed through Staff Disciplinary Procedures, if appropriate, but the outcome(s) cannot be shared with them as this information is confidential between the employer and employee.

Representatives from the media are not permitted to attend a Stage 2 Complaints Panel Hearing.

At least 14 School days before the meeting, the Chair of Governors (or the Clerk) will:

- Confirm and notify the complainant (and the respondent on behalf of the School) of the date, time, and venue of the Panel Hearing. Every effort should be made to try and ensure that that Hearing date and time is convenient for both parties and that the venue and proceedings are accessible. Please note however, that if the complainant rejects the offer of three proposed dates and without good reason, the Chair of Governors (or the Clerk) will decide when the Panel Hearing will be, and it is permitted to proceed in the complainant's absence on the basis that the Panel will consider all written submissions from both parties. Similarly, if either party elects to leave the Hearing before it has finished, it is permitted to continue in their absence.
- Request copies of any further written material to be submitted to the Panel at least 7 School days before the meeting. Late evidence will not be accepted.

Any written material submitted will be circulated to all parties at least 5 School days before the date of the Hearing. The Complaints Panel will not accept as evidence audio or video recordings of conversations that were obtained covertly and/or 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 that may have been included.

The Stage 2 Complaints Panel Hearing will be held in private. Electronic recording of the Hearing is not permitted unless a complainant's own disability or special needs require a reasonable adjustment to be made. Prior knowledge and consent of all parties attending must be sought and obtained before recording of the Hearing can take place. Any request to audio or video record the meeting and whether this was consented to or not by all parties present should be documented in the Clerk's detailed notes of the Hearing. The final decision as to what reasonable adjustments will be made, if any, rests with the school.

The Stage 2 Complaints Panel will consider the complaint and all the evidence presented by both parties. The Panel can:

- Uphold the complaint in full or in part.

- Reject the complaint in full or in part.

If the complaint is upheld in full or in part, the Stage 2 Complaints Panel will:

- Decide on the appropriate action to be taken to try and resolve the complaint.
- Where appropriate, recommend changes to the School's systems or procedures to prevent the same or similar issues happening in the future.

The Chair of the Panel will provide the complainant and the respondent on behalf of the School with a full explanation of their decision and the reason(s) for it, in writing, within 5 School days of the Hearing.

The outcome letter to the complainant (and copied to the respondent on behalf of the School) will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Broxbourne CE Primary School.

If the complaint is:

- jointly about the Chair and the Vice Chair of the Governing Body or
- the majority of the Governing Body or
- the entire Governing Body,

Stage 2 will be heard by a Panel of Independent Governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision(s) made and the reason(s) for them. Where appropriate, it will include details of actions Broxbourne CE Primary School will take to try and resolve the complaint and to prevent the same issues from recurring.

The response will also advise the complainant how to escalate their complaint should they remain dissatisfied.

5.2.2 Governor Review - Complaints where a child no longer attends the School and is no longer on roll

Where the complainant has removed their child from the School or the child is no longer a pupil at the School, it is impossible for the School to provide a remedy that will directly benefit them or their child.

However, as the Governing Body has a duty of care to pupils who remain on roll, where a child has left the School, it will ensure that the circumstances of any complaint made are reviewed so that the Governing Body is satisfied that the School had acted appropriately and that the relevant policies and procedures had been

followed correctly.

Under this policy and procedure, where a child no longer attends the School and their name has been removed from the School roll, the Chair of Governors has the discretion to commission a Stage 2 Governor Review instead of a Stage 2 Complaints Panel. The Chair of Governors will choose one of the two options, to ensure that the complaint is investigated appropriately, and that the complaints process can be concluded, however, the final decision as to which option they choose is entirely at their discretion.

If a decision is taken to commission a Stage 2 Governor Review instead of a Stage 2 Complaints Panel Hearing, the Chair of Governors will appoint a Governor who has had no prior involvement in the complaint to undertake this. If a Governor cannot be appointed from the School's own Governing Body (for example due to sickness or other prior commitments), the Chair of Governors will appoint an independent Governor from another local School or through the Local Authority's Governor Services Unit.

Once a Governor has been appointed, they will review the original complaint, the Stage 1 Investigation and response, the complainant's reply to the Stage 1 response (including their escalation request) and any further evidence the complainant has submitted (this must relate to the complaint and cannot be in relation to new matters).

When the review is complete, either the Chair of Governors or the Governor who conducted the review will write to the complainant to inform them whether the complaint has been upheld or rejected, in full or in part, and of any changes to practice and procedures which have been agreed by the Governing Body.

6. Anonymous complaints

Broxbourne CE Primary School will not normally investigate anonymous complaints. In such instances, the Headteacher and/or the Chair of Governors will determine whether the complaint warrants an investigation and will ensure that this is completed, if so. The outcome of the investigation cannot be shared with the complainant, as the School will not know who they are and therefore, the School cannot ascertain whether or not the person is entitled to have confidential information regarding the complaint investigation shared with them.

7. Timescales

All complaints must be raised within three months of an incident or event. Where a series of associated incidents have occurred, the complaint must be raised within three months of the last of these incidents. Broxbourne CE Primary School will

consider exercising the discretion to consider matters raised outside of this period, only if the School deems that exceptional circumstances apply. To enable the School to make this decision, the complainant will be asked to explain their reasons as to why they have taken longer than three months to raise their complaint. If the complainant does not provide any explanation or the School deems that the explanation given is not compelling or exceptional enough to warrant the issue(s) being investigated as a late complaint, the School will confirm this in writing and take no further action.

8. Complaints received outside of term time

Broxbourne CE Primary School will consider any complaints made outside of term time to have been received on the first school day after the holiday period. The School will send the complainant an acknowledgement of their complaint, confirming the date of receipt, what will happen next and the timescale that applies. This will differ depending on what stage of the complaints process has been reached.

9. Scope of this Complaints Policy and Procedure

This policy and procedure only apply to complaints about the provision of facilities or services by Broxbourne CE Primary School

The following matters cannot be dealt with as a formal complaint:

- Complaints about pupil behaviour outside of School hours, e.g. weekends and holiday periods – such issues are not the School's responsibility.
- Complaints regarding third parties using or hiring School premises – third party providers should have their own complaints process, and you should contact them directly.
- Complaints about the School carrying out a statutory duty, e.g. making a Child Protection referral – the School's complaints process cannot be invoked to stop it from doing something it has a duty to do.
- Matters likely to require a Child Protection Investigation – Complaints about Child Protection matters are handled under the School's Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance.
- A member of staff complaining about another member of staff – refer to the School's Internal Grievance Procedures.
- A member of staff complaining about an action or a decision of the School's Full Governing Body - the Governing Body will have already given the matter full consideration.

- Whistleblowing – refer to the School’s Internal Whistleblowing Procedure for all employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for Whistleblowing in education who do not wish to raise matters directly with their employer. Referrals can be made at www.education.gov.uk/contactus
- Complaints regarding internal management decisions, e.g. Class and Teacher Allocations and School Session Time changes.
- National Curriculum content – contact the Department for Education at www.education.gov.uk/contactus
- Complaints about a decision or process that has been subject to a full consultation and subsequently approved by the Full Governing Body – the Governing Body has already given the matter full consideration and respondents have had the opportunity through the consultation process to put forward their views.
- Unsuccessful School admission applications – may ultimately be appealed to an Independent Appeal Panel.
- Complaints about Fixed-Term or Permanent Exclusions – Permanent Exclusions may ultimately be appealed to an Independent Review Panel (IRP). For Fixed Term Exclusions, representations can be made to the Chair of Governors outside the provisions of the complaints process.

If other bodies are looking into aspects of a complaint, for example the Police, the Local Authority (LA) Safeguarding Teams or a Tribunal, this may impact on the School’s ability to adhere to the timescales set out within this policy and procedure or may result in the process being suspended until the other relevant body has concluded its enquiries.

If a complainant commences legal action against Broxbourne C of E Primary School in relation to their complaint, we will consider whether to suspend the complaints process until the legal proceedings have concluded. The School will only consider investigating the complaint after the conclusion of legal proceedings if those proceedings did not address the issues at the heart of the complaint.

10. Resolving complaints

At each stage of this process, Broxbourne CE Primary School will aim 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 if it is deemed appropriate and necessary:

- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that we will try to ensure the event(s) 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 relevant School policies in light of the complaint.
- An apology.

11. Serial, Persistent & Vexatious Behaviour and Complaints

11.1 Unreasonable Complaints

Broxbourne CE Primary School is committed to dealing with all complaints fairly and impartially and in accordance with the complaints policy and procedure that the Governing Body has adopted.

The School will not normally limit the amount of contact that parents, carers or complainants have with us; however, the School does not expect its staff to tolerate unreasonable behaviour and we will take decisive action to protect staff from such behaviour, including any that the School deems to be abusive, offensive or threatening.

Broxbourne CE Primary School defines unreasonable behaviour as that which affects the smooth and efficient running of the School on a daily basis, or that which hinders the School's 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 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 that 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.

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 headteacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the headteacher 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.
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- 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.

11.2 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 substantially 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.

11.3 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 local process is complete.
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint.

If a duplicate complaint is raised, which in the view of the school, warrants further consideration, the procedure outlined in section 4 or 5 (as appropriate) will be repeated.

11.4 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 the complainants

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

12. Withdrawal of a Complaint

If a complainant wishes to withdraw their complaint, they must inform the School. Broxbourne CE Primary School will ask them to confirm this in writing. If they are unable to do this however, the School will write to them to confirm that their complaint has been withdrawn, in accordance with their wishes.

13. Further recourse

13.1 Special Educational Needs provision complaints

If your complaint is about the way the School has been delivering the provision set out in Section F of your child's Education, Health and Care Plan (EHCP), you may complain further to the Local Authority that maintains your child's EHCP.

If the EHCP is maintained by Hertfordshire County Council, you may complain further by setting out the detail of your complaint and sending it to:

Customer Service Team – Complaints

Postal Point: CHO118

Resources Department

County Hall

Hertford

SG13 8DF

Email: cs.complaints@hertfordshire.gov.uk

Once in receipt of your complaint, the Complaints Manager for Children's Services will ensure that the Local Authority completes a Section F Provision Checklist. This process entails a Provision Checklist being drawn up directly from Section F of the EHCP. A Senior SEND Officer will then visit the School to work through the checklist point by point and complete it. The Senior SEND Officer will seek the comments of the Headteacher, Senior Leadership Team, SENCo and Governors as appropriate, as well as any other information or advice that they deem necessary.

Once the Provision Checklist has been completed, the Local Authority will notify the complainant of the outcome in writing, enclosing a copy of the checklist. A copy of the outcome letter and Checklist will also be sent to the School for its information and record keeping. This process will take up to 25 working days (of the Local Authority) to conclude.

Complainants who remain dissatisfied following further investigation of their Special Educational Needs provision complaint by the Local Authority may complain to the Secretary of State who may decide to conduct an additional investigation. The contact details for the Secretary of State are set out below.

13.2 Complaints of any other nature

If the complainant believes that the School did not handle their complaint correctly in accordance with this complaints policy and procedure or that it acted unlawfully or unreasonably in exercising its duties under education law, they can approach the Department for Education (DFE) after they have exhausted the School's complaints process at Stage 2.

The DFE will not normally re-investigate the substance of a complaint or overturn any decisions made by Broxbourne CE Primary School. They will consider whether the School has adhered to education legislation and any statutory policies relevant to the complaint. The DFE will not substitute its decision for that of the Stage 2 Complaints Panel simply because the complainant disagrees with it.

The complainant can refer their complaint to the Secretary of State at the Department for Education online at 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

APPENDIX 1 Roles and Responsibilities

Complainant

The complainant should:

- Explain their complaint in full as clearly and concisely as possible.
- Co-operate fully with the School to try and resolve the complaint.
- Respond promptly to requests for information or meetings.
- Agree the details of their complaint and their desired outcomes in a timely way if clarification is requested.
- Ask for assistance if or when needed.
- Treat everybody involved in their complaint and the complaints process with dignity and respect.
- Refrain from publicising the details of their complaint on social media and respect confidentiality.
- Refrain from making allegations and threats.

If the complainant fails or refuses to follow the above, the School may have to suspend its consideration of their complaint, either temporarily or permanently, depending on the nature of the complainant's behaviour and how this affects the School's handling of the complaint. In such circumstances, the School also reserves the right to invoke its Policy and Procedure for Managing Persistent and Vexatious Behaviour and Complaints (contained in 11.1).

Investigator (if one is required or appointed)

This could be the Headteacher or another member of the School's Senior Leadership Team. 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 any staff, children, young people, or any other people relevant to the complaint.
 - Consideration of records and other relevant information.
 - Analysing information.
 - Referring to any relevant School policies and procedures that apply.
- Liaising with the complainant and the Complaints Co-ordinator as appropriate to try and identify how the complaint may best be resolved.

The Investigator should:

- Conduct interviews with an open mind and be prepared to persist in their questioning if they deem this necessary.

- Keep notes of interviews or arrange for an independent note taker to document the meeting.
- Ensure that any papers produced during the investigation are kept securely pending further consideration of the complaint.
- Be mindful of the timescales to respond.

If the Investigator is somebody other than the Headteacher, then they should prepare a comprehensive report for the Headteacher or the Stage 2 Complaints Panel that sets out the facts, tries to identify solutions, and makes recommendations to try and resolve the issues.

The Headteacher or Stage 2 Complaints Panel will then determine whether to uphold or reject the complaint in full or in part and communicate their finding(s) to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

This could be the Headteacher, a Designated Complaints Governor or a member of School staff providing administrative support.

The Complaints Co-ordinator should:

- Ensure that the complainant is updated at each stage of the School's complaints process.
- Liaise with staff members, the Headteacher, the Chair of Governors, the Clerk and any another relevant sources of information or support, to ensure a smooth and effective complaints process.
- Remain mindful of issues regarding:
 - Sharing third party information.
 - Additional support. This may be needed, for example, by complainants when making a complaint, including an Interpreter or where the complainant is a child or young person.
- Keep accurate records and store them securely.

Clerk to the Governing Body

The Clerk is the point of contact for the complainant, the respondent on behalf of the School and the Stage 2 Complaints Panel. They should:

- Ensure that everybody involved in the complaints process is aware of their legal rights and responsibilities, 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 (unless three proposed dates have been declined without good reason in which case the Clerk in conjunction with the Chair of Governors will decide when the Hearing will be). They should also ensure that the venue and proceedings are accessible for all attendees.
- Collate any written material relevant to the complaint (for example, the Stage 1 paperwork, the respondent on behalf of the School's submission, the complainant's submission and signed, dated witness statements) and send it to all parties in advance of the meeting within an agreed timescale (including the Panel).
- Take detailed notes of the Stage 2 Complaints Panel Hearing.
- Provide a copy of their detailed notes to either or both parties if requested to do so.
- Notify both parties of the Panel's findings.

Chair of the Stage 2 Complaints Panel

The Chair of the Stage 2 Complaints Panel will be appointed in advance of the Hearing and 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 Hearing.
- The Hearing is conducted fairly and impartially, 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 attending such Hearings are put at ease insofar as possible. This is particularly important if the complainant is a child or young person.
- The remit of the Complaints Panel is explained to both parties.
- 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 it and comment upon it. This may require an adjournment of the Hearing. New issues would need to be passed back for consideration at Stage 1 first.
- Both the complainant and the respondent on behalf of the School are given the opportunity to put forward their case and seek clarity, either through written submissions ahead of the Hearing or verbally in the Hearing itself.
- No cross questioning is permitted. All questioning is conducted by the Panel.
- The issues are addressed.
- Key findings of fact are made and not of opinion.
- The Panel is open-minded and acts independently.

- No member of the Panel has an external interest in the outcome of the proceedings or has had any involvement at an earlier stage of the complaints process.
- The Clerk takes detailed notes of the Hearing.
- They liaise with the Clerk whenever the need arises (and the Complaints Co-ordinator, if the School has one).

Stage 2 Complaints Panel Member

Stage 2 Complaints Panel Members should remain mindful that:

- The Hearing 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 Hearing should be to try and resolve the complaint and achieve reconciliation between the School and the complainant wherever possible.
- The complainant may not be satisfied with the outcome if the Panel does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous in a formal setting such as this.
- Parents and carers often feel emotional when discussing issues that affect their children.
- Extra care needs to be taken if the complainant is a child or young person, and they are present during all or part of the Hearing.
- Careful consideration of the atmosphere and proceedings should be given to ensure that a child or young person does not feel intimidated.
- The Panel should respect the views of a child or young person and give them equal consideration to those of adults.
- If a child or young person is the complainant, the Panel should ask them in advance if any support is needed to help them present their complaint.
- Where a child or young person's parent or carer is the complainant, the Panel should give them the opportunity to say which parts of the meeting, if any, the child or young person would like to be present for.
- The complainant should be advised that it may not be agreed for a child or young person to attend a Hearing if the Panel considers that it is not in the child or young person's best interests.
- The welfare and best interests of the child or young person should always remain at the forefront.

APPENDIX 2 - Formal Complaint Form

| | | |
|--|------------------------|-----------|
| Name: | | |
| Address: | | |
| Postcode: | | |
| Email address: | | |
| Telephone No: | Day: | |
| | Evening: | |
| | Mobile: | |
| What is the nature of your complaint? (Please use additional sheets if needed) | | |
| | | |
| Have you raised your issue(s) with your child's Class Teacher at the informal stage? If so, when did you do this? | Yes (inc. date) | No |
| Have you complained to the Deputy Headteacher? | Yes (inc. date) | No |

| | | |
|---|------------------------|-----------|
| What happened when you complained to the Deputy Headteacher? | | |
| | | |
| Have you complained to the Headteacher? | Yes (inc. date) | No |
| What happened when you complained to the Headteacher? | | |
| | | |
| What are your desired outcomes? | | |
| | | |
| Signed: | | |
| Date: | | |

Please return your completed complaint form to the School Office either by email at clerk@broxbourne-pri.herts.sch.uk or in hard copy format and it will be passed to the Headteacher or Chair of Governors, depending on what stage the complaint is at and what it is regarding.