

Complaints Policy 2026

Simon Marks Jewish Primary School has adopted the Hackney complaints policy so all agencies are working collaboratively and fairly.

1. Introduction and Overview

1.1. Governing bodies are required by law to have a procedure in place to deal with complaints relating to a school or the provision of community facilities or services at the school. The law requires that this procedure must be publicised. This policy sets out the procedure followed by our school.

1.2. The vast majority of complaints and concerns can be resolved informally. We take all concerns seriously and will make every effort to resolve them as quickly as possible.

1.3. A complaint can be brought by a parent of a registered child at the school, a person who has been provided with a service or a facility at the school or any third party who may have cause to complain about the school. This procedure refers to this person as a complainant.

1.4. A concern or unresolved problem will be treated as a complaint only when the complainant asserts that the school has acted wrongly in some significant decision, action or failure to take action.

1.5. Even when a complaint has been made it can be resolved or withdrawn at any stage.

1.6. Our school has a **nominated complaints lead** of staff with responsibility for the operation and management of the school complaints procedure. This member of staff is the headteacher. They can be contacted via the school office. If the complaint is specifically against the headteacher, however, please address this to Chair of Governors Howard Pallis via email, howardpallis@lawandadvocacy.co.uk>marking your correspondence as confidential.

1.7. **Anonymous complaints** will not normally be investigated. The Headteacher or Chair of Governors may, however, determine if the complaint warrants investigation.

1.8. Unless exceptional circumstances can be shown, the complaint must be raised within 3 months of the incident or, where a series of associated incidents have occurred, within 3 months of the last of these incidents.

2. Special Circumstances

2.1. Any complaint or other notice that suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual interference or neglect may be referred without further notice to Children's Social Care and/or to the social services authority for the area in which the child lives.

2.2. If a social services authority decides to investigate a situation, this may postpone or supersede investigation by the headteacher or governing body.

3. Other Solutions to Complaints

3.1. Where a matter can be resolved through a legal appeal it will not be considered as a formal complaint. The key areas are admissions decisions, certain decisions relating to statutory assessment of special educational needs and decisions to permanently exclude a child.

3.2. In addition, school reorganisation proposals, child protection investigations, whistleblowing, staff grievance & disciplinary issues and complaints provided by other providers who may use school premises or facilities fall outside the scope of this procedure. In the majority of cases, these issues are covered by separate policies.

4. Dealing with concerns informally

4.1. The complainant will be given an opportunity to discuss their concern with an appropriate member of staff. This may require an appointment to be made. This person may be the headteacher, nominated complaints lead or another senior school leader.

4.2. The complainant will be able to bring a friend to any discussion. The friend is there to support the individual, but would not normally be present to advocate for them.

4.3. At the end of the meeting, the member of staff dealing with the concern will make sure that the complainant is clear what action (if any) or monitoring of the situation has been agreed.

4.4. This stage should be completed speedily and concluded in writing with appropriate detail.

4.5. Where no satisfactory solution has been found, the complainant will be informed that s/he will need to consider whether to make a formal complaint to the Headteacher. A complaint can be made in person, in writing or by telephone. To assist in this process a complaint form is provided (see Annexe A of this policy). If help is required to complete this form, please contact the school office.

5. Stage 1 – Referral to the Headteacher for investigation

5.1. The Headteacher will acknowledge the complaint in writing within 3 school days of receipt of the complaint.

5.2. Whilst the Headteacher may delegate investigation of the complaint to the nominated complaints lead or another member of the school's senior leadership team, they will still be responsible for the decision regarding the outcome of the investigation.

5.3. The Headteacher (or delegated investigator) may choose to meet with the complainant to supplement any information previously provided.

5.4. If the complaint is against a member of staff, the Headteacher (or delegated investigator) will talk to the staff member against whom the complaint has been made.

5.5. Where necessary, the Headteacher (or delegated investigator) will interview witnesses and take statements from those involved.

5.6. The Headteacher (or delegated investigator) should keep reasonable written records of meetings, telephone conversations and other documentation informing their investigation.

5.7. Once all the relevant facts have been established, the Headteacher (or delegated investigator) will produce a written response to the complainant. This will be agreed by the Headteacher who may wish to meet the complainant to discuss/resolve the matter before confirming the outcome in writing.

5.8. The written response will include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.

5.9. Stage 1 should be completed in 15 school days. However, it is recognised that where the case is complex, it may prove difficult to meet this timetable. In such cases, the Headteacher should write to the complainant giving a revised target date.

5.10. Our school does not pay financial compensation as a response to complaints, although we may agree expenses for a relevant educational purpose (e.g. paying a fee for a repeat examination).

5.11. The formal stage 1 response will also advise the complainant that if s/he is not satisfied with the response and wishes to take the matter further, s/he should write to the Chair of the Governing Body within 15 school days of receiving the outcome letter. The outcome letter will set out the name of the Chair of the Governing Body and the address to which the complainant can send the letter.

6. Stage 2 – Consideration by the Governing Body

6.1. If the complainant decides to take the matter further, the Clerk / Chair of the Governing Body will write to the complainant to acknowledge the complaint within 3 school days of receipt of the complaint. A copy of the acknowledgement and the complaints form should be sent to the Headteacher and the Clerk to the Governing Body. .

6.2. **Complaints against the Headteacher** - If the complaint is wholly or mainly about the Headteacher, the complaint should be addressed to the Chair of Governors. Please mark your correspondence as confidential and send this to <insert contact details>. In this instance, the Governing Body will consider the complaint in accordance with Stage 2 of the procedure. Before Stage 2 is instigated, the Chair of the Governing Body will invite the Headteacher to respond to the complaint in writing within 10 school days. The Chair will send a copy of the Headteacher's response to the complainant who will be asked to indicate within 5 school days of receipt of the response whether s/he is satisfied with the response. If the complainant is not satisfied with the response, stage 2 should commence.

6.3. **Complaints about the Chair of Governors, individual governors or the whole governing body** should be addressed to the Clerk to the Governing Body at <insert contact details>. These should be marked as private and confidential. Complaints will be considered in accordance with stage 2 of the procedure. In this instance the Complaints Appeal Panel will be made up of independent panel members who may be drawn from another school's Governing Body & / or from the Local Authority.

6.4. **Investigating the complaint** – If the complaint has been investigated at Stage 1, the result of the investigation must be made available to the Clerk / Chair by the Headteacher. However, where the complaint is against the Headteacher and the complaint is referred to Stage 2, the Chair of the Governing Body must decide how the complaint should be investigated. Where the facts of the complaint are clearly established, it is unlikely for the Chair of the Governing Body to order an investigation. The matter may instead be escalated directly to the Complaints Appeal Panel.

6.5. A Complaints Appeal Panel (CAP) drawing on three governors with no prior, direct involvement with the complaint will be established to hear the complaint at stage 2. In deciding the make-up of the CAP, where possible the governing body will try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation. Where all (or a majority of governors) are aware of the substance of a complaint before the final stage has been completed, the Governing Body may choose to arrange for the panel hearing the complaint to be made up entirely (or include a number) of independent panel members. In this case, independent panel members may be drawn from another school's Governing Body or from the Local Authority. The CAP will agree a single member to act as panel chair.

6.6. The Headteacher cannot serve on the CAP. If the Chair of the Governing Body has had any prior involvement in the complaint, then the Chair will not sit on the CAP either.

6.7. The CAP will consider the complaint on the basis of the written evidence and set up a hearing to hear both parties. The CAP will reconsider the issues raised in the original complaint and not confine themselves to consideration of procedural issues.

6.8. The Clerk/Chair of the CAP will confirm the date of the meeting with the other governor(s). We will try to ensure this is arranged within 5 schools days of receipt of the stage 2 complaint request. Where this is not possible, the Clerk / Chair of the CAP will provide an anticipated date and keep the complainant informed.

6.9. At the same time, the clerk / Chair of the CAP will write to the complainant and Headteacher confirming the CAP meeting date, time and venue. The letter will also ask that any further written material to be submitted to the committee is done so by return.

6.10. If the complainant rejects the offer of 3 proposed dates, without good reason, the Clerk / Chair of the CAP will decide when to hold the meeting and it may proceed in the complainant's absence.

6.11. The complainant may wish to be accompanied to the meeting by a friend/representative, although we generally do not encourage either party to bring legal representatives.

6.12. The Headteacher will also be invited to prepare a written report for the CAP in response to the complaint.

6.13. All relevant correspondence and any regarding the complaint will be circulated to the CAP, the complainant and the Headteacher at least 5 school days in advance of the meeting. In exceptional circumstances, this timeframe may be less.

6.14. If the Headteacher and/or the complainant wish to call witnesses, the agreement of the Chair of the CAP should be obtained in advance of the meeting.

6.15. It is the responsibility of the Chair of the CAP to ensure that the meeting is properly conducted. However, the proceedings should be as informal as possible.

6.16. The aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the complainant. However, at the end of the meeting, the CAP will need to decide to either uphold the complaint in whole or in part, or to dismiss the complaint in whole or in part.

6.17. If either party wishes to introduce previously undisclosed evidence or witnesses, in the interest of natural justice, the Chair of the CAP may choose to adjourn the meeting so that the other side has time to respond to the new evidence. Late evidence of witnesses should not be accepted unless there is a good reason for the lateness.

6.18. The meeting will allow for:

- The complainant to explain his or her complaint and the Headteacher to explain the reasons for his or her decision;
- The Headteacher to question the complainant about the complaint and the complainant to question the Headteacher;
- The CAP to have an opportunity to question both the complainant and the Headteacher;
- Any party to have the right to bring witnesses (subject to the approval of the Chair of CAP) and all parties having the right to question all the witnesses; and
- A final statement by the Headteacher and complainant.

6.19. At the end of the meeting, the complainant, Headteacher and any witnesses will be asked to leave and the CAP will consider the complaint and all the evidence presented. Where the complaint is upheld (in whole or in part), the CAP will decide on action required to resolve the complaint and/or suggest recommended changes to the school's system or procedures to ensure that problems of a similar nature do not happen again.

6.20. Within 5 school days of the meeting, the Clerk/Chair of CAP will send a written statement outlining the decision with reasons to both the complainant and the Headteacher. It will also set out how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled.

6.21. Stage 2 should be completed in 20 school days. However, it is recognised that this timetable may prove challenging where complaints are complex or where there are difficulties agreeing a mutually convenient CAP hearing date. In such cases, the CAP chair should write to the complainant and Headteacher giving a revised target date.

7. Role of the Secretary of State, Department for Education

7.1. If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

7.2. The Department for Education, however, will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

7.3. The complainant can refer their complaint to 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

8. Vexatious, Serial & Persistent or Unreasonable Complaints

8.1. There will be occasions when despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing Body can inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.

9. Annexe A - School Complaint Form (for Stage 1 complaints)

10. If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Headteacher. {If your complaint is against the Headteacher you will need to send the form to the Chair of the Governing Body}

11.

Your Name:

Address:

Post Code

Telephone Number (Day):

Telephone Number (Evening):

Name of Child

Date of Birth of Child **Relationship to Child**

What is your complaint about?

Continue on a separate sheet as necessary

Have you discussed your concern/complaint with anyone in the school? If yes, who did you talk to and when? What was the result of this discussion?

Continue on a separate sheet as necessary

What would you like to happen as a result of your complaint?

Continue on a separate sheet as necessary

Have you attached any supporting information? If yes, what is this?

Have you attached any supporting information? If yes, what is this?
Continue on a separate sheet as necessary

Signed: _____ **Date:** _____

Office Use only:	
Date complaint received:	**How received**
Acknowledged by	**Date acknowledged:**
Complaint referred to:	**Date referred:**