Kingsmead School & Sixth Form

School Complaints Policy

This plan is reviewed annually in the summer term.

Next Review Due: Jun 2027

History of Document:

Issue No.	Date Issued	Prepared By	Approved By	Comments
Issue 1	July 2023	L Baker	Full Trust Board – July 2023	Old policy updated and standardised format implemented.
			FS&P June 2024	No changes
Issue 2	Jun 26	L Baker	Full Trust Board June 26	Policy review and LBE Model Adopted

Table of Contents

1. Introduction & Scope 3
2. Definitions 4
3. Timescales 4
4. Anonymous Complaints 4
5. False, vexatious or malicious complaints 4
6. Collective complaints and complaint campaigns 5
6.1 Multiple similar complaints 5
6.2 Complaints raised on behalf of multiple complainants 5
7. Sources of Support 5
8. How to raise a complaint or concern 5
9. Process for addressing concerns 6
10. Formal Complaint Process 6
10.1 Stage 1 7
10.2 Stage 2 7
10.3 After Stage 2 9
Formal Complaint Form ..... **Error! Bookmark not defined.**

1. Introduction & Scope

Any person, including members of the public, may make a complaint 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 the procedure herein to manage and respond to the complaint. This complaints procedure is not limited to parents or carers of children that are registered at the school.
This policy outlines our commitment to preventing, addressing, and resolving complaints.

This policy may not be used for the following:

- Initial requests for a service.
- Requests for information.
- Disagreement with School policy or decisions.
- Matters that would be more appropriately considered by an insurer.
- Cases in court proceedings or investigations by other appropriate bodies (e.g. Police).
- Matters upon which a Court, Tribunal or Appeal body has already ruled.

Alternative places exist for certain specific complaints that will not be considered under this policy:

Exceptions	**Who to contact**
Admissions to schools	admissions@kingsmead.org
Statutory assessments of SEN	statutory assessments of Special Educational Needs should be raised with sen@enfield.gov.uk
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). LADO https://cp.childrensportal.enfield.gov.uk/web/portal/pages/ladoref#h1 0208 379 2850 MASH https://www.enfield.gov.uk/safeguardingenfield/making-a-safeguarding-referral/childrens-multi-agency-safeguarding-hub 0208 379 5555.
Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteers who have concerns should complain through this procedure.
Staff complaints	Complaints from staff will be dealt with under our internal grievance, bullying & harassment or other procedures.

Staff conduct	Complaints about staff will be dealt with under our internal disciplinary procedures, if appropriate. 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.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

2. Definitions

A Concern is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". The school will resolve concerns through day-to-day communication as far as possible.

A Complaint is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action". The school intends to resolve complaints informally where possible, at the earliest possible stage.

3. Timescales

Formal Complaints 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.
We will only consider complaints made outside of this time frame if exceptional circumstances apply.
We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

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 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.

4. Anonymous Complaints

We will not normally investigate anonymous concerns or complaints. However, the headteacher or Chair of Trustees, if appropriate, will determine whether the concern or complaint warrants an investigation.

5. False, vexatious or malicious complaints

All concerns or complaints raised will be taken seriously. Where there is evidence of false, vexatious or malicious concerns or complaints, we reserve the right to act appropriate to the circumstances.

Whilst there may have been upsetting or distressing circumstances leading up to a complaint being made, we will not tolerate abusive, offensive or threatening behavior towards anyone in the school community. In such circumstances we reserve the right to amend or end this process and to contact the police as appropriate to the circumstances. We will not normally limit an individual's right to raise concerns or complaints, however, there may be times when the frequency or nature of the complaints require us to amend or end an individual's right to make complaints. Whenever possible, we will discuss any concerns with the complainant informally before considering their complaints or behavior to be unreasonable or vexatious. Any changes to this process in these circumstances will not impact any statutory rights of a complainant.

6. Collective complaints and complaint campaigns

6.1 Multiple similar complaints

On occasion, we may become the focus of a campaign and receive large volumes of complaints that are all based on the same subject and/or are from complainants unconnected with the school.

In such exceptional circumstances, we may decide to send a template response to all complainants and/or publish a single response on our website. This will depend upon the nature of the issue and all the prevailing circumstances at the time.

We reserve the right to determine when complaints should be grouped together based on the circumstances.

6.2 Complaints raised on behalf of multiple complainants

In cases where a collective complaint is raised on behalf of multiple complainants, all individuals who are part of the complaint must be clearly identified and either provide their explicit consent or be signatories to the complaint submission. This ensures transparency, confirms their agreement to be represented in the matter, and allows for a fair and consistent resolution process.
We reserve the right to verify the participation of all named employees before proceeding with the complaint investigation.

7. Sources of Support

We recognise that raising a complaint can be extremely distressing. We strongly encourage all persons impacted to seek the support they need.

If you're struggling to cope and need someone to talk to, you can contact:

- Samaritans - Contact Us | Samaritans
- LGBT Foundation - How we can help you - LGBT Foundation
- Mind - MIND

8. How to raise a complaint or concern

A concern or complaint can be made in person, in writing, by email or by telephone.
Concerns or complaints may be raised by a third party acting on behalf of a complainant, if they have appropriate consent to do so. In such circumstances we reserve the right to confirm consent exists before we engage with the third-party.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage.
Upon notification that an individual wishes to make a complaint via email to complaints@kingsmead.org, a complaints form and copy of this policy will be sent to said individual. If you require help in completing the form, please contact complaints@kingsmead.org. You can also ask third party organisations like the Citizens Advice to help you.

Concerns should be raised with the Complaint's Coordinator. Complaints should be raised to the complaints Coordinator via complaints@kingsmead.org wherever possible. Please mark them as Private and Confidential.

Concerns or Complaints that involve or are about the headteacher should be addressed to the Chair of Trustees via complaints@kingsmead.org. Please mark them as Private and Confidential.
Concerns or Complaints about Trustees should be addressed to Clerk to the Board of Trustees via complaints@kingsmead.org Please mark them as Private and Confidential.

You should not approach individual trustees to raise concerns. 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 process.
If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, please raise your concern to the complaints coordinator who will refer you to an appropriate staff member to manage your concern.

9. Process for addressing concerns

We believe that many issues can be resolved informally at the concern stage without the need to use the formal stages of the complaint procedure. We would encourage you to raise a concern initially where it is reasonably possible.

We will determine an appropriate member of staff to address your concern.

We take concerns seriously and will make every effort to resolve the matter as quickly as possible. The staff member dealing with a concern will engage you and seek to resolve your concern as soon as is reasonably practicable.

Informal dispute resolution does not follow a fixed process, as the approach will depend on the specific nature of the complaint raised. We will adopt practical and context-appropriate practices at this stage to determine the necessary actions, aiming to achieve a fair and constructive outcome for all parties involved.

The staff member addressing the concern will respond to you either verbally or in writing as the matter warrants.

If the concern remains unresolved, you may still make a formal complaint.

If you are not satisfied with the response to your concern, you may escalate your concern to the formal complaint process.

We understand that there are occasions when you may wish to raise a formal complaint without going through the informal concern process. Whilst we encourage you to raise an informal concern initially, we recognise that this is not always appropriate, and you may raise a formal complaint if you feel unable to address your concerns through the informal concern process.

10. Formal Complaint Process

At each stage in the formal process**,** we 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:

- 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.

10.1 Stage 1

Formal complaints must be addressed to the headteacher, unless they are about the headteacher, in which case they must be addressed to the chair of trustees. Complaints should be sent to the complaint's coordinator via complaints@kingsmead.org

Formal complaints must be submitted using our Complaint Form, which will be sent to you via email, unless you are unable to do so. Where there is a reasonable reason that you cannot complete this form and you need an alternative method, please let us know and we will support you to make your complaint in an alternative manner. A complaint made in an alternative format should give the same information as requested on the complaint form.
To help us address your concern promptly, please summarise your complaint as clearly and concisely as possible.
Upon receipt of a formal complaint, we will appoint an appropriate person to manage the formal process. In this process, this person is known as the 'Complaint Manager'.

The Headteacher will normally be the Complaint Manager in this process.

The Complaint Manager may elect to appoint an Investigator not involved previously in this process, or they may choose to investigate this themselves where appropriate.
Where there is a conflict of interest, or the Headteacher is absent, or the complaint is about the Headteacher or trustees, or there is another reasonable reason why the Headteacher cannot manage this matter, an appropriate person will be appointed to act as the Complaint Manager.

The Complaints Coordinator will acknowledge receipt of the complaint in writing (either by letter or email) without unreasonable delay.

The Investigator may elect to arrange a meeting with the complainant to obtain further details and understand the nature of the complaint.

The Investigator will carry out such investigation as required to resolve the complaint.
The timing and nature of any investigation will differ dependent on the nature and content of the complaint but will be without unreasonable delay. It is at the discretion of the Complaint Manager to decide what is appropriate in each case.

At the end of the investigation process, the decision of the Complaint Manager, detailing the findings, will be sent in writing to the complainant. 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 we will take to resolve the complaint.
If the complainant is not satisfied with the outcome of the process at Stage 1, then they may move to stage 2 of the process.

10.2 Stage 2

A request to escalate to Stage 2 must be made to the Complaints Coordinator, via the complaints@kingsmead.org, within 10 school days of receipt of the Stage 1 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

We will acknowledge receipt of the complaint in writing (either by letter or email) as soon as possible.

Stage 2 of the process consists of a review by the Trustees' Complaints Panel (TCP).

The TCP will consist of at least three trustees with no prior involvement in the complaint, and at least one of these will be an independent panel member unconnected with the management and running of the school.

If there are fewer than three trustees available, we will source any additional, independent governors to make up the panel.

The TCP will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

We will determine the most appropriate way to hold any meeting/s as part of the complaints process.

Where the meeting is to be held in person, we will convene a TCP meeting at an appropriate venue, having consulted with all parties on convenient times. Unless otherwise agreed, the date, time and venue for the meeting will be confirmed to all parties at least 10 school days in advance of the meeting. Failure to reach consensus on an agreed date could result in a delay.

If the complainant rejects the offer of three proposed dates, without good reason, we will decide when to hold the meeting. It will then proceed in the complainant's absence, and we will invite the complainant to offer any written submissions if they are unable to attend.

The complainant may bring someone along to provide support. This can be a relative or friend. The complainant should confirm the name of their support person to the TCP at least 5 school days in advance of the meeting.

The complainant's companion is there for the purpose of supporting the complainant. They will not normally be invited to address the panel although this may be agreed in advance by the TCP where there are exceptional circumstances such as a reasonable adjustment to support a disability or to support interpretation for those whose first language is not English.

Where school employees are called to attend the meeting, they may be supported by a colleague or union representation.

Parties are discouraged from bringing legal representation to the meeting as it is not a form of legal proceeding. However, there may be occasions when representation is appropriate.

Any complainant who believes legal support is necessary must request this, setting out the reasons why and confirming details of their representative to the TCP at least 5 school days in advance of the meeting. Any legal support must be agreed with the TCP in advance of the meeting.

Any legal representative permitted to attend will do so attending to provide support and guidance only to the complainant. They may ask the panel questions to clarify any issues but will not be allowed to challenge evidence already included in the pack of papers circulated to all parties prior to the agreed date of the panel hearing.

Representatives from the media are not permitted to attend.

Prior to the meeting, the TCP will decide who will act as the Chair of the meeting.

The TCP will have a notetaker, usually a Governance professional, who will also provide any necessary guidance to the panel.

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.

New evidence will only be considered if relevant and there is a reasonable reason this was not included as part of Stage 1 formal process.

The panel will also not review any new complaints at this stage or consider information or evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the formal process.

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. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The panel will consider the complaint, and all the evidence presented. The panel can:

- uphold the complaint in whole or in part; or
- 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.

A written decision will be provided by the Chair of the TCP to the complainant and to the Chair of Trustees/Head Teacher/Trustee/Independent Investigator, as appropriate to the circumstances, within 10 school days of the meeting, or, in exceptional circumstances, as soon as is reasonably practicable. The letter will include details of any actions taken to investigate the complaint and a full explanation of the decision made and the reason(s) for it.
The letter will be sent via the school office.

10.3 After Stage 2

The decision of the TCP represents the end of the school's complaint procedure.

An exception to this applies when a complainant raises concerns about how a school is addressing a child's Special Educational Needs.

In such cases, if a complainant is dissatisfied with the TCP's decision, they may escalate the complaint to Enfield Council. The Complaints and Access to Information team will then handle the matter in accordance with the Council's corporate complaints procedure.

If the complainant believes the school and TCP did not handle the complaint in accordance with this complaints procedure, or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education (DfE) after completion of Stage 2 of this procedure.

The DfE 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 policies connected with the complaint.

The complainant can refer the complaint to the DfE online at: www.education.gov.uk/contactus by telephone on 03700 000 2288, or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD