The Robert Drake Primary School

Complaints Policy

Purpose and Principles

The Robert Drake Primary School, referred to in this policy as “the school”, aims to resolve concerns and complaints fairly, impartially and as quickly as possible. The school will seek informal resolution wherever appropriate, while ensuring that formal complaints are considered through a clear and consistent process.

- Concerns and complaints will be taken seriously and handled sensitively;
- The process will be accessible, fair and proportionate;
- Those involved will be given an appropriate opportunity to explain their position;
- Complaints will be handled confidentially, subject to the need to investigate and any legal or regulatory requirements;
- No person will investigate or review a complaint where they have had prior involvement or have a conflict of interest.

Who can make a complaint?

This complaints procedure is not limited to parents/carers of children that are registered at the school. Any person, including members of the public, may make a complaint to The Robert Drake Primary School about any provision of facilities or services that the school provides. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), the school will use this complaints procedure.

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 may be defined as ‘an expression of dissatisfaction however made, 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 complaint’s procedure. The Robert Drake Primary School takes 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, the school will respect your views. In these cases, the Co-Headteachers will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Co-Headteachers 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, The Robert Drake Primary School will attempt

to resolve the issue internally, through the stages outlined within this complaint's procedure.

Step	Normal timescale
Submit a complaint	Within three months of the incident, or the last incident in a related series
Stage 2 acknowledgement	Within three school days
Stage 2 written response	Within fifteen school days of receipt
Request Stage 3 review	Within ten school days of receiving the Stage 2 response
Stage 3 acknowledgement	Within five school days
Stage 3 panel meeting	Normally within twenty school days of receiving the request
Stage 3 written outcome	Within ten school days of the panel meeting
Important: These timescales are summarised for accessibility. The detailed provisions in the relevant stage apply, including arrangements for exceptional circumstances and revised dates.	

How to raise a concern or submit a complaint

A concern can be made in person, in writing or by telephone.

Concerns should be raised with either the class teacher or Phase Leader then the Co-Headteachers. If the matter is brought to the attention of the Co-Headteachers, they may decide to delegate the matter or deal with it themselves, depending on the circumstances. If the matter remains unresolved, the next step is to make a formal complaint.

A formal complaint must be submitted via the Complaints Form, see the end of this policy. The Complaint Form is also available on the school's website (https://robertdrake.co.uk/index.php/policies-and-information/complaints).

Completed forms may be submitted either by email or by hand via the school office. All correspondence should be clearly marked 'Private and Confidential'.

Complaints should be directed as follows:

Complaint concerns	Send the complaint to
A member of staff other than a Co-Headteacher	The Co-Headteachers
One or both Co-Headteachers	The Chair or Vice-Chair of Governors
The Chair, Vice-Chair or an individual governor	The Clerk to the Governing Body
The Chair and Vice-Chair jointly, the entire governing body or the majority of the governing body	The Clerk to the Governing Body, so that an independent process can be arranged

Complainants should 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 Stage 3 of the procedure.

Support, Accessibility and Third-Party Representation

Complaints may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, the school 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

The school will not normally investigate anonymous complaints. However, the Co-Headteachers or Chair of Governors/Vice Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation. If the school can find out enough information to take the complaint further, or if the complaint is serious, the school will follow this policy as closely as we can. If the school can't find out any other information or the complaint isn't serious, the school will take no further steps, although the complaint will be logged.

Time Scales

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. The school will consider complaints made outside of this time frame if exceptional circumstances apply.

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.

Confidentiality

When participating in the complaint's procedure, the school expects confidentiality to be maintained. Each party automatically agrees to undertake to not at any time disclose to any person (or more widely on social media) any confidential information concerning any part of the complaint's procedure, including but not limited to any personal information regarding any party to the complaint (including any personal information which may be used to identify the complainant or the person subject to the complaint), the content of the complaint, and the timeline and result of the complaint, except as permitted by the following clause:

Each party may disclose the other party's confidential information to any professional or volunteer who are required to know such information for the purposes of carrying out the complaint's procedure or as may be required by law, a court of competent jurisdiction or any governmental or regulatory authority.

Records of Complaints

The school will maintain written records of all complaints received, whether they are resolved following the informal procedure or proceed to a formal stage. Records will include:

• the date the complaint was received;
• the nature of the complaint;
• details of the investigation undertaken;
• correspondence, statements and records of meetings;
• the outcome of the complaint; and
• any actions taken by the school as a result of the complaint.

Records relating to individual complaints will be kept confidential except where disclosure is required by law, by the Secretary of State, by regulatory authorities or as part of an inspection.

Scope and Matters Outside this Procedure

This procedure covers all complaints about any provision of community facilities or services provided by The Robert Drake Primary School other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Essex County Council.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under the Safeguarding and Child Protection 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). The LADO can be contacted using: 03330 139 797.
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. *complaints about the application of the behaviour policy can be made through the school's complaints procedure. Please refer to our Behaviour and Anti-Bullying Policy on the school website. https://robertdrake.co.uk/
• Whistleblowing	The school has an 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 whistleblowers in education who do not want to raise matters directly with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about the 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.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's

	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
• Data Protection	Complaints relating to the handling of personal data should be referred to the school's Data Protection Officer in the first instance. Complainants may also contact the Information Commissioner's Office (ICO).
• Discrimination	Complaints relating to discrimination may be referred to the Equality Advisory Support Service (EASS).
• Teacher Misconduct	Concerns regarding teacher misconduct should be referred to the Teaching Regulation Agency (TRA).
• Exam Malpractice or Maladministration	Concerns should be directed to Ofqual or the relevant awarding organisation.
• Criminal Matters	Criminal matters should be reported directly to the Police.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on the school's 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 The Robert Drake Primary School in relation to their complaint, the school 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, The Robert Drake Primary School will seek to resolve the complaint. Where appropriate, the school will acknowledge that the complaint is upheld in whole or in part. In addition, the school 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 the school 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.

Withdrawal of a Complaint

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

Dealing with your Concern or Complaint

The majority of concerns from parents, carers and others are managed under the following procedure. It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures. The school takes informal concerns seriously and make every effort to resolve the matter as quickly as possible.

Stage 1: Informal Resolution

Stage 1 aims to resolve a concern through informal contact at the appropriate level in the school. A concern should normally be raised with the class teacher or Phase Leader. It may then be referred to the Co-Headteachers if necessary.

If a person has difficulty discussing a concern with a particular member of staff, the school will respect that view and arrange for another member of staff to respond. A staff member who feels unable to deal with a concern may also ask the Co-Headteachers to refer it to someone else. The person appointed may be more senior, but their ability to consider the matter objectively and impartially is more important than seniority.

If the concern is not resolved, the complainant may proceed to Stage 2 by submitting the Complaints Form.

Stage 2: Formal Complaint

Receipt and Acknowledgement

The person responsible for Stage 2 will record the date the complaint is received and acknowledge it in writing, by letter or email, within three school days.

The acknowledgement will seek to clarify the nature of the complaint, identify what remains unresolved and establish the outcome the complainant is seeking. A meeting may be arranged where this is the most appropriate way to clarify the complaint.

Who Considers the Complaint

A complaint about a member of staff, other than a Co-Headteacher, will normally be considered by the Co-Headteachers. The investigation may be delegated to another member of the senior leadership team, but the final decision may not be delegated.

A complaint about one or both Co-Headteachers, or about a member of the governing body, will be considered by a suitably skilled governor with no prior involvement and no conflict of interest.

A complaint about the Chair and Vice-Chair jointly, the entire governing body or the majority of the governing body will be considered by an independent investigator appointed by the governing body.

Investigation

The investigator will consider the information provided and may:

- interview the complainant, those involved and any person complained about;
- allow a person being interviewed to be accompanied where appropriate; and
- keep a written record of meetings, interviews and evidence considered.

Written Response

A formal written response will normally be issued within fifteen school days of the date the complaint was received. If this deadline cannot be met, the complainant will receive an update explaining the reason and giving a revised response date.

The response will explain the investigation undertaken, the decision and the reasons for it. Where appropriate, it will identify action the school will take to resolve the complaint. It will also explain how to request a Stage 3 review if the complainant remains dissatisfied.

Stage 3: Complaints Review Panel

Requesting a Review

A complainant who remains dissatisfied after Stage 2 may request a Stage 3 review. The request must be made to the Clerk, through the school office, within ten school days of receiving the Stage 2 response. The Stage 3 section of the Complaints Form should be completed.

The Clerk will record the date of receipt and acknowledge the request in writing within five school days. A late request will be considered only where exceptional circumstances apply.

Panel Membership

The panel will consist of at least three members who have had no prior involvement in the complaint and have no conflict of interest. At least one member must be independent of the school. Panel members will appoint a Chair from among themselves.

Where there are insufficient eligible governors, the Clerk may seek additional independent governors through another local school or the local authority's Governor Services team. An entirely independent panel may be convened. A Stage 3 complaint concerning the Chair and Vice-Chair jointly, the entire governing body or the majority of the governing body will be heard by a panel of independent governors or other suitably independent panel members.

Arranging the Review

The Clerk will aim to convene the review within twenty school days of receiving the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

The Clerk will make reasonable efforts to offer suitable dates. If the complainant rejects three proposed dates without good reason, the Clerk may set the meeting date. The review may then proceed in the complainant's absence using the written submissions of both parties.

The panel will decide whether to consider the complaint at a meeting or through written representations, taking account of the complainant's needs and any reasonable adjustments required.

Attendance and Representation

The committee 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.

If invited to a meeting, the complainant may bring a relative, friend or other person to provide support. Legal representation is not normally necessary, although it may be appropriate in exceptional circumstances. For example, an employee attending as a witness may wish to be supported by a trade union or legal representative. Media representatives are not permitted to attend.

Documents and Evidence

At least five school days before the meeting, the Clerk will confirm the date, time and venue and request any further written material. Further material should normally be submitted at least three school days before the meeting. The Clerk will circulate the written material to all parties at least two school days before the meeting.

The panel will not normally accept a recording obtained covertly or without the informed consent of everyone recorded. It will not consider a new complaint or evidence unrelated to the original complaint. A new complaint must start at Stage 1.

The meeting will be private. Electronic recording is not normally permitted unless required as a reasonable adjustment. Prior knowledge and consent of everyone attending must be obtained, and the consent must be recorded in the minutes.

Decision and Outcome

The panel will consider the complaint and all relevant evidence. It may uphold or dismiss the complaint, in whole or in part. If it upholds any part, it may decide

appropriate action and recommend changes to the school's systems or procedures to reduce the likelihood of a similar issue occurring again.

The Chair of the panel will provide the complainant and the school with a written decision and reasons within ten school days of the meeting. The response will describe the evidence and process considered, the decision, any action or recommendations, and how to contact the Department for Education if the complainant remains dissatisfied with the way the complaint was handled. Where relevant, the person complained about will receive the panel's findings and recommendations.

A written record of the panel's findings and recommendations will be retained by the school and made available for inspection where required by applicable regulations.

Recording of Meetings

To ensure openness and transparency throughout the complaints process, any party wishing to record a meeting, whether by audio, video, or any other electronic means, must disclose this intention before the meeting begins. The agreement of all participants must be obtained at the start of the meeting and recorded in the meeting notes. Where consent is not provided by all parties, personal recordings will not be permitted.

Where a recording is agreed as a reasonable adjustment or is deemed appropriate by the school, an independent recording device will be provided and operated by the Clerk to the Governors (or another nominated school representative). The recording will form the official record of the meeting and will be stored securely in accordance with the school's data protection and record retention procedures. Any recordings or transcripts shared as part of the complaints process must comply with data protection and privacy requirements.

Withdrawing a Complaint

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

If the Complainant Remains Dissatisfied

Once the school's complaints procedure has been completed, the same complaint will not be reconsidered by the school unless significant new information becomes available or the school identifies a material procedural issue.

A complainant who remains dissatisfied with the way the procedure was followed may refer the matter to the Department for Education. The Department for Education will not normally reinvestigate the original complaint or overturn the school's decision. Its role is to consider whether the school handled the complaint in accordance with its published procedure and the relevant requirements.

The Department for Education cannot normally:

- award financial compensation

- require disciplinary action against a member of staff
- require the school to issue an apology

Further information and the online form are available at: Complain about a school or academy

The existing policy states that the Department for Education will not normally consider a complaint received more than twelve months after the school's final decision or last action. The published government guidance should be checked when a referral is made.

The Local Authority, Essex County Council, has no general power to overturn the outcome of an individual school complaint. Ofsted may consider information suggesting that a school is not being run properly and may need inspection, but it does not resolve individual disputes concerning a pupil.

Serial or Unreasonable Complaints

The Robert Drake Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. Staff will not normally limit the contact complainants have with the school. However, the school does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Behaviour may be considered unreasonable where a complainant:

- refuses to explain the complaint, its grounds or the outcome sought despite offers of help;
- refuses to cooperate with the investigation process;
- refuses to accept that an issue falls outside this procedure;
- insists that the complaint be handled in a way that is incompatible with this procedure or good practice;
- introduces trivial or irrelevant information and expects it to be addressed in detail;
- raises numerous detailed but unimportant questions and insists on immediate answers;
- makes unjustified complaints about staff dealing with the matter and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly raises the same complaint after it has been investigated and addressed;
- refuses to accept the findings after the procedure has been fully and properly completed;
- seeks an outcome that the school cannot reasonably provide;
- makes excessive demands on school time through frequent, lengthy or complicated contact;
- uses threats, violence, or abusive, offensive or discriminatory language;
- knowingly provides false information;
- publishes unacceptable information on social media or another public forum.

Complainants should limit communication relating to an open complaint to what is reasonably necessary. Repeated correspondence by letter, telephone, email, text or other channels may delay the outcome.

Where possible, the Co-Headteachers or the Chair or Vice-Chair of Governors will discuss the concern informally with the complainant before determining that behaviour is unreasonable. If the behaviour continues, the school will write to the complainant explaining the concern and asking them to change their behaviour.

Where excessive contact causes significant disruption, the school may introduce a communication plan specifying permitted contact methods and a reasonable frequency of contact. The plan will be reviewed after six months.

Following a serious incident of aggression or violence, the school will contact the police where appropriate and confirm its actions in writing. This may include barring an individual from the school premises.

Reviewed: September 2026

Next review date: September 2027

The Robert Drake Primary School

Complaints Form

Complete this form and return it to the school office for the attention of the appropriate person identified in “How to raise a concern or submit a complaint” section of the policy. Mark the form and any accompanying correspondence “Private and Confidential”.

Stage	Select one
Stage 2: Formal Complaint	☐
Stage 3: Complaint’s Review	☐

Your full name	
Relationship with the school, for example parent or carer	
Pupil’s name, if relevant	
Postal address	
Email address	
Telephone number	

Details of your Complaint

Please give concise details, including relevant dates, names and witnesses, so that the matter can be investigated.

Previous Action Taken

What action, if any, have you already taken to resolve the matter?

Outcome Sought

What would you like the school to do to resolve your complaint?

Supporting Information

Item	Details
Number of additional pages attached	
Documents or evidence attached	

Declaration	Details
Signature	
Date	

If this complaint is submitted by a third party, please attach evidence that the complainant has consented to the complaint being made on their behalf.