



## Elsley Primary School

Tokyngton Avenue, Wembley, HA9 6HT

T: 020 8902 8003 E: [admin@elsley.brent.sch.uk](mailto:admin@elsley.brent.sch.uk) Headteacher: Mr Raphael Moss

# Elsley Primary School

# Complaints Procedure

Developed using the Department for Education's Model Complaints Procedures.

Written:	October 2023
Reviewed by:	Full Governing Board
Reviewed:	25 <sup>th</sup> September 2025
Next review:	By September 2028



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### Who can make a complaint?

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

### 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 complaints procedure. It is important to us at Elsley Primary School that parents feel the procedure is efficient and that complaints are dealt with as speedily and as transparent as possible. We aim to ensure that the outcomes of complaints are always of a positive nature and where learning needs to take place this is done in a timely manner.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, a member of the Elsley Primary School Leadership Team, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, a member of the leadership team 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 with you is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Elsley Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.



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### **Informal stage of the Complaints Procedure:**

#### **How to raise a concern**

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

When raising a concern, the first point of contact should be where it arose, with the member of staff directly involved. If this is the classroom teacher, then the class teacher will discuss the matter with them in an attempt to resolve the issue. An appointment should be made to see the class teacher so that s/he has time to make a considered response.

#### **How to escalate a complaint or concern**

If the concern remains unresolved, it should be escalated to the Headteacher or a senior leader. The Headteacher or senior leader will try to resolve the concern or complaint as an informal complaint although they may determine with the complainant that it would be appropriate to deal with the matter as a formal complaint.

If the complaint remains unresolved, the next step is to make a formal complaint.



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### **Formal stage of the Complaints Procedure:**

#### **How to raise a complaint**

If a concern is unresolved, a complaint may be raised, as follows:

- Complaints against school staff (except the Headteacher) should be made in the first instance, to Raphael Moss, Headteacher, via the school office or via email to [admin@elsley.brent.sch.uk](mailto:admin@elsley.brent.sch.uk). Please mark as Private and Confidential.
- Complaints that involve or are about the Headteacher should be addressed to Cassie Lloyd Perrin, Chair of Governors, via the school office, or email to [COG@elsley.brent.sch.uk](mailto:COG@elsley.brent.sch.uk). Please mark as Private and Confidential.
- Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body, Judicium Clerking, via the school office. Please mark as Private and Confidential.

#### **Important to note:**

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 2 of the procedure.

For ease of use, a template complaint form is included at the end of this procedure. 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, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

#### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.



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### Persistent or vexatious complaints

We will do our best to be helpful to people who contact us with a:

- complaint or concern
- request for information

However, there may be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue, we will inform them that the procedure has been completed and that the matter is now closed. If the complainant contacts us again on the same issue, the correspondence may be viewed as 'serial' or 'persistent' and we may choose not to respond.

Some complaints may be vexatious. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- **complaints which are obsessive, persistent, harassing, prolific, repetitious**
- **insistence upon pursuing unmeritorious complaints or unrealistic outcomes beyond all reason**
- **insistence upon pursuing meritorious complaints in an unreasonable manner**
- **complaints which are designed to cause disruption or annoyance**
- **demands for redress that lack any serious purpose or value**

The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant. We would not automatically refuse to accept further correspondence or complaints from an individual that we have had repeat or excessive contact with.

### When to stop responding

The decision to stop responding should never be taken lightly. We would consider this in the following circumstances:

- 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 us repeatedly, making substantially the same points each time

The case to stop responding is stronger if one or more of these statements applies:

- their letters, emails, or telephone calls are often or always abusive or aggressive
- they make insulting personal comments about or threats towards staff
- we have reason to believe the individual is contacting you with the intention of causing disruption or inconvenience

Further details about *managing serial and persistent complaints* from the Department for Education: <https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019#managing-serial-and-persistent-complaints>



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### Time scales

A complaint must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

#### Complaints received outside of term time

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 against Elsley Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.



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### Scope of this Complaints Procedure

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

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs</li> <li>• School re-organisation proposals</li> </ul>	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with London Borough of Brent.</p>
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>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). Contact the Brent Family Front door:  <b>Call:</b> 020 8937 4300 (option 1)  <b>Outside office hours:</b> 020 8863 5250</p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>  <i>The behaviour policy is available on the school website.</i></p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures (workplace resolution).</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> <li>• National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>



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### Resolving complaints

At each stage in the procedure, Elsley Primary School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

### Withdrawal of a Complaint

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



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### Details about each stage of the complaints procedure

#### Stage 1

Page 4 of this policy outlines how to raise a complaint.

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

The Headteacher will seek to clarify the nature of the complaint, what remains unresolved and outcomes the complainant is seeking. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but will retain any decisions to be taken.

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

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- keep a written record of any meetings/ interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response **within 10 school days** of the date of receipt of the complaint.

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

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 Elsley Primary School will take to resolve the complaint.

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

Page 4 details when a complaint will be led by the Chair of Governors or the Clerk to the Governing Board, instead of the Headteacher.

If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

If the complaint is jointly about the Chair and Vice Chair or the entire governing body or the majority of the governing body, Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.



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### Stage 2

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 which will be a meeting with members of the governing body's complaints committee, formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request by the complainant to escalate to Stage 2 must be made to the Clerk, via the school office, **within 5 school days** of receipt of the Stage 1 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) **within 5 school days**.

Requests received outside this timeframe will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting **within 15 school days** of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Elsley Primary School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

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 the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

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

Representatives from the media are not permitted to attend.

*Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*



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At least 10 school days before the Stage 2 meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 7 school days before the meeting.

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

The committee will also not review new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. 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 committee will consider the complaint and all evidence presented. The committee can:

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

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Elsley Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Elsley Primary School.

If the complaint is jointly about the Chair and Vice Chair or the entire governing body or the majority of the governing body, Stage 2 will be heard by a committee of independent governors.

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 Elsley Primary School will take to resolve the complaint.

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



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### Next Steps after Stage 2

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.

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

The complainant can refer their complaint to the Department for Education online at:

[www.education.gov.uk/contactus](http://www.education.gov.uk/contactus),

by telephone on: 0370 000 2288

or by writing to:

Department for Education

Piccadilly Gate

Store Street

Manchester

M1 2WD.



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## Appendix 1 Complaint Form

Please complete and return to Headteacher / Chair of Governor who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>
<b>What actions do you feel might resolve the problem at this stage?</b>
<b>Are you attaching any paperwork? If so, please give details.</b>
<b>Signature:</b>
<b>Date:</b>
<b>Official use</b>
<b>Date acknowledgement sent:</b>
<b>By who:</b>
<b>Complaint referred to:</b> <span style="float: right;"><b>Date:</b></span>