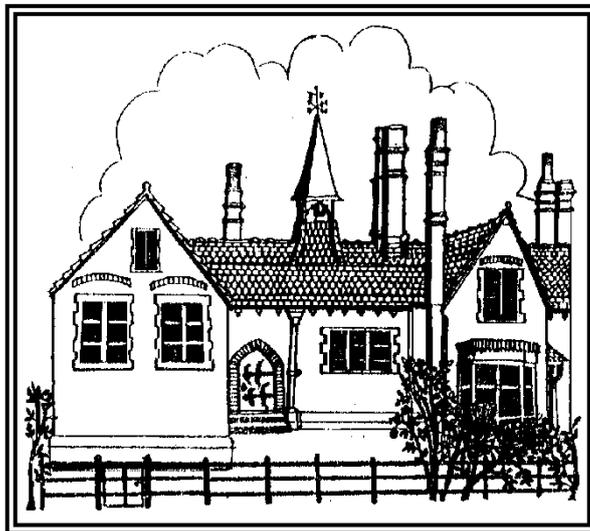


Complaints policy

Campton Lower School



Approved by:	Nicky Fletcher
Signed:	
Date approved:	23 rd November 2017
Next review due by:	23 rd November 2019

1. Aims

- 1.1 Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.
- 1.2 When responding to complaints, we aim to:
- Be impartial and non-adversarial
 - Facilitate a full and fair investigation
 - Address all the points at issue and provide an effective and prompt response
 - Respect complainants' desire for confidentiality
 - Treat complainants with respect
 - Keep complainants informed of the progress of the complaints process
 - Consider how the complaint can feed into school improvement evaluation processes
- 1.3 We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed. The school will aim to give the complainant the opportunity to complete the complaints procedure in full.
- 1.4 To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

2. Legislation and guidance

- 2.1 This document meets the requirements of section 29 of the [Education Act 2002](#), which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides. It is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE).
- 2.2 In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

3. Definitions and scope

- 3.1 The DfE guidance explains the difference between a concern and a complaint:
- 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.
- 3.2 There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.
- 3.3 This policy does not cover complaints procedures relating to:
- Admissions
 - Statutory assessments of special educational needs (SEN)
 - Safeguarding matters

- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

3.4 Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy. Such complaints should first be made to the SENDco; they will then be referred to this complaints policy. Our SEN policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

3.5 Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4. Principles for investigation

4.1 When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

4.2 We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage. Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

4.3 The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

5. Complaints about our fulfilment of early years requirements

5.1 We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 9) and make this available to Ofsted on request.

Stages of complaint (not complaints against the Headteacher or a Governor)

6. Stage 1: informal

6.1 The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

6.2 The complainant should raise the complaint as soon as possible with the relevant member of staff or the Headteacher as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

- 6.3 The school will acknowledge informal complaints within 3 working days, and investigate and provide a response within 10 working days.
- 6.4 The informal stage will involve a meeting between the complainant and the Headteacher and/or the subject of the complaint, as appropriate. If the complainant does not feel that the complaint has been resolved informally, they can escalate it to a formal complaint.
- 7. Stage 2: formal (Inform the Headteacher in writing)**
- 7.1 Complaints at this stage need to be recorded in writing. Complainants may also make their complaint verbally and can request help to put their complaint in writing. This letter or completed complaint form (see Appendix B) should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.
- 7.2 The Headteacher (or designated person) will acknowledge the complaint in writing within three working days of receiving the written complaint. The acknowledgement will give an explanation of the school's complaints procedure and a target date for providing a response to the complaint. This should normally be within ten working days. If this proves unachievable, a letter will be sent explaining the reason for the delay and giving a revised target date. This should be within a maximum of 20 working days unless it is a particularly complex issue.
- 7.3 The Headteacher will provide an opportunity for the complainant to meet the Headteacher/member of staff to supplement any information provided previously or to record the complaint in writing if it has been made verbally. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance. In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.
- 7.4 If necessary the Headteacher will interview other parties and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed unless this is judged not to be in the interests of the pupil's welfare. If a member of staff is complained against, they must have the opportunity to present their case and the complaint may also be investigated as appropriate under the school's disciplinary procedure.
- 7.5 The Headteacher will keep written records of meetings, telephone conversations and other documentation.
- 7.6 Once all the relevant facts have been established as far as possible, the Headteacher will then produce a written response to the complainant, including an explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint. The complainant will be advised that should s/he wish to take the complaint further s/he should notify the Chair of Governors *within 20 working days of receiving the letter*.

7.7 If the complaint is against the Headteacher, or if the Headteacher has been closely involved in the issue, the Chair of the Governing Body will carry out all the Stage 2 procedures.

8. Inform the Chair of Governors in writing

8.1 The complainant will be advised to complete the standard complaints form (Appendix B) and send it to the Chair of the Governing Body (c/o the school). The Chair of the Governing Body will then write to the complainant to acknowledge receipt of the written request for the Chair of Governors to review the complaint.

8.2 The Chair of the Governing Body may be able to resolve the problem informally, undertaking an independent investigation and meeting with each party involved in the complaint.

8.3 The Chair of the Governing Body may feel it would be appropriate that an independent person is enlisted to investigate the complaint.

8.4 In the event the complainant is still dissatisfied with the outcome and wishes to proceed to the next stage of the procedure, they should inform the Chair of Governors in writing within 20 working days. The Chair of the Governing Body will write to the complainant to acknowledge receipt of the written request for the Governing Body to review the complaint.

9. Stage 3: submit the complaint to the review panel

9.1 The review panel will consist of 3 or 5 members of the Governing Board. These individuals will have access to the existing record of the complaint's progress (see section 13). No governors with prior involvement in the issues complained about will be included on the panel. The Headteacher will not sit on the panel.

9.2 The chair of the panel will ensure the panel hears the complaint within 20 working days of receiving the letter.

9.3 The clerk will write and inform the complainant, Headteacher, any relevant witnesses and members of the panel at least seven working days in advance of the date, time and place of the meeting. The notification will also inform the complainant of his/her right to be accompanied to the meeting by a friend/advocate/interpreter and explain how the meeting will be conducted and the complainant's right to submit further written evidence to the panel.

9.4 The Headteacher will be invited to attend the panel meeting. All attendees, including the complainant, should receive a set of the relevant documents, including the head teacher's report and the agenda, at least five working days prior to the meeting. Submission of additional documents or requests for additional attendees will be at the discretion of the chair of the panel.

9.5 At the panel hearing:

- The complainant will have the opportunity to present their complaint.
- The head teacher will explain the school's position.
- Those present will have the opportunity to ask questions.
- Panel members will have the opportunity to ask questions of the complainant and the Headteacher.

- The Headteacher will be given the opportunity to make a final statement to the panel.
 - The complainant will be given the opportunity to make a final statement to the panel.
 - The chair will ask the complainant if he or she feels they have had a fair hearing.
- 9.6 Any witnesses will be called into the meeting at the appropriate time and then requested to leave after they have provided their witness statement
- 9.7 The chair of the panel has responsibility to ensure that the meeting is properly minuted. The chair of the panel will explain to the complainant and Headteacher that the panel will consider its decision and that a written decision will be sent to both parties within five working days. The complainant and Headteacher will then leave the meeting.
- 9.8 The panel will then consider the complaint and all the evidence presented and:-
- agree a decision on the complaint;
 - decide upon the appropriate action to be taken to resolve the complaint;
 - where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.
- 9.9 A written statement clearly setting out the decision of the panel must be sent to the complainant and head teacher. The letter to the complainant should also advise how to take the complaint further in the event they should wish to do so. The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.

10. Complaints against the Headteacher or a Governor

- 10.1 Complaints made against the Headteacher should be directed to the Chair of Governors. The Chair of Governors will attempt to resolve the issue informally to begin with. Should this not suffice, complainants should follow the procedure in Stage 2 (section 8) and inform the Chair of Governors in writing by completing the standard complaints form (Appendix B). The complaint will move to Stage 3 if it is not resolved at Stage 2.
- 10.2 Complaints made against a Governor (not the Chair of Governors) should be directed to the Chair of Governors. The Chair of Governors will attempt to resolve the issue informally to begin with. Should this not suffice, complainants should follow the procedure in Stage 2 (section 8) and inform the Chair of Governors in writing by completing the standard complaints form (Appendix B). The complaint will move to Stage 3 if it is not resolved at Stage 2.
- 10.3 Where a complaint is against the Chair of Governors it should be made in writing to the clerk to the Governing Body. S/he will share the complaint with the Vice Chair of the Governing Body who will attempt to resolve the issue informally.

Should this not be successful, an independent Chair of Governors (from another school) will be asked to complete Stage 2, and if necessary, Stage 3 of the procedure.

11. Referring complaints on completion of the school's procedure

- 11.1 If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the School Complaints Unit (SCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.
- 11.2 The SCU will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The SCU also looks at whether the school's statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably. For more information or to refer a complaint, see the following webpage: <https://www.gov.uk/complain-about-school>

12. Unreasonably persistent complaints

- 12.1 Campton Lower School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.
- 12.2 We define unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'. A complaint may be regarded as unreasonable when the person making the complaint:-
- 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 while still wishing their complaint to be resolved;
 - refuses to accept that certain issues are not within the scope of a complaints procedure;
 - insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
 - introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- 12.3 A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-
- maliciously;
 - aggressively;
 - using threats, intimidation or violence;
 - using abusive, offensive or discriminatory language;
 - knowing it to be false;
 - using falsified information;
 - publishing unacceptable information in a variety of media such as in social media websites and newspapers.
- 12.4 Complainants should limit the numbers of communications with a school while a 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.
- 12.5 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 and asking them to change it.
- 12.6 For complainants who excessively contact causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months. In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Campton Lower School.

13. Record-keeping

- 13.1 The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.
- 13.2 This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel. This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of the Data Protection Act, or where the material must be made available during a school inspection. Records of complaints will be kept for 6 years.
- 13.3 The details of the complaint, including the names of individuals involved, will not be shared with the whole Governing Body in case a review panel needs to be organised at a later point.

13.4 Where the Governing Body is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

13.5 Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Governing Body, who will not unreasonably withhold consent.

14. Learning lessons

14.1 The Governing Body will review any underlying issues raised by complaints with the Headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

15. Monitoring arrangements

15.1 The Governing Body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly.

15.2 The Governing Body will track the number and nature of complaints, and review underlying issues as stated in section 14.

15.3 This policy will be reviewed by the Headteacher every two years.

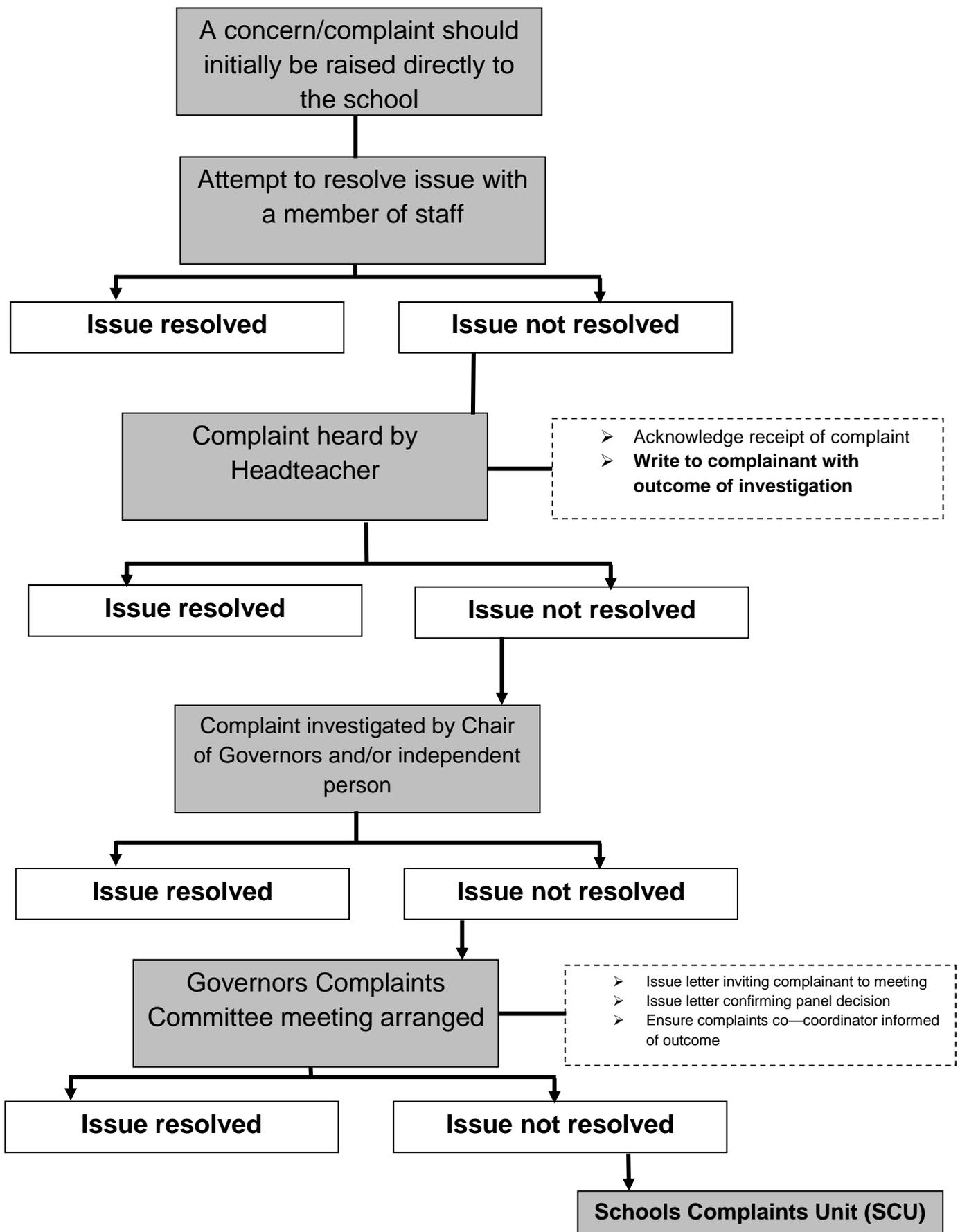
15.4 At each review, the policy will be approved by the Full Governing Body.

Appendices

Appendix A: Flowchart of complaints and How to raise a complaint about the school

Appendix B: Campton Lower Complaints Form

Appendix A: Flowchart of complaints



How to raise concerns or to make a complaint about the School

If you have a Concern or Complaint

We would like you to tell us about it. Be assured that no matter what the problem is, our support and respect for you and your child in school will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate properly an incident or problem that happened some time ago.

What to do first

Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher. Any teacher or member of the administrative staff can put you in contact with the right member of staff.

If you have a complaint that you feel should be looked at by the Headteacher in the first instance you can contact her straightaway if you prefer. It is usually best to discuss the problem face to face. You may need an appointment to do this, and can make one by ringing or calling into the school office. You can take a friend or relation to the appointment with you if you would like to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the question. It may also help to prevent a similar problem arising again.

What to do next

If you are dissatisfied with the initial response, or if you do not want to discuss the matter informally, you can make a complaint. This will need to be in writing. Contact the school office if you would like some help putting your complaint in writing. If your complaint is about an action of the head teacher personally, then you should refer it to the Chair of Governors. Contact details can be obtained from the school office.

The Headteacher will ask to meet you to discuss the problem. You may bring a friend or someone else for support. The head teacher will arrange a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.

If you are Still Unhappy

Most complaints are resolved at this stage. However, if you are still not satisfied you may wish to contact the chair of the governing body to ask for an investigation by the Chair of Governors or a referral of your complaint to a Governors' Complaints Committee. It will then be heard by a group of three or five governors who have no previous knowledge of the problem and so will be given a fresh assessment. You will be invited to attend and speak to the panel at a meeting that the head teacher will also attend. The complaints procedure sets out in more detail how these meetings operate.

Further Action

Complaints about school problems are almost always settled within schools but if they remain unresolved they can be referred to the Secretary of State for Education. The Department for Education will expect the complaint to have been considered by the school governors first.

Appendix B – Complaint Form

Campton Lower School

COMPLAINT FORM

Please complete and return to the school office, marked 'CONFIDENTIAL' for the attention of the Head Teacher/Chair of Governors

Your name:
Pupil's name:
Your relationship to the pupil:
Address:
Postcode:
Daytime telephone number:
Evening telephone number:
Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint?

(Who did you speak to and what was the response?)

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: