



### Rationale

This policy applies to any matter which has been raised with the school as a matter of concern, but which has not been capable of resolution informally and which the complainant or the school consider should be dealt with on a formal basis.

The school will publish guidance on how matters of concern should be raised on an informal basis. Generally, it is expected that where the matter relates to a student it will have been raised with the student's learning mentor and director of studies and the assistant or deputy headteacher, before a request is made to deal with it under this policy. The school is a very different forum from a court of law, with different requirements.

The Governing Body has adopted this policy. It is based on an earlier model published by Worcestershire Children's Services.

The School publishes details of its Complaints Procedure and any out-of-time limits the Governors have prescribed in the following way:

- School website

There are other specific complaints procedures available for certain specialist areas (as listed below). **If the complaint relates to any of the following areas, the appropriate procedure should be followed as they are NOT COVERED under this policy:**

- the National Curriculum
- collective worship
- religious education
- pupil admissions
- pupil suspension/  
permanent exclusion
- statutory assessment of  
special educational needs  
(SEN)
- safeguarding matters
- whistle-blowing
- employee grievances and  
disciplinary proceedings

### General Principles

This procedure contains advice for resolving complaints; flowcharts to indicate time limits; and advice on the conduct of meetings.

Every attempt will be made to adhere to the time limits specified in the flow charts and detailed procedures which follow, but these may in exceptional circumstances be exceeded. In such cases the school/governors will advise the reasons and set a new time-scale.

**A complaint will usually be considered as 'out-of-time' if it is raised more than three months after the matter is known to the complainant.**

Anonymous complaints will not be investigated, except in exceptional circumstances – such as child protection issues.

**The aim of this policy is to resolve concerns at the earliest opportunity, and effect reconciliation if there has been friction.** If the complaint needs to be formalised, the complainant will be asked to write down the substance of the complaint on a form, an example of which is found in Annex A. This form will also invite a view about what actions might be felt to resolve the problem.

### **Possible Resolutions**

Many concerns may be resolved by explanations, others by a simple apology. An apology is always undertaken as a point of human value/interest and is not in any way an admission of guilt. Other complaints may result from a school procedure which could have been handled differently. Such an acknowledgement would be an appropriate resolution, as would assurances that events complained about, (if justified) will not recur. Others may be resolved by an undertaking to review school policies in the light of a complaint.

**It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way.**

### **School Complaints Stages in Detail**

This school will monitor and record parents/carers compliments, concerns and complaints. This will endorse and ensure the continuation of our good practice.

It is acknowledged that, where concerns are raised, they are more often than not raised with a more senior person, for example, a Key Stage Co-ordinator or Deputy Head, or the Headteacher in a small school, rather than a more junior teacher. The first stage, therefore, could if appropriate, be dealt with informally by one of a number of possible people.

### **So is it a complaint, or is it a concern?**

1. In any community, misunderstandings arise or actions are taken which might be felt to militate against the spirits of fairness and common sense established in the school. A complaint is an expression of dissatisfaction, however made, about school policies or procedures, the conduct, actions or omissions of members of staff or Governors at the school and the standards of teaching and learning. On such occasions, it is important to move swiftly to prevent the escalation of a minor problem into a major incident.

### **Before a concern becomes a complaint**

2. Do not hesitate to contact the school if you are uneasy or dissatisfied about something. It is important not to let little concerns build up into serious mistrust or irritation. We are as keen to see things run smoothly as you are - after all, we all want the best for the children.
3. When you contact the school, begin as informally as possible - say what concerns you and try to find out the facts. You will be in a much better position to know if you have grounds for a complaint when you are in possession of all the facts. We may be able to give an explanation or fill in details which answer your concerns. Do not rely solely on your child's account or on information from other parents.

4. A telephone call is better than a letter, and a calmly worded letter is better than an ultimatum or threat of action. We welcome telephone calls from parents who wish to talk about a problem before it becomes a complaint.
5. If a parent approaches a member of the Governing Body directly, the Governor will direct that person to take the complaint to the Headteacher. In circumstances where the complaint is about the Headteacher, it may be appropriate for the Governor to make contact with the Chair of Governors. Similarly, any complainant who approaches the LA direct will be referred back to the Headteacher.

### **Stage 1: informal**

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.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the headteacher, either in person or by letter, telephone or email. It is anticipated that most concerns can be readily resolved at this informal stage. Where the person approached feels uncomfortable with dealing with the matter directly, they should involve, for example, their line manager. If the complainant is unclear who to contact or how to contact them, they should contact the school office by telephone 01905 423906 or by email to [office@cwlc.email](mailto:office@cwlc.email).

The school will acknowledge informal complaints within three school days, and investigate and provide a response within 10 school days.

It is not appropriate for a complaint to be directed through a governor. Any governor receiving a complaint will give advice that there is an established procedure, and refer the complainant to the appropriate person, and must not deal with it themselves. (This is because a governor acting unilaterally, however well intentioned their actions, could prejudice the involvement of governors at a later stage).

The informal stage will involve a meeting between the complainant and the headteacher.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

If the complaint is specifically about the headteacher, a governor or the governing board and s/he has had the opportunity in stage one to discuss the matter, the parent/carer can then directly contact the clerk to the governor body about stage 2.

### **Stage 2: formal**

The formal stage involves the complainant putting the complaint to the headteacher and/or the subject of the complaint:

- In a letter or email
- Over the phone
- In person
- Through a third party acting on their behalf

A copy of these procedures will be sent to the complainant within three school days, together with the formal complaint form (Annex A).

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The form is structured so that each party has a common understanding about the complaint. As the main purpose of the process is to achieve reconciliation, parents/carers are also asked what actions might resolve the problem. If complainants need assistance raising a formal complaint, they can contact the school office by telephone 01905 423906 or by email to [office@cwlc.email](mailto:office@cwlc.email).

After the formal complaint form is returned, it will be acknowledged within 3 school days and the investigation will commence.

The headteacher (or other person appointed by the headteacher for this purpose) will then conduct their own investigation. The outcome of the investigation will be communicated to parents/carers, either at a meeting (followed up in writing) or as a written response. This response will explain the outcome and will be supported by reasons for reaching this decision and what action, if any, will be taken. (If management action is subsequently required against an employee of the school, the parents/carers will not have access to this information). **This response will be provided within 10 school days of acknowledging the complaint.**

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the clerk to the governing body in writing within three school days.

### **Stage 3: review panel**

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by or on behalf of the Headteacher and must consist of at least three people who were not directly involved in the matters detailed in the complaint. At least one panel member must be independent of the management and running of the school. The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the school.

The panel will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The review panel will deal only with the original complaint. It will not deal with fresh complaints or material. If complainants seek to raise new issues they should be reminded these should first be addressed through the less formal procedures available at stage 1.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the headteacher.

The school will inform those involved of the decision in writing within 10 school days.

### **Complaints against the headteacher, a governor or the governing board**

#### **Stage 1: informal**

Complaints made against the headteacher or any member of the governing board should be directed to the clerk to the governing board in the first instance.

If the complaint is about the headteacher or one member of the governing board (including the chair or vice-chair), a suitably skilled and impartial governor will carry out the steps at stage 1 (set out in stage 1 above).

#### **Stage 2: formal**

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, an independent investigator will carry out the steps in stage 2 (set out in stage 2 above). They will be appointed by the governing board and will write a formal response at the end of their investigation.

#### **Stage 3: review panel**

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, a committee of independent governors will hear the complaint. They will be sourced from local schools, the local authority and will carry out the steps at stage 3 (set out in stage 3 above).

### **Referring complaints on completion of the school's procedure**

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure.
- Whether the school was in breach of its funding agreement with the Secretary of State.
- Whether the school has failed to comply with any other legal obligation.

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

### **Unreasonably persistent or vexatious complaints**

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it has already been resolved by following the school's complaints procedure.
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive.
- Knowingly provides false information.
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure.
- Pursues a valid complaint, but in an unreasonable manner, e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out.
- Changes the basis of the complaint as the investigation goes on.
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time.
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

### **Steps we will take**

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address.
- Limit the number of times the complainant can make contact, such as a fixed number per term.
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#).
- Put any other strategy in place as necessary.

### **Stopping responding**

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns.
- We have provided a clear statement of our position and their options.
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience.

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

### **Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we had not previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete.
- Direct them to the ESFA if they are dissatisfied with our original handling of the complaint.

If there are new aspects, we will follow this procedure again.

### **Complaint campaigns**

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website.
- Sending a template response to all of the complainants.

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

### **Record keeping**

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.

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 through a subject access request 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 securely, only for as long as necessary and in line with data protection law, our privacy notices and records management policy/record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board 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.

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 board, who will not unreasonably withhold consent.

### **Learning lessons**

The governing body will review any underlying issues raised by complaints with the leadership team, 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.

### **Monitoring arrangements**

The governing body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The governing body will track the number and nature of complaints, and review underlying issues as stated learning lessons above.

The complaints records are logged and managed by the school administration department.

This policy will be reviewed by the headteacher every three years as recommended by the DfE.

At each review, the policy will be approved by governing body students and community committee.

### **Links with other policies**



- Policies dealing with other forms of complaints include:
- Child protection and safeguarding policy and procedures
- Admissions policy
- Suspension and Permanent Exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEND policy and information report
- Privacy notices

**Annex A**

**Complaint Form** to be supplied with a copy of the adopted procedure.

Please complete and return to the Headteacher who will acknowledge receipt.

The Procedure, at Stage 2, explains what action will be taken after receipt.

**PLEASE CHECK THAT WHAT YOU ARE COMPLAINING ABOUT IS COVERED BY THIS PROCESS.** It

does NOT cover complaints about ANY of the following issues:

- the National Curriculum
- collective worship
- religious education
- pupil admissions
- pupil suspension/permanent exclusion
- statutory assessment of special educational needs (SEN)
- safeguarding matters
- whistle-blowing
- employee grievances and disciplinary proceedings

Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint. What is your complaint?

The form continues overleaf.....

What action, if any, have you already taken to try and resolve your complaint.  
(Whom did you speak to, when, and what was the response)?

What actions do you feel might resolve the problem?

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

Signature:

Date:

Official use

Date acknowledgement sent:

By whom?

Complaint referred to:

Date: