

**Church Crookham Junior School**  
**General Complaints Policy**

**Rationale**

We strive to provide a good education for all our children. The headteacher and staff work very hard to build positive relationships with all pupils, parents and members of our school community. We believe that pupils, parents, staff, governors and the general public should feel able to express their views and concerns knowing that they will be dealt with fairly. However, the school is obliged to have procedures in place and this policy sets out these. 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 about the provision of facilities or services that we provide.

Throughout this policy, the term ‘parent’ refers to parents, carers and other legal guardians.

Timescales in this policy relate to term time. This means working days do not include half-term or other holidays.

This policy covers all complaints about any provision or facilities or services that a school provides with the exceptions listed below, for which there are separate (statutory) procedures.

<b>Exceptions</b>	<b>Who to contact</b>
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs (SEN)</li> <li>• School re-organisation proposals</li> </ul>	Concerns should be raised direct with local authorities (LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.  If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH) 01329-225379
Suspensions and Exclusion of children from school	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> . However, complaints about the application of the behaviour policy can be made through the complaints behaviour policy.
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.  The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> .  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.
Staff conduct	Complaints about staff will be dealt with under the school’s internal disciplinary procedures, if appropriate.

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	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.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
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. They should be contacted direct.
National Curriculum - content	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

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 our 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.

### **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 generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

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 invoke formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases you can contact the Deputy Headteacher or Headteacher who may be able to refer you to another member of staff. Similarly, if the member of staff directly involved feels unable to deal with a concern, then the Deputy Headteacher or Headteacher 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 and impartiality is more important.

There are occasions when complainants would like to raise their concerns formally. In those cases, our school will attempt to resolve the issue internally, through the stages outlined in this complaints procedure.

### **Complaints – Initial Concerns**

We recognise that there is a difference between a concern and a complaint. At our school we promote good communication, welcome feedback, and regularly reflect on our approaches. These are all undertaken to provide quality experiences for all pupils, parents and members of our School Community. The requirement to have a Complaints Policy does not undermine efforts to resolve any complaints informally, and we recognise that the vast majority of concerns can be resolved in this way. In most cases, the complaint will be heard by a staff member. Class teachers are available first thing in the morning and after school, for a quick chat. Should a longer discussion be required, parents are welcome to make an appointment. Appointments can be made in person by contacting the teacher, or by writing a note in the Homelink book or contacting school via the School Office. Our

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staff always have our pupils' best interests at heart and are always willing to discuss any problems. We believe that talking about any concern is the best way to resolve any issues or misunderstandings.

Should the complainant feel that the class teacher has not addressed the concerns appropriately, or feels that further action should be taken then the complainant should discuss their concerns with the Year Leader, Assistant Headteacher or Deputy Headteacher. (Details of their names are on our school website.) It may also be appropriate to discuss concerns with our school SENCO. They will always seek to listen and resolve any concerns raised. Should this not be the case then our headteacher, and/or Chair of Governors, is always willing to talk to meet with parents, staff or governors to talk through any concerns. Appointments can be arranged by contacting the School Office.

All our policies are available on request, should any parents wish to find out more information. Members of staff are always happy to discuss policies, if any questions arise about school procedures.

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.

Complaints against school staff (except the headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the Chair of Governors, via the school office. Please mark them 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 via the school office. Please mark them as Private and Confidential.

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.

### **Time Scales**

Complaints will be investigated 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. We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

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### **Resolving complaints**

At each stage in the procedure, our school will want 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, they will be asked to confirm this in writing.

### **Dealing with Complaints – Formal Procedure**

Sometimes, when informal discussions have taken place, the person raising the concern remains dissatisfied and wishes to take the matter further. In this case formal procedures will be invoked. In most cases, a staff member might hear the complaint, in the first instance at the informal stage.

There is one informal stage and three formal stages for the complaints procedure which are:

Informal – complaint may be heard by staff member

Stage 1 (formal) – complaint heard by Headteacher

Stage 2 (formal) – complaint heard by Chair of Governors

Stage 3 (formal) – complaint heard by Governing Body Complaints Panel

In most cases, it is expected that complaints should be made as soon as possible after an incident arises.

### **Recording meetings**

Where there are communication difficulties, recording devices may be used to ensure the complainant is able to access and review the discussions at a later point. Complainants should make sure they obtain informed consent from all parties present before recording conversations or meetings.

Electronic recordings as evidence are not normally accepted as evidence, when we are asked to consider a complaint. However, we may accept independently notarised transcriptions of recordings. We may also ask for the written consent of all recorded parties.

Unless exceptional circumstances apply, Church Crookham Junior School will refuse to accept, as evidence, recordings of conversations/videos/pictures that were obtained covertly and without informed consent of all parties being recorded.

### **Stage One – Complaint heard by Headteacher**

A complaint may be made in person, by telephone or in writing. (The appendix shows an example recording format for recording initial complaints that may be used.) Formal complaints will be acknowledged in writing

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within **\*5 working days** of receiving the complaint. It would be helpful if the complainant could state what actions they feel might resolve the situation. The acknowledgement will give a brief explanation of the school's complaints procedure and a target day for providing a response to the complaint. This would be within **\*10 working days**: if this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date.

\*These timescales relate to term time. Should a complaint be made when school is closed (e.g. during the school holidays) then the timescales relate to receipt of the complaint during term time. So, for example, we will consider complaints made outside of term time to have been received on the first school day after the holiday period.

The headteacher may provide an opportunity for complainants to meet with them to supplement any information provided previously. If complainants wish they may be accompanied to any meeting by a friend, relative representative, or advocate who can speak on their behalf. Complainants are encouraged to inform us of any special requirements the school needs to be aware of, such as wheelchair access, signing etc.

During the investigation, the headteacher (or investigator, as the headteacher can delegate the investigation to another member of the school's senior leadership team but not the decision to be taken) 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.

The headteacher will keep written records of meeting, telephone conversations and any other relevant documentation. Where there are communication difficulties, the school may wish to use recording devices to ensure that the complainant is able to access and review the discussions at a later point.

Once all relevant facts have been established, the headteacher will then produce a written response to the complainant, or may wish to meet the complainant to discuss/resolve the matter directly.

A written response will include a full explanation of the decisions and the reasons for it. Where appropriate, this includes what action the school will take to resolve the complaint. If the complainant still wishes to take the complaint further they should notify the Chair of Governors within 4 weeks of receiving the outcome letter. If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date. The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

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. Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

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Stage 1 will be considered by an independent investigator appointed by the governing. At the conclusion of their investigation, the independent investigator will provide a formal written response.

### Stage Two – Complaint Heard by Chair of Governors

Upon receipt of a written request for the complaint to proceed to stage 2, the procedures outlined below will be followed. In the absence of the Chair of Governors the Vice-Chair of Governors will take on the role of Chair of Governors.

The Chair of Governors will contact the complainant to gather information and establish what outcome the complainant is seeking to achieve in response to the complaint and find out what actions they feel might resolve the situation as he/she has a key role in providing an opportunity for achieving conciliation between all parties. The Chair of Governors will also set clear expectations with the complainant of what can be achieved in response to their complaint.

Strict confidentiality will need to be maintained to safeguard the integrity of the process. The Chair of Governors will provide reassurance that the complaint is being taken seriously, and be transparent in their approach, and accept there may be opportunities for improvement. Acknowledgement that the situation could have been handled better is not the same as an admission of unlawful or negligent action. Initial acknowledgement may give an explanation of the school's complaints procedure and a target day for providing a response to the complaint. This would be within **\*10 working days**: if this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date.

\*These timescales relate to term time. Should a complaint be made when school is closed (e.g. during the school holidays) then the timescales relate to receipt of the complaint during term time.

The Chair of Governors will provide a written response which will include a full explanation of the decisions and the reasons for it. Where appropriate, this includes what action the school will take to resolve the complaint. If the complainant still wishes to take the complaint further they should notify the Chair of Governors within \*4 weeks of receiving the outcome letter in order to move to Stage 3 (complaint heard by Governing Body Complaints Panel).

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. Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

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. At the conclusion of their investigation, the independent investigator will provide a formal written response.

### Stage Three – Complaint Heard by Governing Body Complaints Panel

If the complainant is dissatisfied with the outcome at Stages 1 and 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with members of the governing body's complaints committee,

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which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within **\*10 working school days** of receipt of the Stage 2 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 **\*10 working school days**. Requests received outside of this time frame 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 **\*20 working 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 Church Crookham Junior 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 3.

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.

*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.*

Representatives from the media are not permitted to attend.

At least **\*5 working school days** before the 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 **\*15 working school days** before the meeting.

Any written material will be circulated to all parties at least **\*5 working school days** before the date of 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 any 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

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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 the 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 Church Crookham Junior School with a full explanation of their decision and the reason(s) for it, in writing, within **\*15 working 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 Church Crookham Junior 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 3 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 Church Crookham Junior School will take to resolve the complaint.

### **Resolving Complaints**

At each stage in the procedure, the headteacher and governors do consider the ways in which the complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint

Acknowledgement that the situation could have been handled better is not the same as an admission of unlawful or negligent action. The school will record the progress of complaints and the final outcome. The headteacher will be responsible for these records and hold them centrally.

### **Governing Body Review**

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- Complaints should not be shared with the whole governing body, except in very general terms, in case an appeal panel needs to be organised;
- If the whole governing body is aware of the substance of a complaint before the final stage has been completed, schools should arrange for an independent panel to hear the complaint. They may approach a different school to ask for help or the local Governor Services team at the LA, or the Diocese;
- Complainants have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. Schools should consider the request but ultimately, the decision is made by the governors;
- The process of listening to and resolving complaints can contribute to school improvement. When individual complaints are heard, schools may also identify underlying issues that need to be addressed. The monitoring and review of complaints can be a useful tool in evaluating a school's performance. The governing body may wish to consider using complaints and review their handling at regular intervals to inform improvements and the effectiveness of the complaints procedure;

### **Serial and Persistent Complainants**

Our school will do their best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where a school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, we will act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for our school to recognise when they really have done everything they can in response to a complaint. It is a poor use of our school's time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. However, we will be careful that we do not mark a complaint as 'serial' before the complainant has completed the procedure.

**Note:** The Department for Education does not itself use the term 'vexatious' when dealing with serial or persistent correspondents as it could potentially be inflammatory. However, it is a recognised term. In the context of Freedom of Information (FOI) requests, the Upper Tribunal concluded that 'vexatious' could be defined as the '*...manifestly unjustified, inappropriate or improper use of a formal procedure.*' An exemption therefore exists in Section 14(1) of the Freedom of Information Act 2000. However, this exemption can only be applied to requests themselves, and not the individuals who submit them.

More information about dealing with vexatious requests for information is available on the Information Commissioner's Office (ICO) website.

Under no circumstances should an individual be marked as serial for exercising their democratic right to refer their complaint to their local MP regardless of which stage the complaint has reached. The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

### **Policy for Unreasonable Complainants**

Church Crookham Junior 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.

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Church Crookham Junior School defines 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
  - refuses to accept that certain issues are not within the scope of the complaints procedure
  - insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
  - introduces trivial or irrelevant information which they expect to be taken into account and commented on
  - 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.
  - uses threats to intimidate
  - uses abusive, offensive or discriminatory language or violence
  - knowingly provides falsified information
  - publishes unacceptable information on social media or other public forums.

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.

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.

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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. For complainants who excessively contact Church Crookham Junior School 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 Church Crookham Junior School.

### **Barring from the School Premises**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place. Anyone wishing to complain about being barred can do so, by letter or email, to the headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

### **Next Steps**

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 <School Name>. They will consider whether <School Name> 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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Scope: This policy applies to staff, parents, governors and the general public

This policy will be reviewed annually and updated as necessary. This policy should be read in conjunction with:

- Single Equality Act 2010
- DFE – Best Practice Advice for School Complaints Procedures

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Appendix - Example of a complaint form

**Please complete and return to the Headteacher and/or Chair of Governors 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>

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**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:**

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***Roles and Responsibilities***

**Complainant**

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

**Investigator**

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

**Complaints Co-ordinator** (this could be the headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the

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smooth running of the complaints procedure

- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

**Clerk to the Governing Body**

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

**Committee Chair**

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed

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- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

**Committee Member**

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.