



South End Junior School	Page 1 of 14
	Issued: 4 March 2020
Complaints Procedure	Review date: Spring 2022
	Supersedes: 5 December 2016
Approved by	FULL GOVERNING BODY/L & M COMMITTEE/HEADTEACHER

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1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- › Be impartial and non-adversarial
- › Facilitate a full and fair investigation by an independent person or panel, where necessary
- › Address all the points at issue and provide an effective and prompt response
- › Respect complainants' desire for confidentiality
- › Treat complainants with respect and courtesy
- › Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- › Keep complainants informed of the progress of the complaints process
- › Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy by making it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

2. Legislation and guidance

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), including the model procedure, and model procedure for dealing with unreasonable complaints.

3. Definitions and scope

3.1 Definitions

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”

3.2 Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

If a complainant commences legal action against the 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.

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 South End Junior School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures we will use this complaints procedure.

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

This policy does **not** cover complaints procedures relating to:

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Northamptonshire County Council</p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<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). (LADO – 01604 367862, 01604 362633. MASH - 0300 126 1000</p>

<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> Whistleblowing 	<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: www.education.gov.uk/contactus.</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"> Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> Staff conduct 	<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"> Complaints about services provided by other providers who may use school premises or facilities 	<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"> National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

4. Roles and responsibilities

4.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- › Follow these procedures
- › Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- › Treat all those involved with respect
- › Not publish details about the complaint on social media

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

4.2 The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- › Interview all relevant parties, keeping notes

- › Consider records and any written evidence and keep these securely
- › Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions

4.3 Clerk to the Governing body or Business Manager

The clerk or Business Manager will:

- › Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- › Arrange the complaints hearing
- › Record and circulate the minutes and outcome of the hearing

4.4 Committee chair

The committee chair will:

- › Chair the meeting, ensuring that everyone is treated with respect throughout
- › Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

5. Principles for investigation

When investigating a complaint, we will try to clarify:

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

5.1 Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

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.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- › Set new time limits with the complainant
- › Send the complainant details of the new deadline and explain the delay

6. Stages of complaint (not complaints against the headteacher or governors)

6.1 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.

Complainants should first raise the matter (either in person or by letter, telephone or email) with the teacher most closely concerned to clarify the facts and resolve through discussion. A request for discussion with the Director of Learning for the relevant year group and, following that, Assistant Head, SENCo, or Headteacher may also be desirable before making a formal complaint.

If the complainant is unclear who to contact or how to contact them, they should contact the school office for signposting to the relevant member of staff. The school office can be contacted by telephoning 01933 314611 or emailing schooladmin@southend-jun.northants.sch.uk

The staff member receiving the informal complaint should acknowledge within 3 school days, and investigate and provide a response within 5 school days. The informal stage may involve a meeting between the complainant and school staff as appropriate.

If a concern or complaint is not resolved at the informal stage the complainant may choose to raise a formal complaint by following the procedures below.

6.2 Stage 2: formal

Formal complaints can be raised:

- By letter or email (preferably on the Complaint Form)
- Over the phone
- In person
- By a third party acting on behalf of the complainant

The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the school office. The school office can be contacted by telephoning 01933 314611 or emailing schooladmin@southend-jun.northants.sch.uk

Upon receipt for a formal complaint the headteacher will:-

- Decide which member of senior leadership team is best placed to deal with complaint or whether the head will investigate themselves.
- Decide if they need to invite the complainant in to a meeting to:-
 - Clarify concerns,
 - Explore possibility of informal resolution.
- Write to or email the complainant (usually within 3 school days) to:
 - Acknowledge the complaint
 - Tell them how school intends to proceed
 - If it is necessary to invite the complainant to a meeting for clarification or exploration of informal resolution, inform the complainant that they may be accompanied to the meeting and that they should inform the school of the identify of their companion in advance.
In certain circumstances the school may need to refuse a request for a particular individual to attend a
 - If necessary, seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.
 - Give a target date for providing a response to the complaint (target is 10 school days from receipt of complaint but it may be necessary for this to be longer if it is not possible to investigate within this timeframe).
 - Give details of which staff member will be dealing with complaint.
- Conduct an investigation, or arrange for the designated member of the senior leadership team to do so. (See Section 4.2.)
- Keep the complainant up-dated if the headteacher is unable to meet the target date for a response and provide a revised response date
- At the conclusion of the investigation, provide a formal written response within the timeframe stipulated by the school. This response will:-
 - Detail any actions taken to investigate the complaint,
 - Provide a conclusion – giving full explanations of the decision made and reason(s) for it
 - Where appropriate, include details of actions the school will take to resolve the complaint

- Advise the complainant of how they can escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

6.3 Stage 3: submit the complaint to the review panel

How to escalate a complaint

If the complainant is dissatisfied with the outcome at Stage 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. A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 2 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

Complaints can be escalated by contacting the clerk to the governing body:

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

The clerk will need:-

- Details of the complaint (as set out at Stage 2)
- Details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently
- What they feel would resolve the complaint.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

Convening the panel

The review panel will consist of the first 3 members of the governing body available, who don't have direct knowledge of the complaint. These individuals will have access to the existing record of the complaint's progress (see section 10). The governors will select a panel chair from amongst themselves.

If not enough impartial governors are available, we will seek panel members from other schools or through the local authority Governor Services Team. We will make sure the governors we source can demonstrate that they are independent and impartial.

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.

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. The clerk will aim to convene a meeting within 15 school days of receipt of the Stage 3 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.

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.

At least 10 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 7 school days before the meeting.

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

At the meeting

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.

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.

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. (See Appendix 2 for Formal of Panel Hearing).

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting 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 subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher.

The outcome

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The panel will inform those involved of the decision in writing within 5 school days.

7. Complaints against the headteacher, a governor or the governing body

7.1 Stage 1: informal

7.1.1 Complaints about the headteacher or any member of the governing body

Complaints made against the headteacher or any member of the governing body should be directed to the Chair of Governors in the first instance. If the complaint is about the Chair of Governors this should be directed to the Vice Chair. Complaints should be marked Private & Confidential and submitted via the school office.

The person dealing with the informal complaint will then:

- Meet with the complainant if appropriate
- Acknowledge informal complaints within 3 school days, and investigate and aim to provide a response within 5 school days.

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

7.2 Stage 2: formal

7.2.1 Complaints about the headteacher or any member of the governing body

Formal complaints about the headteacher or any member of the Governing body will be dealt with by the Chair of Governors, or Vice Chair if the complaint relates to the Chair of Governors. They will carry out the necessary steps involved when dealing with a formal complaint (see Section 6.2 above), including writing the formal response at the end of the investigation.

7.2.2 Complaints made jointly about the Chair of Governors or Vice Chair of Governors, the majority of or entire governing body

Complaints made jointly about the Chair of Governors or Vice Chair of Governors, the majority of or entire governing body should be directed to the Clerk, via the school office. The Governing body will arrange for an independent investigator to carry out the necessary steps involved when dealing with a formal complaint (see Section 6.2 above), including writing the formal response at the end of the investigation.

7.3 Stage 3: review panel

7.3.1 Complaints about the headteacher or any member of the governing body

If the complainant is dissatisfied with the outcome at Stage 2, following a formal complaint about the headteacher or any member of the governing body, they can escalate the complaint to Stage 3 – a meeting with members of the governing body's complaints committee. The process outlined in Section 6 (6.3) should be followed.

7.3.2 Complaints made jointly about the Chair of Governors or Vice Chair of Governors, the majority of or entire governing body

Following a formal investigation and response by an independent investigator regarding complaints made jointly about the Chair of Governors or Vice Chair of Governors, the majority of or entire governing body, if the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, the Review Panel will consist of a committee of independent governors. They will be sourced from local schools, or through the local authority Governor Services Team and will carry out the steps outlined at stage 3 (set out in section 6 above).

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

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 the school. They will consider whether South End Junior 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, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

We will include this information in outcome letters to complainants.

9. Persistent complaints

9.1 Unreasonably persistent 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's 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, refused 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, as well as following our Dealing with Troublemakers Policy. This may include barring an individual from our school site.

9.2 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 hadn't 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 DfE if they are dissatisfied with our original handling of the complaint

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

9.3 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.

10. Record keeping

The school will record the progress of all formal 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 or involved in keeping records.

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 formal complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and record retention schedule.

The details of the formal 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.

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.

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.

11. Learning lessons

The Chair of Governors will review any underlying issues raised by formal 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.

12. Monitoring arrangements

The Leadership & Management Committee will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Leadership and Management Committee will track the number and nature of formal complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the Business Manager.

13. Links with other policies

Policies dealing with other forms of complaints include:

- › Child protection and safeguarding policy and procedures
- › Exclusions policy
- › Staff grievance procedures
- › Staff disciplinary procedures
- › SEN policy and information report

➤ Privacy notices

➤ Whistleblowing

Formal Complaint Form

Appendix 1

Please refer to the school's complaints procedure and only complete this form if you are raising a Formal Stage 2 Complaint

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it. <i>Please ensure you include relevant dates, times and names of any witnesses.</i>

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

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

Signature:

Date:

1. Complainant and Headteacher will enter the room where the hearing is taking place together.
2. The chair will introduce the panel members and the clerk and outline the process.
3. The complainant is invited to explain the complaint,
4. The Headteacher may question the complainant
5. The panel will question the complainant
6. The Headteacher is then invited to explain the school's actions
7. The complainant may question the Headteacher
8. The panel will question the Headteacher
9. The complainant is then invited to sum up their complaint.
10. The Headteacher is then invited to sum up the school's actions and response to the complaint.
11. The chair explains that both parties will hear from the panel within five working days.
12. Both parties leave together while the panel decides on the issues.
13. The clerk will remain with the panel to clarify any issues

A decision letter will be sent to the complainant, with a copy to the Head, within 5 school days of the Panel Hearing. This letter will include information about the procedure to be followed should the complainant be unsatisfied with the outcome of the school's complaints procedure (as per Section 8).