



Complaints Policy Christ Church CE (c) Primary School

1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents/carers 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. Where this is not possible, formal procedures will be followed.

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

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". The school will resolve concerns through day-to-day communication as far as possible
- A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action"

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

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

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

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school's support are within the scope of this policy. Such complaints should first be made to the class teacher and/or the special educational needs co-ordinator (SENCO). They will then be referred to this complaints policy. Our SEN policy and

information report includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

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

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

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 panel which includes the facts and potential solutions

4.3 Clerk to the governing board/HR provider/School office

The clerk, the schools HR provider or the school office 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 Panel chair

The panel 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.

Exceptions to this time frame, **will only** be considered 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.

5.2 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

6. Stages of complaint (not complaints against the Head Teacher 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.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the Head Teacher as appropriate, either in person or by letter or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office on 01543 227210 or contact@christchurch-lichfield.staffs.sch.uk. The school will acknowledge informal complaints within 5 school days, and investigate and provide a response within 10 school days.

The informal stage may involve a meeting between the complainant and the Head Teacher. If the complaint is not resolved informally, it will be escalated to a formal complaint.

6.2 Stage 2: formal

- Formal complaints can be raised:
- By letter or email
- Over the phone, then put into writing
- In person, then put into writing
- 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: 01543 227210 or contact@christchurch-lichfield.staffs.sch.uk

The Head Teacher (or designated member of the senior leadership team) may either:

- Call a meeting to clarify concerns.
- Have a telephone conversation.
- Respond to the complaint in writing to seek a resolution.

If a meeting is arranged, the complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance. In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The Head Teacher (or other person appointed by the headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 10 school days.

If the complainant is not happy with the conclusion of the investigation and they wish to proceed to the next stage of the procedure (escalating the complaint), they should inform the school's governing body, 3 school days from receiving the conclusion response.

How to escalate a complaint

Complaints can be escalated contacting the school office via email or phone:

- By letter or email.
- Over the phone, then put into writing.
- In person, then put into writing.
- Through a third party acting on behalf of the complainant.

6.3 Stage 3: Submit the complaint to the Governing Board

The complaint will be referred to the governing board who will assess whether the complaint requires:

- further investigation and a final letter of response from the Chair or Vice-Chair of Governors.
- governors to form a review panel so that the complaint can be heard in more detail (*see below for more information*) and a final written outcome will be produced.
- No further action as the complaint falls into the unreasonably persistent complaints category (*listed below*).

NB: If a complaint is submitted directly to the Chair of Governors, the Stage 3 process will be followed.

Please note that the Governors conclusion following any of the routes listed above is final and the decision will not be over-turned. The complainant may then only complain about the complaint procedure, if it has not been followed.

Convening the panel:

If a review panel is required to deal with the complaint, the following process will be followed:

- A review panel will be formed consisting of 3 available members of the governing body, who don't have direct knowledge of the complaint. These individuals will have access to the existing records of the complaint's progress. The governors will select a panel chair from amongst themselves.
- The complainant will be informed of the review panel formation via email.
- The complainant will then be given the opportunity to submit any further written evidence to the panel to consider. This will need to be sent to the Governors, via the school office, within 3 days of the complainant being informed about the review panel.
- The review panel will review all documents submitted. They will then decide whether it is necessary for them to hear directly from the complainant and/or school representatives or that they have enough written evidence to address the complaint in full.
- If the panel feel it is necessary for them to hear directly from the complainant and/or school representative, the complainant must have reasonable notice of the date when this will take place. The school will aim to find a date within 10 school days from this point, where possible.
- If the complainant rejects an offer of 2 proposed dates without good reason or does not wish to attend a meeting with the governors, the review panel will reach a conclusion of their investigation using only the written evidence submitted.

Review panel meeting:

- 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 complainant can be accompanied by a suitable companion if they wish. (Please note, if you wish to be accompanied by a suitable companion, the panel must be notified of this in advance of the meeting.) We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.
- At the meeting, each individual present will have the opportunity to give statements and present their evidence if they wish to.
- The panel, the complainant and the school representative may be given the chance to ask and reply to questions if deemed appropriate by the panel.
- Once the complainant and school representatives have completed presenting their cases, the meeting will be drawn to a close and evidence will then be considered.
- The panel will then put together its findings and recommendations from the case in the form of a written letter.

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

Please note that the review panel conclusion is final and the decision will not be over-turned. The complainant may then only complain about the complaint procedure, if it has not been followed correctly.

7. Complaints against the Head Teacher, a governor or the governing body

7.1 Stage 1: informal

Complaints made against the Head Teacher or any member of the governing body should be directed to the clerk to the governing board in the first instance (see below for contact details).

If the complaint is about the Head Teacher or one member of the governing body (including the chair or vice-chair), a suitably-skilled and impartial governor will carry out the steps at stage 1 (set out in section 6 above).

7.2 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 section 6 above). They will be appointed by the governing body or diocese, and will write a formal response at the end of their investigation.

7.3 Stage 3: review panel

If the complaint is jointly about the chair and vice-chair, the entire governing body or the majority of the governing body, a committee of independent governors will hear the complaint. They will be sourced from local schools, the local authority or diocese and will carry out the steps at stage 3 (set out in section 6 above).

8. 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 School Complaints Unit (SCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.

The SCU will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The SCU also looks at whether the school's statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

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

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

We will include this information in the outcome letter 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 cooperate 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. For more details, please refer to our 'Managing abusive parents/carers or Visitors to our school policy found on our website.

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 consider.

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 process is complete

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 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.

11. Learning lessons

The governing body will review any underlying issues raised by complaints with the Head Teacher, 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. Equality Opportunities Statement

This policy applies to all and does not unlawfully discriminate because of the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origin), religion or belief, sex (gender) and sexual orientation.

13. Monitoring arrangements

The governing body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The governing body will be made aware of the number and nature of complaints, and review underlying issues in Governing Body meetings across the academic year.

This policy will be reviewed by Head Teacher and Governors every 3 years.

14. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices
- Managing abusive parents/carers or visitors to our school policy

15. Contact details

Clerk to the Governing body:

Governor Services Team

Phone: 01785 337237

Email: governors@entrust-ed.co.uk

HR provider:

Mrs L. Evans

Insight HR

Phone: 07977599740

Email: lynsey@insightr ltd.co.uk