

# Concerns & Complaints Policy



It was developed by	DFE, WSCC and Head Teacher
Consultation	Governing Body
Governing Sub Committee	Finance, Personnel and Leadership
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Communication: This policy is hosted on the school website and available for copying from there. In exceptional circumstances a paper copy will be provided on request	
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System Link	<a href="#">Y:\School Level\Policies\Complaints - Statutory</a>

## School Vision

At Chesswood Junior School we inspire our whole school community to enjoy their learning adventure and have fun along the way. We ignite a passion for learning throughout the school community, securing excellence, empathy and equality in all that we do.

## School Mission

We will strive to achieve the highest standards of academic achievement and behaviour within a vibrant, exciting learning environment so that all children leave this school with confidence and the ability to take advantage of future opportunities.

## Policy Links

This policy should be read in conjunction with the following school policies

Policy/Guidance/ Poster	<a href="#">System Link</a>
	<a href="#">School Website Link</a>

### **School Based Policy and Guidance**

School Prospectus/ Brochure	<a href="#">Y:\School Level\Policies\Prospectus</a>
	<a href="https://www.chesswood.w-sussex.sch.uk/page/?title=School+Brochure&amp;pid=188">https://www.chesswood.w-sussex.sch.uk/page/?title=School+Brochure&amp;pid=188</a>
Home School Agreement	<a href="#">Y:\School Level\Policies\Home School Agreement - Statutory</a>
	<a href="https://www.chesswood.w-sussex.sch.uk/page/?title=Home+School+Agreement&amp;pid=195">https://www.chesswood.w-sussex.sch.uk/page/?title=Home+School+Agreement&amp;pid=195</a>

### **DFE Guidance**

School complaints procedures: guidance for schools	<a href="#">Y:\School Level\Policies\Complaints - Statutory\Supporting documents</a>
	<a href="https://www.gov.uk/government/publications/school-complaints-procedures">https://www.gov.uk/government/publications/school-complaints-procedures</a>
Controlling access to school premises	<a href="#">Y:\School Level\Policies\Complaints - Statutory\Supporting documents</a>
	<a href="https://www.gov.uk/government/publications/controlling-access-to-school-premises">https://www.gov.uk/government/publications/controlling-access-to-school-premises</a>
The 7 principles of public life	<a href="#">Y:\School Level\Policies\Complaints - Statutory\Supporting documents</a>
	<a href="https://www.gov.uk/government/publications/the-7-principles-of-public-life">https://www.gov.uk/government/publications/the-7-principles-of-public-life</a>
Complaints to Ofsted about schools: guidance for parents	<a href="#">Y:\School Level\Policies\Complaints - Statutory\Supporting documents</a>
	<a href="https://www.gov.uk/government/publications/complaints-to-ofsted-about-schools-guidance-for-parents">https://www.gov.uk/government/publications/complaints-to-ofsted-about-schools-guidance-for-parents</a>



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Parental responsibility: guide for schools and local authorities	<a href="Y:\School Level\Policies\Complaints - Statutory\Supporting documents">Y:\School Level\Policies\Complaints - Statutory\Supporting documents</a>
	<a href="https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility">https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility</a>
Governance Handbook	<a href="Y:\Management\Governors\Shared Documents\Leadership\governance handbook 2019.pdf">Y:\Management\Governors\Shared Documents\Leadership\governance handbook 2019.pdf</a>
	<a href="https://www.gov.uk/government/publications/governance-handbook">https://www.gov.uk/government/publications/governance-handbook</a>
Managing serial and unreasonable complaints	<a href="Y:\School Level\Policies\Complaints - Statutory\Supporting documents">Y:\School Level\Policies\Complaints - Statutory\Supporting documents</a>
	<a href="https://www.gov.uk/government/publications/school-complaints-procedures">https://www.gov.uk/government/publications/school-complaints-procedures</a>
Advice on school security: Access to, and barring of individuals from, school premises	<a href="Y:\School Level\Policies\Behaviour Access to School Site">Y:\School Level\Policies\Behaviour Access to School Site</a>
	<a href="https://www.gov.uk/government/publications/controlling-access-to-school-premises">https://www.gov.uk/government/publications/controlling-access-to-school-premises</a>

**West Sussex County Council**

Complain about a school	
	<a href="https://www.westsussex.gov.uk/about-the-council/have-your-say/make-a-complaint/complain-about-a-school/">https://www.westsussex.gov.uk/about-the-council/have-your-say/make-a-complaint/complain-about-a-school/</a>

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## 1. Introduction

From time to time we may fall below the high expectations we set for ourselves and we encourage parents to contact us if something has happened within school that could improve. We also recognise and appreciate problems occurring in school that make a child unhappy can produce strong emotions. From experience, problems are **always** resolved more quickly and effectively if parents share their specific concerns and problems rather than their strong emotions. You can be assured that all members of staff act in good faith and will make every effort to resolve any issues arising in order that your child may return to being happy and learning productively in the shortest period of time. Where an initial concern has not been resolved to a parent's satisfaction then we encourage them to use the formal complaints policy set out in this policy to seek a resolution.

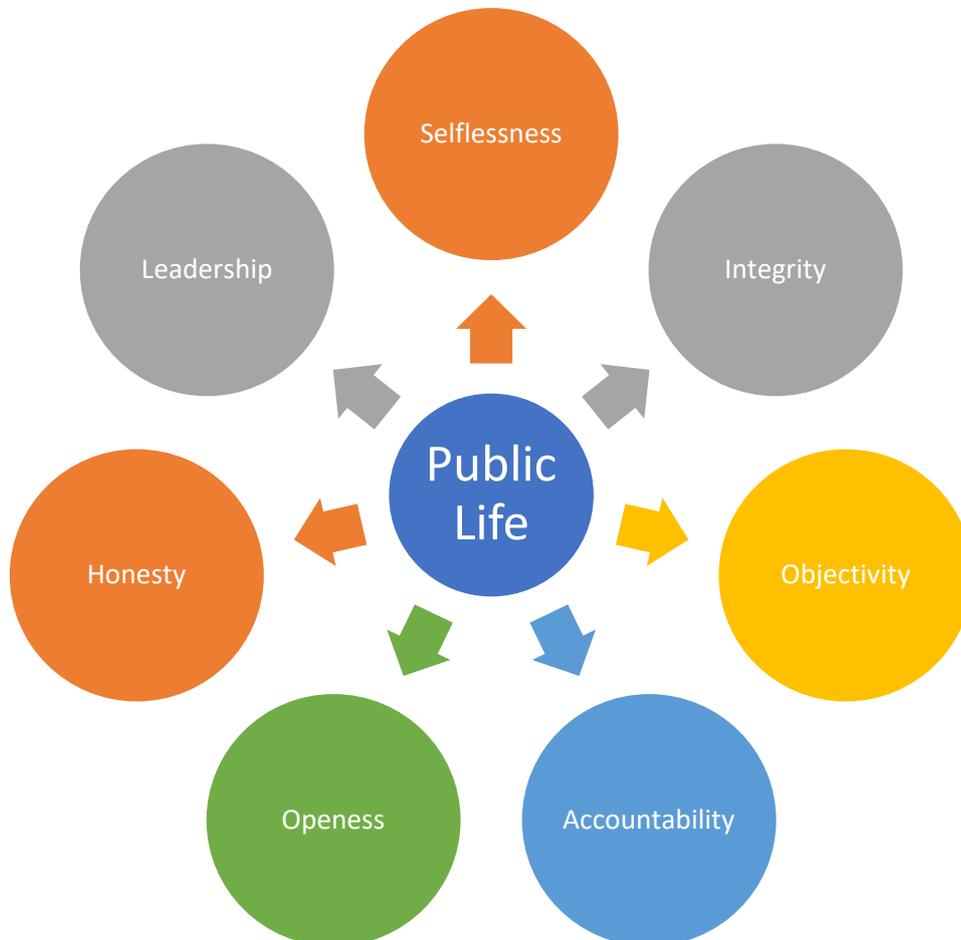
## 2. Aim

Our principle aim is to deal with complaints:

- Openly
- Fairly
- Promptly
- Without prejudice

### 3. Principles

All staff, governors and volunteers are expected to adhere to the 7 principles of public life:



1. Selflessness - Holders of public office should act solely in terms of the public interest.

2. Integrity - Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity - Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability - Holders of public office are accountable to the public for their



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decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness - Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty - Holders of public office should be truthful.

7. Leadership - Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Our procedures for dealing with complaints will:

- Be managed consistently by every member of the Chesswood School community and in line with the seven principles of public life
- Be welcoming and understanding
- Not trivialise or dismiss a complaint without giving it full consideration
- Be simple to understand and follow
- Be evidenced based and focused on outcomes
- Adhere to specific time limits for action
- Keep people informed at all stages
- Where necessary, respect people's desire for confidentiality
- Be carefully quality assured
- Provide information to the school's senior leadership team so that the school's procedures can be improved

## 4. Supporting the concerns and complaints process

Expectations of those raising concerns and complaints

- Any and all members of staff are spoken to (written about) in a courteous and respectful manner throughout the process.
- At no time are members of staff threatened or abused, either directly or



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indirectly, on line or offline (threats made against school staff to other colleagues, schools or organisations). We have a zero tolerance approach to violent, abusive or threatening behaviour.

- The focus remains on seeking to resolve the concern or complaint whilst maintaining good working relationships.
- The concern or complaint has not been posted on any social media site (directly or indirectly).

## 5. Who can make a complaint?

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 Chesswood Junior School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

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

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Chesswood Junior School takes concerns seriously and will 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, the head teacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the head teacher 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 objectively and impartially is more important.



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We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Chesswood Junior School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.



## 6. How to raise a concern or make a complaint

### Informal Stage Concerns Queries Questions

- Parents and members of the community are invited to contact the school when they have a question query or concern
- Staff and parents need to be clear regarding the concern and expected action – is the shared information ‘to let the school know’ or expecting a ‘concern to be addressed’
- Parents should expect most concerns to be resolved swiftly and satisfactorily at this stage.
- Raise a concern by visiting the school office, contact at the school gate, Calling 01903 204141 or
- Email: [concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk).
- An initial response from the school should be no longer than two working days. We will seek a resolution within five working days.

### Stage 1 Formal Complaint

- Raise, wherever possible, in writing, the original complaint providing as much detail as possible (see Chesswood Junior School Complaint form or include the same information in a format of your choosing).

[concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk)

Parents should expect the head teacher, or his delegate, to investigate the matter thoroughly and report back the school’s position verbally and in writing.

An initial response from the head teacher should be no longer than two working days – normally the same day (schools do have to respond with 5 working days). We will seek a resolution within five working days, where appropriate (schools have up to 15 working days).

Where a complaint at stage 1 has not been resolved the head teacher, or delegate, will advise how it might be escalated

### Stage 2 Governing Body

- When both the informal stage and stage one have not resolved the concerns in the parents view
- A request to escalate may be made to the Clerk to the Governors - [clerk@chesswood.w-sussex.sch.uk](mailto:clerk@chesswood.w-sussex.sch.uk) or place in writing marked private and confidential.
- Confirmation of receipt will be given in writing within 5 working days.
- A process led by the governor complaints committee will then be initiated



## 6.1. **Concern**

Experience has shown that most concerns can and are be resolved at this informal stage. There are different ways to communicate a concern. Typically, meeting in person at this stage is likely to be the most successful and resolved in the shortest time. Telephone<sup>1</sup> conversations can lead to greater misunderstanding and misinterpretation particularly if the concern is significant or the person holding the concern feels strongly about the matter. A concern may also be raised in writing. It is often helpful when the complainant places their concerns, views and chronology of incidents down in writing ensuring members of staff at the school can address key concerns point by point. Equally, providing such information or, as a minimum, an overview of the concern before any meeting enables some reflection on behalf of the member of staff managing the resolution and an increased likelihood of:

- Improved information at the initial meeting
- A resolution at the initial meeting

When raising the issue in writing and using email, please use:

[concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk)

Concerns should be raised directly with the most appropriate member of staff. Raising concerns informally and with a genuine focus on seeking a resolution typically results in the best outcomes for those raising the concern.

A concern may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

If the person indicates that he/she would have difficulty, with good reason, in discussing a complaint with a particular member of staff, the concern may be referred to another member of staff with the same authority. Where this is not possible a member of staff with higher authority will lead the complaints process.

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<sup>1</sup> Please note all external telephone calls are recorded and may be used to support the complaints process.



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The table below provides a brief guide

Area of Concern	Initial contact	Line Managed By	Response
Learning & Teaching	Child's Class Teacher	Year Leader	Initial Response: within two working days – same day where possible. Seek resolution within five working days
Behaviour Management	Child's Class Teacher	Escalate to deputy head teacher	
Special Educational Needs	Special Needs Co-ordinator	Head Teacher	
Health & Safety Premises	Site Manager	Head Teacher	
Administration <ul style="list-style-type: none"> <li>• Letters</li> <li>• Finance</li> <li>• Reception</li> </ul>	Office manager	Head Teacher	
Not sure?	Receptionist – call or pop in and the school receptionist will ensure you are put in contact with the correct member of staff, ensuring your concern is dealt with promptly and efficiently.		Referral to member of staff same day

The member of staff seeking to resolve the concern will

- keep a brief record of contact (telephone calls, meetings),
- detail key issues and agreed actions.
- Within 24 hours, email to [concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk) summarising the key issues and how the employee/ school have agreed to address them. This will ensure leaders and colleagues are able to review and potentially continue the complaints process in the absence of the member of staff.
- *The notes are for management purposes only and are therefore not intended for use by the complainant. Should the complainant request a copy the detail would be summarised in a letter for the complainant. Staff should always be aware of the need for confidentiality.*



### ***6.1.1. Concern raised initially with school office – from a member of the school community***

When the administration team receive a concern via telephone the following information will be requested and required to undertake the process of resolving the concern:

#### ***Contact Information***

- Name and contact information – mobile or home telephone number (we may have this on record but it will be checked to prevent any delay in communication later).

#### ***Incident Details:***

- Broad overview of concern
- Location of the incident
- Time
- Details of children or people - i.e. boy, girl, approximate age, hair colour, skin colour etc.

This information will be passed to the head teacher who will determine the most appropriate member of staff to seek to resolve the concern.

### ***6.1.2. Concern raised at the school gate***

The head teacher is typically at the Chesswood road gate in the morning and afternoon drop off and collection times. Questions, queries or concerns are welcome at this time and in many instances can be resolved there and then. However, where concerns are likely to be emotive, complex or require further investigation; the head teacher or other member of staff will select one of the following:

- If possible and appropriate, secure cover for school gate and meet immediately to understand the concern
- Identify and request an appropriate member of staff to meet and seek to resolve the concern
- Request the adult waits until the end of the duty (8:55a.m. or 3:30p.m. when the head or other appropriate member of staff will hear the concern).



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- Request the concern is communicated in writing – [concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk) (handwritten is also perfectly fine) to enable initial investigations to be undertaken. At this point the head or member of staff will commit to contacting the parent at a certain point – typically within 24 hours.

### ***6.1.3. Concern from outside of school community***

If we receive a complaint from a member of the public the following information needs to be obtained by the member of staff receiving first contact,:

#### ***Contact Information:***

- Name and contact information – mobile or home telephone number. If they refuse to provide the information they will be politely told that we cannot pursue it further. Their information will be held in the strictest confidence but we may need to contact them again for clarification with more complex incidents.

#### ***Incident Details:***

- Location (exact) of the incident
- Time
- Details of children or people - i.e. boy, girl, approximate age, hair colour, skin colour etc.

If the caller seeks to remain anonymous it is unlikely that we will be able to address the initial concern, however in exceptional circumstances when we believe a concern has been raised in good faith we will pursue a resolution particularly in cases that may involve safeguarding, bullying or anti-social behaviour. With regard to traffic violations neighbours will be directed to Operation Crackdown, <http://www.operationcrackdown.org/>



## 7. Complaints

If the concerns raised at the informal stage remain unresolved the next step is to make a formal complaint.

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.

## 8. 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.

## 9. Time scales

You must raise the complaint 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.

## 10. Complaints received outside of term time

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

## 11. Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Chesswood Junior School, other than complaints that are dealt with under other statutory procedures, including those listed below.

<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</li> <li>• School re-organisation proposals</li> </ul>	<p style="text-align: center;">Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the appropriate team within West Sussex County Council</p>
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p style="text-align: center;">Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p style="text-align: center;">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):</p> <p style="text-align: center;">The LADO for West Sussex County Council is Claire Coles</p> <p style="text-align: center;">Tel: 0330 222 3339 <span style="float: right;">Email:</span> Claire.Coles@westsussex.gov.uk</p> <p style="text-align: center;">The Assistant LADO – Vacant Position <u>MASH</u></p>



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	<p style="text-align: center;"><a href="mailto:MASH@westsussex.gov.uk">MASH@westsussex.gov.uk</a> Telephone: 01403 229 900 Out of Hours: 0330 222 6664</p>
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>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>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i> <a href="https://www.chesswood.w-sussex.sch.uk/page/?title=Managing+Behaviour&amp;pid=208">https://www.chesswood.w-sussex.sch.uk/page/?title=Managing+Behaviour&amp;pid=208</a></p>
<ul style="list-style-type: none"> <li>Whistleblowing/Confidential Reporting</li> </ul>	<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: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</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"> <li>Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<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</p>



	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.
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	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 Chesswood Junior 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.

## 12. Resolving complaints

At each stage in the procedure, Chesswood Junior School wants 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.



### 12.1. ***Withdrawal of a Complaint***

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## **13. Stage 1**

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing, or by telephone.

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

*Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*

During the investigation, the headteacher (or investigator) 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 within 15 school days of the date of receipt of the complaint.

If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 Chesswood Junior School will take to resolve the complaint.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.



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

### 13.1. **Stage 2**

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, 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 2 must be made to the Clerk, via the school office, within 20 school days of receipt of the Stage 1 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 5 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 15 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.



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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 Chesswood 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 2.

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 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 2 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 not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties



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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 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 Chesswood Junior School with a full explanation of their decision and the reason(s) for it, in writing, within 10 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 Chesswood 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 2 will be heard by a committee of independent governors.

The response will detail any actions taken to investigate the complaint and provide a



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full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Chesswood Junior School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

## 14. 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 Chesswood Junior School. They will consider whether Chesswood 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](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.



## 15. Complaint Form

Please complete and return to the head teacher, Chesswood Junior School who will acknowledge receipt and explain what action will be taken. This form or written complaint with the same information may be submitted electronically ([concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk)) or in person in a sealed envelope marked for the attention of the head teacher – Private and Confidential.

<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 (Please use additional space if required).</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:**



## 16. Roles and Responsibilities

### 16.1. **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.

#### 1.1.1. 6.2 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



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- 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.

#### 16.2. ***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 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.

#### 16.3. ***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



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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.

#### 16.4. **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



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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
- 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).

#### 16.5. ***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



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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.

## 17. Managing serial and unreasonable complaints

Chesswood 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 our 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.

*Schools can bar someone from the premises if they feel that their aggressive, abusive or insulting behaviour or language is a risk to staff or pupils. It's enough for a member of staff or a pupil to feel threatened. DFE Controlling Access to School Premises*

Chesswood Junior School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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



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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 and complicated 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.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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.

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



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that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Chesswood 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 be reviewed after six months.

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 Chesswood Junior School.