

# Concerns & Complaints Policy & Guidance





## Policy Monitoring

Core Policy Information			
<b>Policy Title</b>		<b>Concerns and Complaints Policy and Guidance</b>	
<b>ID</b>	<b>L01</b>	<b>Area</b>	<b>Leadership</b>
<b>Development Status</b>		<b>Embedded</b>	
<b>Development</b>		DfE and WSCC guidance was examined and consultation held with staff and parent groups. Guidance was sought from the Governing body.	
<b>Legal Basis</b>		<b>Statutory</b>	
<b>Legal Guidance</b>		Statutory, pursuant to Chapter 1 of Part 3 of the Education Act 2002, Chapter 2 of Part 10 of the Apprenticeships, Skills, Children and Learning Act 2009, and the Complaints Against Schools (England) Regulations 2010.	
RACI			
<b>RACI</b>	<b>Position</b>		<b>Name</b>
<b>Responsible</b>	<b>Head Teacher</b>		<b>Andrew Jolley</b>
<b>Accountable</b>	<b>Head Teacher</b>		<b>Andrew Jolley</b>
<b>Consulted</b>	<b>All employees and governors</b>		
<b>Consultation Details</b>	<b>Email circulation inviting any comments, queries or concerns</b>		
<b>Informed</b>	<b>Whole School Community</b>		
<b>Informed Details</b>	<b>Email confirming location of policy and its recent review and update</b>		
Review and Ratification			
<b>Review</b>	<b>Frequency</b>	<b>Latest Review</b>	<b>Next Planned Review</b>
<b>Review Cycle</b>	<b>Annually</b>	<b>Autumn 20</b>	<b>Autumn 21</b>
<b>Governor Oversight</b>	<b>Leadership</b>	<b>Latest Approval Date:</b>	<b>Autumn 20</b>
<b>Approval Level</b>	<b>Full Governing Body</b>		
<b>Approval delegated to</b>	<b>Not Applicable</b>		
Storage and Communication			
<b>Hard Copy</b>	<b>Staff Room, PPA Room, Head Teacher's office, Entrance</b>		
<b>Web Link</b>	<a href="https://www.chesswood.w-sussex.sch.uk/page/?title=Concerns+and+Complaints&amp;pid=190">https://www.chesswood.w-sussex.sch.uk/page/?title=Concerns+and+Complaints&amp;pid=190</a>		
<b>System Link</b>	<a href="Y:\School Level\Policies\Complaints - Statutory">Y:\School Level\Policies\Complaints - Statutory</a>		



## Policy Links

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

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

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

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

### **DFE Guidance**

School complaints procedures: guidance for schools	<a href="Y:\School Level\Policies\Complaints - Statutory\Supporting documents"><u>Y:\School Level\Policies\Complaints - Statutory\Supporting documents</u></a>
	<a href="https://www.gov.uk/government/publications/school-complaints-procedures"><u>https://www.gov.uk/government/publications/school-complaints-procedures</u></a>
Controlling access to school premises	<a href="Y:\School Level\Policies\Complaints - Statutory\Supporting documents"><u>Y:\School Level\Policies\Complaints - Statutory\Supporting documents</u></a>
	<a href="https://www.gov.uk/government/publications/controlling-access-to-school-premises"><u>https://www.gov.uk/government/publications/controlling-access-to-school-premises</u></a>
The 7 principles of public life	<a href="Y:\School Level\Policies\Complaints - Statutory\Supporting documents"><u>Y:\School Level\Policies\Complaints - Statutory\Supporting documents</u></a>
	<a href="https://www.gov.uk/government/publications/the-7-principles-of-public-life"><u>https://www.gov.uk/government/publications/the-7-principles-of-public-life</u></a>
Complaints to Ofsted about schools: guidance for parents	<a href="Y:\School Level\Policies\Complaints - Statutory\Supporting documents"><u>Y:\School Level\Policies\Complaints - Statutory\Supporting documents</u></a>
	<a href="https://www.gov.uk/government/publications/complaints-to-ofsted-about-schools-guidance-for-parents"><u>https://www.gov.uk/government/publications/complaints-to-ofsted-about-schools-guidance-for-parents</u></a>
Parental responsibility: guide for schools and local authorities	<a href="Y:\School Level\Policies\Complaints - Statutory\Supporting documents"><u>Y:\School Level\Policies\Complaints - Statutory\Supporting documents</u></a>
	<a href="https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility"><u>https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility</u></a>
Governance Handbook	<a href="Y:\Management\Governors\Shared Documents\Leadership\governance handbook 2019.pdf"><u>Y:\Management\Governors\Shared Documents\Leadership\governance handbook 2019.pdf</u></a>
	<a href="https://www.gov.uk/government/publications/governance-handbook"><u>https://www.gov.uk/government/publications/governance-handbook</u></a>



Concern & Complaints Policy and Guidance

**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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## 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.

## Contents

<b>POLICY MONITORING</b> .....	<b>2</b>
<b>POLICY LINKS</b> .....	<b>3</b>
<b>SCHOOL VISION</b> .....	<b>5</b>
<b>SCHOOL MISSION</b> .....	<b>5</b>
<b>1. OVERVIEW</b> .....	<b>7</b>
1.1. WHO CAN MAKE A COMPLAINT? .....	7
1.2. THE DIFFERENCE BETWEEN A CONCERN AND A COMPLAINT .....	7
1.3. EXPECTATIONS OF THOSE RAISING A CONCERNS OR COMPLAINTS .....	8
1.4. ANONYMOUS CONCERNS OR COMPLAINTS .....	8
1.5. TIME SCALES .....	8
1.6. COMPLAINTS RECEIVED OUTSIDE OF TERM TIME .....	9
<b>2. PRINCIPLES</b> .....	<b>9</b>
<b>3. SCOPE OF POLICY</b> .....	<b>9</b>
<b>4. CONCERNS AND COMPLAINTS – QUICK GUIDE</b> .....	<b>12</b>
<b>5. RAISING CONCERNS</b> .....	<b>13</b>
5.1. HOW TO RAISE YOUR CONCERN. ....	14
5.2. ADDRESSING THE CONCERN.....	15
ONCE THE CONCERN HAS BEEN INVESTIGATED, WE MAY OFFER ONE OR MORE OF THE FOLLOWING IN PERSON OR IN WRITING OR IN PERSON AND THEN IN WRITING: .....	16
5.3. WITHDRAWAL OF CONCERN .....	16
5.4. RIGHT TO ESCALATE .....	16
5.5. SPECIFIC CIRCUMSTANCES .....	17



## Concern & Complaints Policy and Guidance

5.5.1.	<i>Concerns raised at the school gate by a parent of a child on roll</i>	17
5.5.2.	<i>Concern from outside of school community</i>	18
5.6.	TRAFFIC VIOLATIONS	19
<b>6.</b>	<b>COMPLAINTS</b>	<b>20</b>
6.1.	RESOLVING COMPLAINTS	20
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:		
6.2.	WITHDRAWAL OF A COMPLAINT	20
<b>7.</b>	<b>STAGE 1 - COMPLAINTS</b>	<b>20</b>
7.1.1.	<i>All complaints, except those relating directly to the head teacher or member of the governing body</i>	20
7.1.2.	<i>Complaints relating to the head teacher or member of the governing body excluding the Chair of Governors</i>	21
7.1.3.	<i>Complaints relating to the Chair of Governors</i>	21
7.2.	WHAT TO EXPECT	22
7.2.1.	<i>Complaints not relating to head teacher or governors</i>	22
7.3.	RIGHT TO ESCALATE	23
<b>8.</b>	<b>STAGE 2 – COMPLAINTS COMMITTEE</b>	<b>24</b>
8.1.	HOW TO ESCALATE YOUR COMPLAINT	24
8.2.	WHAT TO EXPECT	24
8.3.	NEXT STEPS	26
<b>9.</b>	<b>MANAGING SERIAL AND UNREASONABLE COMPLAINTS</b>	<b>28</b>
<b>10.</b>	<b>ARRANGEMENTS FOR MONITORING AND EVALUATION</b>	<b>30</b>
<b>APPENDICES</b>		
<b>1.</b>	<b>CONCERN &amp; COMPLAINT FORM</b>	<b>32</b>
<b>2.</b>	<b>PRINCIPLES OF PUBLIC LIFE</b>	<b>35</b>
<b>3.</b>	<b>ROLES AND RESPONSIBILITIES</b>	<b>36</b>
10.1.	COMPLAINANT	36
10.2.	INVESTIGATOR	36
10.3.	COMPLAINTS CO-ORDINATOR	37
10.4.	CLERK TO THE GOVERNING BODY	37
10.5.	COMMITTEE CHAIR	38
10.6.	COMMITTEE MEMBER	38



## 1. Overview

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 the school that could improve. To facilitate this we have designed a three step approach to addressing any concerns you may have:

- *Raising Concerns (informal)*
- *Stage 1 – Complaints (formal)*
- *Stage 2 – Complaints Committee (formal)*

### 1.1. **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.

### 1.2. **The difference between a concern and a complaint**

Raising questions or queries where there is no underlying reassurance needed e.g. confirmation of arrangements, is not considered to be a **concern**.

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 are resolved at the earliest possible stage. Many issues can be resolved informally. 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 Headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

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.



### **1.3. *Expectations of those raising a concerns or complaints***

We 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. In return, we expect those raising a concern to act reasonably at all times and in particular to ensure that:

- 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 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 anonymously or otherwise.

### **1.4. *Anonymous concerns or 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. 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.

### **1.5. *Time Scales***

Concerns are best raised at the time, or as soon as possible after the incident.

You must raise your concern or 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. The headteacher or Chair of Governors, if appropriate, will only consider concerns/complaints made outside of this time frame if exceptional circumstances apply.

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





## **1.6. 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.

## **2. Principles**

- We welcome feedback from parents or carers of children that are registered at the school along with other people in the wider community.
- Where this feedback raises a concern or a complaint we will seek to resolve the matter openly, fairly, promptly and without prejudice.
- We expect all staff, governors and volunteers to adhere to the 7 principles of public life (see appendices)
- 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
  - Respect people's desire for confidentiality wherever appropriate
  - Be carefully quality assured by senior leaders and governors
  - Provide information to the school's senior leadership team so that the school's procedures can be improved
- Our complaints policy, procedures and outcomes will be overseen by the Governing Body.

## **3. Scope of Policy**

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



Concern & Complaints Policy and Guidance

procedures, including those listed below.

Exceptions	Who to contact
<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>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>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):</p> <p>The LADO for West Sussex County Council is Lindsey Tunbridge-Adams            Tel: 0330 222 3339                      Email: Lindsey.Tunbridge-Adams@westsussex.gov.uk</p> <p>The Assistant LADO is Claire Coles            Tel: 0330 222 3339                      Email: Claire.Coles@westsussex.gov.uk</p> <p><a href="mailto:MASH@westsussex.gov.uk">MASH@westsussex.gov.uk</a>  <a href="tel:01403229900">Telephone: 01403 229 900</a>            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 whistle blowers 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>



## Concern & Complaints Policy and Guidance

<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 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"><li>• Complaints about services provided by other providers who may use school premises or facilities</li></ul>	<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"><li>• National Curriculum - content</li></ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

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.



## 4. Concerns and Complaints – Quick Guide

### Questions, queries and clarification

- Wherever a parent has question query or needs clarification they are encouraged to contact school at the earliest opportunity to secure the information needed.
- This may be in person, by telephone or in writing
- If, however, there is an underlying concern then parents are asked to follow the informal concern process below.

### Informal Stage Concerns

- Wherever possible raise the concern in writing using email [concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk) or hand written notes
- A concern & complaint form and online form is available for parents use **HOME> PARENTS> CONCERNS AND COMPLAINTS**
- Concerns may be also be raised in person or by telephone
- When sharing a concern it will be resolved more effectively when the following details are shared: Your contact details, Incident - location, timing and people involved; whether this is the first time sharing concern; how it might be resolved for you.
- Please do not communicate concern on social media, anonymously or otherwise, until school staff have had an opportunity to hear and resolve the concern.

### Stage 1 Formal Complaint

- If the informal stage has not resolved the concern or the matter is communicated as a complaint initially - Stage 1 will be followed. If the complaint is about anything other than the head teacher or a governors, wherever possible, communicate the complaint in writing using email [complaint@chesswood.w-sussex.sch.uk](mailto:complaint@chesswood.w-sussex.sch.uk) or with hand written notes.
- Complaints may be also be raised in person or by telephone
- If the complaint relates to the head teacher or a member of the governing body use [clerk@chesswood.w-sussex.sch.uk](mailto:clerk@chesswood.w-sussex.sch.uk)
- Details requested and guidance is consistent with the informal stage above.

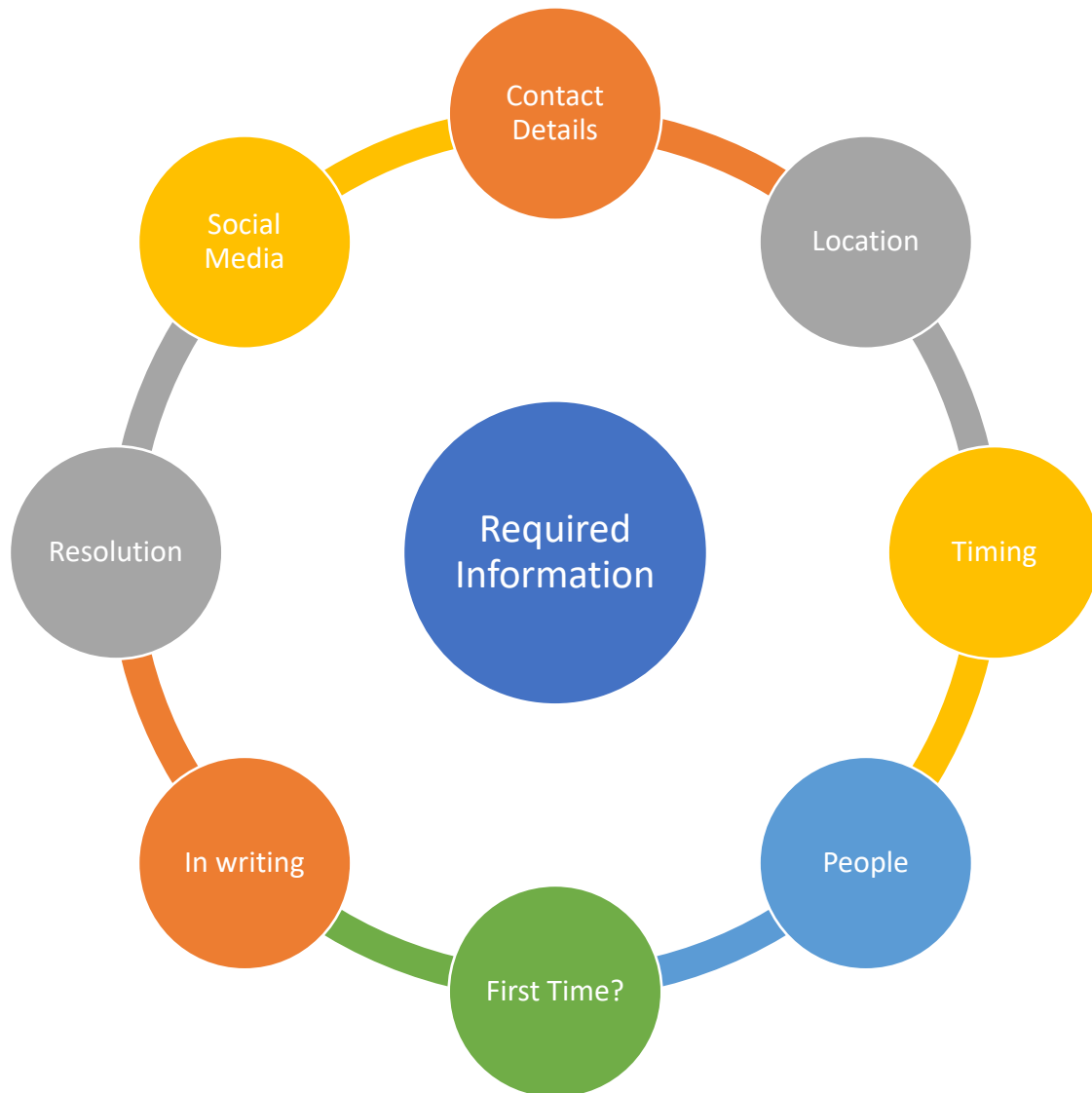
### Stage 2 Governing Body

- If stage 1 has not resolved the complaint to a parents satisfaction it may be escalated to stage 2. The request to escalate must be made within 20 days of the stage 1 response.
- Please communicate in writing to [clerk@chesswood.w-sussex.sch.uk](mailto:clerk@chesswood.w-sussex.sch.uk) to communicate this request
- You may also communicate your intention with a handwritten letter delivered to Chesswood for the attention of the Clerk to governors.
- You will receive a response within 5 working days of receipt.
- A panel of three governors with no prior involvement or knowledge of the complaint will be formed
- There is a right to escalate from this stage to the Department for Education if the complaint has not been resolved to their satisfaction.

## 5. Raising Concerns

### ***Concerns – Information Required - Quick Guide***

Experience has shown that most concerns can, and are, resolved at this informal stage and there is action you can take to help resolve this swiftly:



1. Always provide your contact details e.g. name, email and phone number
2. Provide factual details of the concern e.g.
  - The location of an incident, action, reaction or interaction.
  - The timing - When it happened? Time and day
  - The people involved adults and or children, names are most helpful but descriptions



## Concern & Complaints Policy and Guidance

will also help if a name is unknown or uncertain. It is particularly important that we approach the right adult or children during the course of any investigation.

3. Is this the first time you have had or raised this concern? It is always helpful to know whether you have raised the same or similar concern on more than one occasion. If so who was the concern reported to and broadly when?
4. Provide the information in writing to ensure we have a good foundation to undertake our investigation. Please do not let uncertainty delay your written contact – we will take what you know as soon as possible. Email: [Concern@chesswood.w-sussex.sch.uk](mailto:Concern@chesswood.w-sussex.sch.uk)
5. How can this be resolved to your satisfaction? It is always helpful to know and understand how any arising issue could be resolved satisfactorily for a family, wherever possible please let us know along with your written concern how this might best be resolved from your perspective.
6. Please do not communicate concern on social media, anonymously or otherwise, until school staff have had an opportunity to hear and resolve the concern. We respond quickly to any concern raised and resolve almost all to parent's satisfaction. Use of social media often hinders a concern being resolved rather than helping.

### **5.1. How to raise your concern.**

A concern can be made in person, in writing or by telephone. We would always request a concern is made in writing wherever possible: [concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk). Parents are welcome to contact staff directly but, we would ask parents to use concern@ email at all times. This will help school leaders intervene quickly where it is appropriate to do so.

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



## Concern & Complaints Policy and Guidance

- If you would have difficulty discussing a concern with a particular member of staff, you may refer the matter to another member of staff with the same authority.
- We would ask that concerns are shared in writing wherever possible using
  - email: [concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk) providing the following detail:
    - First and last name
    - Email
    - Contact Telephone Number Land line and or mobile
- If this is not possible please set out your concern with a handwritten note and deliver it to school.
- You may in addition to [concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk) :
  - raise the concern directly with the most appropriate member of staff using their email (this may be done in person or by telephone but we request concerns in writing)
  - use our online form (Appendix A)
  - download and print the hard copy concern form <https://www.chesswood.w-sussex.sch.uk/page/?title=Concerns+and+Complaints&pid=190&action=saved>

### **5.2. Addressing the concern**

Once we have received a concern the member of staff seeking to address the concern will:

- investigate the issues raised in good faith using their professional judgment. The scope of the investigation is determined by school staff and ultimately the head teacher. This may change throughout the course of the investigation at staff and head teacher discretion.
- keep a brief record of:
  - contact (telephone calls, meetings and written communication)
  - Their actions to investigate
  - Their perceived view of key issues
  - Their decision on the next steps to address the concern
  - All of the above will be include in one or more emails to [concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk) .

*(The notes above are for management purposes only and are therefore not intended*



## Concern & Complaints Policy and Guidance

*for use by the adult with the concern. However, should a subject access request be made then the notes may be released. Notes and communication must always be professional, impartial and accurate from the professional's viewpoint. Members of staff are encouraged to note their professional view without fear or favour).*

- [Concern@chesswood.w-sussex.sch.uk](mailto:Concern@chesswood.w-sussex.sch.uk) must be used by the member of staff, within one working day of receipt of a concern from a parent, if the parent had not communicated using this email address originally.

Once the concern has been investigated, we may offer one or more of the following in person or in writing or in person and then in writing:

- 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.

We would hope that this action will address the concern to the parent's satisfaction. If it does not, we will seek to understand what other aspects are outstanding, reflect carefully on these and determine whether we can indeed resolve to a parent's or families' satisfaction. If, in the unlikely event that we cannot resolve the concern to a parent's satisfaction. Parents will be invited to escalate the original concern to a complaint.

### **5.3. Withdrawal of Concern**

If you wish to withdraw your concern, we will note this on our records. The headteacher or Chair of Governors, if appropriate, reserve the right to continue to independently investigate the matter.

### **5.4. Right to Escalate**

If you do not believe the matter has been dealt with appropriately or are not satisfied with the outcome, we encourage you to discuss this in the first instance with the person dealing with your concern. If you remain dissatisfied, you may raise a formal stage 1 complaint by following the guidance in the section.





## **5.5. Specific Circumstances**

### **5.5.1. Concerns raised at the school gate by a parent of a child on roll**

School staff are at the school gates in the morning and afternoon drop off and collection times. Questions and queries are welcome at this time and in nearly all instances can be resolved there and then to everyone's benefit. However, where concerns are anything beyond 'low level'; are likely to be emotive, complex or require further investigation, parents are strongly advised not to raise them with a member of staff at the school gate, instead place the concern in writing to [concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk). In exceptional circumstances, particularly where there is a notable risk of harm to a child or member of the school community the following may be considered:

- Withdraw to a more private location on the school playground (especially during this period of COVID disruption)
- 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.

Parents, once engaged in discussion, are encouraged to let the staff member know if they believe the content or tone of any discussion is such that they feel there is any level of discomfort. It is not always clear to a member of staff when a parent or member of the community would like to end a discussion and move it to a more appropriate place for them. Therefore, we rely on a parent requesting to end the discussion and we will ALWAYS respect that and determine a mutually convenient plan to make arrangements for a more suitable time and place.

There are rare occasions when a conversation:

1. takes an unacceptable or inappropriate tone with little or no warning
2. despite best efforts of a member of staff, a parent or member of the community persists with their points when it is, in the member of staff's view, inappropriate to do so.

In response to this, staff will ask the adult to end the conversation politely, they may make this request once or more than once – it is for the member of staff only to determine the appropriateness in response to the exchange. If the adult remains persistent, the staff member will use a walkie-talkie to request another member of staff to

- witness the exchange



## Concern & Complaints Policy and Guidance

- intervene to end the conversation.

Where this is unsuccessful and the exchange escalates further or continues, a senior leader will be involved and will attend. Depending on the circumstances it is possible the police will be informed. Exchanges of this nature will be subject to review and senior leaders will determine the next appropriate steps. The review will seek to determine whether it is appropriate to restrict access for the adult onto school premises. 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<sup>1</sup>

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

If we receive a concern from a member of the public, the policy remains that same as for members of the school community. Typically, these are received initially by telephone communication and often the caller wishes to remain anonymous. In response to any call of this nature the office team must make every reasonable effort to collect the following information:

#### **Contact Information:**

- Name and contact information – mobile or home telephone number. If they refuse to provide the information it will be managed as an anonymous concern. Office staff will confirm 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

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<sup>1</sup> <https://www.gov.uk/government/publications/controlling-access-to-school-premises>



## Concern & Complaints Policy and Guidance

etc.

The person raising the concern will be asked to email [concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk) or set out the information in writing using the online form <https://www.chesswood.w-sussex.sch.uk/page/?title=Concerns+and+Complaints&pid=190&action=saved>, the hard copy form available for download at the same location. **However, brief details will be taken immediately during the initial phone call to accelerate any appropriate action school staff may need to take.**

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.

### **5.6. Traffic Violations**

Concerns/complaints regarding traffic violations should be directed by the parent or member of the school community directly to Operation Crackdown, <http://www.operationcrackdown.org/>.

- We would welcome a copy or notification of any road traffic concerns including any images, please send these to [concern@chesswood.w-sussex.sch.uk](mailto:concern@chesswood.w-sussex.sch.uk)



## 6. Complaints

### 6.1. *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.

### 6.2. *Withdrawal of a complaint*

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

## 7. Stage 1 - Complaints

Formal complaints must be made to the head teacher (unless they are about the head teacher) A complaint can be made in person, in writing or by telephone.

### ***7.1.1. All complaints, except those relating directly to the head teacher or member of the governing body***

Whilst complaints can be raised in person or by telephone, we request that you to raise the matter in writing, as this prevents potential misunderstanding and delay. Please use the email address: [complaint@chesswood.w-sussex.sch.uk](mailto:complaint@chesswood.w-sussex.sch.uk). Should you not have access to email please set out the complaint by hand to the head teacher deliver in a sealed envelope to the school office. Please mark email or hard copy communication for attention of the Head Teacher - Private and Confidential. This may be received by post or by hand.

To ensure we are best placed to resolve the complaint please refer to the requested content in the concerns section above or complete the concerns and complaints form (see appendices) or



## Concern & Complaints Policy and Guidance

online at: <https://www.chesswood.w-sussex.sch.uk/page/?title=Concerns+and+Complaints&pid=190&action=saved>.

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.

### ***7.1.2. Complaints relating to the head teacher or member of the governing body excluding the Chair of Governors***

Any complaints that involve, or are about, the headteacher should be addressed to the Chair of Governors. **The online form is not suitable for this purpose as the form is monitored by the head teacher.** Parents must be able to complain to the governing body in confidence. As such, use the hard copy form available for download at the location indicated above or email: [clerk@chesswood.w-sussex.sch.uk](mailto:clerk@chesswood.w-sussex.sch.uk).

Should you not have access to email please set out complaint by hand to the Clerk to Governors and deliver it in a sealed envelope to the school office. Please mark email or hard copy communication for attention of the Chair of Governors - Private and Confidential. This may be received by post or by hand.

### ***7.1.3. Complaints relating to the Chair of Governors***

Complaints that involve or are about the Chair of Governors should be addressed to the Clerk to Governors. Again, the online form is not suitable for this purpose. As such, use the hard copy form available for download at the location indicated above or email: [clerk@chesswood.w-sussex.sch.uk](mailto:clerk@chesswood.w-sussex.sch.uk). Should you not have access to email please set out complaint by hand to the Clerk to Governors delivered in a sealed envelope to the school office. Please mark email or hard copy communication for attention of the Clerk to Governors - Private and Confidential. This may be received by post or by hand.

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.



## **7.2. What to expect**

### **7.2.1. Complaints not relating to head teacher or governors**

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, as appropriate (The online and hard copy form request this information is shared at the outset). 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.

### **Complaints relating to the head teacher or any member of the governing body**

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.



## Concern & Complaints Policy and Guidance

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.

### **7.3. *Right to Escalate***

If you remain dissatisfied you may escalate the complaint to Stage 2 below.



## 8. Stage 2 – Complaints Committee

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.

### 8.1. *How to escalate your complaint*

A request to escalate to Stage 2 must be made to the Clerk, [clerk@chesswood.w-sussex.sch.uk](mailto:clerk@chesswood.w-sussex.sch.uk) or, should you not have access to email, please set out complaint by hand to the Clerk to Governors deliver in a sealed envelope to the school office. Please mark email or hard copy communication for attention of the Clerk to Governors - Private and Confidential. This may be received by post or by hand.

The request must be within 20 school days of receipt of the Stage 1 response.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

### 8.2. *What to expect*

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.

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





## Concern & Complaints Policy and Guidance

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 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



## Concern & Complaints Policy and Guidance

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 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.

### **8.3. 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.



## Concern & Complaints Policy and Guidance

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



## 9. 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 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



## Concern & Complaints Policy and Guidance

- 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. Wherever a complaint is thought to be serial or unreasonable the headteacher or Chair of Governors are likely to seek guidance on how to proceed from the local authority legal department. They may also then instruct them to manage communication on the schools behalf within the complaints process.

If the behaviour continues, the headteacher will write to the complainant explaining 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.



## 10. Arrangements for monitoring and evaluation

- To ensure compliance with the Policy, the headteacher will monitor and oversee all complaints raised.
- The Full Governing Body will provide oversight of this policy.
- The headteacher or his delegate will enter overview details of the concern or complaint into the school information database to support effective monitoring and evaluation
- The headteacher will provide, at least annually, a report to the Governing Body outlining:
  - The number of complaints raised;
  - The time taken to resolve;
  - The number of complaints escalated to stage 2;
  - The number of complaints referred to the Department of Education; and
  - A summary of the root causes of complaints and any action taken or proposed by the school.



Chesswood Junior School



## Concern & Complaints Policy and Guidance

### Appendices



# 1. Concern & 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 ( ) or in person in a sealed envelope marked for the attention of the head teacher – Private and Confidential. If the concern is in direct relation to the head teacher or member of the governing body then please mark for the attention of the ‘clerk to governors’ – Private and Confidential.

Are you raising a concern or a complaint?		
Stage	X	Email
Concern		<a href="mailto:concern@chesswood.w-sussex.sch.uk">concern@chesswood.w-sussex.sch.uk</a>
Complaint- Stage 1 not head teacher or governor		<a href="mailto:Complaint@chesswood.w-sussex.sch.uk">Complaint@chesswood.w-sussex.sch.uk</a>
Complaint – Stage 1 Head teacher or governor		<a href="mailto:clerk@chesswood.w-sussex.sch.uk">clerk@chesswood.w-sussex.sch.uk</a> Mark for Chair of Governors
Complaint – Stage 1 Chair of Governors		<a href="mailto:clerk@chesswood.w-sussex.sch.uk">clerk@chesswood.w-sussex.sch.uk</a> Mark for Clerk
Your name:		
Pupil’s name (if relevant):		
Your relationship to the pupil (if relevant):		
Address:	Home telephone number:	
	Mobile telephone number:	
Postcode:	Other contact number:	
Please give details of your complaint <sup>2</sup> , including whether you have spoken to anybody at the school about it (Please use additional space if required). The following is always helpful to include but is not exhaustive – Location, Timing & Frequency, People involved or witnessing.		

<sup>2</sup> Please use additional space or pages as appropriate.





Concern & Complaints Policy and Guidance

[Empty box for text input]

**Continued from previous page...**

[Empty box for text input]

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

[Empty box for text input]

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

[Empty box for text input]



Concern & Complaints Policy and Guidance

**Details of any previous concern or complaint that was the same or similar in nature. Please include the names of any members of staff and the timing of the concern or complaint previously raised.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

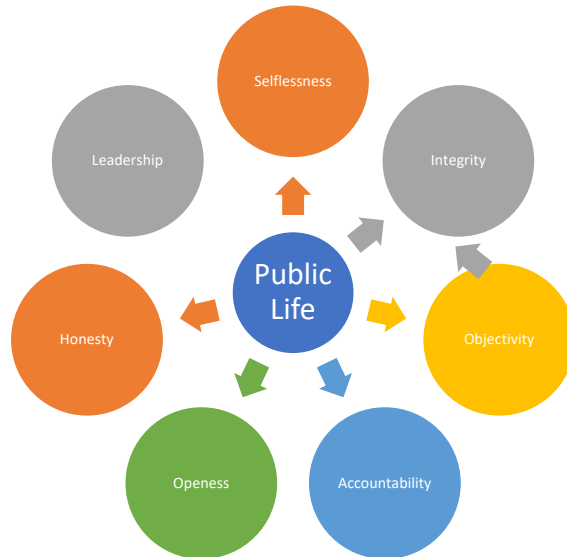
**By who:**

**Complaint referred to:**

**Date:**

## 2. Principles of Public Life

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 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.



### 3. Roles and Responsibilities

#### 10.1. *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.

#### 10.2. *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
- 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



## Concern & Complaints Policy and Guidance

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.

### **10.3. 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 LA (if appropriate) to ensure the smooth running of the complaint's 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.

### **10.4. Clerk to the Governing Body**

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

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork,



## Concern & Complaints Policy and Guidance

school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale

- record the proceedings in writing
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

### **10.5. Committee Chair**

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

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- 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).

### **10.6. Committee Member**

Committee members should be aware that:



## Concern & Complaints Policy and Guidance

- the meeting must be independent and impartial, and should be seen to be so
- No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The committee should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.



Chesswood Junior School  
Concern & Complaints Policy and Guidance



End of Policy