COMPLAINTS POLICY

This Drayton CE Junior Policy applies to all stakeholders.

DATE OF GOVERNOR APPROVAL	Autumn 2025
REVIEW FREQUENCY	Annually
REVIEW DUE	Autumn 2027
STATUTORY REQUIREMENT	YES

AMENDMENTS

Date	Summary of Amendment/s
June 2021	Equality Impact Assessment completed
Sept 2023	Review date in place

Statement of intent

Drayton CE VC Junior School aims to resolve all complaints at the earliest possible stage and is dedicated to continuing to provide the highest quality of education possible throughout the procedure.

The Complaints Procedures Policy has been created to deal with any complaint against a member of staff or the school as a whole, relating to any aspects of the school or the provision of facilities or services.

Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that Drayton CE VC Junior School provides. This policy outlines the procedure that the complainant and school must follow.

Once a complaint has been made, it can be resolved or withdrawn at any stage.

At Drayton Junior School, the headteacher will be the first point of contact when following the complaints procedure.

General Principles:

- This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides

- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances

- To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event, being complained of, will not be considered.

Raising a concern or complaint

Informal Stage

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone, or in person by appointment requested via the school office. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concerns it may be appropriate to address them directly to the Head Teacher (or to the Chair of the Governing Body, if the complaint is about the Head Teacher).

If you are uncertain about who to contact, please seek advice from the school office or the Clerk to the governing body.

Formal Stage

If your concern or complaint is not resolved at the informal stage you may choose to put the complaint in writing and pass it to the Head Teacher, who will be responsible for ensuring that it is investigated appropriately. If the complaint is about the Head Teacher, your complaint should be passed to the Clerk to the governing body, for the attention of the Chair of the governing body.

You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

Please pass the complaint, in a sealed envelope to the school office. The envelope should be addressed to the Head Teacher, or to the Clerk to the governing body, as appropriate.
The Head Teacher (or Chair) may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the Head Teacher (or Chair). If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedure set out below (see point 5). In any case you should learn in writing, usually within 5 days of the school receiving your formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale.

1. Roles and responsibilities

1.1. The complainant will:

- Co-operate with the school in seeking a solution to the complaint.
- Express the complaint and their concerns in full at the earliest possible opportunity.
- Promptly respond to any requests for information or meetings.
- Ask for assistance as needed.
- Treat any person(s) involved in the complaint with respect.

1.2. The complaints co-ordinator will:

- Ensure that all parties involved in the complaint are fully updated throughout each stage of the procedure.

- Guarantee that all parties involved in the procedure are aware of any relevant legislation, including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000.
- Keep up-to-date records throughout the procedure.
- Liaise with all parties involved to ensure the complaints procedure runs smoothly, including the headteacher, clerk and chair of governors.
- Be aware of issues in regards to sharing third party information.
- Understand the complainant's need for additional support, including interpretation support, and will be aware of any issues concerning this.

1.3. The investigator is involved in stages one and two of the procedure.

Their role includes:

- Providing a sensitive and thorough interviewing process of the complainant in order to establish what has happened and who is involved.
- Considering all records, evidence and relevant information provided.
- Interviewing all parties that are involved in the complaint, including staff and children.
- Analysing all information in a comprehensive and fair manner.
- Liaising with the complainant and complaints co-ordinator to clarify an appropriate resolution to the problem.
- Identifying and recommending solutions and courses of actions to take.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales.
- Responding to the complainant in a clear and understandable manner.

1.4. The panel chair will:

- Minute all meetings.
- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any children involved.
- Conduct the hearing in an informal manner, ensuring that everyone is treated with respect and courtesy.

- Ensure that the room's layout and setting is informal and non-adversarial, yet still sets the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the school the opportunity to state their case and seek clarity without undue interruption.
- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the clerk and complaints co-ordinator to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

1.5. All panel members will be aware that:

- The review panel hearing is independent and impartial.
- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain reconciliation between the parties involved.
- Reconciliation between the school and complainant is not always achievable, and that it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.
- The panel can:
  - Dismiss or uphold the complaint, in whole or in part.
  - Decide on appropriate action to be taken.
  - Recommend changes that the school can make to prevent reoccurrence of the problem.
- Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.
- When a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child's view is represented equally.

1.6. The panel clerk will:

- Continuously liaise with the complaints co-ordinator.
- Keep up-to-date records of all proceedings throughout the procedure.
- Set the date, time and venue of all hearings, ensuring that this is appropriate, convenient and accessible to all parties involved.
- Collate all written material or evidence involved and send it to the parties involved in timely advance of the hearing.
- Greet all parties as they arrive at the hearing.
- Ensure that the minutes of the panel hearing are circulated.
- Notify the relevant parties of the panel's decision and any other actions to be taken.

2. Making a complaint

2.1. Drayton CE VC Junior School will ensure that all aspects of the complaints procedure are:

- Easily accessible and publicised.
- Simple to understand and put into practice.
- Impartial and fair to all parties involved.
- Respectful of confidentiality duties.
- Continuously under improvement, using information gathered during the procedure to inform the school's senior management team.
- Fairly investigated, by an independent person when necessary.
- Used to address all issues in order to provide appropriate and effective responses where necessary.

2.2. Complaints are expected to be made as soon as possible after an incident arises in order to amend the issue in an appropriate timescale.

2.3. Drayton Junior School upholds a three-month time limit in which a complaint can be lodged regarding an incident.

2.4. Complaints made outside this time limit will not be automatically refused and exceptions will be considered.

2.5. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.

2.6. Complaints should be made using the appropriate channels of communication, including the use of the Complaints Procedure Form.

- All complaints shall be considered whether made in person, by telephone, in writing or electronically via email.

2.7. A complaint can progress to the next stage of the procedure even if it is not viewed as "justified". All complainants are given the opportunity to fully complete the complaints procedure.

2.8. Any complaint made against the headteacher shall be initially dealt with by the chair of governors.

2.9. Any complaint made against the chair of governors or any other member of the governing body should be made in writing to the clerk to the governing body.

3. Complaints procedure

3.1. **Stage one** – Complaint made to a member of staff

- The member of staff can discuss the complaint with the headteacher or complaints co-ordinator in order to seek support.
- If the complaint concerns the headteacher, the complainant will be referred to the chair of the governing body.
- In case a complaint is made initially to a governor, the complainant should be referred to the appropriate person. The governor in question should not act alone on a complaint outside the procedure; if they do, they cannot be involved if the complaint is subject to a hearing at a later stage of the procedure.
- The complainant and the relevant member of staff should discuss the issue in a respectful and informal manner to seek a mutual resolution.
- If an appropriate resolution cannot be sought at this level, or if the complainant is dissatisfied with the outcome following the initial discussions, the complainant may wish to proceed to the next level of the procedure.

3.2. **Stage two** – Complaint made to the headteacher

- Stage two of the process will be completed within **15** school days. Where the situation is recognised as complex, and it is deemed to be unable to be resolved within this timescale, the headteacher will contact the complainant to inform them of the revised target date via a written notification.
- An appointment with the headteacher should be made, as soon as reasonably practical, in order to avoid any possible worsening of the situation.

- If the complaint is against the headteacher, the complainant will initially need to write, in confidence, to the chair of the governing body. The chair will seek to resolve the issue informally before moving directly to stage three of the procedure.

- In terms of a complaint being made against a member of staff, the headteacher will discuss the issue with the staff member in question. Where necessary, the headteacher will conduct interviews with any relevant parties, including witnesses and children, and take statements from those involved.

- All discussions shall be recorded by the headteacher and findings and resolutions will be communicated to the complainant either verbally or in writing.

- Any further action Drayton Junior School plans to take to resolve the issue will be explained to the complainant.

- If the complainant is not satisfied with the outcome suggested, the procedure will progress to stage three.

3.3. **Stage three** – Complaints appeal panel (CAP)

- Following receipt of a stage two outcome, the complaint should be made in writing to the chair of governors within 10 school days.

- Written acknowledgement of the complaint will be made within three school days. This will inform the complainant that a CAP will hear the complaint within 20 school days.

- The chair of governors, or other nominated governor, will convene a governing body CAP comprising three members of the governing body.

- Five days' notice will be given to all parties attending the CAP, including the complainant.

- Prior to the hearing, the chair of governors will have written to the complainant informing them of how the review will be conducted. The headteacher will also have a copy of this letter.

- At the hearing, all participants will be given the opportunity to put their case across and discuss any issues.

- The CAP will consider issues raised in the original complaint and any issues which have been highlighted during the complaints procedure.

- The meeting should allow for:

    - The complainant to explain their complaint and the headteacher to explain the reasons for their decision.

- The complainant to question the headteacher, and vice versa, about the complaint.
- Any evidence, including witnesses who have been prior approved by the chair of the CAP, to be questioned.
- Members of the CAP to question both the complainant and the headteacher.
- Final statements to be made by both parties involved.

- The complainant will receive a written response explaining the final outcome within 15 school days. This letter will also explain whether there are any further rights of appeal and to whom they need to be addressed.

4. Interviewing witnesses

4.1. When interviewing children in order to gather information regarding a complaint, the interview should be conducted in the presence of another member of staff or, in the case of serious complaints, e.g. where the possibility of criminal investigation exists, in the presence of their parents/carers.

4.2. Drayton Junior School will ensure that the conduction of interviews does not prejudice an LA designated officer's (LADO), or police, investigation.

4.3. The school understands the importance of ensuring a friendly and relaxed area which is free from intimidation.

4.4. All children interviewed will be made fully aware of what the interview concerns and their right to have someone with them.

4.5. Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.

4.6. The interviewer will not express opinions in words or attitude, so as to not influence the interviewee.

4.7. The interviewee will sign a copy of the transcription of the interview.

5. Recording a complaint

5.1. A record shall be kept of any complaint made, whether via phone, in person or in writing, detailing the main issues raised, ready to discuss at a later date.

5.2. Drayton CE VC Junior School holds the right to use recording devices, where appropriate, to ensure all parties involved are able to review the discussions at a later date.

5.3. Details of any complaint made shall not be shared with the entire governing body unless completely necessary, in case an independent panel is needed to hear the complaint.

5.4. Drayton Junior School will hold all records of complaints centrally.

5.5. Complainants have a right to access copies of these records under the Freedom of Information and Data Protection Acts.

6. Complaints not covered by this procedure

6.1. Complaints regarding the following topics should be directed to the LA:

- Statutory assessments of Special Educational Needs and Disabilities
- School re-organisation proposals
- Matters which may require a Child Protection Investigation
- Admissions to schools

6.2. Complaints concerning admissions will be directed to the appropriate admissions authority.

6.3. Complaints about children being excluded from the school should be dealt with by following the process explained at: https://www.gov.uk/school-discipline-exclusions/exclusions

6.4. Drayton CE VC Junior School has an internal whistleblowing procedure for all employees and voluntary staff. Complaints of this nature should not be addressed using this complaints procedure.

6.5. Staff grievances and disciplinary procedures will be dealt with using Drayton Junior School's internal grievance procedure. In these cases, complainants will not be informed of the outcome of any investigations.

6.6. This complaints procedure is not to be used when addressing any complaints made about services provided by a third party who may use the school premises or facilities. All complaints concerning this should be directed to the service provider.

7. Exceptional circumstances

7.1. If the complaint suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual harassment or neglect, it may be referred without further notice to the children's social care and/or to the LA.

7.2. If a social services authority decides to investigate a situation, the headteacher or governing body may postpone the complaints procedure.

7.3. Where a matter can be resolved through a legal appeal, it will not be considered as a formal complaint. The key areas are: admissions decisions, certain decisions relating to formal assessment of special educational needs, and decisions to permanently exclude a child.

8. Serial and persistent complainants

8.1. The school will act in a manner they believe to be appropriate when dealing with an individual who consistently makes the same complaints or who continuously asks the school to reconsider their position.

8.2. If a complainant attempts to re-open an issue which has previously fully completed the complaints procedure, the chair of the governing body will inform the complainant that the matter is now closed.

- If the complainant contacts the school regarding the same issue again, the complaint may be classed as 'serial' or 'persistent' and the school does not have an obligation to respond.
- The school must ensure that a complaint is not classed as 'serial' before they have fully completed the complaints procedure.

8.3. Drayton Junior School will not take the decision to stop responding to an individual lightly. The school will ensure that:

- They have previously taken every reasonable step to address the problem.
- They have provided the complainant with a statement of their position.
- The complainant is contacting the school repeatedly with the same complaint.

8.4. If the school believes that the complainant is continuously contacting the school to cause disruption or inconvenience, or if the complainant is being abusive or threatening, the school has the right to not respond to the correspondent.

8.5. Once Drayton Junior School decides to no longer respond to a complainant, the individual will be informed of this decision in writing.

8.6. If the school finds it difficult to deal with a complainant due to their unreasonable behaviour, then their complaint can be directed to the LA.

8.7. The complainant has the right to a third party representative, such as the Citizens' Advice Bureau, throughout the complaints procedure.

8.8. Any new complaint made by a 'serial' complainant will be responded to.

8.9. Complainants hold the right to refer their complaint to their local MP. This would not make the individual a 'serial' or 'persistent' complainant.

9. Barring from the premises

9.1. School premises are private property and therefore any individual can be barred from entering the premises.

9.2. If a parent's/carer's behaviour is cause for concern, a school can ask the individual to leave the premises.

9.3. The headteacher or the LA will notify the parties involved via writing, explaining that their implied licence for access to the premises has been temporarily revoked subject to any representations that the individual may wish to make.

9.4. The individual involved will be given the opportunity to formally express their views regarding the decision to bar them.

9.5. This decision to bar will be reviewed, taking into account any discussions following the incident.

9.6. If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place.

9.7. Anyone wishing to make a complaint regarding a barring order can do so in writing, including email, to the headteacher or chair of governors.

9.8. Once the school's complaints procedure is completed, the only remaining avenue of appeal is through the Courts.

10. **Unreasonable Complainants**

Drayton CE VC Junior School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school; however, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Drayton Junior School defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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 complaints procedure has been fully and properly implemented and completed including referral to the DfE.
- Seeks an unrealistic outcome.
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- Maliciously
- Aggressively
- Using threats, intimidation or violence
- Using abusive, offensive or discriminatory language
- Knowing it to be false
- Using falsified information
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the headteacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Drayton Junior School's premises.

Complaints Procedure Form

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the headteacher. (If your complaint is against the headteacher, you will need to send the form to the chair of the governing body.)

<table>
<tr><td>Name:</td><td rowspan="5">Address:</td></tr>
<tr><td>Pupil’s name:</td></tr>
<tr><td>Pupil’s date of birth:</td></tr>
<tr><td>Daytime telephone number:</td></tr>
<tr><td>Evening telephone number:</td></tr>
<tr><td>Email:</td><td>Postcode:</td></tr>
<tr><td colspan="2">What is your complaint concerning, and what action would you like the headteacher to take?</td></tr>
<tr><td colspan="2">When did you discuss your concern/complaint with the appropriate member of staff?</td></tr>
<tr><td colspan="2">What was the result of the discussion?</td></tr>
<tr><td>Signed:</td><td>Date:</td></tr>
</table>