



CSS

Children's
Support
Service

SCHOOL COMPLAINTS PROCEDURE

<p>The Policy was formally adopted by the Management Committee on:</p>	<p>Date: 27th April 2023</p>
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1. Introduction

We aim to provide the best possible education and support for our whole school community. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

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 the school about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (a list of these can be found below), we will use this complaints procedure.

All staff will be made aware of these complaints procedures and are expected to review this document regularly in order that they are familiar with our process of dealing with complaints.

This document explains our complaints procedures. The steps that it outlines should be referred to and followed by all pupils, parents, and other stakeholders whenever any concerns arise. Concerns or complaints should be brought to the school's attention as soon as possible to enable a proper investigation to take place.

Any matter raised more than 3 months after the incident being complained of (or, where a series of associated incidents have occurred, within 3 months of the last of these incidents) will not be considered unless the headteacher or chair decides that there are exceptional circumstances relevant to the delay.

The school will do its utmost to adhere to the timescales laid out within this procedure; however, if it becomes necessary to alter the time limits and deadlines detailed, you will be advised and given an explanation. Revised timescales will be agreed with you.

2. Exceptions from this procedure

Anonymous complaints will not usually be investigated. However, the headteacher or Chair of Governors will determine whether any anonymous complaint warrants an investigation.

This document does not apply to complaints where there is a specific procedure in place. This includes:

- staff grievances, disciplinary or conduct issues
- the conduct of individual governors/trustees (separate procedures apply)
- matters likely to require a child protection investigation (including allegations of abuse against staff)
- pupil admissions
- pupil exclusions
- statutory assessments of special educational needs and education health and care plans
- appeals relating to assessment decisions for external qualifications
- complaints about services provided by other providers who may use school premises or facilities
- changes to the school's legal status or consultations on reorganisations

Each of these follows its own process of complaint which are outlined in separate policies.

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this document. Where the complaint relates to a safeguarding referral made by a member of staff at the school, any consideration of that complaint by the school will be limited to a review of the reasonableness of the decision to make the referral in light of the evidence available to the member of staff at that time and in light of the school's safeguarding policies.

For more information on our school's child protection protocols, read our safeguarding policy.

3. Who to contact regarding your concern or complaint

If you are a parent and have a concern to raise, the best route is to inform your child's **personal tutor** first as they will be best placed to help you either directly or by putting you in contact with the relevant member of staff. If you are not a parent of a child at the school then you should address your concerns to the Headteacher.

We encourage parents to approach staff with any concerns they may have and aim to resolve all issues informally by establishing open dialogue and seeking mutual resolution.

Below is a list outlining who to raise your concern or complaint with and how to contact them.

Subject of concern or complaint	Contact	Contact Details
Issue related to child's experience of school	Personal tutor/Class teacher	As per usual contact details provided
Regarding a staff member	Headteacher	Jo.barak@css-essex.co.uk
Regarding the Headteacher	Chair of Governors	Via Carole.mann@junipereducation.org
Regarding a governor	Clerk to Governors	Carole.mann@junipereducation.org
Regarding a strategic decision	Clerk to Governors	Carole.mann@junipereducation.org
If you are not a parent or student at the school	Headteacher	Jo.barak@css-essex.co.uk

Any leadership team member or governor will refer complaints that are taken to them straight to the above detailed person.

3. Procedure for handing complaints and concerns

4.1 Resolving complaints

At each stage in the procedure, we will be seeking 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.

4.2 Initial informal meeting

Once a concern has been raised, you may be invited to attend an informal meeting with a member of staff or the headteacher/chair of governors to discuss your concerns.

You are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent to this meeting. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and will make and then circulate a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the headteacher.

There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within **15 school days**.

4.3 Formal complaints

In order to ensure that complaints are processed efficiently and effectively, we deal with formal complaints in two stages.

4.3.1 Stage 1 – formal investigation into complaint

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing. Please refer to section 3 of this document in order to address your complaint correctly.

Your written complaint should provide enough detail of the issues to allow the headteacher to investigate and respond to the complaint. You should also set out what you would see as a fair resolution to the complaint.

The person that you write to will record the date the complaint is received and will acknowledge receipt of the complaint in writing, either by letter or email.

Within this response, the person in receipt of the complaint will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome you would like to see, if you have not already provided this.

The complaint handler will consider whether a meeting is the most appropriate way of doing this.

The person dealing with the complaint may delegate the investigation of the complaint to an independent investigator or to a member of the school's senior leadership team or governing body. They will use the report from this investigation to make a decision on the complaint.

During the investigation, the 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 the investigation, the complaint handler will provide a formal written response within **15 school days** of the date of receipt of the complaint.

If the school is unable to meet this deadline, they will provide you with an updated and revised response date.

The complaint handler (usually the headteacher) will respond to you in writing outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right to take the matter further and the steps to be taken.

If the complaint is against a member of staff, depending on the nature of the complaint, the school may decide to deal with the complaint under the staff disciplinary or grievance policy, and if that is the case, the content of this may need to remain confidential.

4.3.2 Stage 2 – appeal to a panel

If you remain dissatisfied with the outcome at Stage 1 and wish to take the matter further, you can escalate your complaint to Stage 2 – a meeting with members of the governing body's complaints committee. This is the final stage of the complaint procedure.

You should write to the clerk to the governing body to exercise this right within **15 school days of the outcome at Stage 1**. If no request for an appeals panel hearing is received within **15 school days**, it will be deemed that the decision is accepted, and the complaint will be closed (unless there are exceptional circumstances to explain the delay).

If a panel meeting is requested, the clerk to governors will acknowledge your appeal and make the necessary arrangements and will usually convene the appeals panel within 15 school days from the acknowledgement being sent.

Where it is not possible to find a mutually convenient date within that timescale, the school will take reasonable steps to agree a time and date mutually convenient to all parties. If, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the clerk to governors may determine that the hearing proceeds because of written submissions from you and the school.

The clerk will ensure that all parties to the appeal have access to the same documentation and will support the collation and circulation of documents. Any supporting documentation relevant to the complaint must be submitted to the clerk by both parties at least 5 school days before the appeal panel hearing. The panel is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. The panel will not normally accept recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

You are entitled to attend the panel hearing and to be accompanied to the hearing and should notify the clerk in advance if you attend to bring somebody with you.

Who is on the panel?

The panel will be formed of at least **three impartial governors or independent people**. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

No person can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The chair of the panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the complaints policy.

The appeals panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure. So that they can be fully investigated.

The panel will consider how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.

Panel procedure

The panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. The procedure for an appeal is usually as follows:

1. The complainant and headteacher will enter the hearing together.
2. The chair will introduce the panel members and outline the process.
3. The complainant will explain the complaint.
4. The headteacher and panel will question the complainant.
5. The headteacher will explain the school's actions.
6. The complainant and panel will question the headteacher.
7. The complainant will sum up their complaint.
8. The headteacher will sum up the school's actions.
9. The chair will explain that both parties will hear from the panel within 5 school days.
10. Both parties will leave together while the panel decides.
11. The clerk will stay to assist the panel with the decision-making process.

The clerk to the panel will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken, or actions agreed. Electronic recordings of the hearing will not normally be permitted and, if taken, would require the consent of all those present.

The panel clerk will notify the complainant and the school of the panel's decision in writing within 5 school days of the appeal hearing. The letter will set out the decision of the panel together with the reasons underpinning that decision. The letter may set out recommendations which will be made to the governing body.

The appeals panel may:

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final. If you are unhappy with the outcome, you may wish to put your complaint to the Secretary of State. Complaints can be submitted online at <https://www.gov.uk/complain-about-school>

4. Serial and unreasonable complaints

Whilst it is hoped that this procedure will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the complaint's procedure. You should try to limit communication with the school that relates to your complaint while the complaint is being progressed. It is not helpful if repeated correspondence is sent during stage 1 or 2 of the procedure as it could delay the outcome being reached.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the chair of governors will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints procedure has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to further respond to that correspondence.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which the school will not respond is if:

- the school has taken every reasonable step to address the complainant's needs, and the school's position has been clearly set out in writing together with the complainant's options
- the complainant is contacting the school repeatedly but making substantially the same points each time
- the complainant refuses to follow the complaints procedures or insists on the complaint being dealt with in ways that are not in line with this procedure or with good practice
- the school reasonably believes the aim of the contact is to cause disruption or inconvenience
- that the complainant acts or communicates in an inappropriate way* towards school staff.

If the school has decided that it is appropriate to stop responding, the complainant will be informed in writing. Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before deciding to stop responding.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

*acting in an inappropriate way may include but is not limited to:

- using threats to intimidate
- using abusive, offensive or discriminatory language or violence
- knowingly providing falsified information

- publishing unacceptable information on social media or other public forums

If aggressive or abusive behaviour takes place, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask 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 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 the school site.

5. Complaint campaigns

For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with the school) which are all based on the same subject. Depending on the subject in question, the school may deviate from the procedure set out in this policy and instead:

- send a template response to all complainants and/or
- publish a single response on the school's website (as applicable).

6. Monitoring and storage of information in relation to complaints

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel. Records of complaints will be kept securely and then disposed of in line with the school's data retention policy. Complaint records may be inspected by the Secretary of State or any inspection body.

The governing body regularly monitors all complaints that are made, to what stage they progressed and how they were resolved. This is to enable them to spot any emerging patterns, to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively. The board does not receive any personal data that is not relevant to this monitoring process.