



Ireby Church of England Primary School

Vision – ‘Created to do good’ – Ephesians 2:10

Concerns and Complaints Policy & Procedures

Approved by: ¹

Michael John
Head Teacher:

Date: 25/02/2024

Philippa Irving
Chair of Governors:

Date: 25/02/2024

Next review date: ² 24/02/2025

¹ This policy requires approval from the Full Governing Body.

² This document must be reviewed annually, or sooner if legislation/statutory guidance changes.
It is a requirement for this policy to be published on the school website.

KEY ROLES

The following key roles were held as at the date of publication:

Head teacher	Michael John – Head@Ireby.cumbria.sch.uk
School Office/Business Manager	Audrey Forster – office@ireby.cumbria.sch.uk
Chair of Governors	Philippa Irving – (Contact in relation to this policy is to be made c/o the Clerk to the Governors)
Clerk to the Governors	Julie Gibson – Clerk@Ireby.cumbria.sch.uk

SCHOOL CONTACT DETAILS

Below are the school's contact details:

School Name: Ireby Church of England Primary School
Address: Ireby CE School, Ireby, Wigton, Cumbria, CA7 1DS
E-mail: office@ireby.cumbria.sch.uk Telephone: 016973 71367

REVIEW SHEET

Each entry in the table below summarises the changes made to this document since the last review.

Version Number	Version Description	Date of Revision
01	Based on the 2019 DfE Model Complaints Procedure - Original procedures	Nov 2020
02	No legal or procedural changes but very significant updates throughout to clarify each stage of the complaint procedure with several new sections describing the different types of complaint and how each is handled in full and one to reflect updates to the Ofsted procedure and new web based 'Complain about a school' service.	Sept 2022
03	New section for boarding schools (N/A, has subsequently been deleted.)	Oct 2022
04	Revised to include complaints relating to the EYFS statutory framework	Feb 2023
05	Updated Policy adopted and has been personalised for Ireby School	22/02/2023
06	Updated to take into account changes in KAHSC document dated Sept 2023, mainly relating to contact details for external bodies.	25/02/2024

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POLICY STATEMENT

1. Definitions

For the purposes of this Policy and procedures a child, young person, pupil or student is referred to as a 'child' or a 'pupil' and they are normally under 18 years of age.

Wherever the term 'parent' is used this includes any person with parental authority over the child concerned e.g. carers, legal guardians etc.

Wherever the term 'Head teacher' is used this also refers to any Manager with the equivalent responsibility for children.

The term 'school' refers to Ireby Church of England Primary School. The term 'school' also includes wrap around care, such as Breakfast Clubs and After School Clubs.

'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'*.

The term 'days' refers to the specified number of days of the week, not to 'school days'

2. Introduction

Ireby Church of England School prides itself on the quality of teaching provided for its pupils. However, if parents have concerns or complaints then they can expect these to be treated seriously by the school in accordance with this Policy.

Every day, we (the school) make many decisions and we work hard to act in the best interests of all pupils. Your comments, whether positive or negative, help us to understand how we are doing and to plan for the future.

We know that sometimes our decisions may not be the outcomes that everyone wants. We also know that sometimes we will make mistakes. You may want to talk to us about a particular aspect of school life that affects you or your child, but not actually make a complaint – you may just want to get something 'off your chest'. If you are dissatisfied or have questions about the way you or your child is being treated, or any actions or lack of action by us, please do not hesitate to contact us – please see the section titled [School contact details](#) and [Key roles](#).

We aim to resolve all complaints at the earliest possible stage and when the complaint is from a parent about their child's school life, we will be dedicated to continuing to provide the highest quality of education possible throughout the process.

If other bodies are investigating aspects of a complaint, for example the Police, Local Authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales in this procedure or may result in the procedure being suspended until those public bodies have completed their investigations.

If anyone involved in a complaint commences legal action against this school in relation to the complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

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

2.1 Who can make a complaint?

This complaints procedure is not limited to the parents of children that are registered at this school. Any person, including members of the public, can make a complaint to us about any of the facilities or services that we provide.

A person making a complaint is known as a complainant. Complaints can also be made by a third party acting on behalf of a complainant if they have appropriate consent to do so. When these procedures refer to “you”, we mean the complainant if we are dealing with a third party.

Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), or when school is not the appropriate organisation to complain to (such as when the complaint is against a group hiring our premises), we will use this complaints procedure.

To ensure your complaint is handled quickly and in the most appropriate way, please check before making it to see if what you want to complain about is listed in the section titled [Complaints not handled under this Complaints Policy](#). That section explains who you should complain to.

2.2 Anonymous complaints

We will not normally investigate anonymous complaints. Depending on the content of the complaint, the Head teacher, or Chair of Governors may elect to do so.

2.3 Time scales

You must raise your complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this timeframe if exceptional circumstances apply.

2.4 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. Please see our term dates as published on our [school website](#).

3. How to raise a concern or make a complaint

3.1 The difference between a concern and a complaint

As mentioned in the section titled [Definitions](#):

- 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’*.

We encourage anyone with concerns or complaints to bring them to our attention directly and as soon as possible. We appreciate all feedback and suggestions to help us plan for the future and we welcome any opportunity to provide reassurance about what we do and why.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage.

We have a three-step complaints process to help us do this. This starts with the ‘Informal Stage’ and progresses to ‘Formal Complaints – Stage One’ and then to ‘Formal Complaints – Stage Two’.

3.2 Our aims when resolving concerns/complaints

At every stage in our procedures, we want to resolve the concern/complaint. We aim to handle it:

- politely, and with honesty and professionalism,
- in complete confidence,
- transparently, fairly, and thoroughly, and
- more quickly if it is urgent.

Following our investigation, we may not uphold your complaint, or we may uphold it wholly or only partly. We will offer you one or more of the following as an outcome:

- an explanation of why we did or did not uphold all or part of your complaint,
- an apology if we have made mistakes,
- an explanation of the steps that have been or will be taken to help ensure that what you complained about 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.

3.3 Our expectations when resolving concerns/complaints

Every concern or complaint raised must be:

- genuine, reasonable, and not vexatious (unreasonable or repeated), and
- drawn to our attention politely and in a reasonable way without using offensive, abusive, or threatening language or behaviour.

Please see the sections titled [Duplicate complaints](#) and [Unreasonable or Persistent Complaints](#) for how we handle complaints which do not meet these expectations.

3.4 Maintaining governor impartiality

Except as directed within this Policy you should not raise your concern or complaint with individual Governors.

If your first contact about your complaint is with a Governor, he or she will ask you not to explain and will instead refer you to an appropriate member of staff or the Head teacher. They are not unwilling to help nor are they dismissing your concerns. A Governor has no power to act alone and will need to remain impartial because they may be required to sit in a meeting to formally hear your complaint at a later stage.

3.5 Monitoring and recording complaints

At all stages of the complaints procedure the following information should be recorded:

- Name of the complainant
- Date and time when the concern/complaint was made (and to who)
- Details of the nature of the concern/complaint
- Desired outcome of the complainant
- How the concern/complaint is being investigated (including written records of any interviews held)
- Results and conclusions of investigations
- Any action taken
- Feedback given to the complainant (including date/time/method)
- The complainant's response
- Record of any subsequent action if required

3.6 Withdrawal of a complaint

If you want to withdraw your complaint, we will ask you to confirm this in writing.

4. Step One: 'Informal Stage'

Many issues can be resolved informally by us listening to you and either putting matters right or giving you an explanation, without the need to use the formal stages of our complaints procedure.

We take concerns seriously and will make every effort to resolve matters as quickly as possible.

You can tell us about your informal concern or informal complaint by telephone, in person or in writing (by letter or email) – to your child's teacher, or to another appropriate member of staff, such as the Special Educational Needs Co-ordinator (SENDCO) if it is about special needs.

- We know that it can feel uncomfortable to question or challenge something, but if you don't tell us what is worrying you, we cannot explain what we are doing or try to put it right.
- If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the school office/business manager will refer you to another teacher. Similarly, if the member of staff directly involved feels unable to deal with a concern, the school office/business manager will refer you to another teacher. This person may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.
- Making or resolving a complaint might involve a face-to-face meeting at any stage; we understand there may be personal circumstances we must consider under the Equality Act 2010 which means we have to conduct the meeting or hearing in an adapted or another way e.g. accessibly, or remotely. There may also be local or national reasons why people cannot meet face-to-face.

A preliminary discussion will be undertaken between you and the teacher to help clarify whether you are expressing a concern, or making a complaint, and whether you wish to take it further.

- You will be able to bring a friend to any discussion.
- The teacher should make sure that you and they are clear what action (if any) or monitoring of the situation has been agreed.
- The process should be completed speedily and concluded in writing with appropriate detail.
- If no satisfactory solution has been found, you will be advised that you can consider making a formal complaint.
- To assist in this process a copy of our school [Complaint Form](#) should be provided.

We aim to deal with the majority of concerns or complaints here at the 'Informal Stage'.

However, if you are dissatisfied with the outcome of the 'Informal Stage', you can take escalate the complaint to 'Formal Complaints – Stage One' (outlined below). You should do this within 14 days of receiving notice of the outcome of the 'Informal Stage'.

5. Step Two: 'Formal Complaints – Stage One'

A formal complaint can be made in person, in writing or by telephone.

A [Complaint Form](#) is included at the end of this procedure. It was designed to help you tell us everything we need to know about your complaint so we can handle it as quickly as possible, so we recommend using it. If you need help completing the form, please contact the school office or the Clerk to the Governors. 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 or with assistive technology.

5.1 'Formal Complaints – Stage One' that are not about the Head teacher or Governing Body

A 'Formal Complaint – Stage One' must be addressed to the Head teacher and be made via the school office (unless it is about the Head teacher or one or more members of the Governing Body), preferably on the [Complaint Form](#) at the end of these procedures. Please mark any written complaint as Private and Confidential.

The Head teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 7 days.

In their response, the Head teacher will seek to clarify:

- the nature of your complaint (if the Head teacher was not involved at the 'Informal Stage');
- why you were dissatisfied with the outcome at the 'Informal Stage'; and
- what outcome you would like to see.

The Head teacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Head teacher may delegate the investigation to another teacher but not the decision to be taken.

During the investigation, the Head teacher (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 Head teacher will provide a formal written response about the outcome within 21 days of the date of receipt of the complaint. (When we receive a complaint in writing about our fulfilment of the EYFS statutory framework requirements, the framework requires us to investigate and provide a written response within 28 days of receiving it.)

If the Head teacher is unable to meet this deadline, they will provide an update and a revised response date.

The written response detailing the outcome will include:

- any actions taken to investigate the complaint
- a full explanation of the decision made and the reason(s) for it,
- where appropriate, details of actions this school will take to resolve the complaint, and
- how to escalate your complaint to 'Formal Complaints – Stage Two' should you remain dissatisfied with the outcome of 'Formal Complaints – Stage One'.

Should you remain dissatisfied, you must escalate your complaint to 'Formal Complaints – Stage Two' within 14 days of receipt of your 'Formal Complaints – Stage One' written outcome. In keeping with our commitment to resolving complaints as quickly as possible, we will only consider requests for a 'Formal Complaints – Stage Two' investigation received outside this time period in exceptional circumstances.

5.2 'Formal Complaints – Stage One' that are about the Head teacher

A 'Formal Complaint – Stage One' that is about the Head teacher must be addressed to the Chair of Governors and made via the Clerk to the Governors through the school office, preferably on the [Complaint Form](#) at the end of these procedures. Please mark any written complaint as Private and Confidential.

The Chair of Governors will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 7 days.

In their response, the Chair of Governors will seek to clarify:

- the nature of your complaint;
- why you were dissatisfied with the outcome at the 'Informal Stage'; and
- what outcome you would like to see.

The Chair of Governors can consider whether a face to face meeting is the most appropriate way of doing this.

The Chair of Governors (or another suitably skilled impartial Governor) will conduct an investigation and at the conclusion, will provide a formal written response about the outcome within 21 days of the date of receipt of the complaint. (When the substance of a complaint about the Head teacher is regarding their fulfilment of the EYFS statutory framework requirements, the framework requires us to investigate and provide a written response within 28 days of receiving it.)

If the Chair of Governors is unable to meet this deadline, they will provide an update and a revised response date.

The response will detail the outcome including:

- any actions taken to investigate the complaint
- a full explanation of the decision made and the reason(s) for it,
- where appropriate, any actions which have been or will be recommended to the school to address your complaint, and
- how to escalate your complaint to 'Formal Complaints – Stage Two' should you remain dissatisfied with the outcome of 'Formal Complaints – Stage One'.

Should you remain dissatisfied, you must escalate your complaint to 'Formal Complaints – Stage Two' within 14 days of receipt of your 'Formal Complaints – Stage One' written outcome. In keeping with our commitment to resolving complaints as quickly as possible, we will only consider requests for a 'Formal Complaints – Stage Two' investigation received outside this time period in exceptional circumstances.

5.3 'Formal Complaints – Stage One' that are about one or more members of the Governing Body

A 'Formal Complaint – Stage One' about the Chair of Governors, any individual Governor, or the whole Governing Body should be addressed to the Clerk to the Governors and made via school office, preferably on the [Complaint Form](#) at the end of these procedures. Please mark any written complaint as Private and Confidential.

The Clerk to the Governors will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 7 days.

The Clerk to the Governors will determine who is an appropriate person to investigate your complaint at 'Formal Complaints – Stage One' (the investigator). This person might be the Chair of Governors, another impartial Governor, or an independent Governor from another school. An independent investigator will be appointed by the Clerk to the Governors if the complaint is:

- jointly about the Chair and Vice Chair, or
- the entire Governing Body, or
- the majority of the Governing Body.

In their response, the Clerk to the Governors will tell you who the investigator is and seek to clarify:

- the nature of your complaint;
- why you were dissatisfied with the outcome at the 'Informal Stage'; and
- what outcome you would like to see.

The investigator can consider whether a face to face meeting is the most appropriate way of doing this.

At the end of the investigation, the Clerk to the Governors will provide you with the investigator's formal written response about the outcome within 28 days of the date of receipt of the complaint. (When the substance of a complaint about one of more members of the Governing Body is regarding their fulfilment of the EYFS statutory framework requirements, the framework requires us to investigate and provide a written response within 28 days of receiving it.)

If the investigator is unable to meet this deadline, the Clerk to the Governors will provide an update and a revised response date.

The response will detail the outcome including:

- any actions taken to investigate the complaint;
- a full explanation of the decision made and the reason(s) for it;
- where appropriate, any actions which have been or will be recommended to the school to address your complaint; and
- how to escalate your complaint to 'Formal Complaints – Stage Two' should you remain dissatisfied with the outcome of 'Formal Complaints – Stage One'.

Should you remain dissatisfied, you must escalate your complaint to 'Formal Complaints – Stage Two' within 14 days of receipt of your 'Formal Complaints – Stage One' written outcome. In keeping with our commitment to resolving complaints as quickly as possible, we will only consider requests for a 'Formal Complaints – Stage Two' investigation received outside this time period in exceptional circumstances.

6. Step Three: 'Formal Complaints – Stage Two'

If you are dissatisfied with the outcome at 'Formal Complaints – Stage One' and want to take the matter further, you can escalate the complaint to 'Formal Complaints – Stage Two' – 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 school complaints procedure.

A request to escalate to 'Formal Complaints – Stage Two' must be made to the Clerk to the Governors, via the school office, preferably on a new [Complaint Form](#) (which can be found at the end of these procedures) within 14 days of receipt of the 'Formal Complaints – Stage One' response.

When completing a new [Complaint Form](#) for 'Formal Complaints – Stage Two' please:

- Make it clear whether you are asking the 'Formal Complaints – Stage Two' investigation to consider the original complaint, or how it was handled at the 'Informal Stage', or 'Formal Complaint – Stage One'.
- Ensure you include as much information as possible with copies of any supporting evidence.
- Please remember the Complaints Committee has no prior knowledge of your complaint and may not be involved with this school at all so be clear about the roles of people you name, dates, times, and facts.
- Include as much detail as clearly as you can because the less clarification and/or investigation needed the more quickly your complaint can be resolved.

The Clerk to the Governors will record the date the 'Formal Complaints – Stage Two' request is received and acknowledge receipt of the complaint escalation in writing (either by letter or email) within 7 days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The acknowledgement will also explain that a Complaints Committee will be formed to handle the complaint and it will first decide whether to deal with it by inviting parties to a meeting or through written representations. They will be sensitive to the needs of all parties in making their decision.

The Complaints Committee will consist of at least three Governors with no prior involvement or knowledge of the complaint. If there are fewer than three Governors from this school available, the Clerk to the Governors will source any additional, independent Governors through another local school or through our LA's Governor Services team, to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at 'Formal Complaints – Stage Two'. Before meeting, the Complaints Committee will decide amongst themselves who will act as the Chair.

6.1 Pre-meeting

The Complaints Committee will first agree if the information submitted in the request to escalate the complaint to 'Formal Complaints – Stage Two' needs clarification or investigation before a meeting. The amount of clarification or investigation required will affect the timing of the meeting. It may involve gathering information and interviewing people.

Once the Committee has determined the nature of any investigation needed, they will be able to agree a timetable for undertaking that investigation and a date for the meeting.

The Clerk to the Governors will write to you to inform you of the date of the meeting. They will aim to convene this meeting within 21 days of receipt of the 'Formal Complaints – Stage Two' request. Where the complaint is complex and/or external parties are involved and this is not possible, the Clerk to the Governors will provide an anticipated date and keep you informed.

If you are invited to attend the meeting and you reject the offer of three proposed dates, without good reason, the Clerk to the Governors will decide when to hold the meeting. It will then proceed in your absence and be based on written submissions from both parties.

6.2 Meeting

If you are invited to attend the meeting about your complaint, you can 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 or allegations procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 14 days before the meeting, the Clerk to the Governors will:

- notify you of the date, time, and venue of the meeting, ensuring that dates are convenient to all parties and that the venue and proceedings are accessible;

- provide an outline of the meeting format (see the section titled [Example meeting format](#) for an example) and the names and meeting role e.g. Chair, complainant, teacher, friend, union official etc., of everyone who will be attending, including any witnesses;
- request copies of any further written material to be submitted to the committee at least 7 days before the meeting.

Any written material will be circulated to all parties at least 7 days before the date of the meeting. Some of this information may be redacted to comply with data protection laws. 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 informal complaints should be dealt with under the 'Informal Stage' of the procedure; and new formal complaints must be dealt with under the 'Formal Complaints – Stage One' of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

6.3 Meeting outcome

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 you and the School with a full explanation of their decision and the reason(s) for it, in writing, within 14 days. Your copy of the letter will include details of how to contact the Department for Education and/or Ofsted if you are dissatisfied with the way your complaint has been handled. (See the section titled [Next Steps](#))

6.4 'Formal Complaints – Stage Two' that are about one or more members of the Governing Body

A 'Formal Complaint – Stage Two' will be heard by a committee of independent Governors if the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Governing Body or
- the majority of the Governing Body

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 the school will take to resolve the complaint.

The response will also advise you how to escalate your complaint should you remain dissatisfied.

7. Next Steps

7.1 Complaining to the Department for Education

If you believe the school did not handle your complaint in accordance with the published complaints procedure or we acted unlawfully or unreasonably in the exercise of our duties under education law, you can contact the Department for Education after we have completed 'Formal Complaints – Stage Two'.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by a school. They will consider whether we have adhered to education legislation and any statutory policies connected with the complaint. For more information visit [Complain about a school: State schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complain-about-a-school-state-schools).

You can refer your complaint to the Department for Education online at: [Contact the Department for Education - Contact type - DFE Online Forms](#), by telephone on: 0370 000 2288 or by writing to: Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD.

7.2 Complaining to Ofsted

The only role Ofsted have in considering a complaint about a school is solely to determine if there is a need to inspect. Ofsted cannot seek to resolve or establish cause for any individual complaint.

If your concern affects the school as a whole and you have followed the school complaints procedure right to the end, Ofsted have powers to consider some complaints made in writing about schools. They provide an [online form](#) for this.

These complaints may come from registered parents of pupils at the school that the complaint is about and complaints from other people. This includes the parents of pupils who may be off sick or temporarily excluded. Examples could include:

- the school is not providing a good enough education;
- the pupils are not achieving as much as they should, or their different needs are not being met;
- the school is not well led and managed, or is inappropriately managing finances as a group, the pupils' personal development and well-being are being neglected (as stated above, Ofsted cannot look at individual cases).

Please visit [Complaints to Ofsted about schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complaints-to-ofsted-about-schools) for more information about the process.

8. Duplicate complaints

After closing a complaint at the end of the complaints procedure, we might receive a duplicate complaint from:

- a spouse;
- a partner;
- a grandparent;
- a child.

If the complaint is about the same subject, we will first check that we have not overlooked any new aspects to the complaint that we may not have previously considered.

If we find something that we should consider further, we will address the new but related or similar complaint to the full extent of the complaints procedure.

If we find the complaint is a duplicate without new aspects, we will inform the new complainant that the school has already considered that complaint and the local process is complete. We will then advise the new

complainant to contact the Department for Education if they are dissatisfied with our handling of the original complaint.

9. Unreasonable or persistent complaints

We are 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 we will take action to protect them from behaviour we feel is abusive, offensive, or threatening.

We define 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 considered 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 complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, 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 Head teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Head teacher 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 the School.

COMPLAINTS PROCEDURE – ROLES AND RESPONSIBILITIES

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.

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 Head teacher 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 Head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Head teacher 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.

Head teacher

The Head teacher should:

- ensure that the complainant is fully updated at each stage of the procedure;
- liaise with staff members, Chair of Governors, Clerk to the Governors and LAs (if appropriate) to ensure the smooth running of the complaints procedure;
- be aware of issues regarding:
 - sharing third party information; and
 - 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.

Clerk to the Governors

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

- ensure that all people involved in the complaints 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: relevant paperwork from earlier stages in the complaint; school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- minute the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

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 the Governors) 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
- 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 to the Governors and the Head teacher.

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- no governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
- 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 often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child and present during all or part of the meeting
- careful consideration of the atmosphere and proceedings should ensure that the child does not feel intimidated
- the committee should respect the views of the child and give them equal consideration to those of adults
- if the child is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child needs to attend
- however, the parent should be advised that agreement might not always be possible if the parent wishes the child to attend a part of the meeting that the committee considers is not in the child's best interests.
- the welfare of the child is paramount.

COMPLAINTS NOT HANDLED UNDER THIS COMPLAINTS POLICY

The school's complaints Policy & procedure covers all complaints about any provision of community facilities or services by our school, other than complaints that are dealt with under other statutory procedures, including those listed in the table below. (The table also indicates 'who to contact' to complain.)

Copies of school policies and procedures mentioned below can be obtained from the school office, or from the Clerk to the Governors (please see the section titled [Key roles](#) for contact details.) Some policies are also available from the school website.

For complaints about:	Who to contact to complain:
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	<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>
Whistle blowing	<p>We have an internal Whistle blowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Please see: www.education.gov.uk/contactus & https://www.gov.uk/whistleblowing.</p> <p>Volunteer staff with concerns about our school should complain through the school's complaints procedure or whistleblowing procedure, or may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of the complaint.</p> <p>Staff and volunteers may also wish to contact Protect (Speak up, stop harm) – Free, confidential whistleblowing advice. Tel No: 020 3117 2520.</p>
Complaints about services provided by other providers who may use school premises/facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
National Curriculum - content	Please contact the Department for Education: www.education.gov.uk/contactus .
Admissions to schools	<p>If your child was not offered the place you requested in the school admissions process administered by Cumberland Council and you want to appeal the decision, you need to submit an appeal form to the Local Authority. They sent you a letter explaining how. Please follow the procedure they gave you.</p> <p>If you cannot find your letter or want to know more about the Local Authority School Admissions Appeal process go to School admissions - apply for a school place Cumberland Council.</p>

<p>Exclusion of children from school*</p>	<p>* Complaints about the application of our Behaviour Policy <i>can</i> be made through the school complaints procedure. Raising concerns about suspension and exclusion is explained in the school's Suspension and Permanent Exclusion Policy and procedures. Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p>
<p>Statutory assessments of Special Educational Needs (SEND)</p>	<p>If you have concerns about an Education, Health and Care (EHC) plan or a Local Authority decision to not issue an EHC plan, you can ask your Local Authority SEND IAS Service Coordinator for help - Special Educational Needs and Disabilities Information, Advice and Support Service (SENDIASS) Cumberland Council.</p> <p>Find out more about the process through, About Cumbria SENDIASS.</p> <p>If the issue requires mediation, the Local Authority procedure is explained here Dispute Resolution, Mediation and Tribunal (cumbria.gov.uk).</p> <p>If after mediation you are still unhappy, you can go to the First-tier Tribunal (Special Educational Needs and Disability) within 2 months of the plan being issued or within 1 month of the date of a mediation certificate to ask for these concerns to be addressed. For the appropriate forms or to find out more about the Tribunal process, go to: First-tier Tribunal (Special Educational Needs and Disability) - GOV.UK (www.gov.uk), or contact them via:</p> <p>First-tier Tribunal (Special Educational Needs and Disability) General enquiries 1st Floor, Darlington Magistrates Court, Parkgate, Darlington DL1 1RU Email: send@justice.gov.uk Telephone: 01325 289 350 Fax: 0870 739 4017</p>
<p>School re-organisation proposals</p>	<p>If your complaint is about school re-organisation proposals, please raise it with your Local Authority using their standard Local Authority complaints procedure Make a complaint Cumberland Council or ask the school office for a printed copy of the Local Authority Compliments, Comments, and Complaints leaflet.</p>
<p>Matters likely to require a Child Protection Investigation</p>	<p>Complaints about child safeguarding or protection matters are handled under the school's 'Child Protection Policy' and in accordance with relevant statutory guidance.</p> <p>If you are worried that a child is in immediate danger, please call the Police immediately on 999.</p> <p>If you are worried that a child is at risk of immediate harm please contact Cumbria Safeguarding Children Partnership (CSCP) or call 0333 240 1727 24hrs. (Cumberland Council also has a website page providing advice.)</p> <p>If you have immediate safeguarding concerns about an adult who works (paid or unpaid) with children, then report them to the Local Authority Designated Officer (LADO) https://www.cumbriasafeguardingchildren.co.uk/professionals/lado.asp</p>

EXAMPLE MEETING FORMAT

Section	What will happen	Who
Welcome	<p>Introductions including clarification of roles e.g. <i>Complainant</i> being the person making the complaint, <i>Respondent</i> being the person who responded to the complaint at 'Formal Complaints – Stage One', <i>Chair</i> being the chairperson of the Complaints Committee meeting and the person who will direct it etc.</p> <p>Clarification of meeting purpose and complaint lodged</p> <p>Meeting expectations: to be as informal and relaxed as possible, non-confrontational, request breaks if needed etc.</p> <p>Whether everyone has had sight of and is happy with the running order</p>	Chair of Committee
Presentations	<p>Complainant presents a summary of their complaint highlighting the points made in their Complaint Form and referencing their supporting evidence. Witnesses are called into the meeting and leave as and when required to support or evidence the Complainant's summary. The Committee may question the complainant or witnesses at any time to clarify the points they make if necessary.</p>	Complainant
	<p>Respondent presents the facts as s/he perceives them, highlighting points made in the written response to the 'Formal Complaints – Stage One' complaint and other supporting evidence. Witnesses are called into the meeting and leave as and when required to support or evidence the Respondent's summary. The Committee may question the Respondent or witnesses at any time to clarify the points they make if necessary.</p>	Respondent
Summaries	<p>Complainant summarises their case highlighting evidence including anything that has emerged in the questioning.</p>	Complainant
	<p>Respondent summarises the case for the school highlighting evidence including the school's response and actions in relation to the complaint before the meeting and anything that has emerged in the questioning.</p>	Respondent
Close	<p>Meeting Chair thanks the Complainant and Respondent for attending and explains what will happen next. Complainant and Respondent leave the meeting.</p>	Chair of Committee
Decision	<p>Committee considers all the evidence and comes to its conclusion.</p>	Committee

Witnesses will only attend the part of the meeting in which they give their evidence.
The Committee may ask questions at any point or adjourn the meeting.



IREBY CHURCH OF ENGLAND PRIMARY SCHOOL

COMPLAINT FORM

Please complete this form and return it to the school office in a sealed envelope marked "Private and Confidential" addressed to the Head teacher, or to the Clerk to the Governors depending on who or what the complaint is about. They will acknowledge receipt and explain what action will be taken

Your name:
Pupil's name (if relevant): Pupil's date of birth:
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including: <ul style="list-style-type: none">• What is your complaint about?• Whether you have discussed your concern/complaint with anyone at the school?• When did you do this & who did you discuss it with?• What was the result of the discussion/what happened?

- What actions do you feel might resolve the problem at this stage?
- What would you like the Headteacher/Chair of Governors/Complaints Committee to do?

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

Signature:

Date:

For official use:

Acknowledgement
sent by whom:

Method e.g. email:

Date:

Complaint
referred to:

Method e.g. email:

Date:

Action taken:

Date:

Signature: