



**Eastburn**  
Junior and Infant School

# **Complaints Policy**

January 2017

Eastburn Junior and Infant school fully recognises its responsibilities for child protection and safeguarding. We recognise that all adults working with, or on behalf of children have a responsibility to protect them. Our school procedures for safeguarding children will be in line with the: 'Keeping Children Safe in Education' (September 2016) and 'Guidance for Safer Working Practice for Those Working with Children and Young People in Education Settings' (October 2015) and 'Working Together to Safeguard Children (2015).

## Introduction

Eastburn Junior and Infant School believes that our school provides a strong education for all our children, and that staff work very hard to build positive relationships with all parent/carers and stakeholders. We pride ourselves on the quality of education provided for our pupils. However, if parents or stakeholders have concerns, they can expect any issues raised to be treated seriously by the school in accordance with this policy document.

Our school will aim to be fair, open and honest when dealing with any complaint. We will give careful consideration to all complaints and will deal with them as swiftly as possible. We will aim to resolve any complaint through dialogue and mutual understanding and, in all cases we will put the interests of the child above all other issues. We will provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

The Complaints Policy and Procedure has been created to deal with any complaint against a member of staff, or the school as a whole, relating to aspects of the school or provision of facilities or services provided by the school. A complaint can be brought by a parent of a registered child at the school or any person who has been provided by a service/facility at the school. This person is referred to as the complainant. A complaint is defined as '*An expression of dissatisfaction or disquiet in relation to a school or teacher, which requires a response*'.

At Eastburn we aim to be clear about the difference between a concern and a complaint. By taking concerns seriously at the earliest stage we aim to minimise the numbers of concerns that develop into formal complaints. We are committed to taking all concerns seriously as it is our chance to improve the school in response to feedback.

A concern becomes a complaint when the complainant asserts that the school has acted wrongly in making a significant decision, an inappropriate action or failure to take action. Even when a complaint has been made, it can be withdrawn or resolved at any stage. For the school to be able to investigate a complaint, it needs to be made within three months of the incident occurring; if a complaint is older than this it may not be possible to investigate it properly.

Complaints from people who are not parents of pupils attending the school will be dealt with under the same procedures we use for complaints from parents.

## Aims

In line with the Education Act (2002), Eastburn Junior and Infant School aims to:

- Encourage the resolution of problems by informal means wherever possible;
- All swift-handling with established timescales and clear actions to move forward;
- Ensure a full and fair investigation with an independent person if necessary;
- Respect people's desire for confidentiality;
- Address all points raised and provide an effective response;
- Feedback information to the SLT so that services can be improved.

## Complaints Procedure – Three Stages

In summary, they are as follows:

- **Stage 1** – A concern is raised informally with a staff member.
- **Stage 2** – A complaint is heard by the Headteacher.
- **Stage 3** – A complaint is heard by a panel of the Governing Body.

### Stage 1 – Raising A Concern With A Member Of Staff

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. The school requests that parents make their first contact with the class teacher if the concern is about their child. If the concern is about other issues, the school requests in the first instance that the parent/stakeholder contacts the school office, who will pass on the concern to the relevant person.

On some occasions the concern raised may require investigation, or discussion with others, in which you will receive an informal but informed response within a day or two. The majority of concerns will be dealt with in this way. However, if you are not satisfied with the result at Stage 1 then please write or complete a Complaints Form (see attached), send it to the school office within ten working days and state what you would like the school to do. The school will then consider your concern as a complaint and move to Stage 2.

### Stage 2 – Complaint Heard by Executive Head/Head of School

If the matter has not been resolved at Stage 1, the Executive Head/Head of School will arrange further investigation. Please write to the Executive Head/Head of School at Eastburn telling them why you are still not satisfied and what you would like the school to do.

- The complaint will be logged, including the date it was received.
- The school will acknowledge receipt of the complaint within two working days.
- Either you will receive a written response reporting on the actions being taken or a meeting will be convened to discuss the matter further. If possible this meeting will take place within ten school working days of the receipt of the complaint. The aim of this meeting will be to resolve the matter as speedily as possible.

Following the investigation, the Executive Head/Head of School will normally give a written response within ten school working days. If you are dissatisfied with the result at Stage 2, you should write to the Chair of Governors at the school address within ten school working days of getting the response marking the envelope 'Private and Confidential'. This will then be referred directly to the Chair of Governors.

### N.B. Complaints Against The Headteacher

In cases where the matter concerns the conduct of the Executive Head/Head of School, a written complaint should be sent 'For The Attention Of The Chair Of Governors' to the school and marked 'Private and Confidential'. The Chair will refer the matter directly to a panel of the Governing Body to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint. The above procedure will then be followed.

### **Stage 3 – Complaint Heard By Panel Of The Governing Body**

If the matter has still not been resolved at Stage 2, then the Executive Head/Head of School will pass the matter for consideration to a panel of the Governing Body. The clerk will convene a panel of usually three governors. If at all possible, the hearing will take place within ten school working days of the receipt of the written request for a Stage 3 investigation. Where this proves impossible for operational reasons e.g. governor availability, this will be indicated in a written response within ten days with the available date given.

The aim of the hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the panel's decision in writing within five school working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

### **The Governing Body Hearing is the last school-based stage of the complaints process.**

If you are not satisfied with the outcome of Stage 3, the final stage of appeal is to write to the Secretary of State for Education. Complainants should be advised to write to:

The School Complaints Unit (SCU)  
Department for Education  
2<sup>nd</sup> Floor,  
Piccadilly Gate  
Manchester,  
M1 2WD

If a complaint has exhausted the local procedures, School Complaints Unit (SCU) will examine if the school's complaints policy and other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint; this remains the responsibility of school. If legislative or policy breaches are found, SCU will report them to the school and the complainant and, where necessary, require remedial action to be taken. Failure to carry out remedial actions could ultimately result in formal direction being issued by the Secretary of State.

### **Serial or Persistent Complaints**

The Department for Education provides guidance on how to respond to serial or persistent complaints. The guidance says that where schools have followed all stages of their procedure and have done everything they can in response to a complainant, the Chair of Governors can inform the complainant that the matter is closed. If the complainant tries to reopen the same issue, the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

### **The Decision to Stop Responding**

The Department for Education guidance explains that the decision to stop responding should only be taken where all of the following are true:

- The school has taken every reasonable step to address the complainant's needs;
- The complainant has been given a clear statement of the school's position and his/her options (if any);
- The complainant is contacting the school repeatedly but making substantially the same points each time.

The document says that the case for not responding is stronger where the school agrees with one or more of the following statements:

- The school has reason to believe the individual is contacting it with the intention of causing disruption or inconvenience;
- The individual's letters/emails/telephone calls are often or always abusive or aggressive;
- The individual makes insulting personal comments about or threats towards staff.

The guidance says that schools should not stop responding just because an individual is difficult to deal with or asks complex questions. Complainants have a right to have any new complaint heard and schools must ensure that they are acting reasonably.

#### **Informing the complainant of the decision**

Once a school has decided that it is appropriate to stop responding, it must inform the complainant of this decision in writing.

# Eastburn Junior and Infant School

## School Complaints Form



Please complete and return to the school office. An acknowledgement of receipt will follow with an explanation of what action will be taken.

**Your name:**

**Pupils' name (if relevant):**

**Your relationship to the pupil (if relevant):**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please provide details of your complaint:**

**What action, if any, have you already taken to try and resolve your complaint?  
i.e. who did you speak to and what was the response?**

--

<b>What actions do you feel might resolve the problem at this stage?</b>
--

<b>Are you attaching any paperwork? If so, please give details.</b>
---

<b>Signature:</b>
-------------------

<b>Date:</b>
--------------

<b><i>Official Use</i></b> <b>Date acknowledgement sent:</b>
---

<b>By whom:</b>
-----------------

<b>Complaint referred to:</b>
-------------------------------

<b>Date:</b>
--------------