

Cavendish Close Infant and Nursery School

School Complaints Procedure

Written using guidance and model policy issued by Derby City Council April 2016

At Cavendish Close Infant and Nursery School, we undertake to provide a friendly and safe environment in which pupils will be helped to achieve their potential, both academically and socially. We recognise that sometimes things can go wrong and parents, carers and members of the public may need to make a complaint or raise concerns they have with the school.

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 allow for a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, the school will not consider any complaint that was raised more than 12 months after the event.
- All complaints should be resolved as quickly as possible.
- If a complaint is not from a parent/carer of a pupil of the school (an example being a member of the public) these should be made directly to the Head teacher, preferably in writing.
- All complaints will be recorded formally by the school in a central log.

Raising a concern or complaint

Informal Stage (2-3 school days)

- In the first instance speak directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment. Many concerns can 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 whom to contact, please seek advice from the school office or the Clerk to the Governing Body.

Formal Stage – there are three formal stages:

Stage 1 – Head teacher (10 days – acknowledge receipt of complaint within 3 to 5 school days)

- If your concern is not resolved at the informal stage you may put the complaint in writing or complete a complaints form and pass it to the Head teacher, (or to the Clerk to the Governing Body, for the attention of the Chair, if the complaint is about the Head teacher) who will be responsible for ensuring that your complaint is investigated appropriately.
- If you require support to do this you may request help from the school.
- Please include details that will help the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.
- It is important that you tell us what you would like to happen to put things right.
- All complaints will be acknowledged in writing within 3-5 school days, a copy of the Complaints Procedure will be included.

- The Head teacher (or Chair) should invite you to a meeting to discuss your complaint. A friend, interpreter or advocate may accompany you if you wish, to help you in explaining your complaint.
- **Any complaint about the Head teacher will start at Stage 2.**
- 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 referred to the Chair of Governors.

Stage 2 Chair of Governors (15 school days)

- The Chair of Governors may invite you to a further meeting to discuss your complaint and to seek a resolution. Again, if you accept that invitation, a friend, interpreter or advocate may accompany you to help you explain your complaint.
- The Chair may also appoint a governor to be an Investigating Officer to undertake a detailed investigation of the complaint. If the complaint requires the appointment of an Investigating Officer, the timescale can be extended, and you will be informed of this.
- If the Head teacher is the subject of the complaint, the complaint should go straight the Chair of Governors and miss out Stage 1.
- If your complaint cannot be resolved with 15 days the Chair will inform the complainant and explain why it is taking longer. Reasons for this may be that the complaint is complex and needs more time or someone involved is absent through sickness or holidays. The Chair of Governors should give a realistic timescale for when your complaint should be resolved. The Chair will inform you when it is expected that the investigation should be completed.

Stage 3 Complaints Panel (28 school days)

- If you remain dissatisfied, you can request that the Governing Body conduct a review into the process followed by the school in dealing with your complaint.
- A panel of three members of the Governing Body will form the Complaints Panel.
- The panel will consider the complaint and all the evidence presented and:
 - reach a unanimous, or at least a majority decision, on the complaint
 - dismiss the complaint in whole or in part
 - uphold the complaint in whole or in part
 - decide on any appropriate action, if any, to be taken
 - where appropriate, suggest changes to, or request a review of, the school's systems or procedures to ensure that the problems of a similar nature do not happen again.
- When the complaint has been fully investigated and the hearing has taken place, you should be notified of the **findings** in writing by the Chair of the Panel hearing the complaint or the Governor responsible for the investigation within five school days of the hearing date. You will also be informed how you can take your complaint further if still dissatisfied.
- The report, with findings, should, at the same time, be published to the Chair of Governing Body who will report back to the Governing Body with a table of recommendations taken from the report.
- Any complaint about the Governing Body should be delegated to a named governor (the Chair of the Governing Body), or to a complaints panel previously convened by the Governing Body

Annexe 1 School Complaint Form

Please complete this form and return it to the Head teacher (or Clerk to Governing Board) who will acknowledge its receipt and inform you of the next stage of the procedure.

Cavendish Close Infant and Nursery School Complaint Form	
Your Name	
Your Address	
Email address	
Daytime telephone number	
Evening telephone number	

What is it you want to complain about?
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Relationship with school e.g. Parent of a child on the school's roll	
Child's Name (if relevant to your complaint)	

Have you complained to the headteacher?	yes		no	
When did you do this?	date			
What happened when you complained to the headteacher?				

What would you like us to do to put things right?

Signature:
Date:

SCHOOL USE			
Received by		date	
Acknowledgement sent by		Date	
Complaint referred to			
Name		Date	
Name		Date	

Name		Date	
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Annexe 2 Paragraph included on the website:

Raising Concerns and Resolving Complaints

From time to time parents, and others connected with the school, will become aware of matters that cause them concern. The encourage resolution of such situations the Governing Body has adopted a 'School Complaints Procedure'.

The procedure is devised with the intention that it will:

- usually be possible to resolve issues by informal means
- be simple to use and understand
- be non-adversarial
- provide confidentiality
- allow problems to be handled swiftly through the correct procedure
- address all the points at issue
- inform future practice so that the problem is unlikely to recur.

Full details of the procedure may be obtained from our website, the School Office or from the Clerk to the Governing Body.

Annexe 3 Policy for Unreasonable Complaints

Cavendish Close Infant and Nursery 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.

Cavendish Close Infant and Nursery 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 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 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 Cavendish Close Infant and Nursery 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 Cavendish Close Infant and Nursery School .

Annexe 4 Sample Letter – Acknowledgement and Outcomes from school staff

Dear <insert name>

I acknowledge receipt of your letter dated <insert date>.
Further to our meeting on <insert date>. I wish to confirm the outcome of our discussion.
<insert summary of discussion and outcomes>

I hope that you are satisfied that your concerns have been dealt with appropriately. However if you are dissatisfied with the outcome please contact me to discuss the matter further within 10 school days or you may express your concern in writing to the Head teacher with 10 school days (should you require assistance please contact the school office).

Yours sincerely

<insert name>
<insert job title>

Annexe 5 Sample letter - Acknowledgement and meeting offer by Head teacher

Dear <insert name>

I acknowledge receipt of your letter dated <insert date>.
Cavendish Close Infant and Nursery School takes all complaints seriously, please be assured that I shall investigate the matter fully and should be in a position to respond to you within 10 school days.

Optional Paragraph

It may be helpful if I could meet with you to clarify details of your concerns before my investigation.

May I suggest we meet at school on <insert date> at <insert time>.

Please confirm you will be able to meet me with the school office.

At the meeting a mutually agreed date will be agreed for my full response to your concerns.

You may wish to be accompanied to the meeting by a friend, representative or advocate.

Cavendish Close Infant and Nursery School is committed to promoting equality and diversity; should you require further assistance please contact the school office.

I would be grateful if you would confirm the name of any person who will accompany you and the capacity in which they are attending (e.g. friend, interpreter etc.).

I look forward to meeting you.

Yours sincerely

<insert name>

<insert job title>

Annexe 6

Sample Letter – Final response to complainant by Head teacher

Dear <insert name>

Further to our meeting on <insert date> **OR** Further to your letter dated <insert date>, I have now had an opportunity to investigate your concerns and am able to report the following:

<insert a summary of concerns raised, investigation and outcomes>

I hope that you are satisfied that your concerns have been dealt with appropriately. However if you are dissatisfied with the outcome please contact me to discuss the matter further within 10 school days or contact the school office to obtain a Complaint Form that you must return to the Chair of Governors within 10 school days (should you require assistance please contact the school office).

Yours sincerely

<insert name>

<insert job title>

Annexe 7 Sample Letter – Acknowledgement and meeting offer to complainant

Dear <insert name>

Thank you for the Complaint Form dated <insert date>.

Cavendish Close Infant and Nursery School takes all complaints seriously, please be assured that I shall investigate the matter fully and should be in a position to respond to you within 10 school days.

I would like to meet with you at school on <insert date> at <insert time> to enable you to talk through your concern.

If this is not convenient, please contact the school office to arrange an alternative appointment. At the meeting a mutually agreed target date will be arranged for my response.

You may wish to be accompanied to the meeting by a friend, representative or advocate.

Cavendish Close Infant and Nursery School is committed to promoting equality and diversity; should you require further assistance please contact the school office.

I would be grateful if you would confirm the name of any person who will accompany you and the capacity in which they are attending (e.g. friend, interpreter etc.).

I look forward to meeting you.

Yours sincerely

<insert name>

Chair of Governors/Investigating Officer (delete as appropriate)

Annexe 8 Sample Letter – Final response to complainant by Investigating Officer

Dear <insert name>

Further to our meeting on <insert date>.

I have now had an opportunity to investigate your concerns and am able to report the following:

<insert a summary of concerns, investigation and outcomes>

I hope that you are satisfied that your concerns have been dealt with appropriately. However if you are dissatisfied with the outcome please contact the Chair of Governors via the school office within 10 school days to discuss the matter further or to request that your concerns proceed to formal stage 3 (should you require assistance please contact the school office).

A Clerk and Complaints Panel will then be convened to review your complaint.

I look forward to meeting you.

Yours sincerely

<insert name>

<insert role>

Annexe 9 Sample Letter – Acknowledgement of request for formal stage 3 by Clerk

Dear <insert name>

I acknowledge receipt of your letter dated <insert date> indicating that you wish your complaint to be reviewed by a panel of school governors.

A panel of three governors who have had no prior involvement with your complaint will be convened.

When the planning has been completed I shall contact you again to invite you to attend a Complaints Panel meeting, this meeting will take place within the next 28 school days.

Yours sincerely

<insert name>

Clerk to Governors

Annexe 10 Sample Letter – request for information to Head teacher

Dear <insert Head teacher name>

I have received a letter dated <insert date> from <insert name> stating a wish for his/her complaint to be reviewed by a panel of school governors. I enclose a copy of documentation relating to the complaint for information.

A panel of three governors who have had no prior involvement with the complaint will be convened. When the planning has been completed I shall contact you again to invite you to attend a Complaints Panel Meeting, this meeting will take place within the next 28 school days.

I would be grateful if you could send me a written statement responding to the complaint.

You will have the opportunity to expand on your statement at the Complaints Panel Meeting but it would be useful if you could submit your initial statement within the next 10 school days.

Finally, please may I point out that the complainant, you and everyone else involved should treat all the related documentation as confidential.

Yours sincerely

<insert name>

Clerk to Governors

Annexe 11 — Sample Letter – Letter to complainant with Complaints Panel details

Dear <insert name>

The Governors Complaints Panel will be held on <insert date and time> at <insert location>.

Please could you send me any additional information or documentation relevant to your complaint at least 10 school days before the Complaints Panel Meeting.

Only in exceptional circumstances will new documentation and/or information be accepted after this time and this is at the discretion of the Chair of the Complaints Panel.

The Complaints Panel will start at <insert time> you are asked to report to the <insert location>. You will be shown to a waiting area. I will collect you and the Head teacher from the waiting area to be introduced to the panel at the same time.

The Complaints Panel will be attended by:

<insert names and roles>

You are entitled to be accompanied by a friend or representative if you wish. I would be grateful if you would:

- confirm your attendance at this meeting

- let me know the name of any friend or representative who will accompany you by <insert date>. Please also let me know the capacity in which any additional person is attending (e.g. interpreter or friend etc.).

All documentation will be sent to you five school days before the Complaints Panel Meeting. Finally, please may I remind you that the consideration of this complaint and all related documentation should be treated as confidential.

Yours sincerely
<insert name>

Clerk to Governors Complaints Panel

Annexe 12 – Letter to Head teacher with Complaints Panel details

Dear <insert Head teacher's name>

Thank you for providing the information requested.

I am now in a position to provide full details of the Complaints Panel Meeting to be held on <insert date and time> at <insert location>.

The Complaints Panel will start at <insert time>.

You are asked to report to the <insert location>.

You will be shown to a waiting area.

I will collect you and the Complainant from the waiting area to be introduced to the Complaints Panel at the same time.

The Complaints Panel will be attended by:

<insert names and roles>

The following information is enclosed:

<insert details>

Any additional information sent by the Complainant will be sent to you by <insert date>.

Finally, please may I remind you that the consideration of this complaint and all related documentation should be treated as confidential.

The Complaints Panel look forward to meeting you on <insert date>

Yours sincerely

<insert name>

Clerk to the Governors Complaints Panel

Annexe 13 Sample Letter – Final details to complainant of the Complaints Panel

Dear <insert name>

Thank you for providing the information requested.

The following information is enclosed:

<insert details>

Finally, please may I remind you that the consideration of this complaint and all related documentation should be treated as confidential.

The Complaints Panel look forward to meeting you on <insert date>.

Yours sincerely

<insert name>

Clerk to the Governors Complaints Panel

Annexe 14 Sample Letter - Out of time letter

Dear <insert name>

COMPLAINT

Thank you for your letter dated <insert date> which we received on <insert date>.

Unfortunately we are not able to consider complaints made more than one year after the ground to make the complaint arose, because at this stage, we are unable to carry out a thorough and detailed investigation into something that took place after this length of time.

Yours sincerely

<insert name>

<insert job title>

Annexe 15 Sample Minutes of Complaints Panel Meeting

PRIVATE & CONFIDENTIAL

(To be treated as Part 2 Minutes)

Governing Board of Cavendish Close Infant and Nursery School Complaints Panel Meeting

Minutes of proceedings at a meeting of the Complaints Panel held at <insert location> on <insert date>.

PRESENT

<insert names and roles>

The meeting was held in accordance with the Governing Board's complaints policy and procedures.

The Chair welcomed all parties to the meeting and introductions were made.

S/he outlined the procedure for the meeting.

<insert name> was asked to outline the complaint s/he had made against the school.

The complaint was centered on:

(i)

(ii)

(iii)

Members of the Panel asked questions to clarify the complaint.

The Head teacher was invited to questions of <insert name>.

<insert name> responded to the complaint on behalf of the school.

Members of the Panel asked <insert name> questions to clarify the school's response to the complaint. <insert name> was invited to ask questions of <insert name>.

When all aspects of the complaint had been addressed, <insert name> was invited to make a brief summary to the meeting.

This was followed by a similar invitation to the Head teacher.

At the end of the summaries, the Chair asked <insert name> if s/he was satisfied that s/he had had a fair hearing.

<insert name> responded <insert response>.

The Head teacher was asked if they felt the school had a fair hearing and responded

<insert response>.

The Chair explained that the Panel would consider the information presented and come to a decision on <insert name>'s complaint.

The Chair explained that a letter outlining the Panel's decision would be sent by first class post within five school days.

All parties left the meeting, except members of the Panel and the Clerk.

The Panel then gave careful consideration to the information received, including documentation distributed before the meeting and the evidence and representations made at the meeting.

Members findings and recommendations:

That the Clerk prepares a letter to the complainant agreed by all panel members and signed by the Chair of the Complaints Panel explaining the Panel's decision.

The letter is to include details of who to contact if still dissatisfied.

That the letter be sent to <insert name> to arrive no later than <insert date>.

A copy of the letter outlining the Panel's conclusions is attached to and forms part of these minutes.

<insert signature>

Signed by Chair of Complaints Panel

Dated <insert date>

Annexe 16 Sample Notice of recommendations to governing board

To the Governing Board of Cavendish Close Infant and Nursery School Complaints Panel

Report to the Governing Board of Cavendish Close Infant and Nursery School of meeting held on <insert date>

The Complaints Panel met on <insert date> to consider a complaint made by parent(s) of a pupil at the school.

The meeting was held in accordance with the Governing Body's procedure for considering parental complaints.

The complaint was <insert summary>

The Complaints Panel concluded that the complaint be upheld/not be upheld.

The Panel make the following recommendations for consideration by the Governing Body:
<insert recommendations>

The following were present at the meeting.

☐ The Panel <insert names>

☐ The complainant [**not to be named**]

☐ The Head teacher <insert name>

☐ Observers <insert names>

☐ The Clerk <insert name>

Annexe 17 Sample Letter – final letter to complainant

Dear <insert name>

Thank you for joining <insert names of other two governors> and myself on <insert date> to review your complaint against <insert name of school>.

I am grateful to you for the time and effort you have put into presenting your complaint.

I am writing to let you know the conclusions and recommendations we reached.

<insert summary of conclusions and recommendations>

I attach a copy of the minutes taken by the clerk at the Complaints Panel for your information.

A record of your complaint will be kept on file by the school.

Should you remain concerned that the governors have acted or are proposing to act unreasonably, or that the governing body has failed to discharge its duties under legislation the final course of action available to you is to write to the

School Complaints Unit, Department for Education,

2nd Floor, Piccadilly Gate,

Manchester,

M1 2WD

to ask for a review.

For your further information Ofsted can also investigate complaints relating to the work of a school as a whole but will not get involved in any matter that relates to individual pupils.

It is the Panel's hope that you will feel that your complaint has been heard and reviewed fairly and that all issues have been investigated appropriately.

Yours sincerely

<insert name>

Chair of the Complaints Panel

Cc Head teacher - <insert name of school>

Policy written and adopted September 2016

Policy reviewed September 2017

Policy reviewed September 2018

Annually reviewed

Next review date : September 2019