



CAVENDISH CLOSE JUNIOR SCHOOL

Complaints Policy

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Headteacher: Mr S Field

Approved on:

Signed: ----- (Governor)

Signed: ----- (Headteacher)

Date: 24th June 2016 (to take account of DfE Best Practice for School Complaints Procedures 2016)

Date of Next Review: January 2019

School Complaints Procedure

At Cavendish Close Junior 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 at this informal stage.

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

If you are uncertain 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 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 (e.g. the Chair of the Governing Body), or to a complaints panel previously convened by the full Governing Body.

Unreasonable Complainants

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

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

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

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's 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 Junior 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 Junior School.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Links with other school policies and practices

This Policy links with a number of other school policies, practices and action plans including:

- Behaviour and Rewards Policy
- Anti-bullying Policy
- Child Protection and Safeguarding Policy
- e-Safety (Online Safety) and Acceptable Use Policies (AUPs)
- Pupil Restraint Policy