





ASKAM VILLAGE SCHOOL

COMPLAINTS PROCEDURE

| Roles within this Procedure | |
|-----------------------------|------------------------|
| Headteacher | Mrs. Fiona Newton |
| Chair of Governors | Dr. John Thompson |
| Clerk to the Governors | Ms Kirsty Hetherington |

| | | | |
|------------------|---|---|-------------------------------|
| Approved by | Governor Leadership | | |
| Name (Position): | Mrs. Fiona Newton (Headteacher) Dr. John Thompson (Chair of Governors) Mr David Huddleston (Vice Chair of Governors) Agreed Full Governors 23 rd January 2023 | | |
| Signed: | Dr. John Thompson | Mrs. Fiona Newton | |
| |  |  | |
| Version No. | 2 (see next page) | Date | 23 rd January 2023 |
| Review date: | January 2024 | | |

REVIEW SHEET

The information in the table below details earlier versions of this document with a brief description of each review and how to distinguish amendments made since the previous version date (if any).

| Version Number | KAHSC Version Description | Date of Revision |
|----------------|---|------------------|
| 1 | Based on the 2019 DfE Model Complaints Procedure - Original procedures | March 2021 |
| 2 | Revisions to wording/guidance for Stage 1 and Stage 2 Complaints. Minor re-ordering of content (Section 4-5). | November 2022 |
| | | |

Contents

| | |
|---|-----------|
| CONTENTS | 1 |
| SECTION 1: WHO CAN MAKE A COMPLAINT? | 2 |
| SECTION 2: THE DIFFERENCE BETWEEN A CONCERN AND A COMPLAINT | 2 |
| SECTION 3: HOW TO RAISE A CONCERN OR MAKE A COMPLAINT | 2 |
| SECTION 4: UNREASONABLE OR PERSISTENT COMPLAINTS | 3 |
| SECTION 5: DUPLICATE COMPLAINTS | 4 |
| SECTION 6: ANONYMOUS COMPLAINTS | 5 |
| SECTION 7: TIME SCALES | 5 |
| SECTION 8: COMPLAINTS RECEIVED OUTSIDE OF TERM TIME | 5 |
| SECTION 9: SCOPE OF THIS COMPLAINTS PROCEDURE | 5 |
| SECTION 10: RESOLVING COMPLAINTS | 7 |
| AT EACH STAGE IN THE PROCEDURE, ASKAM VILLAGE SCHOOL WANTS TO RESOLVE THE COMPLAINT. IF APPROPRIATE, WE WILL ACKNOWLEDGE THAT THE COMPLAINT IS UPHeld IN WHOLE OR IN PART. IN ADDITION, WE MAY OFFER ONE OR MORE OF THE FOLLOWING:..... | 7 |
| SECTION 10.1: FACE-TO-FACE MEETINGS | 7 |
| SECTION 11: WITHDRAWAL OF A COMPLAINT | 7 |
| SECTION 12: COMPLAINTS STAGE 1 | 8 |
| SECTION 12.1: COMPLAINTS STAGE 1: INVESTIGATION | 8 |
| SECTION 12.2: COMPLAINTS STAGE 1: RESPONSE..... | 8 |
| SECTION 12.3: HEADTEACHER AND GOVERNING BODY COMPLAINTS | 9 |
| SECTION 13: COMPLAINTS STAGE 2 | 9 |
| SECTION 13.1: INDEPENDENT REVIEW BY GOVERNOR(S)..... | 10 |
| SECTION 13.2: MEETING WITH GOVERNOR(S)..... | 10 |
| SECTION 13.3: REFERRAL TO A GOVERNING BODY AT ANOTHER SCHOOL | 11 |
| SECTION 13.4: COMPLAINTS STAGE 2 OUTCOME | 11 |
| SECTION 14: NEXT STEPS | 11 |
| APPENDIX A: COMPLAINTS STAGE 1 FORM | 12 |
| APPENDIX B: COMPLAINT STAGE 2 FORM | 14 |
| APPENDIX C: COMPLAINTS PROCEDURES ROLES AND RESPONSIBILITIES | 16 |
| COMPLAINANT | 16 |
| INVESTIGATOR..... | 16 |
| CLERK TO THE GOVERNING BODY | 16 |
| COMPLAINTS STAGE 2 CHAIR | 17 |
| COMPLAINTS STAGE 2 ADDITIONAL GOVERNORS | 17 |

Section 1: Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Askam Village School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures – see **Section 9** (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

Section 2: The difference between a concern and a complaint

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’

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of this Complaints Procedure. Askam Village School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Askam Village School will attempt to resolve the issue internally, through the stages outlined within this Complaints Procedure.

Section 3: How to raise a concern or make a complaint

A concern can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant if they have appropriate consent to do so. A complaint **MUST** be made using the Complaints Form in Appendix A.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint. Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure. Please familiarise yourself with Complaints Stage 1 (**Section 12**) and Complaints Stage 2 (**Sections 13**).

Please refer to the table below for information on how to address different complaints:

| Complaint about... | Managed by... | Addressed to... | By... |
|---|--------------------------------|------------------------|-----------------|
| School Staff | Headteacher | Clerk to the Governors | Email or Letter |
| Headteacher | Chair of Governors | Clerk to the Governors | Email or Letter |
| Chair of Governors or Individual Governor | External Independent Governors | Clerk to the Governors | Email or Letter |

All Complaints **MUST** be completed using the template Complaint Form found in Appendix A. This should be addressed as ‘Private and Confidential’ to Clerk to the Governors or emailed to clerk@askam.cumbria.sch.uk. If you require a printed copy of the form, please contact the Office at Askam Village School. 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.

Section 4: 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 this Complaints Procedure while still wishing their complaint to be resolved.
- refuses to accept that certain issues are not within the scope of this Complaints Procedure
- insists on the complaint being dealt with in ways which are incompatible with this 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 this Complaints 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 complainant is in any way:

- malicious
- aggressive
- threatening, intimidating, or violent
- abusive, offensive, or discriminatory in use of language
- knowing to be making a false claim
- 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 while the investigation is ongoing, 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 this 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, verbal abuse, or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Askam Village School.

Section 5: Duplicate complaints

After closing a complaint at the end of this 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 this Complaints Procedure.

If we find the complaint is a duplicate without new aspects, we will inform the new complainant that Askam Village 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.

Section 6: Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Section 7: Time scales

You must raise the 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 time frame if exceptional circumstances apply.

Section 8: 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 website www.askamvillageschool.co.uk.

Section 9: Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Askam Village School, other than complaints that are dealt with under other statutory procedures, including those listed below:

Cumbria exceptions and who to contact

Admissions to schools

If your child was not offered the place you requested in the school admissions process administered by Cumbria County Council (CCC) and you want to appeal the decision, they sent you a letter explaining how. Please follow the procedure they gave you.

To find out more about the School Admissions Appeal process in Cumbria go to:

<https://www.cumbria.gov.uk/childrensservices/schoolsandlearning/lss/applyforasecondaryschoolplace2015/admissionappeals.asp>

Statutory assessments of Special Educational Needs

If you have concerns about an Education, Health and Care (EHC) plan or about a CCC decision to not issue an EHC plan, you can ask one of the CCC Co-ordinators to help. Find out more about the process at:

<https://www.cumbria.gov.uk/childrensservices/schoolsandlearning/ils/parentpartnership/educationhealthandcareplans.asp>

If the issue requires mediation, CCC has appointed KIDS to help them resolve disputes. 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. Find out more about the SEND National Trial here:

<https://localoffer.cumbria.gov.uk/kb5/cumbria/fsd/advice.page?id=eUC2-iAcZ5E>

For the appropriate forms and to find out more about the Tribunal process, go to:

<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>, or contact them via:

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 40

School re-organisation proposals

If your complaint is about school re-organisation proposals, please raise it with Cumbria County Council Children's Services through their complaints procedure detailed at:

<https://www.cumbria.gov.uk/councildemocracy/accesstoinformation/internalreviewscomplaints.asp?row=1>,

or ask the school office for a printed copy of their Compliments, Comments and Complaints leaflet available for download from: <http://www.cumbria.gov.uk/eLibrary/view.asp?ID=90636>

Matters likely to require a Child Protection Investigation

Complaints about child protection matters are handled under our Child Protection Policy and in accordance with relevant statutory guidance. If you have serious concerns about an adult who works with a child, then this should be reported to the Local Authority Designated Officer (LADO) within one working day. This applies to all adults whether employees, volunteers, casual, agency or other worker, or anyone working in a self-employed capacity. To find out more go to:

<https://www.cumbriasafeguardingchildren.co.uk/lscb/professionals/lado.asp>

To report a concern to the LADO please use the LADO - Allegation Notification Form. Send completed forms to the Cumbria Safeguarding Hub, using any of the following methods: (please note: if sending by email the hub advises that the document should be password protected)

Post: LADO, Cumbria Safeguarding Hub, Skirsgill Depot, Penrith, Cumbria, CA10 2BQ.

Fax: 01768 812090 Email: lado@cumbria.gov.uk [LADO Contact Card](#) (downloadable).

Please note, if you are worried that a child is in an emergency, call the Police immediately on 999. If you are worried that a child is at risk of immediate harm, please contact the Cumbria Safeguarding Hub on 0333 240 1727 or see How to refer a child.

Exclusion of children from school*

Exclusion can result from the application of our Behaviour Policy. Raising concerns about exclusion is explained in and handled under our Exclusion Procedures www.askamvillageschool.co.uk and more information can be found at: www.gov.uk/school-discipline-exclusions/exclusions

**Complaints about the application of our Behaviour Policy can be made through the school complaints procedure.*

Whistleblowing

We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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. Referrals can be made at: www.education.gov.uk/contactus

Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.

Staff grievances

Complaints from staff will be dealt with under the school's internal grievance procedures.

Staff conduct

Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.

Complainants will not be informed of any disciplinary action taken against a staff member because of a complaint. However, the complainant will be notified that the matter is being addressed.

Complaints about others who may use school premises or facilities to provide services

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 at: www.education.gov.uk/contactus

Section 10: Resolving complaints

At each stage in the procedure, Askam Village School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies considering the complaint
- an apology.

Section 10.1: Face-to-face meetings

When 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 another way e.g. remotely. There may also be local or national public health or other emergency restrictions or reasons why people cannot meet face-to-face. We have put procedures in place to govern such meetings when they are about Exclusions from school, and where it is vital that a meeting take place to resolve a complaint, we will follow the remote meeting guidelines and safeguards that we have developed for Exclusions as detailed in our 'Addendum to the Exclusion Policy' a copy of which is available from the school office or via our website.

Section 11: Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this by letter or email.

Section 12: Complaints Stage 1

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This must be done by completing the Stage 1 Complaint Form (Appendix A). This may be submitted to the school office as a hard copy addressed to the Clerk or sent via email to clerk@askam.cumbria.sch.uk

The investigator will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

Section 12.1: Complaints Stage 1: Investigation

Within the investigation, the investigator will seek to:

- clarify the nature of the complaint,
- establish whether this has been raised with someone in school previously,
- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- ask what remains unresolved,
- determine the outcome the complainant would like to see
- keep a written record of any meetings/interviews in relation to their investigation.

The investigator will decide whether a face-to-face meeting is required.

Note: The investigation may be delegated to any suitable member of the school's senior leadership team or governing body.

Section 12.2: Complaints Stage 1: Response

At the conclusion, the investigator will aim to provide a formal written response within 8 school days of the date of receipt of the complaint. If the investigator is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will:

- detail any actions taken to investigate the complaint
- provide a full explanation of the decision made and the reason(s) for it
- outline any relevant actions resulting from the complaint.

The investigator will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

Section 12.3: Headteacher and governing body complaints

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the headteacher or member of the governing body must be made to the Clerk. This must be done by completing the Stage 1 Complaint Form (Appendix A). This may be submitted to the school office as a hard copy addressed to the Clerk or sent via email to clerk@askam.cumbria.sch.uk

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response. This may not occur within the previously stated timeframe.

Section 13: Complaints Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2. This will involve one or more of the following:

- an independent review by governor(s) not involved in Complaints Stage 1, or
- a meeting with governor(s) not involved in Complaints Stage 1, or
- a referral to another governing body at another school

To escalate this to stage 2, the complainant **must** provide a clear rationale for doing so. If this is not provided, we may reject your request to escalate to stage 2. A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 3 school days of receipt of the Stage 1 response. This must be done by completing the Stage 2 Complaint Form (Appendix B). This may be submitted to the school office as a hard copy addressed to the Clerk or sent via email to clerk@askam.cumbria.sch.uk

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to explain the course of action being taken at Stage 2. The decision to complete an independent review, meet with governors, or refer to another governing body will be made within 8 school days of receipt of the Stage 2 Complaint Form. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

Note: At Stage 2, the initial investigation will determine whether it is appropriate to proceed to Stage 2, or whether there is agreement to uphold the outcome of the Stage 1 investigation.

Section 13.1: Independent review by governor(s)

This would involve a review of all the evidence provided by the complainant and any documentation sourced as part of the Stage 1 investigation. They will provide a written response with their findings to determine whether the complaint will be upheld or not.

Section 13.2: Meeting with governor(s)

The Clerk will propose three dates for a meeting. If these are all rejected by the complainant, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence based on written submissions from both parties.

The meeting will provide an opportunity for the complainant to explain their reasons for escalating to Stage 2. The governors will aim to find a resolution to the complaint. Prior to the meeting, a Chair of meeting will be appointed. If there are insufficient independent governors available from Askam Village School available, the Clerk may source any additional, independent governors through another local school or through their LA's Governor Services team.

If the complainant is invited to attend the meeting, they may 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 procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 2 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting
- request copies of any further written material to be submitted as part of the Stage 2 Complaint

Note: All additional information MUST be provided prior to the meeting. Additional information not submitted prior to the meeting will not be considered.

Any written material will be provided to all parties prior to the meeting.

The following will not be accepted as evidence:

- recordings of conversations obtained covertly or without the informed consent of all parties being recorded
- representation of other parents/guardians – this should be submitted as a separate complaint
- new complaints
- evidence unrelated to the initial complaint to be included.

Note: New complaints must be dealt with from Stage 1 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.

Section 13.3: Referral to a governing body at another school

If we are unable to find enough independent governors at Askam Village School, the Complaints Stage 2 phase will be referred to a governing body at another school. The process described in Section 13 will then be followed.

Section 13.4: Complaints Stage 2 outcome

Following consideration of the complaint and all the evidence presented. One of the following outcomes will be communicated to the complainant:

- 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 Complaints Stage 2, whether it is from the governing body of Askam Village School or another school, will provide the complainant and Askam Village School with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

This is the final stage of this Complaints Procedure.

Section 14: Next steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Askam Village School. They will consider whether < Askam Village School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester, M1 2WD.

Appendix A: Complaints Stage 1 Form

| Complaints Stage 1 Form | |
|---|--|
| Please complete this form and return to the school office in a sealed envelope marked "Private and Confidential" addressed to the Clerk to the Governing Body or via email to clerk@askam.cumbria.ac.uk They will acknowledge receipt and explain what action will be taken. | |
| Your name: | |
| Pupil's name (if relevant to the complaint): | |
| Your relationship to the pupil (if relevant): | |
| Address (Including postcode): | |
| Email address: | |
| Preferred phone number: | |

| |
|--|
| Please provide details of the complaint, including whether you have spoken to anybody at the school about it |
| |

What actions do you feel might resolve the problem at this stage?

| |
|--|
| |
|--|

Are you attaching any supporting evidence? If so, please give details:

| |
|--|
| |
|--|

Official Use ONLY:

| | | | |
|------------------------|---|-------|--|
| Acknowledgement Sent: | <input type="checkbox"/> email <input type="checkbox"/> written letter | Date: | |
| Complaint referred to: | <input type="checkbox"/> Headteacher <input type="checkbox"/> Chair of Governors <input type="checkbox"/> External Governing Body | | |
| Action taken: | | | |
| Action Date: | | | |

Appendix B: Complaint Stage 2 Form

| Complaints Stage 2 Form | |
|---|--|
| Please complete this form and return to the school office in a sealed envelope marked "Private and Confidential" addressed to the Clerk to the Governing Body or via email to clerk@askam.cumbria.ac.uk They will acknowledge receipt and explain what action will be taken. | |
| Your name: | |
| Pupil's name (if relevant to the complaint): | |
| Your relationship to the pupil (if relevant): | |
| Address (Including postcode): | |
| Email address: | |
| Preferred phone number: | |

| Please provide rationale for why you are not accepting the outcome of the Complaints Stage 1 procedure |
|--|
| |

| Official Use ONLY: | | | |
|------------------------|---|-------|--|
| Acknowledgement Sent: | <input type="checkbox"/> email <input type="checkbox"/> written letter | Date: | |
| Complaint referred to: | <input type="checkbox"/> Headteacher <input type="checkbox"/> Chair of Governors <input type="checkbox"/> External Governing Body | | |
| Action taken: | | | |
| Action Date: | | | |

Appendix C: Complaints Procedures 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 complaints co-ordinator 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 investigator will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Clerk to the Governing Body

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

- ensure that all people involved in the complaint 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, and the Data Protection Act (DPA) 2018;
- set the date, time, and venue of any 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; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale;
- take minutes of any proceedings and circulate afterwards
- notify all parties of the outcome

Complaints Stage 2 Chair

The chair of the Complaint Stage 2, should ensure that:

- all parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the Complaints Stage 2 investigation
- any 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/young person;
- the process of the Complaint Stage 2 process is explained to the complainant
- written material is seen by everyone, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of any meeting or verbally during the meeting
- the issues of the complaint are addressed
- key findings of fact are made
- the response is open-minded and independent
- meeting minutes are recorded and approved
- they liaise with the Clerk

Complaints Stage 2 Additional Governors

Additional governors should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- No governor may be involved in Complaint Stage 2 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/carers often feel emotional when discussing an issue that affects their child
- extra care needs to be taken when the complainant is a child/young person
- there is careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated
- the views of the child/young person are respected and given equal consideration to those of adults.
- a child/young person may require support or representation if they are the complainant, and this should be ensured prior to any meeting. Where the child/young person's parent is the complainant, the

governors should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the governor considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.