



# COMPLAINTS PROCEDURE

Roles within these Procedures	
Head teacher:	Kirsty Fox
Chair of Trustees/Trustees:	Mandy Kennedy
Clerk to the Trustees/Trustees:	Louise Coulthard

Approved by <sup>1</sup>	
Name:	M Kennedy
Position:	Chair of Trustees
Signed:	
Date:	September 2023
Proposed Review Date <sup>2</sup>	September 2024

# 1. Part A: Background

## 1. Introduction

1.1 Great Corby School and Nursery (**the School**) aims to resolve all complaints at the earliest possible stage and is dedicated to continuing to provide the highest quality of education possible throughout the process. This Complaints Procedure (the "Procedure") has been created to deal with any complaint against a member of staff or the school as a whole, relating to any aspects of the school or the provision of facilities or services (other than complaints covered by statutory procedures as outlined in Appendix 1). Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the school provides. The Procedure outlines the steps to be followed by the complainant and school at each stage.

1.2 Please be aware that if other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales within this Procedure or result in the Procedure being suspended until those public bodies have completed their investigations.

1.3 If a complainant commences legal action against the School in relation to their complaint, we will suspend the Procedure in relation to their complaint until those legal proceedings have concluded.

1.4 Once a complaint has been made, it can be resolved or withdrawn at any stage.

## 2. The difference between a concern and a complaint

2.1 A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*. We encourage anyone with questions or concerns to bring these to our attention. We appreciate all feedback and suggestions to help future planning and welcome an opportunity to be able to reassure you about any concerns.

2.2 A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*. This Procedure will help you to understand how any complaint you make will be handled.

2.3 It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage and mistakes are put right.

## 3. Anonymous complaints

3.1 We will not investigate anonymous complaints under this Procedure.

## **4. Our Aims**

**4.1** In keeping with our school vision, we care about the wellbeing of any party involved in a complaint under this Procedure and we undertake to complete all steps under this Procedure in a caring and Christian way. In particular:

**4.2** Your concern or complaint will be dealt with honestly, politely and in confidence.

**4.3** Your concern or complaint will be looked into thoroughly and fairly.

**4.4** If your concern or complaint is urgent, we will deal with it more quickly.

**4.5** We will keep you up to date with progress at each stage.

**4.5** You will get an explanation and an apology if we have made a mistake.

**4.7** You will be told what we are going to do to put things right if something needs to change.

**4.8** You will get a full and clear written reply to formal complaints (see First and Second Formal Stages below) as soon as possible and within 15 school days (3 weeks) of the conclusion of any investigation at the First Formal Stage and within 10 school days (2 weeks) of the conclusion of any investigation at the Second Formal Stage.

## **5. Confidentiality**

**5.1** Every attempt will be made to ensure that both the Complainant and the School maintain confidentiality, except in exceptional circumstances. Sometimes, the circumstances giving rise to the complaint may be such that it may not be possible to maintain confidentiality (with each complaint judged on its own merit). In such circumstances, the situation will be explained to the Complainant.

## 6. Our Expectations

- 6.1 We expect that any concerns and/or complaints raised will be genuine, reasonable and handled politely.
- 6.2 School staff should not have to tolerate behaviour that is offensive, abusive, threatening or vexatious. We will follow the policy outlined in Appendix 3 to respond to any behaviour from complainants which does not meet our expectations.

## Part B: How to make a Complaint

### 7. Maintaining Trustee Impartiality

7.1 Except as directed below (where your complaint is about the Headteacher or a member of the Board of Trustees or where your complaint has been escalated to the Second Formal Stage) you should not raise your concern or complaint with individual Trustees. If your first contact is with a Trustee, he or she will refer you to an appropriate member of staff or the Headteacher. It is important that Trustees remain impartial as they may be required to sit on a panel in the event of a formal hearing under the Second Formal Stage.

### 8. Informal Stage

8.1 If you have a concern about anything we do, or if you wish to make a complaint, you can do this by telephone, in person or in writing (by letter or email). We hope that most concerns or complaints can be settled quickly and informally, either by putting matters right or by giving you an explanation or an apology where we have got things wrong. If there is something you are not happy about, or you don't understand why we are doing something in a particular way, please come in and discuss it with the class teacher or another appropriate member of staff, such as the Special Educational Needs Co-ordinator (SENCo) if it is about Special Needs.

8.2 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.

8.3 If the member of staff you speak to in the first instance is unable to attempt to resolve the matter, you should make an appointment with the Headteacher.

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

8.5 We aim to resolve informal concerns quickly; keep matters low key; enable mediation between the Complainant and the individual to whom the complaint has been referred.

**8.5** An informal approach is appropriate when it can be achieved. However, if after attempting to resolve your complaint/concern via the Informal Stage, you remain dissatisfied, you can escalate your complaint to the First Formal Stage (below).

## **1.1 First Formal Stage**

### **9. Complaints which are not about the Headteacher:**

**9.1** At any time within 20 school days (4 weeks) following your discussion with staff members at the Informal Stage, you can contact the school office to arrange a **Formal Stage** meeting with the Headteacher to explain:

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

**9.2** The Headteacher will investigate your complaint and inform you in writing of the outcome within 15 school days (3 weeks) of the date of the meeting.

**9.3** The written outcome will include:

- The steps taken to investigate your complaint.
- The reasons why the outcome has been reached.
- Where appropriate, any actions which have been or will be taken in school to address your complaint.
- Details of the appropriate person to contact to escalate your complaint to the Second Formal Stage if you are still dissatisfied (this will usually be the Chair of Trustees but may be another Trustee if the Chair of Trustees has been involved at either the Informal Stage or the First Formal Stage or is the subject of the complaint).

### **10. Complaints about the Headteacher:**

**10.1** At any time within 20 school days (4 weeks) following your discussion with the Headteacher at the Informal Stage, you can contact the school office to arrange a **Formal Stage** meeting with the Chair of Trustees to explain:

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

**10.2** The Chair of Trustees (or if necessary, another impartial Trustee) will investigate your complaint and inform you in writing of the outcome within 15 school days (3 weeks) of the date of the meeting.

The written outcome will include:

- The steps taken to investigate your complaint.
- The reasons why the outcome has been reached.
- Where appropriate, any actions which have been or will be recommended to the school to address your complaint.
- Details of the appropriate person to contact to escalate your complaint to the Second Formal Stage if you are still dissatisfied (usually another impartial Trustee who has not been involved at either the Informal Stage or the First Formal Stage).

## **11. Complaints about one of more members of the Board of Trustees:**

**11.1** A complaint about a member of the Board of Trustees can be addressed to the Clerk of the Board of Trustees, via the school office, at any time within 20 school days (4 weeks) of the occasion which has given rise the Complaint.

**11.2** The Clerk will determine who is the appropriate person to meet with you to hear your complaint. This may be the Chair of Trustees (if he or she is not the subject of the complaint); another Trustee from this school or another school; or an independent investigator.

**11.3** The Clerk will keep you updated about your complaint and expected timescales (which can vary and may be out of the school's control e.g. where an external investigator is appointed).

**11.4** You will be informed in writing of the outcome.

**11.5** The written outcome will include:

- The steps taken to investigate your complaint.
- The reasons why the outcome has been reached.

- Where appropriate, any actions which have been or will be recommended to the school to address your complaint.

**11.5** Details of the appropriate person to contact to escalate your complaint to the Second Formal Stage if you are still dissatisfied.

## **1.2 Second Formal Stage**

**12** At any time within 10 school days (2 weeks) of receipt of your First Formal Stage written outcome, you can request a Second Formal Stage investigation by completing the Complaint Form set out in Appendix 2 and submitting it to the person named in your First Formal Stage outcome. (the “Convener”).

**12.1** Please be aware that, in keeping with our desire to resolve complaints as quickly as possible, requests for a Second Formal Stage investigation received outside this time period cannot be considered.

## **13. Guidance for completing a Complaint Form**

- Make it clear in your Complaint Form whether you are asking the Second Formal Stage investigation to consider the original complaint **or** how it has been handled at the Informal or First Formal Stage.
- Ensure you include as much information (and supporting documentation or evidence as possible).
- Remember the Convener has no prior knowledge of your complaint and may not be involved with the school at all so make sure you are clear about the roles of people you name, dates, times and facts.
- The more detailed and clear your form is, the less clarification and/or investigation is likely to be needed and, as such, your complaint is likely to be resolved more quickly.

## **14. The Complaints Panel’s Preliminary Investigation**

**14.1** The Convener will arrange for a panel of three impartial Trustees to consider your complaint (the “Panel”). This may mean involving a Trustee or Trustees from another school to ensure impartiality and no prior knowledge of the complaint.

**14.2** The Panel will meet to agree whether any clarification or investigation is needed prior to a hearing or whether the documentation submitted to them is sufficient. The amount of investigation required will affect the timing of the hearing. The investigation could involve: seeking clarification from or an informal meeting with you or one or members of school staff, documents may need to be requested or witnesses interviewed.

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

**14.4** You will be notified of the suggested hearing date which will usually be within 20 school days (4 weeks) of receipt of your Complaint Form.

**14.5** Where the complaint is complex and/or external parties involved are required, it could take longer to convene a hearing.

**14.5** The Convener will keep you updated with progress and timings.

**14.6** The Convener will take into account any stated unavailability detailed in your Complaint Form. If you are unable to make the suggested hearing date **for exceptional reasons**, you should notify the Convener immediately. The Convener will take this into account and may be prepared to offer an alternative date, subject to Panel members' availability.

### **1.2.1 16. The Hearing**

**16.1** At least 5 school days (one week) before the date of the Hearing, the Convener will circulate the following papers:

- Names and status (e.g. friend, union official) of everyone who will be attending, including any witnesses.
- An outline of the format of the hearing (which will usually be similar to that set out in Appendix 4).
- Any documentary evidence which will be referred to at the hearing (redacted if necessary to remove any third-party information).

### **1.2.2 15. The Outcome**

**15.1** The Panel can:

- uphold the complaint in whole or in part, or
- dismiss the complaint in whole or in part.

**15.2** If the complaint is upheld in whole or in part, the Panel will:

- suggest appropriate action to be taken to resolve the complaint; and
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

**15.C** The Chair of the Panel (usually the Convener) will inform you in writing of the outcome within 10 school days (2 weeks) of the date of the hearing.

**15.4** The written outcome will include a full explanation of the Panel's decision and the reason(s) for it.

### **1.3 17. Next Steps**

**17.1** If, following receipt of your Second Formal Stage written outcome, you believe that the school did not handle your complaint in accordance with this Procedure or we acted unlawfully or unreasonably in the exercise of our duties under the education law, you can contact the Department for Education.

**17.2** The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made. They will consider whether Lanercost C of E Primary 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](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for  
Education Piccadilly  
Gate

## Complaints not handled under this complaint procedure

The Complaints Procedure of Great Corby School and Nursery (the Academy) covers all complaints about the provision of any services or community facilities by us, except for complaints that are dealt with under other statutory procedures, or where the Academy is not the appropriate organisation to complain to.

Please note who to complain to instead as follows:

### **Admissions to the Academy**

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.

If you cannot find your letter or want to know more about the Local Authority School Admissions Appeal process go to our school website., [School admissions - apply for a school place | Cumberland Council](#)].

### **Statutory assessments of Special Educational Needs**

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 here [Special Educational Needs and Disabilities Information, Advice and Support Service \(SENDIASS\) | Cumberland Council](#), which can be found on our school website.

Find out more about the process through, [insert link to your LA information e.g., [About Cumbria SENDIASS](#)].

If the issue requires mediation, Local Authority procedure is explained here [Dispute Resolution, Mediation and Tribunal \(cumbria.gov.uk\)](#)].

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:

First-tier Tribunal (Special Educational Needs and Disability) General enquiries

1st Floor, Darlington Magistrates Court, Parkgate, Darlington DL1 1RU

Email: [send@justice.gov.uk](mailto:send@justice.gov.uk) Telephone: 01325 289 350 Fax: 0870 739 4017

### **School re-organisation proposals**

If your complaint is about school re-organisation proposals, please raise it with your Local Authority using their standard Council 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.

### **Matters likely to require a Child Protection investigation**

Complaints about child safeguarding or protection matters are handled under our Child Protection Policy and in accordance with relevant statutory guidance.

If you are worried that a child is in immediate danger, call the Police immediately on **999**.

If you are worried that a child is at risk of immediate harm please contact the Local Authority the child lives in [Are you concerned about a child? | Cumberland Council](#) or call 0333 240 1727 24hrs] – Further information can be found on our website.

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) by going to the Local Authority Safeguarding Children Partnership (CSP) website and following the instructions or contact the Local Authority Safeguarding Hub.

### **Exclusion of children from school \***

Suspension or permanent exclusion can result from the application of our Behaviour Policy. Raising

concerns about suspension and exclusion is explained in and handled under our Suspension and Exclusion Policy and procedures. More information can be found at [www.gov.uk/school-discipline-exclusions/exclusions](http://www.gov.uk/school-discipline-exclusions/exclusions).

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

### **Whistleblowing**

We have an internal Whistleblowing procedure for all our employees, including volunteers, temporary staff and contractors.

The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus).

Volunteers or staff with concerns about this Academy should complain through our complaints procedure or Whistleblowing procedure. You may also be able to complain direct to our Local Authority or to the Department for Education (see links above), depending on the substance of your complaint. Staff and volunteers may also wish to contact [Protect \(Speak up, stop harm\)](#) – Free, confidential whistleblowing advice. Tel No: 020 3117 2520.

### **Staff grievances**

Complaints from staff will be dealt with under our Academy's internal grievance procedures.

### **Staff conduct**

Complaints about staff will be dealt with under our Academy'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 Academy premises or facilities to provide services**

Other individuals or organisations that use our premises or facilities to provide services should have their own complaints procedure to deal with complaints about them. Please contact them direct.

### **National Curriculum content**

Please contact the Department for Education at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus).

## Complaint Form

Please complete this form and return it to the Academy office in a sealed envelope marked “Private and Confidential” addressed to the Head teacher Kirsty Fox, the Chair of the Board of Trustees James Daplyn, or the Clerk to the Trustees Louise Coulthard depending on who or what the complaint is about.

They will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>			
<b>Pupil's name (if relevant):</b>			
<b>Your relationship to the pupil (if relevant):</b>			
<b>Address including postcode:</b>		<b>Daytime tel. no.:</b>	
		<b>Evening tel. no:</b>	
<b>Your email address:</b>			
<b>Please give details of your complaint, including whether you have spoken to anybody at the Academy about it and what happened:</b>			

<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>For official use only:</b>			
Acknowledgement sent by whom:			
Method e.g. email:		Date:	
Complaint referred to:		Date:	
Action taken:			
Action Date:			

## Complaint 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 meetings;
- 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 Panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Head teacher or Panel 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 Board of Trustees

The Clerk is the contact point for the complainant and the Panel 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 the Hearing, 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 Hearing within an agreed timescale;
- record the proceedings;
- circulate the minutes of the Hearing;
- notify all parties of the Panel's decision.

### Panel Chair

The Panel's Chair, who is nominated in advance of the Panel Hearing, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the Hearing;
- the Hearing 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 Hearing are put at ease. This is particularly important if the complainant is a child/young person;
- the remit of the Panel 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 Hearing;
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the Hearing or verbally in the Hearing itself;
- the issues are addressed;
- key findings of fact are made;
- the Panel is open-minded and acts independently;
- no member of the Panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- the Hearing is minuted;
- they liaise with the Clerk

## Panel Member

Panel members should be aware that:

- the Hearing must be independent and impartial, and should be seen to be so  
No Trustee may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the Hearing should be to resolve the complaint and achieve reconciliation between the school and the complainant  
We recognise that the complainant might not be satisfied with the outcome if the Hearing 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 and present during all or part of the Hearing  
Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.  
The Panel should respect the views of the child/young person and give them equal consideration to those of adults.  
If the child/young person is the complainant, the Panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the Panel should give the parent the opportunity to say which parts of the Hearing, 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 Hearing that the Panel considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.

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## Example Panel Hearing Format

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

Witnesses will only attend the part of the Panel Hearing in which they give their evidence.

The Panel may ask questions at any point or adjourn the Hearing.