Concerns and Complaints procedure

Reviewed: January 2025
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Who can make a concern or a complaint?

This concerns and 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 legitimate complaint to Shoreham Village School relating to our provision of facilities or services. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

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 the complaints procedure. Shoreham 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 listen to your views. In these cases, the Head Teacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Head Teacher 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, Shoreham Village School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Concerns should be made in the first instance, to the Class Teacher.

Complaints against Shoreham Village School staff (except the head teacher) should be made in the first instance, to the head teacher via the Shoreham Village School office**.** Please mark them as Private and Confidential.

Complaints that are about the head teacher should be addressed to the Regional Director, via the Shoreham Village School office. Please mark them as Private and Confidential.

Complaints about the Regional Director should be addressed to the CEO, via the trust office. Please mark them as Private and Confidential.

Complaints about the Chair of the Shoreham Village School Board, any individual governor or the whole Shoreham Village School Board should be addressed to the Clerk to the Shoreham Village School Board via the Shoreham Village School office. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to the Chair of Trustees, via the trust office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the Shoreham Village School office. You can also ask a third-party organisation for example 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.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the head teacher, the Regional Director or Chair of the Shoreham Village School Board, if appropriate, will determine whether the complaint warrants an investigation.

Managing unreasonable complaints

Shoreham Village School is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The School will not normally limit the contact complainants have; however, Shoreham Village School does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

For the purposes of this policy, **"unreasonable complaints"** include:

- Vexatious complaints, which:
  - Are obsessive, persistent, harassing, prolific, or repetitious.
  - Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
  - Insist upon pursuing meritorious complaints in an unreasonable manner.

    - Are designed to cause disruption or annoyance.
    - Demand for redress which lacks any serious purpose or value.
- Serial or persistent complaints, which:
    - Are duplicated, sent by the same complainant once the initial complaint has been closed.
    - Are new complaints that are submitted additionally, as part of an existing open complaint, by the same complainant.

A complaint may also be regarded as unreasonable when the complainant:

- 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 cooperate 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 they expect 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 trust's complaints procedure has been fully and properly implemented and completed, including referral to the DFE.
- Seeks an unrealistic outcome.
- Makes excessive demands on Shoreham Village Schooltime 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:

- Acts maliciously or aggressively.
- Uses threats, intimidation or violence.
- Uses abusive, offensive or discriminatory language.
- Knows the complaint to be false.
- Uses falsified information.
- Publishes unacceptable information in media such as social media websites and newspapers.

The above applies regardless of the method the complaint is made, e.g. face-to-face, by telephone, in writing or electronically.

Complainants should limit the number of communications with the 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 member of staff, local governor or trustee leading the response to a complaint will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

Serial or persistent complaints will only be marked as 'serial' once the complainant has completed the complaints procedure. It is the complaint that will be marked as 'serial', meaning the complainant can complain about a separate issue if necessary.

If the behaviour continues, the individual handling the complaint will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact The Pioneer Academy or any of its Schools causing a significant level of disruption, Shoreham Village School may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

A decision to stop responding will only be considered in circumstances where the following statements are true:

- Every reasonable step has been taken to address the complainant's concerns
- The complainant has been given a clear statement of the trust's position and their options
- The complainant contacts the trust or any of its Shoreham Village Schools repeatedly, making substantially the same points each time

If the above criteria are met, in making a decision to stop responding, the school will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about or threats towards staff, or if the school believes their intent is to disrupt or inconvenience the trust or its Schools.

Shoreham Village School will not stop responding to a complainant on the basis that they are difficult to deal with or they ask complex questions.

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 the premises.

Complaints campaigns

Where the trust becomes the subject of a complaints campaign from complainants who are not connected with Shoreham Village School, a standard, single response will be published on the Trust's website.

If Shoreham Village School receives a large number of complaints about the same subject from complainants who are connected to the Shoreham Village School, a standard, single response will be published on the Shoreham Village School's website.

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.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first Shoreham Village School day after the holiday period.

Scope of this complaints procedure

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

Exceptions	Who to contact
Admissions to Shoreham Village Schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). The contact details are: CONTACT DETAILS FOR LADO https://forms.office.com/e/YSmA5MDUQb MASH : Frontdoor@kent.gov.uk 03000 411105 03000 411111 03000 41 91 91 (out of hours)
Exclusion of children from Shoreham Village School*	Further information about raising concerns about exclusion can be found at: www.gov.uk/Shoreham Village School-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the Shoreham Village School's 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 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. Volunteer staff who have concerns about our Shoreham Village Schools or Trust should complain through the Shoreham Village 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 Shoreham Village School's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the Shoreham Village School's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

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. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against Shoreham Village School in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, Shoreham 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 Shoreham Village School policies in light of the complaint
- an apology.

Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Stage 1 – Informal concerns

It is to be hoped that most concerns can be expressed and resolved on an informal basis.

Concerns should be raised with the class teacher. 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 3 of the procedure.

The Class Teacher will provide an informal response within 5 Shoreham Village Schooldays of the date of receipt of the concern.

If the issue remains unresolved, the next step is to make a formal complaint.

Stage 2 – Formal complaints

Formal complaints must be made to the head teacher (unless they are about the head teacher), via the Shoreham Village School office. This may be done in person or in writing (preferably on the Complaint Form).

The head teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 Shoreham Village Schooldays.

Within this response, the head teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The head teacher may delegate the investigation to another member of the Shoreham Village School's senior leadership team but not the decision to be taken.

During the investigation, the head teacher (or investigator) may:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the head teacher will provide a formal written response within 10 Shoreham Village Schooldays of the date of receipt of the complaint.

If the head teacher 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 and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Shoreham Village School will take to resolve the complaint.

The head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the head teacher, the Regional Director will be appointed to complete all the actions at Stage 2.

If the complaint is about a member of the Shoreham Village School Board (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

Complaints about the head teacher or member of the governing body must be made to the Clerk, via the Shoreham Village School office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Shoreham Village School Board or
- the majority of the Shoreham Village School Board

Stage 2 will be escalated to the CEO of the Trust.

Stage 3 – Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the School. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the School office, within 5 School days of receipt of the Stage 2 response.

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 inform them of the date of the meeting. They will aim to convene a meeting within 20 School days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire School Board or
- the majority of the School Board

Stage 3 will be heard by the trustees and an independent panel member.

A complainant may bring someone along to the panel meeting 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 15 School days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 10 School days before the meeting.

Any written material will be circulated to all parties at least 5 School days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New concerns 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.

The committee will consider the complaint and all the evidence presented. The committee can:

- 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 the Committee will provide the complainant and Shoreham Village School with a full explanation of their decision and the reason(s) for it, in writing, within 5 School days.

The letter to the complainant will include details of how to contact the Department for Education (DFE) if they are dissatisfied with the way their complaint has been handled by Shoreham Village School.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Shoreham Village School will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the School premises by the proprietor and the head teacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Next Steps

If the complainant believes the School/ trust 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 DFE after they have completed Stage 3.

The DFE will not normally reinvestigate the substance of complaints or overturn any decisions made by The Pioneer Academy. They will consider whether Shoreham Village School has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

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

Academy Complaints and Customer Insight Unit
Department for Education
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

The DFE expects complainants to have completed the trust's complaints procedure before directing a complaint to them. The exceptions to this include when:

- Pupils are at risk of harm.
- Pupils are missing education.
- The DFE has evidence that the trust is proposing to act or is acting unlawfully or unreasonably.

If a social services authority decides to investigate a situation, the board of trustees may postpone the complaints procedure.

Complaints escalated to / about the Trust, CEO or Trustee

All complaints should follow the three-stage process above. Only if a complaint relates directly to the Trust, or more than one School within the trust, should it be should be sent to the CEO to be investigated.

The CEO will write to the complainant acknowledging the complaint within 3 School days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 10 School days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within 7 School days of the date that the letter was received**,** explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation

NB. Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Clerk to the Trust Board asking for the complaint to be heard before a Complaint Panel, within 5 School days.

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 inform them of the date of the meeting. They will aim to convene a meeting within 20 School days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust board or
- the majority of the trust board

Stage 3 will be heard by a completely independent committee panel.

The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, of have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

A complainant may bring someone along to the panel meeting 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 trust 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 15 School days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 10 School days before the meeting.

Any written material will be circulated to all parties at least 5 School days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New concerns 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.

The committee will consider the complaint and all the evidence presented. The committee can:

- 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 the Committee will provide the complainant and The Pioneer Academy with a full explanation of their decision and the reason(s) for it, in writing, within 5 School days.

The letter to the complainant will include details of how to contact the Department for Education (DFE) if they are dissatisfied with the way their complaint has been handled by The Pioneer Academy.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions The Pioneer Academy will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the Trust premises by the proprietor and the CEO.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Barring from the premises

Shoreham Village School premises are private property and, therefore, any individual may be barred from entering the premises.

If an individual's behaviour is cause for concern, the Head Teacher will ask the individual to leave the premises.

The Head Teacher will notify the parties involved in writing (see template letter), explaining that their implied licence for access to the premises has been temporarily revoked and why, subject to any representations that the individual may wish to make. The individual involved will be given the opportunity to formally express their views regarding the decision to bar them.

This decision to bar will be reviewed by the chair of trustees where escalated, taking into account any discussions following the incident. If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place, and when the decision will be reviewed.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including via email, to the Head Teacher or chair of trustees.

Standard of fluency complaints

As members of a public authority, all staff are subject to the fluency duty imposed by the Immigration Act 2016, which requires staff members to have an appropriate level of fluency in English in order to teach pupils.

The Trust is free to determine the level of spoken communication necessary in order for staff members to develop effective performance, but it will be matched to the demands of the role in question.

The School will be satisfied that an individual has the necessary level of fluency appropriate for the role they will be undertaking, whether this is an existing or potential new member of staff.

If a member of the School community feels that a staff member has insufficient proficiency in spoken English for the performance of their role, they are required to follow the 'Complaints procedure' outlined in this policy.

For the purpose of this policy, a **"legitimate complaint"** is one which is about the standard of spoken English of a member of staff; complaints regarding an individual's accent, dialect, manner or tone of communication are not considered legitimate complaints. All **legitimate complaints** regarding the fluency duty will be handled in line with the processes detailed in this policy.

In addition to the processes outlined in this policy, the trust will assess the merits of a legitimate complaint against the necessary standard of spoken English fluency required for the role in question.

To assess the merits, the School will undertake an objective assessment against clear criteria set out in the role specification or, against the level of fluency descriptors relevant to the role in question.

If the complaint is upheld, the School will consider what action is necessary to meet the fluency duty.

Appropriate support will be provided to staff to ensure that they are protected from vexatious complaints and are not subjected to unnecessary fluency testing.

Records of complaints regarding fluency will be kept in accordance with the processes outlined in the 'Recording a complaint' section of this policy.

Transferring data

When a pupil changes School, the pupil's educational record will be transferred to the new school and no copies will be kept.

The School will hold records of complaints separate to pupil records while a complaint is ongoing, so that access to these records can be maintained.

Information that the School retains relating to a complaint will be stored securely and in line with its Records Management Policy.

Availability

A copy of this policy will be made available on request. It will also be published on the School's website, as recommended by the DFE.

Appendix 1

Complaint Form

Please complete and return to the School office, addressed to the Head Teacher of Clerk to the Governors, marked Private & Confidential. They will acknowledge receipt and explain what action will be taken.

Your Name:	
Pupil's Name:	
Your relationship to the pupil:	
Address:	
Daytime phone number:	
Evening phone number:	
Mobile phone number:	
Email address:	
Please give details of your concern/complaint:	
What action, if any, have you already taken to try and resolve the concern/complaint? Who did you speak to and what was the response?	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details:	
Signature	
Date	

Appendix 2
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 head teacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

(this could be the a staff member or Clerk providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, head teacher, CEO, Chair of Governors, Chair of Trust or the Clerk and to ensure the smooth running of the complaints procedure
- be aware of issues regarding:

    - sharing third party information
    - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Body / Trust Board

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, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the 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
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, 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 meeting
- the 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 remit of the committee 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 meeting

- both the complainant and the School are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the School has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so - no governor / trustee may sit on the committee 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 - we recognise that 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 and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The committee 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 committee 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 committee 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 committee considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.

Appendix 3

Concerns and Complaints Process

Stage 1 - Informal stage

Informal concern is received in person, by telephone or in writing.

An informal concern is acknowledged within **3 school days** and completed within **5 school days** by the relevant member of staff – complainant is asked what action would resolve the issue. Actions are recorded.

Concern resolved

Concern not resolved

Stage 2 - Formal stage

Complainant lodges complaint to headteacher within **5 school days** of the concern not being resolved at the informal stage

Headteacher acknowledges complaint within **3 school days** and arranges a meeting with the complainant. If complaint is regarding the headteacher, Regional Director responds within **3 school days** and arranges a meeting with the complainant.

Discussion and further actions are recorded and communicated to complainant in writing, including an explanation of the decision, within **10 school days**.

Complaint resolved

Complaint not resolved

Headteacher reports outcome to School Board.

Stage 3 – Panel Hearing

Complaint lodged within **5 school days** to the Clerk. Written acknowledgement of the complaint is made within **3 school days**.

Complaints Appeal Panel meets within **20 school days** to hear the complaint with documentation circulated **5 school days** before the hearing

Complaint resolved

Complaint not resolved

Chair of Complaints Appeal Panel reports outcome to School Board.

Appendix 4
Complaints log

Stage 1 - Informal stage			
Date concern received:		Complainant name:	
Name of concern handler:		Method received by:	
Nature of concern:			
Date receipt of concern sent:		Date of arranged discussion:	
Outcome of discussion (include any findings and recommendations):			
Additional information (include, for example, details of any phone calls or other communications with the complainant):			
Date of outcome of discussion sent to complainant:		Reasons if not resolved:	
Concern resolved? (Y/N)			

Stage 2 - Formal Stage			
Date complaint received:		Date of receipt of complaint sent:	
Name of complaint handler:		Method received by:	
Date of arranged discussion			
Outcome of discussion (include any findings and recommendations):			
Additional information (include, for example, details of any phone calls or other communications with the complainant):			
Date of outcome of discussion sent to complainant:		Reasons if not resolved:	
Complaint resolved? (Y/N)			
If resolved, date reported to School Board			

Stage 3 – Panel Hearing			
Date complaint received:		Date of receipt of complaint sent:	
Name of complaint handler:		Method received by:	
Date of panel hearing:			
Outcome of Complaints Appeal Panel hearing			
Additional information (include, for example, details of any phone calls or other communications with the complainant):			
Date of outcome of panel hearing sent to complainant:		Reasons if not resolved:	
Complaint resolved? (Y/N)			
If resolved, date reported to School Board			
Next Steps			

Appendix 5a
Outcome of Stage 1 template letter

Dear name of complainant

I would like to first take the time to thank you for meeting with me to discuss the concern that you raised.

During this meeting, you confirmed that there were three concerns that formed your Stage 1 complaint. These were:
[Insert here a full list of allegations the complainant raised. These should be written clearly so that there is no ambiguity over what was said and the issues the complainant raised.]

After taking all the information and evidence into account, I have drawn the following conclusions:
[Outline your conclusions, including how you reached each decision, why you reached the decision, and any following action to be taken as a result of the meeting – each concern should be addressed individually.]

Based on the information outlined above, your concern has/has not been upheld. I hope the information provided explains clearly to you how we have come to our conclusion.

I reached this decision fully in line with the Concerns and Complaints Policy, a copy of which is attached.

If, however, you are unsatisfied with this resolution, you are entitled to raise your concern to Stage 2 and I attach the complaints form.

You have 5 Shoreham Village Schooldays to submit an application for your concern to be raised to Stage 2.

If you have any more questions regarding the details of this letter, please feel free to contact me on *email address.*

Yours sincerely,

Name
Job role

Appendix 5b
Outcome of Stage 2 template letter

Dear name of complainant,

I would like to first take the time to thank you for meeting with me to discuss the complaint that you raised.

During this meeting, you confirmed that there were three allegations that formed your formal complaint. These were:
[Insert here a full list of allegations the complainant raised. These should be written clearly so that there is no ambiguity over what was said and the issues the complainant raised.]

I have considered the following information:
[Insert here a full list of the information that you have considered to enable you to reach a conclusion.]

After taking all the information and evidence into account, I have drawn the following conclusions:
[Outline your conclusions, including how you reached each decision, why you reached the decision, and any following action to be taken as a result of the meeting – each concern should be addressed individually.]

Based on the information outlined above, your complaint has/has not been upheld. I appreciate this experience may have caused you distress and frustration, so I hope the information provided explains clearly to you how I have come to my conclusion. I am confident that, moving forward, all parties will be able to gain value from this experience and work collaboratively in the future.

I reached this decision fully in line with the Concerns and Complaints Policy, a copy of which is attached.

If, however, you are unsatisfied with this resolution, you are entitled to raise your complaint to Stage 3 and I attach the complaints form.

You have 5 Shoreham Village Schooldays to submit an application for your concern to be raised to Stage 3.

If you have any more questions regarding the details of this letter, please feel free to contact me on email address.

Yours sincerely,

Name
Job role

Appendix 5c
Outcome of Stage 3 template letter

Dear name of complainant,

I would like to first take the time to thank you for attending the appeals panel on date and providing information regarding your complaint. I appreciate that this was a sensitive matter for you to discuss, and I am grateful that you did so that we were able to carry out further investigation.

During this meeting, you confirmed that there were three allegations that formed your formal complaint. These were:
[Insert here a full list of allegations the complainant raised. These should be written clearly so that there is no ambiguity over what was said and the issues the complainant raised.]

The complaints appeal panel considered the following information:

- *Your statement to the panel*
- *The statement made from name of subject of complaint and their role*
- *The complaint investigation report*
- *The complaint outcome report*
- *The responses to questions*

We also requested the following additional information:
[Insert a list of any additional information you requested from the complainant.]

After taking all the information and evidence into account, the panel has drawn the following conclusions:
[Outline the conclusions of the appeals panel meeting, including how the panel reached each decision, why it reached the decision, and any following action to be taken as a result of the meeting – each allegation should be addressed individually.]

Based on the information outlined above, your complaint has/has not been upheld. I appreciate this experience may have caused you distress and frustration, so I hope the information provided explains clearly to you how we have come to our conclusion. I am confident that, moving forward, all parties will be able to gain value from this experience and work collaboratively in the future.

We reached this decision fully in line with the Concerns and Complaints Policy, and all stages of the policy have been completed.

If, however, you are unsatisfied with this resolution, you are entitled to appeal this decision using the Department for Education contact form available here:
https://form.education.gov.uk/service/Contact_the_Department_for_Education

Or in writing to:
Complaints Team
Department for Education

Cheylesmore House
Quinton Road
Coventry
CV1 2WT

If you have any more questions regarding the details of this letter, please feel free to contact me on email address.

Yours sincerely,

Name
Job role

Appendix 6
Barring from the Shoreham Village Schoolpremises template letter

Dear name of parent,

I regret to inform you that I have received a report about an occurrence of unacceptable conduct on date. *[Here please outline a summary of the incident, including any negative effects upon, or potential for harm towards, staff, pupils or other parents. Please note that the DfE considers staff, parents and pupils feeling threatened as sufficient cause to initiate the proceedings for a bar.]*

I must inform you that the Shoreham Village Schooldoes not tolerate conduct of this nature on its premises, and will act to protect its staff, pupils and their parents, and other members of the Shoreham Village Schoolcommunity by taking appropriate action.

In line with our Parent Code of Conduct, unfortunately, due to the nature of the incident, we therefore have to instigate the Shoreham Village School's formal procedure to temporarily withdraw your permission to enter, or be on the premises of the Shoreham Village School, for a period of time.

Please note that this includes any playgrounds, playing fields and other outdoor spaces on the Shoreham Village Schoolpremises.

The withdrawal of permission for you to enter the Shoreham Village Schoolpremises takes effect immediately. For the duration of this period, you may bring your child to Shoreham Village Schooland collect them at the end of the Shoreham Village Schoolday, but you must not go beyond the Shoreham Village Schoolgate.

If you do not comply with this instruction, we will consider this as an act of trespassing and you will be removed from the premises by a member of the governing board or by a police officer. As this trespassing would take place on educational premises, it is possible that you may be prosecuted under Section 547 of the Education Act 1996. If convicted under that section, you could be liable for a fine of up to £500, and could have a criminal conviction recorded against you.

If you have any concerns or issues you would like to raise with the proceedings outlined in this letter, I ask that you please raise these with the Shoreham Village Schoolin accordance with the Shoreham Village School's Complaints Procedures Policy within the next 10 days – a copy of which is attached for your consideration. A copy of the Shoreham Village School's Parent Code of Conduct is also attached for your consideration.

If, on receipt of your comments, I conclude that my decision to bar you from the Shoreham Village Schoolpremises remains the right and reasonable course of action, you will be supplied with details of how to pursue a review of your case.