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The school complaints policy

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Whilst we are very proud of our school, we know that no one gets things right all the time. We are committed to working with you to provide the absolute best for all our children and this includes responding quickly and proportionately to concerns that you raise.

We believe that learning is a lifelong endeavour, and we have systems in place to monitor any concerns or complaints received so that we can evaluate how quickly we resolved matters and how effective the resolution was. We use this information to improve our practices.

The following sets out how we will work with you to resolve any concerns that you raise as quickly and informally as possible. Mediation can be considered at any point in the process (see page 4).

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.

This procedure is appropriate for use not only by parents and carers but by any person who engages with the school, including members of the local community.

School Resolution (Informal Stage)

If you are concerned or unhappy with the way the school or a member of its staff has treated you, or you are concerned or unhappy with the way the school is operating its policies and procedures, then you can raise your concerns or make a complaint.

All concerns are taken seriously, and every effort will be made to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, your views will be respected. In these cases, 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.

It is understood, however, that there are occasions when people would like to raise their concerns formally. In this case, the school will attempt to resolve the issue internally, through the stages outlined within this complaints policy.

Usually, the best way to deal with a concern or complaint is for the member of staff, headteacher (or school governor if the complaint relates to the headteacher) to talk with you so that they can understand what your concern or complaint is about and take any appropriate action to put things right. The school will determine who is most appropriate to carry this out depending on the nature of the concern.

The person dealing with your concern may also want to take the opportunity to explain what has happened from the perspective of the school or staff member involved.

Low level concerns or complaints can be dealt with quickly and effectively by the headteacher or a governor using this approach, which is known as a ‘School Resolution’.

This way of dealing with your concern or complaint means solving, explaining, clearing up or settling your concern or complaint directly with you. It will not result in conduct or capability action being taken against an individual member of staff, and the complaint will be closed after the process is completed.

Resolving your complaint in this manner can help to improve the service your community receives from the school.

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 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. Governors have no power to act on an

individual basis and it may also prevent them from considering formal complaints at Stage 2 of this procedure.

Concerns or complaints against school staff (except the headteacher) should be made in the first instance to the Clerk to the Governing Board via the school office or by email to the school. Please mark them as Private and Confidential.

Concerns or complaints that involve or are about the headteacher should be addressed to the Chair of Governors, c/o the Clerk to the Governing Board via the school office or by email to the school. Please mark them as Private and Confidential.

Concerns or complaints about the Chair of Governors, any individual governor or the whole Governing Board should be addressed to the Clerk to the Governing Board via the school office or by email to the school. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure (appendix 1 on page 9). If you require help in completing the form, please contact the school office. You can also ask third party organisations such as Citizens Advice to help you.

In accordance with equality law, consideration will be given to 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

Anonymous complaints will not usually be investigated, however, the headteacher or Chair of Governors, if appropriate, will determine whether an anonymous complaint warrants an investigation.

Time scales

A complaint must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Complaints made outside of this time frame will only be considered if exceptional circumstances apply.

Complaints received outside of term time

Complaints made outside of term time will be considered to have been received on the first school day after the holiday period.

How does the School Resolution process work?

Once you have raised your concern or complaint, the person who is looking into it will contact you within 5 working days (in term time). They can arrange to talk to you face-to-face, on the telephone or via a virtual meeting, or they can contact you by letter or email if you prefer.

For your part, you will need to:

- tell the school what happened and how you felt about it
- say what action you would like to see taken as a result
- agree the process for resolving your concern or complaint

This School Resolution process is not about apportioning blame or about staff being dealt with through formal conduct or capability procedures – schools are centres of learning for everyone, and it is about learning from what has happened and working with you to make sure it doesn't happen again.

For its part, the school will:

- listen to your concerns
- explain what can happen to resolve your concern or complaint
- confirm with you the process that will be followed and who will deal with it
- if necessary, carry out a more detailed investigation into your concern or complaint. This is called a 'School Investigation' (see section on 'School Investigation' at the end of this document)
- provide information for parents and carers of children with SEND (Special Educational Needs and Disability) about how they can access support from The Devon Information Advice and Support service (this is a requirement in the SEND Code of Practice)
  www.devonias.org.uk Tel: 01392 383080, email: devonias@devon.gov.uk

What can I expect from the School Resolution?

Most concerns or complaints are not likely to involve extensive or lengthy enquiries, and therefore you should expect an approach that is proportionate to the issue you have raised.

As the School Resolution process is aimed at quickly resolving your concern or complaint and learning from it, it won't lead to conduct or capability proceedings against a member of staff. However, where appropriate, the member of staff might receive further support or training as a result.

If your concern or complaint is an expression of dissatisfaction with something the school has either done or not done, and not about an individual - for example, about the way the school operates its policies or is directed to fulfil its statutory obligations - then it will still be resolved using this 'School Resolution' approach.

Mediation

Sometimes during the handling of a complaint, communication between parents and the school can become difficult. Mediation can be a very useful way of helping people to resolve their differences and find an agreed way forward. Both parties need to agree to mediation. The school (or the parent) may suggest mediation if communication becomes a problem.

Mediation can be sought at any point during the processes of resolution and investigation. The mediation process is informal, impartial and voluntary, and aims to resolve conflicts to the benefit of all. It does not apportion blame and concentrates on developing a better understanding of each other's point of view and works to secure future relationships. The mediation process does not investigate complaints, or make recommendations for future action, but allows the parties to reach a mutually acceptable outcome in the best interests of the child and/or for resetting relationships for the future.

For more information, please contact:

Educate.educationmediation-mailbox@devon.gov.uk

What happens next?

There are different ways of dealing with the concern or complaint using The School Resolution Process. These include:

- immediate resolution by providing information face-to-face or by telephone, as you choose
- a letter from the school concluding the matter after proportionate consideration, explaining what has been done
- individual communication between you and the person your concern or complaint was about and/or a face-to-face meeting with the person your concern or complaint was about. The person your concern or complaint was about will need to agree to a face-to-face meeting taking place

When the named person has looked into your concerns you will receive further communication from the school within 10 working days of the original concern being raised. However, if the concern is complex, the person working on the School Resolution may contact you to let you know that more time is needed to look more fully into the matter.

What might happen as a result?

The school could take the following actions to resolve your concern or complaint:

- give you information or an explanation to clear up a misunderstanding
- apologise on behalf of the school
- learn from the issue, accepting that something could have been handled better and explaining what has been done to stop the same thing happening again
- arrange action by the headteacher to address an issue with a member of staff through support and development
- apologise on behalf of the person your concern or complaint was about but only if they agree to this
- arrange action by the governing board to address matters of policy or procedure

School Investigation – the formal complaints procedure (Formal stage 1)

If the complaint is about the headteacher, member of staff or one of the governors, then any letter of complaint should be addressed to the Chair of Governors c/o the school or by email to the school. If the complaint is about the Chair of Governors, then this should be addressed to the Vice Chair of Governors.

Stage 1 will be carried out by the headteacher, a delegated member of staff or a governor in the school. If the complaint relates to the headteacher the complaint will be investigated by a governor.

Although this is a formal investigation into your complaint, it will still be in the spirit of quickly reaching an effective outcome and maintaining positive and productive relationships. All parties need to work together to maintain productive relationships and establish a way forward in partnership.

This investigation may call for more information to be gathered before the person investigating can explain what has happened from the perspective of the school or the staff member involved. This way of dealing with your concern or complaint means solving, explaining, clearing up or settling your complaint directly with you, but doing so with a more detailed investigation than at a School Resolution level.

How does the School Investigation process work?

Once you have raised your concern or made your complaint, the headteacher, member of staff or governor who is looking into it will contact you within 5 working days (term time). They can arrange to talk to you face-to-face, on the telephone or they can contact you by letter or email if you prefer.

For your part, you will need to:

- tell the school what happened and how you felt about it
- say what action you would like to see taken as a result
- agree the process for resolving your concern or complaint
- agree timescales and pathways for communication

(See the complaint form at Appendix 1 on page 10.)

For its part, the school will:

- listen to your concerns
- explain what can happen to resolve your concern or complaint
- confirm with you the process that will be followed and who will deal with it
- carry out a more detailed investigation into your concern or complaint
- produce and supply all parties with a written report of the findings
- ensure that any relevant findings are taken forward to influence school practice and policy

What can I expect from a School Investigation?

Some concerns or complaints may demand more detailed and perhaps time-consuming enquiries, and therefore you should expect an approach that is reasonable and proportionate to the complaint you have made. The person investigating your concern should keep in regular contact to keep you informed of progress on the matter.

Nevertheless, the School Investigation process aims to quickly resolve your concern or complaint and identify any learning from it.

What happens next?

Your concern or complaint will be the subject of a proportionate investigation. This means that the amount of time dedicated to the matter will be in accordance with the seriousness of the matter.

At the conclusion, one of a number of things **may** follow. These include:

- resolution by providing information face-to-face or by telephone – as you choose
- a letter from the school, or the governing board, concluding the matter after a proportionate investigation and explaining what has been done
- if your complaint was about an individual, communication between you and that person organised by the headteacher or the person dealing with your complaint
- a face-to-face meeting with the person working on your concern or complaint and/or the person your complaint was about. The person your concern or complaint was about will need to agree to a face-to-face meeting taking place

The School Investigation should be completed within 10 working days when you will receive a letter explaining the findings and any actions that may need to happen as a result. However, in complex matters it may take longer. The person investigating will keep in regular contact with you to keep you informed of progress.

What might happen as a result?

The school could take the following actions to resolve your concern or complaint and will provide feedback to you on such actions:

- give you information or an explanation to clear up a misunderstanding
- apologise on behalf of the school
- learn from the issue, accepting that something could have been handled better and explaining what has been done to stop the same thing happening again
- arrange action by the governing board to address matters of school policy or procedure
- arrange feedback and support by the headteacher to address any issues arising about a member of staff and their actions or behaviour
- apologise on behalf of the person your complaint was about, but only if they agree to this

Appeal against the decision made following the school investigation

(Stage 2 of the formal process)

The School Investigation stage of this complaints procedure includes an appeal process should you not be satisfied with the outcome of the investigation.

Following our initial investigation we will write to you to let you know of your right to appeal and you will have 20 working days to let us know if you would like to do so. (This does not include school holidays).

If you decide you would like to appeal, we will invite you to attend an appeal meeting. If the date is inconvenient, we will provide an alternative date. You will also receive any paperwork that relates to the initial school investigation 7 days in advance of the appeal meeting. The Appeal Panel will be formed by three governors with no prior knowledge of your complaint.

Academies must ensure that one member of the appeal panel is independent of the management and running of the school (not a governor).

Whilst this is part of the formal complaints procedure, we aim to make the meeting as informal as possible so that all parties can put forward their views in a positive and respectful manner.

When the appeal panel has considered all the information made available to them, they will make a decision and inform you in writing of the outcome within 5 working days.

Sometimes when a complaint is very complex, and has taken a lot of time, the Governing Board may have difficulty assembling an appeal panel that fits the criteria of having had no prior knowledge of your complaint. In this case, the school may need to source an independent appeal panel to hear the final stage of your complaint.

Following the appeal panel meeting the school complaints procedure is complete. If you are still unhappy with the way the school has managed your complaint, you can submit a complaint to the Department for Education online at:
www.gov.uk/complain-about-school

Or write to:

School Complaints Unit
Department of Education
2nd Floor, Piccadilly Gate,
Store Street,
Manchester M1 2WD

Please remember that the school is committed to resolving your concerns wherever possible and that where this is proving complex, mediation is a powerful method of resolving matters. (See page 4).

Appendix 1 – example complaints form

Complaint Form			
Please complete and return to the school office in a sealed envelope marked "Private and Confidential" addressed to the Headteacher, Chair of Governors, or the Clerk to the Board, depending on who or what the complaint is about. They will acknowledge receipt and explain what action will be taken.			
Your name:			
Pupil's name (if relevant):			
Your relationship to the pupil (if relevant):			
Address including postcode:		**Daytime tel. no.:**	
		Evening tel. no:	
Your email address:			
Please give details of your 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 paperwork? If so, please give details.

Signature:		Date:	

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

Appendix 2 – Complaints not in scope

The following matters are outside the scope of this Policy, as other separate, statutory processes apply.

Admissions to schools

For school admissions, it will depend on who the admission authority is (either the school or the local authority). Complaints about admission appeals for local authority maintained schools are dealt with by the appropriate ombudsman.

School re-organisation proposals

Contact the local authority or diocese, as appropriate, in the first instance and then escalate to the DfE, if dissatisfied.

Statutory assessments of special educational needs

Concerns about statutory assessments of special educational needs should be raised directly with 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 concerns about the safety of a child, you can contact the Children's front door - formerly MASH on 03451551071 or the Emergency Duty Team if out of hours on 0845600388 or Police 999 Non-emergency 101.

The Local Authority Designated Officer (LADO) should be alerted to all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against children, or related to a child
- behaved towards a child or children in a way that indicated they may pose a risk of harm to children
- behaved or may have behaved in a way that indicates that they may not be suitable to work with children.

LADO 01392384964 http://www.devon.gov.uk/lado

Exclusion of children from school

Further information about raising concerns about exclusions is available in the School discipline and exclusion guidance.

Complaints about the application of the behaviour policy can be made through the school's complaints procedure.

Whistleblowing

We have an internal whistleblowing procedure for employees, including temporary staff and contractors.

The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers who do not want to raise matters direct with their employer. Concerns can be raised with Department for Education (DfE) using the contact form.

Volunteers who have concerns about schools should complain through the school's complaints procedure. Depending on the substance of the complaint you may also be able to complain to:

- the local authority
- The Department for Education (DfE) using the contact form

Staff grievances

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

Staff conduct complaints

Complaints about staff are 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 as a result of a complaint. However, the school will notify complainants that the matter is being addressed.

Complaints about services from other providers who may use school premises or facilities

Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.

Complaints about the curriculum

Complaints about the content of the national curriculum should be sent to Department for Education (DfE) using the contact form.

Complaints about the delivery of the curriculum are for schools to resolve through their complaints procedure. This includes:

- religious education (RE)
- sex and relationships education.

Complaints about collective worship

Complainants who are dissatisfied with the content of the daily act of collective worship (DACW) should be signposted to:

- the local authority
- the local Standing Advisory Council on Religious Education
- any other relevant body.

Withdrawal from the curriculum

Parents and carers can withdraw their child from any aspect of RE, including the DACW. They do not have to explain why. If parents or carers are not satisfied with the handling of a request to withdraw their child from RE or the DACW, you should follow the school complaints procedure. The right of withdrawal does not apply to other areas of the curriculum where religious matters may be spontaneously raised by pupils or arise in other subjects such as history or citizenship.

Complaints about how the school has handled personal data and data protection requests

If you are dissatisfied with how the school has handled your personal data or a data protection request, you have the right to make a complaint to the school by emailing admin@etwschool.com. Your complaint will be handled in line with our Data Protection Complaints Handling Procedure, available on our website. If you are not satisfied with the outcome of your complaint, you can escalate your concern to the Information Commissioner's Office (ICO) by email at casework@ico.org.uk, or by post at Customer Contact, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF. You also have the right to pursue your complaint through the courts. For information about your data protection rights, visit the ICO's website at www.ico.org.uk

Appendix 3 - Managing unreasonable behaviour.

The below provides a summary. Please see the school's full policy on Managing Unreasonable Behaviour

This organisation defines unreasonable behaviour as that which hinders our consideration of complaints, or ability to communicate with an individual effectively, because of the frequency or nature of the complainant's/individual's contact with the school, examples include if the complainant or individual:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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 forwarding information to others or requesting that someone else deals with the issue
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed, including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy or complicated contact with staff in person, in writing, by email and/or by telephone
- uses threats to intimidate
- sends rude, threatening or confrontational letters/emails
- uses abusive, racist, sexist, offensive or discriminatory language or violence
- knowingly provides falsified information
- insists on unattainable outcomes
- wants revenge or retribution
- makes demands about the way the complaint should be handled
- provides an extraordinary degree of irrelevant detail
- creates complexity where there is none and proposes unreasonable arguments

- advances irrational beliefs (e.g. seeing cause and effect where none exists)
- insists that a particular solution is the correct or only one
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school relating to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of the Governing Board 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 ask them to change it.

For complainants who excessively contact East the Water 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 be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from East the Water School.

Schools are not public places and although parents and carers have rights to attend and enter school premises for legitimate proper purposes, The Education Act of 1996 states that it is an offence for a trespasser on school premises to cause a nuisance or disturbance.

The school is entitled to withdraw the implied right a parent or carer has to enter the school, if that parent or carer is violent or aggressive. If the parent or carer then enters the premises, they are in breach of the law, and they can be prosecuted in the criminal courts.

The unreasonable behaviour policy applies to all those that engage with the school and not just to parents.