Nottinghamshire County Council

West Bridgford Junior School

School Complaints' Procedure

Date policy approved March 2025

Signed by

Date

Review date: March 2026

Contents:

1. Who can make a complaint? - Page 3
2. The difference between a concern and a complaint - Page 3
3. How to raise a concern or make a complaint - Page 3
4. Anonymous complaints - Page 4
5. Time scales - Page 4
6. Complaints received outside of term time - Page 4
7. Duplicate complaints - Page 5
8. Complaint campaigns - Page 5
9. Complaints raised using social media - Page 5
10. Mediation/facilitated discussions - Page 5
11. Scope of this complaint's procedure - Page 6
12. Withdrawal of a complaint - Page 7
13. Resolving complaints – the procedure - Page 7
14. Informal stage - Page 8
15. Stage 1 – formal complaint - Page 8
16. Stage 2 - Consideration by a governors' complaints panel - Page 10
17. Final Steps (DfE) - Page 13
18. Managing serial or unreasonable complaints - Page 13
19. Complaint form - Page 15
20. Appendix 1 - Roles and responsibilities - Page 17
21. Appendix 2 – Complaints' procedure – flow chart - Page 21
22. Appendix 3 – Managing school complaints - Page 22

1. Who can make a complaint?

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

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'*.

2.2 A complaint may be defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

2.3 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. West Bridgford Junior School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

2.4 If you (the complainant) have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Executive Headteacher or Head of School, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Executive Headteacher or Head of School 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.

2.5 We understand however, that there are occasions when people would like to raise their concerns formally. In this case, West Bridgford Junior School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

3. How to raise a concern or make a complaint

3.1 A concern or complaint can be made in person, in writing (including by email) 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. We may ask you (the complainant) for evidence of this consent.

3.2 Concerns should be raised initially with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

3.3 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 later stages of the procedure.

3.4 Complaints against school staff (except the headteacher) should be made in the first instance, to the headteacher via the school office. Please mark them as Private and Confidential.

3.5 Complaints that involve or are about the headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

3.6 **Please note that** if all (or part) of your complaint is about the conduct of a member of staff, it may have to be dealt with under the school's internal procedures and not the school's complaints policy. If this is the case, you will not be informed of any action taken against a staff member as a result of a complaint. However, you will be notified that the matter is being addressed in line with school's internal procedures.

3.7 Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

3.8 For ease of use, a template complaint form is included at the end of this procedure (Section 19). If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

3.9 Our office staff will deal with correspondence confidentially in order to reach the recipient securely and promptly (e.g. to the Chair of Governors or Clerk to Governors). This may mean that your correspondence is opened and scanned to be electronically provided to the recipient. All correspondence will be kept confidentially and appropriately in accordance with school systems and procedures.

3.10 Please note that a copy of the written complaint will be provided to the person(s) you are complaining about in order for them to be able to provide a full response. If you do not wish for the full written complaint to be provided to the person(s) you must indicate this in your written complaint or on the complaint form and state your reasons why this information should not be shared. In this case, a summary of the complaint will be agreed with the complainant and then provided to the person(s) you are complaining about in order for them to respond.

3.11 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.

4. Anonymous complaints

4.1 We will not normally investigate anonymous complaints. The Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation. However, the outcome of any investigation cannot be provided to an anonymous complainant.

5. Time scales

5.1 You must raise the complaint within 3 months of the incident or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

6. Complaints received outside of term time

6.1 We will consider complaints made during school holidays to have been received on the first school day after the holiday period.

7. Duplicate Complaints

7.1 After a complaint has been closed, if the school receives a duplicate complaint from a partner, spouse, grandparent or child, the school can inform the new complainant that the school has already considered the complaint and the school's process is now complete. If there are any new aspects to the complaint, the new aspects alone will be considered in line with the full extent of the complaints procedure. The complainant is advised to contact the Department for Education if they are dissatisfied with the school's handling of the original complaint.

8. Complaint Campaigns

8.1 If the school becomes the focus of a campaign and receive large volumes of complaints:

- all based on the same subject
- from complainants unconnected with the school

the Headteacher or Chair of Governors (if the complaints are about the Headteacher) will appoint an appropriate person to investigate the complaints. In these circumstances it may not be possible to meet with all individual complainants or correspond with them individually.

8.2 Once the investigation is concluded, the investigating person may choose to write to each complainant with an outcome, or the school can respond with a template response to all complainants, or by publishing a single response on the school website. Complainants are advised to contact the Department for Education if they are dissatisfied with the school's handling of the complaint.

9. Complaints raised using Social Media

9.1 Concerns or complaints must be raised using this complaints procedure in order to ensure the best outcome for all parties. West Bridgford Junior School will not formally respond to complaints or concerns raised on Social Media platforms but may contact individuals to guide them to use the complaints procedure and to request the removal of such content on social media in line with school social media policies.

10. Mediation/Facilitated Discussions

10.1 The purpose of this procedure is to consider and find a resolution to your concern or complaint. Mediation can provide a helpful mechanism for discussion when a concern is raised, as well as helping to rebuild relationships between parties once all of the stages of the complaints procedure have been completed. Open dialogue is usually the best way to promote understanding and hopefully find a satisfactory resolution to your concern or complaint. We may at any point in this procedure invite you (the complainant) to consider taking part in a meeting to discuss your concern or complaint so that we can explore together the best way to reach a satisfactory conclusion. As the complainant, you may also ask the school to engage in a mediation discussion. All parties must consent to attend a meeting of this nature in order for it to proceed.

10.2 In the event that a meeting does go ahead, the formal procedure will simply be "paused" at the stage it has reached, recommencing at that stage if the meeting does not result in a satisfactory conclusion. Mediation should not be used as a substitute for an investigation during the formal stages of the complaint's procedure.

10.3 If felt beneficial, a neutral third party (or parties) may be invited to facilitate or attend the discussion if agreed in advance by all parties. This could be an officer from the Local Authority or someone from the Diocese if a church school for example.

11. Scope of this Complaints Procedure

11.1 This procedure covers all complaints about any provision of community facilities or services by West Bridgford Junior School. Any third-party providers offering community facilities or services through the school premises, or using school facilities, should have their own complaints procedure in place, and complaints about these services will not be considered through this policy.

11.2 Complaints that are outside of this procedure will be dealt with under other statutory procedures, including those listed below.

Exceptions to this procedure	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals i.e. academisation, federation etc	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Nottinghamshire County Council Contact us | Nottinghamshire County Council or call the Customer Service Team on 0300 500 800. If you (the complainant) are dissatisfied with the outcome about School re-organisation please contact the Department for Education.
• 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 (the complainant) 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). Tel: 0300 500 8090. Email: mash.safeguarding@nottscc.gov.uk
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaints procedure.* *<insert link to school behaviour policy>.*
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You (the complainant) may also be able to complain directly to the Local Authority or the Department for Education (see link above),

	depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff (including from governors) will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed in line with school's internal procedures.
• Complaints about services provided by 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.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

11.3 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.

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

12. Withdrawal of a Complaint

12.1 If a complainant wants to withdraw their complaint at any stage of the procedure, we will ask them to confirm this in writing. Once received, we will confirm in writing to the complainant that this matter is now closed and the complaints process will cease. If the complainant indicates verbally that they wish to withdraw the complaint, but does not confirm this in writing, we will write to the complainant to advise them that the complaint is closed.

13. Resolving complaints – the procedure.

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

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

14. Informal Stage

14.1 Many concerns will be dealt with informally when you (the complainant) make them known to us. The first point of contact should be your child's teacher/form tutor. If your concerns are in respect of a particular member of staff, you should contact the Headteacher (or Head of Department as appropriate.) There is no need at this stage to make your concerns known in writing, but the staff member responsible for resolving the matter will keep a note of the nature of your concerns and any agreed actions.

14.2 If your concerns are about the Headteacher, a governor or a group of governors, the Informal stage of this procedure may not be appropriate and the complainant may be referred to Stage 1 of the procedure or an alternative as appropriate.

14.3 Once your concern is made known to us, we will contact you by telephone or in writing as soon as possible and we may make arrangements to meet with you to discuss your concerns and desired outcomes in more detail to gain a better understanding. Our focus in this informal stage will be to seek clarification on your concern and find a resolution. We will also consider how we can work with you positively to find a way forward. Any actions or monitoring of the situation that has been agreed will be communicated clearly and confirmed in writing to you.

14.4 If necessary, we will contact appropriate people who may be able to assist us with our enquiries into your concerns. We will normally update you on the progress of our enquiries within 10 school days. Once we have responded to your concern, you will have the opportunity of asking for the matter to be considered further. We would expect that the majority of concerns will be resolved at this early stage.

14.5 If you (the complainant) remain dissatisfied at the end of the informal stage, you should move to Stage 1 of the procedure and submit a formal complaint. After trying to resolve your concern through the informal stage we may determine that a formal approach is now required, and your concern will become a formal complaint dealt with it at Stage 1.

15. Stage 1 – Formal Complaint

15.1 This stage in our procedures deals with formal complaints or when the informal stage has not successfully reached a resolution. You (the complainant) should submit your complaint at the end of discussions to resolve your concern at the informal stage or within three months of the incident(s) occurring.

15.2 This may be done in person, in writing (preferably on the Complaint Form included in this procedure at Section 19), by email or telephone clearly stating the reason for your complaint and what resolution you are seeking.

15.3 Formal complaints must be addressed to the headteacher via the school office. If, however, your complaint concerns the Headteacher personally, it should be sent to the school office marked "for the attention of the Chair of Governors" and should be marked private and confidential.

15.4 If the complaint is about a member of the governing body (including the Chair or Vice-Chair), the complaint must be addressed to the Clerk to Governors via the school office and a suitably skilled governor/independent person will be appointed to complete all the actions at Stage 1.

15.5 If the complaint is:

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

Stage 1 will be considered by an independent investigator appointed by the governing body, Chair or Diocese as appropriate. Advice on the appointment of an independent investigator may be taken from the Local Authority or Diocese as appropriate.

15.6 If you have submitted a verbal complaint in person or by telephone, the person receiving your complaint will make a written record and this will addressed to the Headteacher, Chair or Governors or Clerk to Governors as appropriate.

15.7 We will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or by email) within 5 school days.

15.8 The acknowledgement letter will detail who will be investigating your complaint. This could be the Headteacher (or a member of the senior leadership team delegated by the Headteacher to investigate, but not reach a decision on the complaint), Chair of Governors, Complaints Governor or another suitably experienced and impartial person.

15.9 As part of our consideration of your complaint, the person investigating your complaint will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The person investigating your complaint will consider whether a face-to-face meeting is the most appropriate way of doing this.

15.10 During the investigation, the person investigating the complaint will:

- 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
- the person investigating your complaint may also be accompanied by a suitable person if they wish. A note-taker may also be present.

15.11 If the complaint centres on a pupil, we may talk to the pupil concerned and, where appropriate, others present at the time of the incident in question. Witnesses will be reminded that the statements they make, whilst confidential, may be used as evidence later in the procedure and could therefore be seen by other parties considering the complaint (e.g. Governor Complaints Panel members). It may be necessary to redact or remove the identity of the person giving the statement or any third party it may mention e.g. another pupil.

15.12 We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that they would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.

15.13 When investigating particularly sensitive or confidential complaints, all parties will need to be mindful of confidentiality and data protection and careful consideration should be given to who is accompanying parties in the investigation and how confidentiality can be maintained.

15.14 At the conclusion of their investigation, the person investigating your complaint will provide a formal written response within 20 school days of the date of receipt of the complaint. If the

investigating person is unable to meet this deadline, they will provide the complainant with an update and revised response date.

15.15 The written response to your complaint will detail any actions taken to investigate the complaint and provide a full explanation of the decision and the reasons for it. The response should detail specifically whether each element of your complaint has been dismissed or upheld in whole or in part. Where appropriate, it will include details of actions we will take to resolve the complaint. You (the complainant) may be invited to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.

15.16 If you (the complainant) remain dissatisfied with the outcome of your complaint at Stage 1, you may wish to proceed to Stage 2, as detailed below.

16. Stage 2 - Consideration by a Governors Complaints Panel

16.1 If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints panel. This is the final stage of the complaints procedure.

16.2 Within 10 school days of receiving the outcome of your complaint at Stage 1, you (the complainant) must write to the Chair of Governors (or the Clerk to Governors via the school office if the complaint is about the Chair or governing body). You may find it helpful to use the complaints form at the end of this procedure (Section 19). Requests received outside of this time frame will only be considered if exceptional circumstances apply.

You (the complainant) should:

- state specifically why you (the complainant) are not satisfied with the outcome at Stage 1
- state what resolution you (the complainant) are seeking.

16.3 If your reasons for moving to Stage 2 are not clear, the school may need to come back to you for further clarity. Your reasons for moving to Stage 2 will be shared with the Headteacher/person investigating your complaint so that they can prepare a response for the panel to consider. The Governor Complaints Panel will not normally review any new complaints at this stage or consider evidence unrelated to the original complaint. New complaints should be dealt with from Stage 1 of the procedure.

16.4 An administrator/complaints co-ordinator/clerk will be appointed who will acknowledge the date your request to move to Stage 2 was received in writing (either by letter or email) within 5 school days.

16.5 The Governors Complaints Panel is formed of three, impartial, governors with no prior involvement or knowledge of the complaint. If there are fewer than three governors from West Bridgford Junior School available, the administrator/complaints co-ordinator/clerk will source any additional, independent governors (or associate members) through another school or through their LA's Governor Services team or Diocese, in order to make up the panel. Alternatively, an entirely independent panel may be convened to hear the complaint at Stage 2.

16.6. If the complaint is:

- jointly about the Chair and Vice Chair or

- the entire governing body or
- the majority of the governing body

Stage 2 will be heard by a panel of independent governors and/or associate members appointed by the administrator/complaints co-ordinator/clerk.

16.7 Prior to the meeting, the panel will decide amongst themselves who will act as the Chair of the Governor Complaints Panel. The panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs. In most cases a meeting will be convened.

16.8 The administrator/complaints co-ordinator/clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a mutually convenient meeting within 20 school days of receipt of the Stage 2 request. If it is not possible to convene a meeting within 20 school days, the administrator/complaints co-ordinator/clerk will provide a timescale within which they expect the meeting to take place and keep the complainant informed.

16.9 If the complainant rejects the offer of three proposed dates, without good reason, the administrator/complaints co-ordinator/clerk will decide when to hold the meeting. It will then proceed on the basis of written submissions from both parties only, in the complainant's and Headteacher/investigating person's absence.

16.10 The complainant will be asked whether they wish to provide any further written material for the panel to consider. The complainant should only provide information that is relevant to their complaint and not issues that have arisen after the Stage 1 investigation findings.

16.11 The Headteacher or person who investigated the complaint (as appropriate) will also be asked to submit documentation related to the investigation and the outcome in response to the complainants request to move to Stage 2.

16.12 All parties will be asked to provide details of any witnesses that they intend to call and any companions. The complainant may bring someone along to provide support, this can be a relative or friend. It is the complainant's responsibility to gain agreement from their witnesses to take part in this process and the complainant will be responsible for communicating the arrangements of the panel meeting to their witnesses. The same applies for the Headteacher and person investigating the complaint.

16.13 As the Governor Complaints Panel meeting is not a form of legal proceeding, generally, we do not encourage either party to bring legal representatives to the panel 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.

16.14 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.

16.15 Representatives from the media are not permitted to attend.

16.16 At least 10 school days in advance of the panel meeting, the administrator/complaints co-ordinator/clerk will provide all parties with a date to submit the documentation and names of witnesses/companions which **must** be adhered to. Once all the documentation has been received, the administrator/complaints co-ordinator /clerk will collate and distribute the papers to all parties, **at the same time** at least 5 school days prior to the panel meeting. All

parties will receive copies of all the papers presented for consideration by the Governor Complaints Panel. The papers will be sent by secure email to all parties with paper copies provided on request.

16.17 The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

16.18 The administrator/complaints co-ordinator/clerk will confirm at least 5 school days in advance, the date, time and place of the meeting and who will be attending including witnesses and companions. We hope you (the complainant) will feel comfortable with the meeting taking place in the school but we will do what we can to make alternative arrangements if you prefer. You should advise, as soon as possible if you would prefer for the meeting to take place at an alternative venue to the school.

16.19 The complainant will be provided with a copy of the Procedure for the Governor Complaints Panel Meeting which explains what will happen at the hearing. The Chair of the Panel will bear in mind that the formal nature of the meeting can be intimidating for the complainant and will do their best to the complainant at their ease.

16.20 As a general rule, no evidence (documentary or otherwise) or witnesses previously undisclosed should be introduced into the panel meeting by any of the participants. If any party wishes to do so, a request must be made to the panel and, if allowed, the meeting will be adjourned so that the other parties have a fair opportunity to consider and respond to the new evidence. The adjournment will be managed by the clerk.

16.21 The chair of the panel will ensure that the meeting is properly minuted. The minutes are strictly confidential and should not be shared with parties external to the process.

16.22 The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's (or other party's) own disability or special needs require it. Prior knowledge and consent of all parties attending to record electronically must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken and all processes must adhere to Data Protection guidance/legislation.

16.23 During the meeting, the panel will consider the complaint and all the evidence presented to it. In closing the meeting, the chair will explain to the complainant that the panel will now consider its decision and that written notice of the decision will be sent to the complainant by the clerk within 5 school days. However, if this timescale cannot be met, the complainant will be advised accordingly and a new timescale determined. Upon conclusion of the meeting, the complainant, Headteacher/person investigating the complaint withdraws from the meeting to allow the panel to consider it's decision, supported by the clerk.

16.24 The Governor Complaints Panel will then consider the complaint and all the evidence presented and 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 panel 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.

16.25 The Chair of the Panel (or the Clerk on behalf of the Chair) will provide the complainant with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days. A copy of the letter will also be sent to the Headteacher, the Chair of Governors and the person who investigated your complaint (as appropriate). The letter to the complainant will also include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled.

16.26 We will keep a copy of all correspondence and notes on file in the school's records but separate from any pupils' personal records whilst the complaint is ongoing. Data will be held in line with the school data handling procedures.

16.27 If, at any stage of the complaint, it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the headteacher or the individual's line manager. Complainants are not entitled to participate in those proceedings or receive any detail about them.

17. Final Steps

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

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

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

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

18. Managing serial or unreasonable complaints

18.1 This policy can be adapted to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.

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

18.3 West Bridgford Junior School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if 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 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 seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and/or by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

18.4 You (the complainant) should try to limit your communication with the school that relates to your complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email, or via social media), as it could delay the outcome being reached.

18.5 Whenever possible, the headteacher or Chair of Governors will discuss any concerns with you (the complainant) informally before determining your behaviour/actions are unreasonable.

18.6 If your behaviour continues, the headteacher will write to you explaining that your behaviour is unreasonable and ask you to change it. For complainants who excessively contact West Bridgford Junior School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

18.7 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 West Bridgford Junior School in accordance with the Department for Education guidance on controlling access to school premises.

19. Complaint Form

Please complete and return to Executive Headteacher or Head of School who 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: **Postcode:** **Day time telephone number:** **Evening telephone number:** **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:**
Official use
Date acknowledgement sent:
By whom:
Complaint referred to:
Date:
Please note that a copy of the written complaint will be provided to the person(s) you are complaining about in order for them to be able to provide a full response. If you do not wish for the full written complaint to be provided to the person(s) you must indicate this in your complaint/ complaint form and state your reasons why this information should not be shared. In this case an agreed summary of the complaint will then be provided to the person(s) you are complaining about in order for them to respond.

20. Appendix 1 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.

The Role of the 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 that sets out the facts, identifies solutions and recommends courses of action to resolve problems

Complaints Administrator/Co-ordinator (This could be the headteacher / designated complaints governor or other staff member or governor providing administrative support)

The complaints administrator/co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaint's 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 Complaints Panel

The Clerk may be the contact point for the complainant and the governor complaints 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, 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 in minutes
- circulate the minutes of the meeting
- notify all parties of the panel's decision

Chair of the Governor Complaints Panel

The Chair of the Governor Complaints Panel, who is nominated in advance of the panel 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 panel meeting 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 Data Protection Act 2018 or General Data Protection Regulations.
- 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 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 meeting is minuted
- they liaise with the Clerk.

Governor Complaints Panel Members

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it or have any family/personal connection with the complainant.
- 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/you (the complainant)ng 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 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 panel considers is not in the child/young person's best interests.
- **the welfare of the child/young person is paramount.**

Witnesses Role

At stage 1, the person investigating the complaint may ask the complainant, and those responding to the complaint, whether there are any witnesses that should be included in the investigation process. It is the decision of the person investigating the complaint to determine which witnesses they will speak to as part of their investigation.

Witnesses at stage 1 should be advised that they can be accompanied at the meeting with the person investigating the complaint, if they so wish. They should also be advised that a record of their witness statement will be made and may be shared with other parties if the complaint were to be moved to stage 2 of the procedure. Witnesses can often be very helpful in establishing the facts, but it must be noted that they cannot be compelled to attend the proceedings. Due to confidentiality, witnesses will not be provided with any information about the complaint, other than details relevant to the evidence that they are being asked about.

See paragraphs 15.11 and 15.12 regarding interviewing pupils.

At stage 2, governor complaints panel meeting, witnesses can be called by either the complainant or person(s) responding to the complaint. Witnesses cannot be compelled to attend a stage 2 panel meeting. Witnesses can be accompanied at the complaints panel meeting if they so wish. The witness will only be present at the meeting to present their evidence and answer any questions. It is the responsibility of the party who is calling the witness to invite them to the meeting and ensure that the witness is aware of the arrangements including the date and times and the procedures that the meeting will follow and the expectations regarding behaviour.

Careful consideration must be given to the number of witnesses called to a stage 2 panel meeting so that the process can be completed in an effective and timely manner. Parties may wish to consider asking witnesses to submit written statements as part of the stage 2 process.

Witnesses must ensure that they maintain confidentiality throughout their involvement in the complaint.

Please note that witnesses are not able to fulfil a dual role of being a witness and a companion.

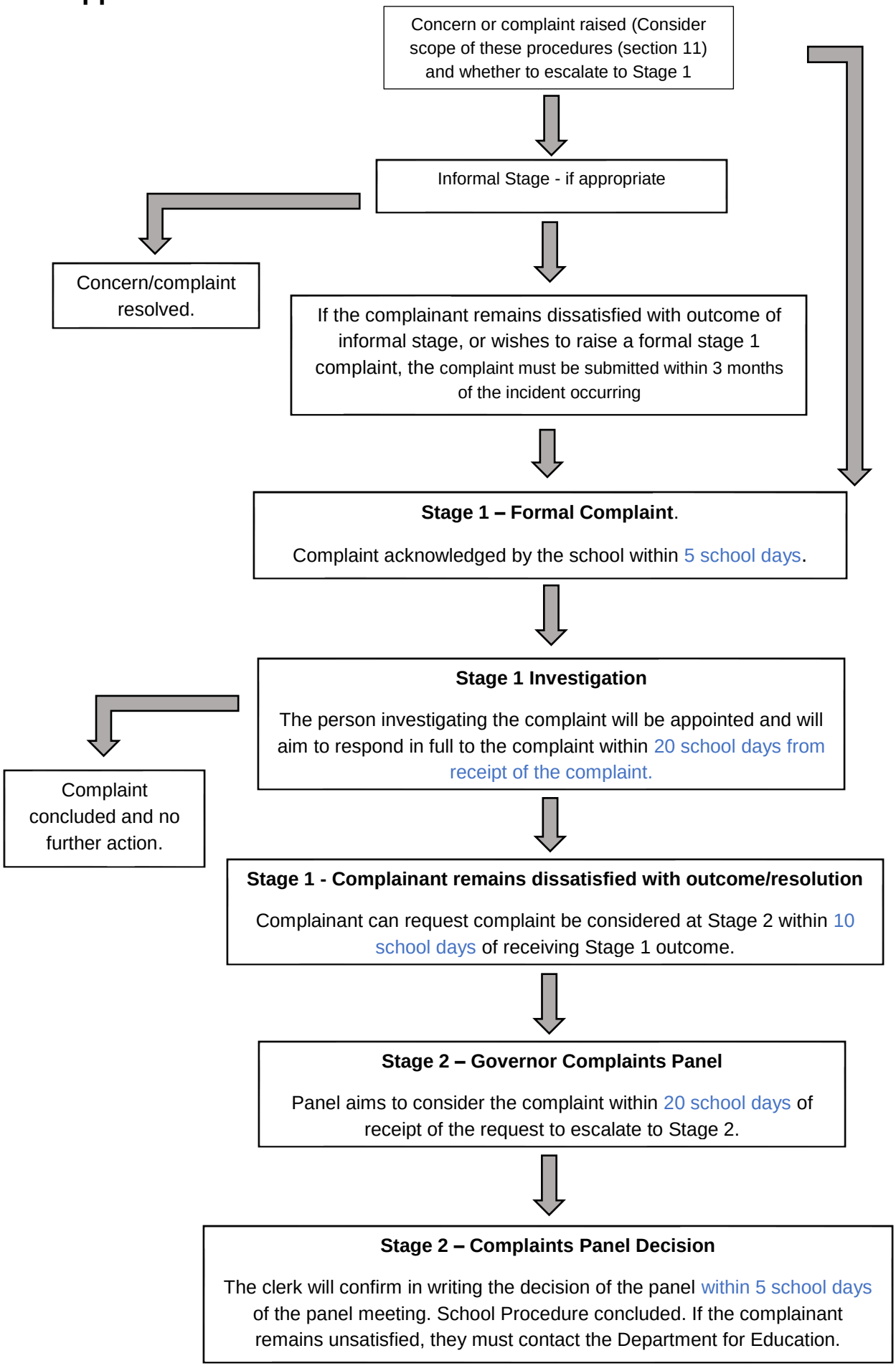
Companion Role

Complainants, respondents and witnesses may wish to be accompanied during the complaints process. Companions should be there in a supportive role and should not normally be speaking for the person they are accompanying, unless an individual's needs, or circumstances require this. Please refer to paragraph 16.13 regarding legal representation.

Please note that companions are not able to fulfil a dual role of being a companion and a witness.

Appendix 2

21. COMPLAINTS PROCEDURE



Appendix 3

22. WHO MANAGES SCHOOL COMPLAINTS – SUMMARY GUIDE

Complaint relates to:	**Informal**	**Stage 1 Formal** (Investigation)	**Stage 2 Complaint Panel**
Pupils, parents or staff (other than the Headteacher)	The appropriate member of staff. (Any concerns about staff conduct may be considered under HR procedures)	Headteacher or other Senior Manager	Governor Panel (The panel could include governors/associate members from another school).
The Headteacher	Chair of Governors A Stage 1 investigation may be more appropriate. (Any concerns about Headteacher conduct may be need to be considered under HR procedures)	The Chair of Governors, Complaints Governor or impartial person.	Governor Panel (The panel could include governors/associate members from another school).
A Governor or group of Governors (other than the Chair of Governors)	Any concerns about governor conduct should be dealt with as per the Governor Code of Conduct at an informal stage. Formal complaints should be dealt with at Stage 1.	Chair of Governors or another nominated non-staff governor (which could include a governor/associate member from another school).	Governor Panel (The panel could include a governors/associate members from another school).
The Chair of Governors (or a group of governors including the Chair of Governors)	Any concerns about governor conduct should be dealt with as per the Governor Code of Conduct at an informal stage. Formal complaints should be dealt with at Stage 1.	Vice chair of Governors or another nominated non-staff governor (which could include a governor/associate member from another school).	Governor Panel (The panel could include a governors/associate members from another school).
The whole governing body	Any concerns about governor conduct should be dealt with as per the Governor Code of Conduct at an informal stage. Formal complaints should be dealt with at Stage 1.	School to refer the complaint to Nottinghamshire County Council Governor Services who will nominate an investigating officer.	Nottinghamshire County Council Governor Services to nominate an independent panel of governors or associate members.