



# **THE CEDAR FEDERATION IFIELD SCHOOL & KING'S FARM PRIMARY SCHOOL**

## **COMPLAINTS PROCEDURE POLICY**

Date: Autumn 2021  
Review Date: Autumn 2023

## Section 1

### The Cedar Federation Complaints Procedure

#### **Aims and principles of the policy**

This policy aims to:

- Encourage the resolution of concerns and complaints by informal means wherever possible
- Ensure that concerns are dealt with quickly, fully and fairly within defined time limits wherever possible
- Provide effective and appropriate responses to concerns and complaints
- Maintain good relationships between the school and all those involved

The Cedar Federation is committed to providing the very best education for our young people and want our pupils to be healthy, happy and safe and to do well. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We are aware that there may be occasions where people have concerns or complaints and the procedures set out in this policy outline the steps that should be followed in order to resolve these as promptly, fairly and informally as possible.

Key principles of this policy are:

- **Accessibility** – the policy will be available on the school’s website and also can be requested from the school office. It will be in a useable format, free from jargon and will assume no specialist knowledge
- **Good communication** – the school will be happy to explain the process for dealing with concerns and complaints
- **Timescales**- there will be clear timescales which the school will make every effort to adhere to. Where timescales have to change, we will ensure complainants are advised of the delay and reasons for this and are given clear revised timescales.
- **Clarity** – over roles and responsibilities of those involved in the process and clarity around the desired outcome for the complainant
- **Confidentiality**- appropriate confidentiality will be maintained by all those involved (including school staff and governors).

## **Guiding Legislation**

School governing bodies are required under Section 29 of the Education Act 2002 to have in place a procedure for dealing with complaints relating to the school. Sometimes when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following lists specific topics and the correct policy to refer to should you have a concern or complaint. You can access these policies on the school website or ask for a copy from the school office.

- Admissions Policy
- Exclusions Policy
- Special Educational Needs Information Report
- Staff Grievances / Discipline / Bullying and Harassment Policy
- Safeguarding and Child Protection Policy
- Whistleblowing Policy
- GDPR & Data Protection Policy
- Equality and Diversity Policy

## **Who can make a complaint?**

This complaints procedure policy 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 Ifield School or King's Farm Primary 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.

## **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.

Ifield School and King's Farm Primary School take concern seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, you will be referred 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, Ifield School and King's Farm Primary 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 by parents, carers (including parents or carers of children no longer at the school) and members of the public, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

**Concerns** should be raised with the class teacher/form tutor/head of year in the first instance. At this stage informal mediation may be offered. While this can be useful in helping the school and complainants reach an agreement and move forward, there are times when it may not be the most appropriate course of action.

It is expected that all complaints will be referred to the school where the complaint arises from in the first instance and that all stages will be pursued before considering a referral to the Secretary of State for Education (DfE Complaints Unit) if a complainant feels that their complaint has not been dealt with appropriately or remains unresolved.

Complainants are encouraged to follow through each stage of the procedure, as appropriate, in order to resolve their concerns. Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

**Anonymous complaints**

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

**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 school day after the holiday period.

**Our partnership with Kent Special Educational Needs Trust**

The Governing Body have a reciprocal agreement with KSENT so that in certain circumstances a complaint reaching Stage 3 of the process may be dealt with by a panel consisting of, or including, Governors from the KSENT board. In following best practice, the Local Authority has an expectation that Governing Bodies make arrangements to put Joint Panel Agreements in place.

**Scope of this Complaints Procedure**

This procedure covers all complaints about any provision of community facilities or services by Ifield School and King’s Farm Primary School other than complaints that are dealt with under other statutory procedures, including those listed below.

<b>Exceptions</b>	<b>Who to contact</b>
<ul style="list-style-type: none"> <li>• Admissions to schools</li>   <li>• Statutory assessments of Special Educational Needs</li> </ul>	<p>For concerns about admissions please see the School’s Admissions Policy or contact Kent County Council Admissions team</p> <p>Special Educational Needs: The Complainant can use this policy to complain unless the Complainants child has an Education Health and Care Plan and the Complainant wishes to appeal against a decision that the Local Authority has taken. If this is the case, the Complainant needs to contact the Local Authority</p>

<ul style="list-style-type: none"> <li>• School re-organisation proposals</li> </ul>	<p>School re-organisation proposals should be raised with the <a href="#">KCC Contact Centre 01622 671411</a></p>
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p>
<ul style="list-style-type: none"> <li>• Freedom of Information</li> </ul>	<p>Subject Access Requests and Freedom of Information Requests: please see the School's Data Protection and Freedom of Information Policies</p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. &lt;link to school behaviour policy&gt;</i></p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>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. <i>&lt;school should check that their Whistleblowing Policy matches the guidance referenced in this policy&gt;</i> Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p> <p>Anonymous complaints: Please refer to the School's Whistleblowing Policy</p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Staff grievance, capability or disciplinary; these are covered by separate School Policies and Procedures</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>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</p>

	that the matter is being addressed.
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

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 a complainant commences legal action against [lfield School](#) or [King’s Farm Primary School](#) in relation to their complaint, we will suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

The governing body will appropriately monitor the nature of the complaints received over each academic year to inform practice and potential improvements to procedures and policies within the school.

## Recording Complaints

**For ease of use, a template complaints form is included at the end of this procedure.**

Schools must ensure that they comply with their obligations under the Equality Act 2010. It is common practice to ask for complaints to be made by using a complaint form or in writing, however the complainant may have communication preferences due to disability or learning difficulties and schools must allow alternative methods of contact:

- A complaint may be made in person, by telephone, or in writing;  
In order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls should be kept and a copy of any written response added to the record. Where there are communication difficulties, schools may wish to use recording devices to ensure the complainant is able to access and review the discussions at a later point.

Schools should record the progress of the complaint and the final outcome. The Headteacher should be responsible for these records and hold them centrally.

Schools should be aware that complainants have a right to copies of these records under the Freedom of Information and Data Protection Acts.

## **Safeguarding**

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy.

## **Social Media**

In order for complaints to be resolved as quickly and fairly as possible, we ask that complainants do not raise concerns or discuss them publicly via social media. Complaints will be dealt with confidentially by the school and we expect complainants to observe confidentiality also.

## **Complaints that result in staff capability or disciplinary**

If at any formal stage of a complaint it is determined that staff disciplinary or capability proceedings are necessary, the details of any action will remain confidential to the Headteacher. The complainant is not entitled to participate in the process or receive any detail about the proceedings.

## **Complaints about the Executive Headteacher or the Governors**

Where a complaint concerns the actions of the Headteacher, the complainant should first approach the Headteacher in an attempt to resolve the issue informally. If the complainant is not satisfied with this outcome they should notify the Chair of Governors care of the Clerk to the Governing Body that they wish to take a complaint forward. The Stage 2 process will then commence and *the Chair of Governors* will take the process forward.

Where a complaint concerns a Governor, the complainant should notify in writing the Chair of Governors care of the Clerk to the Governing Body. Where a complaint concerns the Chair of Governors this should be made in writing to the Clerk of the Governing Body.

All correspondence should be marked as private and confidential.

## **Duplicate complaints**

After closing a complaint at the end of the complaints procedure, if the school receive a duplicate complaint from:

- a spouse
- a partner
- a grandparent
- a child

The school will inform the new complainant that the school has already considered that complaint and the local process is complete. The school will advise the new complainant to contact the Department for Education should they be dissatisfied with the school's handling of the original complaint.

Any new aspects to the original complaint will be investigated and dealt with to the full extent of the complaints procedure.

## **Section 2**

### **The Stages of the Complaints Process**

#### **Raising Concerns**

The complainant should start by sharing their concern with the class teacher or form tutor. This is usually the best and quickest way of resolving issues. In some cases, the class teacher may feel it more appropriate to refer the complainant to a more senior or experienced member of staff who will try to resolve the concern informally. This may include the key stage leader, or a member of the school's senior leadership team.

- *It is recommended that the complainant makes an appointment to speak to the class teacher or form tutor as soon as possible as this will give both parties the opportunity to talk about the issue without being interrupted*
- *It is important to recognise that schools are busy organisations and may not be able to offer an*

*appointment straight away*

- *The purpose of this meeting should be to establish the nature of the concern and to seek a resolution to the problem*
- *It is good practice for the class teacher or form tutor to make a brief written record of the concerns raised and any actions agreed*
- *They may need to talk to others before they can respond to you. The Complainant should be given a timescale for a response, e.g. five working days.*

The majority of concerns can be dealt with without resorting to the complaints procedure. Where the complainant has a concern or query about any aspect of the school or their child's education or wellbeing, raise this with their child's class teacher in the first instance. Ideally, they will be able to address the complainant's concerns immediately or can arrange a meeting with them to discuss the issue. The key stage lead/ Assistant Headteachers in the case of King's farm primary school, can also support at this stage. At this stage informal mediation may be offered. While this can be useful in helping the school and complainants reach an agreement and move forward, there are times when it may not be the most appropriate course of action.

Mediation can:

- provide a helpful mechanism for discussion when a concern is raised
- help to rebuild the relationship between all parties

This is not used as a substitute for an investigation during the formal stages of the complaints procedure.

If neither the complainant nor the school considers that mediation will serve any practical purpose at this point, the complainant will not be prevented from moving to the next investigative stage of the complaints procedure.

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

All concerns will be dealt with confidentially, although it may be necessary to take notes if the matter may need to be taken further or may arise again in the future.

## Resolving complaints

At each stage in the procedure, The Cedar Federation 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.

## Withdrawal of a Complaint

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

## Stage 1 – Formal Written Complaint

If the complainant feels dissatisfied with the outcome of discussions with the class teacher or form tutor, they should then contact the Headteacher or member of the Senior Leadership Team either by arranging an appointment to see them or by putting your complaint in writing. *The complainant may use the form attached as appendix 2 to do this.*

If the complainant is not using the form, their letter should set out clearly the concern and why they feel the issue has not been resolved through informal channels. It is also helpful if the complainant can set out what resolution they are seeking.

The Headteacher/senior leader will consider the complaint and in doing so will:

- Establish what has happened so far, and who has been involved;
- Meet or contact the complainant if they need further information;
- Clarify how the complainant may feel things could be put right if this has not been set out in their letter or included on the complaints form;
- Interview those involved in the matter and those complained of, allowing them to be accompanied

if they wish;

- Conduct any interviews with an open mind;
- Keep notes of any interview for the record.

The Headteacher/senior leader will keep in mind ways in which the complaint can be resolved. It may be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better (please note this is not an admission of negligence)
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review policies and practice in light of the complaint.

It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated.

The Headteacher/senior leader will discuss the outcome with the complainant and should send a detailed written response within a maximum of 20 school days. Where this proves to be unrealistic, the complainant will be informed in writing and given an estimate of how long it will take to provide a detailed response.

## **Stage 2 – Formal Written Complaint to Governors**

Where the complainant is unhappy about the decision the Headteacher/senior leader has made about their complaint, this does not become a complaint about them. However, the complainant will be advised of their entitlement to take their original complaint to the next stage by writing to the clerk to the governing body as soon as possible after receiving the decision, briefly outlining the content of the complaint.

Where the complaint is about the actions of the Headteacher this stage will be undertaken by a member of the governing body.

When writing the initial letter to the Chair of Governors (using the form at the end of this procedure) the complainant should seek to include details that might assist the investigation, such as witnesses, dates and times of events and copies of relevant documents.

A request to escalate to Stage 2 must be made to the Clerk via the school office, within 5 school days of receipt of the Stage 1 response.

The Chair of Governors should write to the complainant within 5 school days of receipt of their letter, setting out who is conducting the investigation and that the investigator will write to the complainant within a further 20 school days setting out the actions taken to investigate the complaint and their findings. However, the investigation period for a more complex complaint could be longer than 20 days. The complainant should be advised if this is the case.

The Chair of Governors will be responsible for carrying out an investigation or appointing another governor to carry out the investigation who will then reach a conclusion based on the investigation. The involvement of the Local Authority should be sought where the issues cannot be resolved internally by the school or the expertise of carrying out investigations is required. Notes should be kept of any interviews held as part of the investigation. In order to clarify the specific details of the complaint, the nature of the complaint and any background to the complaint the investigating governor may feel it necessary to meet with the complainant. The Investigating Governor should produce notes of this interview.

Before the Investigating Governor interviews a member/s of staff, they must be informed that they may be accompanied by a colleague.

At the conclusion of their investigation the Investigating Governor will compile a report detailing their findings and any recommendations or proposed actions.

Once satisfied that the investigation has been concluded and they have reached a decision on the complaint, the Investigating Governor or in the case of an independent investigation, the Chair of Governors, will notify the complainant in writing of their conclusions and any actions that will be taken as a result of the complaint (except where this would involve taking any formal action against individual members of staff which would remain confidential). This should be done no later than 20 school days as set

out above. The Investigating Governor may feel it appropriate to meet with the complainant to communicate their findings.

The outcome of the investigation would usually be one of the following but not limited to:

- The evidence indicates that the complaint was substantiated and therefore upheld and an apology given;
- The complaint was substantiated in part or in full which may include details of how the school may improve future practice (some details would be given of the actions the school will take in response to the complaint except where they may be of a disciplinary or other such nature relating to an individual member of staff);
- There is insufficient evidence to reach a conclusion so the complaint is inconclusive;
- The complaint is not substantiated by the evidence and therefore not upheld;

At this stage the complainant will be told that consideration of the complaint by the Chair of Governors at Stage 2 is now concluded. Where the complainant is unhappy about the decision the Chair of Governors or Investigating Governor has made about their complaint, this does not become a complaint about the Chair of Governors/ Investigating Governor, however, the complainant will be advised of their entitlement to take their original complaint to the next stage by writing to the Clerk to the Governing Body as soon as possible after receiving the decision, briefly outlining the content of the complaint and requesting that a Governor Complaints Panel is convened. See Stage 3 below.

### **Stage 3 – Governor Complaints Panel**

If the complainant is not satisfied with the response of the Headteacher/senior leader or Chair of Governors, (for a complaint specifically about the Headteacher) which has not been resolved in the stage above then they must write to the Clerk to the Governing Body via the school office, within 5 school days of receipt of the Stage 2 response. The complainant must briefly outline the complaint and requesting that a Governor Complaints Panel is convened and marking any envelope or email “urgent, private and confidential”. The name of the clerk to governors can be found on the school website.

The Chair of Governors or Clerk to the Governing Body will acknowledge receipt of the letter within 5 school days. The acknowledgement will inform the complainant that three members of the school’s governing body (which may include a comprise of Governors from the KSENT board with whom the school

has a reciprocal agreement in place) will hear the complaint within 20 working days of receiving the complaint. The letter will invite the complainant to attend also explain that the complainant has the right to submit any further documentation relevant to the complaint.

- The complainant may bring a friend or someone else for support.
- The Department for Education recommend that neither the complainant nor the school bring legal representation. These committees are not a form of legal proceedings. The aim of the governors committee should be:
  - reconciliation
  - to put right things that may have gone wrong
- Representatives from the media are not permitted to attend.
- For complaints specifically about the Headteacher, the Chair of Governors will arrange for the complaint to be investigated, either by them or by an appropriate independent investigator.
- A meeting of the Governors Complaints Panel will be convened. No governors with prior involvement in the issues complained about will be included on the panel and it may be necessary to use reserves (previously agreed by the Governing Body) to ensure the Panel can meet within the set time. An experienced governor will chair the panel meeting. The clerk of the complaints panel will contact the complainant with the arrangements.
- At least 10 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. 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.
  - request copies of any further written material to be submitted to the committee at least 7 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 complaints must be dealt with from Stage 1 of the procedure.

- 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 Ifield School or King's Farm Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 15 school days.
- The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by The Cedar Federation along with copies of the minutes. If it is not possible to meet these timescales then the clerk of the panel will contact both parties to discuss a mutually convenient date. Further information on how the panel operates and the process is attached at appendix 3.

**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 an entirely independent committee. 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 systems or procedures to prevent similar issues in the future.

The Chair of the Independent Committee will provide the complainant and Ifield School or King's Farm Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 15 school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by The Cedar Federation along with copies of the minutes.

#### **Stage 4 – Escalation to Secretary of State for Education**

If the complainant remains unsatisfied by the outcome of the governor's panel, they will be advised to contact the Secretary of State for Education. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably.

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Ifield School or King's Farm Primary School. They will consider whether Ifield School or King's Farm Primary School has adhered to education legislation and any statutory policies connected with the complaint.

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

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

## **Policy for managing serial and unreasonable complainants**

The federation 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 the 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.

The Federation defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

### **Examples: A complaint may be regarded as unreasonable when the person making the complaint:**

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with 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 the complainant expects 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 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, 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 person making the complaint does so either face-to-face, by telephone or in writing or electronically: -**

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Head of School or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Head of School will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing

a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from school premises.

## **Barring from the School Premises**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If an individual's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the individual the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the individual, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

## **Dealing with complaints by Parents or Carers on Social Networking Sites**

The Cedar Federation will follow current KCC guidance in establishing the required procedure for dealing with complaints on Social Networking Sites.

[http://www.kelsi.org.uk/data/assets/word\\_doc/0016/60820/Dealing-with-complaints-against-schools-by-parents-or-carers-on-social-networking-sites.docx](http://www.kelsi.org.uk/data/assets/word_doc/0016/60820/Dealing-with-complaints-against-schools-by-parents-or-carers-on-social-networking-sites.docx)

Single Equalities Scheme Impact Assessment (Equalities Act 2010)

This policy has been developed to ensure that there is no negative or adverse impact on any individual or group in terms of disability, race, belief, gender, sexual orientation or age. All opportunities for potential positive impact on individuals, groups and the community are embedded within the ethos, vision and values of the school.

***The Cedar Federation is committed to achieving Best Value in all decisions made. We use the principles of Best Value as they apply to securing continuous improvement in these schools.***

**Date: Autumn 2021**

**Review Date: Autumn 2023**

**Signed by Chair of Governors: .....**

**Signed by Headteacher (Ifield): .....**

**Signed by Headteacher (King’s Farm) .....**

**Signed by Chair of Finance & Resource Management Committee: .....**

## Appendix 1

### Concern Form

Please complete and return to *either class teacher/form tutor/key stage lead* 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:
Please give details of your concern, including whether you have spoken to anybody at the school about it.

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Concern referred to:

Date:

**Complaints Form**  
**Appendix 2**

Please complete and return to either key stage lead, or a member of the senior leadership team, who will acknowledge receipt and explain what action will be taken. The Headteacher will be notified immediately.	
Your Name	
Pupil's Name (if relevant)	
Your relationship to the pupil (if relevant)	
Address	
Postcode	
Daytime Tel Number	
Evening Tel Number	
Please give details of your complaint here, including whether you have spoken with anyone at the school about it. Also state the date of the issue that you are complaining about.	
What actions, if any have you taken to try and resolve your complaint?	
What actions do you feel might resolve the problem?	
Are you attaching any paperwork? If so, please give details	
Signature	
Date	
<b>For Office Use only</b>	
Date acknowledgement sent	By Whom
Complaint referred to:	Date

## Appendix 3

### Governor Complaints Panel procedure

- At the panel hearing:
  - The complainant will have the opportunity to present their complaint.
  - The Headteacher (or investigating governor) will explain the school's position.
  - Those present will have the opportunity to ask questions.
  - Panel members will have the opportunity to ask questions of the complainant and the Head of School.
  - The Head of School (or investigating governor) will be given the opportunity to make a final statement to the panel.
  - The complainant will be given the opportunity to make a final statement to the panel.
  - The chair will ask the complainant if he or she feels they have had the opportunity to say everything they wish to say.
- The Chair of the Panel has responsibility to ensure that detailed minutes are taken.
- The Chair of the Panel will explain to the complainant and Head of School that the Panel will consider its decision and that a written decision will be sent to both parties within 15 working days. The complainant, Head of School, other members of staff and witnesses will then leave.
- The Panel will then consider the complaint and all the evidence presented and
  - Agree a decision on the complaint;
  - Decide upon the appropriate action to be taken to resolve the complaint; and
  - Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.
- A written statement clearly setting out the decision of the Panel must be sent to the complainant and Head of School or investigating governor. The letter to the complainant should also advise how to take the complaint further.
- The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.