

COMPLAINTS POLICY AND PROCEDURE FOR PARENTS AND PUPILS

Policy last reviewed by:	Rachel Thompson
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Approved by:	Pending Approval by Board of Governors
Date approved:	

This policy should be read in conjunction with:

- Parent Terms and Conditions
- [Behaviour Policy](#)
- [Parents' Handbook](#)
- Safeguarding and Child Protection Policy
- Exclusions Policy

1. Policy

This policy and procedure is for the benefit of pupils, and parents of pupils, at the City Junior School ('the School'). This policy and procedure will be relied upon in respect of all complaints by parents and pupils made against the School except in respect of:

- a) child protection allegations where a separate policy and procedure applies;
- b) expulsions where a separate policy and procedure applies; and
- c) appeals relating to internal assessment decisions for external qualifications (where applicable) where a separate appeals procedure applies.

Complaints made by members of the public about the School will be dealt with under the City of London Corporation Complaints Procedure.

The School expects that most concerns can be resolved informally and will use their best endeavours to resolve any complaints that are made informally, or any concerns that are raised, on that basis. If informal procedures fail to resolve the issue, a formal complaint about

any matter not involving child protection allegations, internal assessment decisions or a decision to expel or remove a pupil, must be stated courteously in writing to the Head and will be dealt with under this City Junior School's Complaints Policy and Procedure.

This policy and procedure is for parents and is available, on request, to pupils, the parents of pupils and prospective pupils of the School (although parents of prospective pupils are not entitled to use the policy and procedure). Details of the complaints procedure and the number of complaints registered under the formal procedure during the preceding school year are published on the School's website. While pupils may, themselves, raise concerns and complaints under this policy and procedure, the School will involve parents should this occur.

This policy and procedure in no way overrides the right of the School to act in accordance with the School's Terms and Conditions agreed by parents upon enrolment of their child as a pupil in the School, although parents are not prevented from raising concerns or complaints pursuant to this policy and procedure where they are of the reasonable view that the School has not acted in accordance with the School's Terms and Conditions.

Please Note: Parents can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially. Correspondence, statements and records will remain confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education Act 2008 (as amended) requests access to them or where any other legal obligation prevails.

For the avoidance of doubt, the term "Confidentially" in this policy applies as between the complainant and the School, which includes individual staff and governors, where appropriate, on a need to know basis. The school will not accept and cannot investigate anonymous complaints. Where a teacher is at the centre of any complaint(s), he/she will need to be consulted as part of the investigation.

2. Timeframe for Dealing with Complaints

All complaints will be handled seriously and sensitively. They will be acknowledged within five working days if received during term time and as soon as practicable during holiday periods. It is in everyone's interest to resolve a complaint as speedily as possible. Details of response times for each stage of the procedure, including response times for complaints received during the school holidays or shortly before the commencement of a school holiday are set out below.

The school's target is to complete the first two stages of the procedure within 30 working days if the complaint is lodged during term-time and as soon as practicable during holiday periods.

Stage 3, the Appeal Panel Hearing, will be completed within a further 30 days, if the appeal is lodged during term-time and as soon as practicable during holiday periods.

Stage One - Informal Resolution

1. It is hoped that most complaints and concerns will be resolved quickly and informally.
2. If parents have a concern they should normally contact their child's Form **Teacher**. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form **Teacher** cannot resolve the matter alone, it may be necessary for **them** to consult **their Head of Year, an Assistant Head**, the Deputy Head or the Head, depending on the nature of the matter. Matters of an academic nature may require involvement from the Assistant Head (Academic), whereas matters of a pastoral nature may require involvement from the Assistant Head (Pastoral).
3. Complaints made directly to a Head of Year, the Assistant Head (Academic), the Assistant Head (Pastoral), the Deputy Head or the Head will usually be referred to the relevant Form **Teacher** a Head of Year, the Assistant Head (Academic), the Assistant Head (Pastoral), the Deputy Head or the Head deems it appropriate to deal with the matter personally.
4. The Form **Teacher** will make a written record of all concerns and complaints and the date on which they were received. These records will be kept for a minimum of 7 years.
5. The School will use its reasonable endeavours to resolve any informal complaints within ten (10) working days of them being raised, except where they are raised either during or immediately before (within two (2) working days) the commencement of school holidays, where the School will use its reasonable endeavours to resolve them as soon as possible after commencement of the new school term (usually within ten (10) working days,) should it not be practicable to resolve them during the holidays.
6. Should the matter not be resolved as referred to in paragraph 5 above, or in the event that the Form **Teacher** and the parents fail to reach a satisfactory resolution, then parents will be advised of their right to proceed with their complaint in accordance with Stage Two of this Procedure.
7. If, however, the complaint is against the Head, parents should make their complaint directly to the Chair of Governors.

Stage Two - Formal Resolution

8. If the complaint cannot be resolved on an informal basis (as set out in paragraphs 1 to 5 above), then parents should put their complaint in writing to the Head, which complaint should be expressed clearly and courteously. Parents should also identify how they wish their complaint to be resolved.
9. The Head will delegate responsibility for undertaking investigation of the complaint to a member of the Senior **Leadership** Team ('SLT') [or a Head of **Year** as appropriate].

10. The Head will decide, after considering the complaint, the appropriate course of action to take.
11. In most cases, the Head will meet or speak with the parents concerned to discuss the matter. If possible, a resolution will be reached at this stage.
12. The Head will use reasonable endeavours to speak to or meet parents within ten (10) working days of the formal complaint being received, except where the complaint is received in school holidays or within two (2) working days of their commencement where the Head will use all reasonable endeavours to speak or meet with parents as soon as possible after the commencement of the new school term (usually within ten (10) working days), should it not be practicable to meet with them sooner.
13. It may be necessary for the Deputy Head or a member of the SMT to investigate the matter further.
14. The Head will keep a written record of all meetings and interviews held in relation to the complaint.
15. Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents will be informed of this decision in writing, giving reasons for the decision. The written decision should be provided no later than ten (10) working days after speaking or meeting with parents to discuss the matter (pursuant to paragraph 10 above). The Head may also arrange to meet with parents to explain the decision.
16. The School will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and the School's decision, which record will be kept for a minimum of 7 years.
17. Where parents are dissatisfied with the outcome of the School's response to their formal complaint, the parents have the opportunity to have their complaint considered by an independent Complaints Panel.

Stage Three – Panel Hearing

18. If parents seek to invoke Stage Three following failure to reach an earlier resolution and where dissatisfied with the Head's decision in respect of their formal complaint, the parents may, in writing addressed to the School, request that their complaint be further considered by an independent Complaints Panel set up for this purpose.
19. This request for further assessment of the complaint will, for the purposes of this Procedure, be known as an 'appeal'.

20. Parents must lodge their appeal in writing and within ten (10) working days of the date of the School's decision made in accordance with the Stage Two Procedure. The parents should provide a list of their complaint(s) made against the School and which they believe to have been resolved unsatisfactorily by the Stage Two Procedure, along with the remedies sought in respect of each. The Complaints Panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.
21. Where an appeal is received by the School, the School will, within five (5) working days, refer the matter to the Town Clerk (Clerk to the Board of Governors), who will act as Clerk to the Complaints Panel. Where the appeal is received by the School during school holidays, or within two (2) working days of their commencement, the School has five (5) working days upon commencement of the school term to refer the matter to the Town Clerk
22. The Clerk provides an independent source of advice on procedure for all parties.
23. Once an appeal has been received by the Clerk, he/she will acknowledge the appeal in writing within five (5) working days, and inform the parents of the steps involved in this Complaints Procedure.
24. The Clerk will then endeavour to convene an independent Complaints Panel hearing as soon as possible to consider the matter, normally no later than twenty (20) working days after receipt by the School of parents written notice that they wish to invoke the Stage Three Procedure, dependent upon the availability of the Panel members.
25. The independent Complaints Panel will consist of at least three people who were not directly involved in the matters detailed in the complaint, including two Governors on the Board and one person independent of the management and running of the school. The process used for selecting an independent person will conform to relevant guidance issued by the Department for Education (DFE).
26. The following are entitled to attend a hearing, submit written representations and address the Panel:
 - a) the parent/s who may be accompanied by their child
 - b) the Head of the School and/or one representative; and
 - c) any other interested person whom the Complaints Panel, in their absolute discretion, considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.

Parents have the right to be accompanied by a third party for support. Legal representation will not normally be permitted and we reserve the right to refuse admission of a legal representative other than in exceptional circumstances with the prior agreement of the Chair of the Panel.

27. Where the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Panel in support of their position, including:
- a) documents relevant to the complaint(s),
 - b) chronology and key dates relating to complaint(s), and
 - c) written submission setting out the complaint(s) in more detail.

This evidence will be considered by the Panel, along with the initial submission that was lodged by the parents.

28. Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the Panel members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten (10) working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five (5) working days in advance of the Panel hearing.
29. It is for the Panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
30. After due consideration of all the facts they consider relevant, the Panel will reach a decision, and may make recommendations, which it shall complete within ten (10) working days of the hearing. The decision reached by the Complaints Panel is final. Any decision reached that may have financial implications for the School will need the appropriate approval from the relevant authorities e.g. the Board of Governors, although any such approval must be compatible with the decision of the Complaints Panel.
31. The Panel's findings will be sent by the Clerk in writing to the parents, the Head, the Governors and, where relevant, the person complained of within ten working days. The letter will state any reasons for the decision reached and recommendations made by the Complaints Panel.
32. The School will keep a record of all appeals, decisions and recommendations of the Complaints Panel, which record will be kept for a minimum of 7 years and will be available for inspection on the school premises by the governors and the Head, whether they are resolved following a formal procedure, or proceed to a panel hearing; and action taken by the school as a result of these complaints (regardless of whether they are upheld). Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

3. Recording Complaints

Following resolution of a complaint, the school will keep a written record of all complaints and whether they are resolved at the preliminary stage or proceed to a panel hearing. At the school's discretion, additional records may be kept which may contain the following information:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)