



UNIVERSITY OF
CAMBRIDGE
PRIMARY SCHOOL

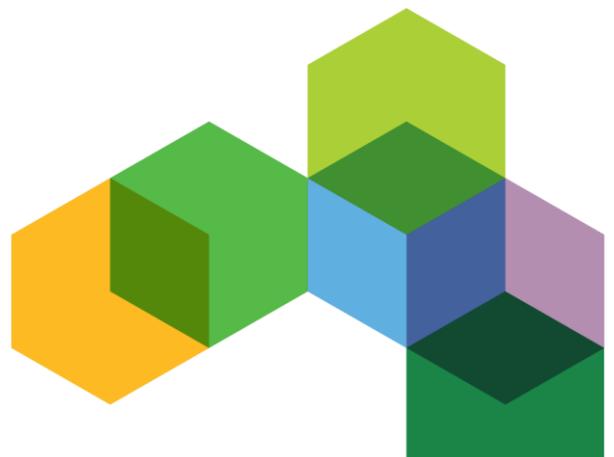
Complaints Policy

Approved by:

Last reviewed on: 8th June 2020

Next review due by: May 2022

**RELEASING THE
IMAGINATION:
CELEBRATING
THE ART OF
THE POSSIBLE**



1. Aims

1.1 Our school aims to meet its statutory obligations when responding to complaints from parents of children at the school, and others.

1.2 When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

1.3 We try to resolve concerns or complaints by informal means wherever possible. This may involve a discussion with a senior member of staff as an informal matter first of all. Where this is not possible, formal procedures will be followed.

1.4 The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure we publicise the existence of this policy and make it available on the school website. Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

1.5 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 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. Legislation and guidance

2.1 This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

2.2 It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE). This policy complies with our funding agreement and articles of association.

2.3 In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

3. Definitions and scope

3.1 Definitions

3.1.1 The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". The school will resolve concerns through day-to-day communication as far as possible
- A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action"

3.2 Scope

3.2.1 The school intends to resolve complaints informally where possible, at the earliest possible stage. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

3.2.2 This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs and disabilities (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

3.2.3 Arrangements for handling complaints from parents of children with special educational needs and disabilities (SEND) about the school's support are within the scope of this policy. Such complaints should first be made to the SENDCo; they will then be referred to this complaints policy. Our SEND policy and information report includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

3.2.4 Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4. Roles and responsibilities

4.1 The complainant

4.1.1 The complainant will get a more effective and timely response to their complaint if they:

- Meet all relevant parties, keeping notes
- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect and adhere to our school values
- Not publish details about the complaint on social media
- Not behave in a way that will trigger our Vexacious Policy

4.2 The investigator

4.2.1 An individual will be appointed to look into the complaint, and establish the facts. They may:

- Meet all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints panel (for an appeal) which includes the facts and potential solutions

4.3 Director of Business

4.3.1 The Director of Business will:

- Be the contact point for the complainant at school, including arranging meetings
- Liaise with the Clerk and Chair of Governors
- Record and keep a file of complaints' paperwork and documents and store them following GDPR expectations.

4.4 Clerk to the governing board

4.4.1 The clerk will deal with the arrangement of a **panel hearing** should the complainant be dissatisfied with the findings of the formal complaint:

- Be the contact point for the complainant and the complaints panel, including circulating the relevant papers and evidence before complaints panel meetings
- Arrange the complaints' hearing
- Record and circulate the minutes and outcome of the hearing

4.5 Committee chair

4.5.1 The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout

- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case – this may be via written submission or in person.

5. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

5.1 Time scales

5.1.1 The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

5.1.2 Written acknowledgement of a Complaint will be provided by the office within three school days.

5.1.3 When complaints are made out of term time, we will consider them to have been received on the next school day.

5.1.4 A target date for resolving the complaint will be set within 15 working days.

5.1.5 We will notify the complainant of the outcome within 28 days of receiving the complaint.

5.1.6 If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

6. Stages of complaint (not complaints against the headteacher or governors)

Raising Concerns and Making a Complaint Flow Chart

Informal Stage

Informal Stage Step 1 Arrange a time to speak with your child's class teacher

Informal Stage Step 2 If you are not happy with the outcome, arrange a time to speak with the Phase Leader

Informal Stage Step 3 If you are not happy with the outcome of Step 2, arrange a time to speak with the Assistant Headteacher

Formal Stage

Formal Complaint is made to the Headteacher (or Chair of Governors if the complaint is about the Headteacher).
Investigation takes place and written outcome is provided

Formal Appeal is made to the Governors' Clerk
Hearing takes place and decision is reached with written outcome provided

Appeal can be made to the Secretary of State for Education via the EFSA
EFSA may investigate to see if the process was carried out correctly, in a timely fashion. The EFSA will not overturn the outcome of the Formal Appeal but may make recommendations.

6.1 Stage 1: informal

- 6.1.1 We would like to resolve matters as quickly as possible so that children and families have a positive experience of coming to our school. Concerns should be raised as soon as possible with the relevant member of staff or a senior member of staff as appropriate, either in person (or completing the request to meet form, or telephone. We strongly discourage raising concerns at the schools gates or via social media.
- 6.1.2 If the complainant is unclear who to contact or how to contact them, they should contact the school office enquiries@universityprimaryschool.org.uk or calling 01223 792440 and ask to speak with the Director of Business.
- 6.1.3 *Informal Stage 1:* Arrange to speak with your child's class teacher to discuss your concerns and explain how the school could resolve the matter.
- 6.1.4 *Informal Stage 2:* On occasion a parent may wish to discuss their concern informally with a more senior teacher, perhaps because they have first discussed the matter with the class teacher but do not feel that their concern has been met. In such circumstances, or if a conversation with the class teacher is not appropriate for some other reason, a parent should complete the informal complaint form and submit to the school office. The Phase Leader (or similar person of seniority) will arrange to meet with you. The aim of such a meeting is again to achieve a speedy and satisfactory resolution. The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.
- 6.1.5 *Informal Stage 3:* It may be that the matter has not resolved and the concern should be then escalated to the Assistant Headteachers. Please contact them via the school office, either by completing a request to meet form, phone or in person.
- 6.1.6 At this stage, the school will acknowledge informal complaints Stage 3 within 3 school days, and investigate and provide a response within 15 school days.
- 6.1.7 The informal stage will involve a meeting between the complainant and those members of staff involved, as appropriate.
- 6.1.8 If the complaint is not resolved informally, a formal complaint can be made.

6.2 Stage 2: formal

- 6.2.1 Formal complaints can be raised:
- By completing the form Appendix A
 - Over the phone – where a member of staff will note concerns on Appendix A
 - By a third party acting on behalf of the complainant –by completing the form Appendix A
- 6.2.2 The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.

- 6.2.3 If complainants need assistance raising a formal complaint, they can contact the school office enquiries@universityprimaryschool.org.uk or calling 01223 792440 and ask to speak with the Director of Business.
- 6.2.4 The headteacher (or designated member of the senior leadership team) will usually call a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance. Unexpected companions will not be allowed.
- 6.2.5 Meetings will not be audio recorded by either party. Notes will be taken and shared with all parties.
- 6.2.6 In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.
- 6.2.7 The headteacher (or other person appointed by the headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 28 school days.
- 6.2.8 If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing board within 10 school days. . Requests received outside of this time frame will be considered in exceptional circumstances. The clerk will acknowledge receipt of the request within 3 school days.
- 6.2.9 How to escalate a complaint
- Complaints can be escalated by contacting the clerk to the governing board:
- By completing the form Appendix B
 - Over the phone – where a member of staff will note concerns on Appendix B
 - By a third party acting on behalf of the complainant –by completing the form Appendix B
- 6.2.10 The written conclusion of this investigation will be sent to the complainant within 28 school days. If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing board in writing within 10 school days

6.3 Stage 3: submit the complaint to the review panel

6.3.1 *Convening the panel*

- 6.3.1.1 The review panel consists of the first 2 members of the governing board available and an external educational member (e.g. from the Local Authority), who don't have direct knowledge of the complaint. All governors, including parent governors, are permitted to be on the panel (although parent governors who know the complainant or whose child is in the same cohort as the complainant's child will not be permitted). These individuals will have access to the existing record of the complaint's progress (see section 10). The governors will select a panel chair from amongst themselves.

- 6.3.1.2 If not enough impartial governors are available, we will seek panel members from other schools, or the local authority. We will make sure the governors we source are suitably skilled and can demonstrate that they are independent and impartial.
- 6.3.1.3 The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. The clerk will aim to find a date within 10 school days of the request, where possible.
- 6.3.1.4 If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.
- 6.3.1.5 Any written material will be circulated to all parties at least 5 school days before the date of the meeting.

6.3.2 At the meeting

- 6.3.2.1 At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.
- 6.3.2.2 The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.
- 6.3.2.3 At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence. The chair will decide how this is managed so that any presentation focuses on the complaint and not other extraneous information.
- 6.3.2.4 The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered.
- 6.3.2.5 The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher.

6.3.3 The outcome

- 6.3.3.1 The committee can:
- Uphold the complaint, in whole or in part
 - Dismiss the complaint, in whole or in part
- 6.3.3.2 If the complaint is upheld, the committee will:

Decide the appropriate action to resolve the complaint. This may include:

- An apology
- An explanation
- an admission that the situation could have been handled differently or better;
- an assurance that the incident will not recur and an explanation of steps taken to ensure this;
- an undertaking to review the school's policies in the light of the Complaint.
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

6.3.3.3 It may also be decided that:

- there is insufficient evidence to reach a conclusion so that the Complaint cannot be upheld;
- the Complaint is not substantiated by the evidence;
- the matter has been fully investigated and appropriate procedures are being followed. It may not be appropriate for reasons of confidentiality to detail those procedures to the Complainant.

6.3.3.4 The school will inform those involved of the decision in writing within 15 school days. The finding will be final and will bring an end to the complaints process.

7. Complaints against the headteacher, a governor or the governing board

7.1 Stage 1: informal

- 7.1.1 Complaints made against the headteacher or any member of the governing board should be directed to the clerk to the governing board in the first instance. Request to speak with the Clerk should be made at the school office.
- 7.1.2 If the complaint is about the headteacher or one member of the governing board (including the chair or vice-chair), a suitably-skilled and impartial governor will carry out the steps at stage 1 (set out in section 6 above).

7.2 Stage 2: formal

- 7.2.1 If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, an independent investigator will carry out the steps in stage 2 (set out in section 6 above). They will be appointed by the governing board or Cambridge University, and will write a formal response at the end of their investigation.

7.3 Stage 3: review panel

- 7.3.1 If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, a committee of independent governors will hear the

complaint. They will be sourced from local schools, the local authority or Cambridge University and will carry out the steps at stage 3 (set out in section 6 above).

- 7.3.2 All timescales indicated in Section 6 will be followed, as far as possible, and complainant will be informed of any time changes.

8. Referring complaints on completion of the school's procedure

- 8.1 If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the school was in breach of its funding agreement with the secretary of state
- Whether the school has failed to comply with any other legal obligation

- 8.2 If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

- 8.3 For more information or to refer a complaint, see the following webpage:
<https://www.gov.uk/complain-about-school> . We will include this information in the outcome letter to complainants.

9. Persistent & Vexatious complaints

9.1 Unreasonably persistent complaints

- 9.1.1 All complaints are taken extremely seriously and therefore sufficient time and resource are allocated to dealing with them accordingly. The school has a Vexacious Complaints' Policy. The school will implement this policy if a complaint becomes unreasonable, for example:
- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
 - Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
 - Knowingly provides false information
 - Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
 - Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refused to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out

- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

9.1.2 *Steps we will take*

9.1.2.1 We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

9.1.2.2 If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place using our Vexatious Complaints' Policy. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

9.1.3 *Stopping responding*

9.1.3.1 We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

9.1.3.2 Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

9.1.3.3 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 our school site.

9.2 Duplicate complaints

9.2.1 If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

9.2.2 If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

9.2.3 If there are new aspects, we will follow this procedure again.

9.3 Complaint campaigns

9.3.1 Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

9.3.2 If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

10. Record keeping

10.1 The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

10.2 This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

10.3 This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

10.4 Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and GDPR policy.

10.5 The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

10.6 Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

10.7 Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

11. Learning lessons

- 11.1 The Education Committee will review any underlying issues raised by complaints with the Headteacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

12. Monitoring arrangements

- 12.1 The Education Committee will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Headteacher will report formal complaints to the Education Committee who will track the number and nature of complaints, and review underlying issues as stated in section 11.
- 12.2 The complaints records are logged and managed by Director of Business.
- 12.3 This policy will be reviewed by Headteacher and Education Committee every 3 years.

At each review, the policy will be approved by Education Committee.

13. Links with other policies

- 13.1 Policies dealing with other forms of complaints include:
- Child protection and safeguarding policy and procedures
 - Admissions policy
 - Exclusions policy
 - Staff grievance procedures
 - Staff disciplinary procedures
 - SEND policy and information report
 - Privacy notices
 - Vexatious Complaints Policy

Appendix A



Formal Complaint Form

Please complete and return to the school office in a sealed envelope marked 'confidential' and addressed to the HT or Chair of Governor). The office will acknowledge receipt within 3 working days.

Your name	Your child's name	Your relationship to the child
Address	Email address	Day time telephone number Evening telephone number
Please give an overview of your complaint		

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What action have you taken to try and resolve the matter?	
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Who have you spoken with about the matter?	
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What was their response?	
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How could the matter be resolved?		
Are you attaching any paperwork? If so please give details here.		
Signed		Date
Official Use	Date acknowledgement sent	
	By who	
	Complaint referred to:	
	Signed by:	

Appendix B



**UNIVERSITY OF
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PRIMARY SCHOOL**

Request for an Appeal by a Governors' Panel

Please complete and return to the school office in a sealed envelope marked 'confidential' and addressed to the Clerk to the Governors. The office will acknowledge receipt within 3 working days.

Your name	Your child's name	Your relationship to the child
Address	Email address	Day time telephone number Evening telephone number
Please give the grounds for your appeal		

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What additional information do you wish to supply at this stage?	
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<p>Are you attaching additional paperwork? Please detail here.</p>		
<p>How could the matter be resolved?</p>		
<p>Signed</p>		<p>Date</p>
<p>Official Use</p>	<p>Date acknowledgement sent</p>	
	<p>By who</p>	
	<p>Complaint referred to:</p>	
	<p>Signed by:</p>	