



Carr Infant School

Confidence - Communication - Creativity

Complaints Procedure and Serial & Unreasonable Complaints Policy

July 2025

Approved by	FGB
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CARR INFANT SCHOOL COMPLAINTS POLICY

INTRODUCTION

This policy is based on Department for Education (DFE) guidance: *Best Practice Advice for School Complaints Procedures (January 2019)*. Reference should also be made to the DFE advice on *Understanding and Dealing with Issues Relating to Parental Responsibility (January 2016)*.

WHO CAN MAKE A COMPLAINT?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that the school provides, unless separate statutory procedures apply (such as exclusions, admissions, whistleblowing and staff grievances). Complaints are not limited to parents or carers of children who are registered at our school.

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

THE DIFFERENCE BETWEEN A CONCERN AND A COMPLAINT

A 'concern' may be defined and treated as '*an expression of worry or doubt over an issue considered to be important, for which reassurances are sought*'.

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

The majority of issues raised by parents/carers, the community or pupils are concerns rather than complaints.

Carr Infant School takes concerns seriously and is committed to making every effort to resolve issues quickly, at the earliest possible stage as this is in everyone's best interest. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. However, depending on the nature of the issue, it may be appropriate for the school's formal complaints procedure to be followed.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the head teacher will refer you to another appropriate staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the head teacher will be able to refer 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.

HOW TO RAISE A CONCERN OR MAKE A COMPLAINT

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or head teacher, who will seek to resolve the issue. If, however, the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. Governors have no power to act on an individual basis and it may prevent them from considering complaints at a later stage.

Complaints against school staff (except the head teacher) should be made in the first instance in writing to the head teacher, marked as Private and Confidential.

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

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

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

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete the complaints procedure.

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, if exceptional circumstances apply.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

SCOPE OF THIS COMPLAINTS POLICY

This policy and procedures covers all complaints about any provision of community facilities or services by Carr Infant School, other than complaints that are dealt with under other statutory procedures, including those listed below:

- 1) Admissions to schools, statutory assessments of special educational needs, school re-organisation proposals to be raised with City of York Council www.york.gov.uk
- 2) Matters likely to require a child protection investigation should be raised in accordance with our Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has responsibility for safeguarding – lado@york.gov.uk or 01904 551783.
- 3) Exclusion of children from school – further information can be found at: www.gov.uk/school-discipline-exclusions/exclusions. Complaints about the application of the school's behavior policy can be made through the school's complaint policy.
- 4) Whistleblowing – we have a whistleblowing policy 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. Volunteers who have concerns about our school should complain through the school's complaint 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.
- 5) Staff Grievances – complaints from staff will be dealt with under the school's internal grievance procedures.
- 6) Staff conduct – complaints about staff 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 member of staff as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
- 7) Complaints about other services provided by other providers who may use school premises or facilities – providers will have their own complaints procedures to deal with complaints about their service. Please contact them directly.
- 8) National Curriculum content – please contact the Department for Education at www.education.gov.uk/contactus

If other bodies are investigating aspects of a complaint, for example the police, the

Local Authority safeguarding teams or tribunals, this may impact on our ability to adhere to timescales within this policy or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Carr Infant School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until legal proceedings have concluded.

RESOLVING COMPLAINTS

At each stage in the procedure, Carr Infant 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 ensure that it will not happen again and 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.

PROCEDURE FOR DEALING WITH COMPLAINTS

Complaints will be dealt with in a sensitive, impartial and confidential manner.

The school's complaints procedure has the following four main stages:

- Stage 1 (informal): concern heard by a class teacher, other member of staff or head teacher
- Stage 2 (formal): complaint heard by the head teacher
- Stage 3 (formal): complaint heard by the chair of governors
- Stage 4 (formal): complaint heard by a governors' complaints panel

Stage 1 – concern heard by class teacher, other member of staff or head teacher

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. The school requests that parents/carers make their first contact with their child's class teacher. On some occasions the concern raised may require investigation, or discussion with others, in which case parents/carers will receive an informal but informed response within a day or two. The vast majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please contact the school within 10 school working days. The school will then look at your concern at the next stage.

Stage 2 – complaint heard by the head teacher

Where concerns cannot be resolved informally, the matter may then be considered to be the subject of a formal complaint. The formal complaint should normally be made in writing, and a suggested format for the complaint is provided in Appendix B, but can be made in person or by telephone.

The head teacher will record the date the complaint is received and acknowledgement of receipt of this complaint will be made within 5 school working days in writing (either by letter or email).

Within this response, the head teacher will seek to clarify the nature of the complaint, may ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

The head teacher may delegate the task of collating the information to another member of staff, but not the decision on the action to be taken.

During the investigation, the head teacher (or investigating staff member) 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.

At the conclusion of the investigation, the head teacher will aim to provide a written response within 10 school working days of sending the acknowledgement. However, if a complaint is more complex to review, this can be extended. The school will provide details of any new deadline and an explanation for the delay.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include actions Carr Infant School will take to resolve the complaint.

If unsatisfied with the result at stage 2, the complainant will need to let the school know by letter, email or telephone within 10 school working days of receiving the school's response. The school will then escalate the complaint to the next stage.

If the complaint is about an action of the head teacher personally, or a member of the governing body, a suitably skilled governor will be appointed to complete all the actions at Stage 2. Complaints about the head teacher or a member of the governing body must be made to the Clerk via the school office. If necessary, an independent investigator will be appointed by the governing body. At the conclusion of their investigation, a formal written response will be provided.

Stage 3 - complaint heard by governors' complaints panel

If the matter has still not been resolved at Stage 2 and the complainant wishes to take the matter further, they can escalate their complaint to Stage 3. A group of three governors, who have no previous knowledge of the problem, and will therefore be able to give it a fresh assessment, will hear the complaint. Complaints rarely reach this formal level. This is the final stage of the complaints procedure.

A request to escalate to this stage, must be made to the Chair of Governors or to the clerk to the governing body (if the complaint is about the Chair of Governors), via the school office, within 20 school days of receipt of the stage 2 response.

The complaint will be acknowledged within five school working days of receiving it, by either letter, or email. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The committee of governors 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.

If the complainant is invited to attend the meeting, they may bring someone along to provide support; this can be a relative or a friend. 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 example, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by a union and/or legal representation.

Representatives from the media are not permitted to attend.

The hearing will normally take place within 20 school working days of sending the acknowledgment and any written material required will be circulated to all parties prior to the meeting. 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.

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.

The committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with following earlier stages of this policy.

The complaints panel hearing will follow the procedure below:

- Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Panel. If there are fewer than three governors from the school available, the clerk will source any additional, independent governors through another local school or through the LA's Governor's services team, in order to make up the panel. Alternatively, if it is not possible to arrange a suitable panel, an entirely independent panel may be convened to hear the complaint. Advice should be sought from the Governor Services team in this situation.
- The meeting will be held in private, without electronic recordings of meetings or conversations unless a complainant's own disability or special need requires it.
- Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place, with consent recorded in minutes taken.
- The committee will consider the complaint and all the evidence presented and can uphold the complaint in whole or in part or 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 course of action to be taken to resolve the complaint and 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 Carr Infant School with a full explanation of their decision and reason 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 school.

If the complaint is jointly about the Chair and Vice chair, the entire governing body or the majority of the governing body, the meeting will be held by a committee of independent co-opted governors.

No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between

the school and the complainant.

The Governors' appeal hearing is the last school-based stage of the complaints process.

IF A COMPLAINANT REMAINS DISSATISFIED

If a complainant believes the school did not handle their complaint in accordance with the published complaints policy, or they acted unlawfully or unreasonably in their duties, they can contact the Department for Education.

The Department for Education will not normally reinvestigate the substance of complaints or over turn any decisions made by Carr Infant School. They will consider if Carr Infant School has adhered to education legislation and any other statutory policies connected with the complaint.

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

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

PERSISTENT AND UNREASONABLE COMPLAINANTS

Carr Infant 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 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.

Carr Infant School 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'*.

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 or 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, or other public forums.

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 teacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the head teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Carr Infant 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 barring an individual from Carr Infant School.

Barring from Dojo Communication

ClassDojo is a helpful communication tool that supports strong partnerships between home and school. It enables staff to share learning, celebrate achievements, and provide updates. While we welcome its appropriate use, it is important to note that access to ClassDojo Messenger is not a parental entitlement and must be used respectfully.

If messages sent via Dojo become abusive, overly demanding, or inappropriate in tone or frequency, the school may take steps to restrict or remove access to the messaging function. This is to protect staff wellbeing and to ensure that communication remains positive and purposeful.

Where concerns arise, the school will inform the individual of the issue and provide an opportunity to respond. Any decision to restrict access will be reviewed and confirmed in writing. Parents or carers who wish to raise a concern about a decision to restrict ClassDojo access may do so by following the school's complaints procedure.

Barring from the school premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. The school will therefore act to ensure that its premises remains a safe place for pupils, staff and other members of our community.

If a person's behaviour is a cause for concern, the head teacher can ask him/her to leave the school premises. In serious cases, the head teacher or the local authority can notify them in writing that their implied license to be on school premises has been temporarily revoked subject to any representations that the person may wish to make. The school will give the person the opportunity to formally express their views on the decision to bar in writing.

The decision to bar will then be reviewed, taking into account any representations made by the person concerned, and either confirmed or lifted. If the decision is confirmed, the person will 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 head teacher or chair of governors. Complaints about barring cannot, however, 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.

RECORDING, MONITORING AND REVIEW

The head teacher will record the progress of any complaint and the final outcome and hold these records and copies of any relevant correspondence centrally. Complaints will be monitored and, if there are a number of complaints about the same issue or a rise in the number of complaints overall, the head teacher will ensure a full investigation is undertaken.

The governing body will monitor the level and nature of all complaints and review the outcomes on a regular basis to ensure the effectiveness of the complaints procedure and make changes where necessary. Wherever practicable, complaints information shared with the whole governing body will not name individuals.

The process of listening to and resolving complaints will contribute to school improvement.

Appendices:

Appendix A: Role and responsibilities

Appendix B: Formal Complaint Form

Appendix A

ROLES AND RESPONSIBILITIES:

The complainant is expected to:

- Co-operate with the school in seeking a solution to the complaint.
- Expresses the complaint in full as early as possible.
- 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 the complaint on social media and respect confidentiality.

The complaints co-ordinator (or Headteacher) is expected to:

- Ensure that the complainant is fully updated at each stage of the procedure.
- Liaise with staff members, chair of governors and clerk to the governing body, Local Authority, to ensure the smooth running of the complaints procedure.
- Keep records.
- Be aware of issues regarding sharing third party information and additional support needed by complainants.

The investigator is expected to:

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.
 - Consideration of records and other relevant information.
 - Interviews with staff, children and other people relevant to the complaint.
 - Analysis of information.
- Liaise effectively with the complainant and the Headteacher as appropriate to clarify what the complainant feels would put things right.
- 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 for the complaints committee that sets out the

facts, identifies solutions and recommends courses of action to resolve problems.

- Respond to the complainant in plain and clear language.

The Headteacher or complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

The chair of the complaints panel will ensure that:

- Both parties are asked (via the Clerk) to provide additional information relating to the complaint by a specified date in advance of the meeting
- The hearing is conducted in an informal manner, with each party treating the other with respect and courtesy.
- People who are not be used to speaking at such a hearing are put at ease.
- The remit of the panel is explained to the parties and each party has the opportunity of making their case without undue interruption, to seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- Written material is seen by all parties and, if any new and relevant issues arise, all parties are given the opportunity to consider and comment on it (with a short adjournment if needed), provided written material does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- The issues are addressed.
- Key findings of fact are made.
- The panel is open-minded and acting independently.
- No member of the panel has a vested 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.

The panel clerk is expected to:

- Be the contact point for the complainant for the panel meeting.
- Ensure that all people involved in the complain 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 2018 and the General Data Protection Regulations.
- Set the date, time and venue of the hearing/meeting, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible.
- Collate any written material and send it to parties in advance of the hearing.

- Record the proceedings
- Circulate the minutes of the panel hearing.
- Notify all parties of the panel's decision.

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 committee if they have had prior involvement in the complaint or the circumstances surrounding it
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and complainant. (We recognise that the complainant may 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 aspects that affect their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The committee 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 committee should ask in advance if any support is needed to help them present their complaint. Where the complainant is a parent, the committee 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 committee considers is not in their best interests.
- The welfare of a child/young person is paramount.

Appendix B

FORMAL COMPLAINT FORM

Please complete and return to Carr Infant 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:

Please give details of your complaint.

**What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?**



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 who:

Complaint referred to:

Date:

