ST IVES JUNIOR SCHOOL

'Learning together, free to fly'

Together we thrive in a nurturing, inspiring community,
Together we learn to succeed in an ever changing world.

Complaints Procedure

Member of staff responsible: Headteacher - Ali Watts	
Approved by: Full Governing Body	**Date:** September 2024
Last reviewed: August 2026	
Next review due by: August 2027	

9.7.25	Added an Introduction
	Added in Aims
	Added in more detail to the section - Scope
	Added in Section 5, 6, 7, 8 and 9
	Added in Annex A, C and D
	Amendments to Complaints procedure
	Reviewed the unreasonable complainant section to be in line with DFE definition

Changes made in this review (August 2026)

1. Reframed the informal stage as an optional early-resolution route and confirmed that a formal complaint cannot be refused because informal resolution was declined.
2. Removed the blanket three-month cut-off and added consideration of exceptional circumstances.
3. Clarified who handles complaints about staff, the Headteacher, individual governors and the whole governing body.
4. Replaced the single-governor final review option with an impartial complaints panel and strengthened fairness, independence and evidence arrangements.
5. Updated the approach to serial, persistent and unreasonable contact so restrictions are proportionate and genuinely new complaints are still considered.
6. Updated safeguarding, suspension and permanent-exclusion terminology, Cornwall contacts, DfE escalation arrangements, information rights and record-keeping provisions.

Governor note: this summary may be removed from the published website version after approval.

1. Introduction

St Ives Junior School takes concerns and complaints seriously. The school will seek to resolve matters fairly, promptly and at the earliest appropriate stage, while ensuring that formal complaints receive a full and impartial consideration.

This procedure applies to the school as a local-authority-maintained community school in England. The governing body is responsible for establishing the procedure and the school will publish the current version on its website.

2. Aims

The school aims to:

7. make the procedure accessible, straightforward, impartial and non-adversarial;
8. encourage early resolution without preventing access to the formal procedure;
9. provide a full and fair investigation, with appropriate independence and an opportunity for each party to state their case;
10. communicate decisions, reasons, any remedy and the next escalation step clearly;
11. respect confidentiality while sharing information where necessary and lawful;
12. make reasonable adjustments and offer practical assistance where required; and
13. use learning from complaints to improve the school's policies, practice and services.

3. Definitions

Concern: an expression of worry or doubt about an issue for which reassurance or clarification is sought.

Complaint: an expression of dissatisfaction, however made, about actions taken or a lack of action.

Complainant: any person raising a concern or complaint, including a parent or carer, a former parent or carer, a pupil, a former pupil or a member of the public.

4. Scope

Anyone may make a complaint about the school or a community facility or service it provides, unless a separate statutory or specialist procedure applies. A third party may act for a complainant where the school has appropriate consent to communicate and disclose relevant information.

The procedure covers complaints about actions or omissions. A complaint may be upheld, partially upheld or not upheld according to the evidence. The decision is not limited to whether a written policy was followed: it must also be lawful, rational, reasonable, fair and proportionate.

Matters outside this procedure are listed in Annex A. Where another procedure applies, the school will explain this and signpost the complainant appropriately. A complaint about how the school handled an otherwise excluded matter may still fall within this procedure, where appropriate.

5. How to raise a concern or complaint

5.1 Accessibility and assistance

A concern or complaint may be made in person, by telephone, by email or in writing. The complaint form in Annex B is helpful but is not compulsory. If a complaint is made verbally, the school will make a written record and confirm the substance with the complainant.

The school will consider reasonable adjustments under the Equality Act 2010. This may include help to put a complaint in writing, an alternative format, interpretation support, an accessible venue, remote participation or allowing a supporter or representative.

5.2 Time limit

Complaints should normally be raised within three months of the incident or, where there is a series of associated incidents, within three months of the last incident. The school will consider accepting a complaint outside that period where there are exceptional circumstances, including where the complainant could not reasonably have complained sooner or where it remains possible and fair to investigate.

A complaint received during a school holiday will be treated as received on the first school day after the holiday. In this procedure, a school day means a day on which the school is open to pupils.

5.3 Anonymous complaints

The school will not normally investigate an anonymous complaint under this procedure. The Headteacher or Chair of Governors will decide whether the seriousness of the matter, the credibility of the information, safeguarding considerations or other exceptional circumstances justify investigation or referral under another procedure.

5.4 Where to send a formal complaint

Subject of complaint	Send to
School provision or a member of staff, other than the Headteacher	Headteacher: enquiries@stivesjunior.org.uk or by post marked Private and Confidential
Headteacher	Chair of Governors, via the Clerk: clerktogovernors@stivesjunior.org.uk or by post marked Private and Confidential
Chair of Governors or an individual governor	Clerk to the Governing Body: clerktogovernors@stivesjunior.org.uk
Chair and Vice-Chair together, the whole governing body or a majority of governors	Clerk to the Governing Body, who will arrange independent handling
Clerk to the Governing Body	Chair of Governors, via the school office

6. Informal concerns

The school encourages concerns to be raised with the member of staff best placed to resolve them, usually the class teacher in the first instance. A serious concern may be raised directly with the Headteacher. The school will listen, clarify the issue, consider what might resolve it and keep a proportionate record.

An informal discussion or mediation may be offered where appropriate and agreed. It will not be used instead of a formal investigation and a complainant will not be prevented from making a formal complaint because they do not wish to pursue informal resolution.

The school will normally acknowledge an emailed or written informal concern within five school days. If it cannot be resolved promptly, the school will explain what will happen next. A complainant who remains dissatisfied may proceed to Stage 1.

7. Stage 1 - formal complaint

7.1 Acknowledgement and allocation

The school will record the date the formal complaint is received and acknowledge it within five school days. The acknowledgement will identify the person responsible for considering it and the intended response date.

Complaints about staff will normally be considered by the Headteacher, who may appoint a suitably senior and impartial investigator but remains responsible for the decision. Complaints about the Headteacher will be considered by the Chair of Governors or another suitably skilled and impartial governor. Complaints about governors will be handled using the routes in section 5.4.

7.2 Clarifying the complaint

The decision-maker or investigator will establish:

14. what the complaint is about and which matters remain unresolved;

15. what outcome the complainant is seeking;
16. whether another procedure or an immediate safeguarding referral is required;
17. what evidence is relevant and who may need to be interviewed; and
18. whether reasonable adjustments or support are required.

7.3 Investigation

The investigation will be proportionate, impartial and focused on the issues raised. The investigator may meet or speak with the complainant and relevant individuals, review records and invite written evidence. Accurate notes will be kept. Interviewees may be accompanied by a friend, representative or trade union representative where appropriate.

Children will be involved only where this is necessary and appropriate, with regard to their age, understanding, welfare and the availability of other evidence. Safeguarding procedures take priority where applicable.

Information will be shared only where necessary and lawful. A person complained about will normally be told the substance of the complaint and given a fair opportunity to respond, subject to safeguarding, confidentiality, employment and data-protection considerations.

7.4 Stage 1 outcome

The decision-maker will normally provide a written response within 15 school days of receipt. If more time is needed, the complainant will be told the reason and given a revised date.

The response will:

19. summarise the issues considered and the steps taken to investigate;
20. state whether each element is upheld, partially upheld or not upheld, with reasons;
21. explain any action, remedy or learning that can appropriately be disclosed; and
22. tell the complainant how and by when to request Stage 2.

The school will not disclose confidential employment, disciplinary, safeguarding or third-party information. It may confirm that a matter has been addressed without providing details of action concerning an individual.

8. Stage 2 - governing body complaints panel

8.1 Requesting Stage 2

A request for Stage 2 should be sent to the Clerk to the Governing Body within 10 school days of the Stage 1 response. The request should explain why the complainant remains dissatisfied and the outcome sought. Exceptional circumstances will be considered if the request is late.

The Clerk will acknowledge the request within five school days and will aim to arrange the panel within 20 school days. If this is not possible, the Clerk will explain the reason, provide a proposed date and keep the complainant informed.

8.2 Panel membership and independence

The panel will normally comprise three suitably skilled and impartial governors who have had no prior involvement in the complaint or the circumstances giving rise to it. No person with an actual or apparent conflict of interest may take part.

Where independence cannot be demonstrated, or where the complaint concerns the whole governing body, the Chair and Vice-Chair together, or a majority of governors, the Clerk will arrange an independent panel using suitably skilled governors from other schools. An independent investigator may also be appointed at Stage 1 in those circumstances.

Details of the complaint will not be shared with the whole governing body while the procedure is ongoing, except where the complaint is about the whole governing body and disclosure is necessary for it to respond to an independent investigation.

8.3 Papers and attendance

The Clerk will write to the parties with the arrangements and deadlines. The complainant and the school will normally submit relevant documents and any witness information at least five school days before the panel. The Clerk will circulate the papers to the parties and panel in sufficient time, normally at least three school days before the meeting.

The complainant may present their case in person, remotely or in writing and may be accompanied by a supporter or representative. The school will also have a fair opportunity to respond. Legal representation is not normally necessary, but the panel will consider any request in light of fairness and the circumstances.

The panel will not normally consider a materially new complaint or evidence unrelated to the original complaint. A new complaint should begin at Stage 1. Relevant new evidence about the original complaint may be admitted where fairness permits, with an opportunity for the other party to respond.

8.4 The panel's role

The panel will consider the complaint afresh and not merely review whether Stage 1 followed the correct process. It may ask questions, identify findings of fact and consider whether the school's actions were lawful, rational, reasonable, fair and proportionate.

The panel may:

23. uphold, partially uphold or not uphold the complaint;
24. decide or recommend appropriate action to resolve the complaint; and
25. recommend changes to systems, policies or practice to prevent recurrence.

8.5 Stage 2 outcome

The Clerk will send the panel's written decision and reasons to the complainant and the school, normally within five school days of the meeting. Where relevant, it will also be sent to the person complained about. The response will confirm that the school procedure is complete and explain the route to the Department for Education.

9. Evidence, recordings and information rights

The school will consider relevant written, electronic and oral evidence. Evidence will be handled securely and shared only where necessary and lawful. Parties should not submit excessive, irrelevant or duplicated material.

No meeting or conversation should be recorded without the informed agreement of all parties, unless recording is required as a reasonable adjustment. The school will not normally accept a covert recording as evidence, but will consider whether exceptional circumstances make it fair and necessary to do so.

A complainant does not automatically receive all investigation material, witness statements or confidential information. However, rights of access may arise under the Data Protection Act 2018, UK GDPR or Freedom of Information Act 2000. Requests will be handled under the relevant procedure, with lawful exemptions, redaction and protection of third-party information applied where appropriate.

10. Outcomes and remedies

Where appropriate, a response may include:

26. an explanation or clarification;
27. an acknowledgement that the matter could have been handled differently or better;
28. an apology;
29. action to correct an error or provide an appropriate service;
30. an assurance about steps intended to prevent recurrence, with timescales where possible;
31. a review of a policy, procedure, communication or staff development need; or
32. confirmation that the complaint is not upheld and the reasons for that conclusion.

An acknowledgement or apology does not, by itself, amount to an admission of unlawful or negligent action.

11. Withdrawal, suspension and parallel proceedings

11.1 Withdrawal

A complainant who wishes to withdraw a complaint should confirm this in writing where possible. The school may continue to consider an issue where safeguarding, welfare, legal, regulatory or wider school-improvement considerations make this necessary.

11.2 Police, safeguarding or other public-body involvement

The school will not automatically suspend a complaint merely because an incident has been reported to the police or another body. It will consider, and where appropriate seek advice on, whether continuing would prejudice an investigation or legal process. If the procedure is suspended, the complainant will be told why, so far as it is lawful to do so, and kept informed about when it may resume.

11.3 Legal proceedings

If legal proceedings are started in relation to the complaint, the school will consider whether the procedure should be suspended until those proceedings have concluded. The decision will be made case by case and recorded.

12. Records, confidentiality and learning

The school will record the progress of each formal complaint, the final outcome and any action taken. Records will be stored securely, separately from the pupil's educational record where appropriate, and accessed only by those who need them.

Complaint records will be retained and securely disposed of in accordance with the school's approved records-retention schedule, data-protection policy and any applicable statutory requirement. Personal data will not be kept for longer than necessary.

The Headteacher and governing body will review anonymised themes, outcomes and learning as appropriate. Governors who may be required to sit on a panel must not receive details that could compromise their impartiality.

13. Serial, persistent and unreasonable complaints or contact

13.1 Principles

St Ives Junior School will treat complainants fairly and will not restrict contact merely because a person is persistent, difficult to deal with, asks complex questions or exercises a right to escalate a complaint. A complaint will not be labelled serial before the complainant has normally had the opportunity to complete the procedure.

Any designation or restriction will relate to identified behaviour, contact or repeated subject matter rather than labelling the person. The school will consider any genuinely new complaint on its merits.

13.2 Examples of unreasonable behaviour

Behaviour may be considered unreasonable where its frequency or nature hinders the school's consideration of the complaint or its ability to serve others. Examples include:

33. refusing to identify the substance of a complaint or the outcome sought despite offers of assistance;
34. refusing to cooperate with a fair investigation while insisting on a particular outcome;
35. repeatedly changing the basis of the complaint or introducing large amounts of irrelevant or duplicated information;
36. repeatedly pursuing substantially the same complaint after the procedure is complete without material new evidence;
37. making excessive contact that causes significant disruption;
38. knowingly providing false or falsified information; or
39. using abusive, discriminatory, threatening or intimidating language or behaviour.

13.3 Proportionate response

Where possible, the Headteacher or Chair of Governors will first discuss the concern, explain the impact and ask for the behaviour to change. If further action is necessary, the school may issue a written communication plan that:

40. identifies the behaviour or repeated subject matter causing concern;
41. sets a single point of contact or reasonable limits on the frequency, method or timing of contact;
42. explains how urgent safeguarding matters and genuinely new complaints can still be raised;
43. states how long the arrangement will apply and when it will be reviewed; and
44. provides a route to request review of the restriction by a person not involved in making it.

A decision to stop responding to substantially the same correspondence will be taken only where the school has taken every reasonable step to address the concern, clearly stated its position and

available options, and the person continues to repeat substantially the same points. The school will not stop responding solely because the person is difficult or the questions are complex.

13.4 Aggression, threats and access to the site

The school will not tolerate aggression, violence, threats, harassment or discriminatory abuse. Immediate protective action may include ending a meeting or call, contacting the police, applying the school's site-access arrangements or seeking legal advice. Any restriction on site access will be considered separately, proportionately and with appropriate review arrangements. It will not remove the person's ability to pursue a complaint through an agreed safe communication method.

13.5 Complaint campaigns

Where the school receives a large volume of complaints about the same subject, including from people unconnected with the school, it may use a proportionate alternative process such as a template response or a published response. Any such process will be described on the school website and will continue to signpost complainants to the Department for Education where appropriate.

14. Escalation after the school procedure

Once Stage 2 is complete, a complainant who believes that the school did not handle the complaint correctly, prevented completion of the procedure, failed to perform a duty or acted unlawfully or unreasonably may complain to the Department for Education. The DfE does not normally reconsider the merits of the school's decision; its role is principally to consider the school's handling and the governing body's exercise of education functions.

Complain about a school to the Department for Education

The DfE may be contacted before the school procedure is complete in limited circumstances, including where a child is at risk of harm, a child is missing education, the school is preventing the complaint from progressing or there is evidence of unlawful or unreasonable action.

15. Safeguarding contacts

> **Immediate danger:** call 999. Concerns about a child's welfare should be referred promptly under the school's safeguarding and child-protection procedures.

Cornwall Multi-Agency Referral Unit (MARU): 0300 123 1116.

Cornwall Local Authority Designated Officer (LADO), for allegations concerning people who work with children: 01872 326536 or lado@cornwall.gov.uk.

Cornwall Council: allegations against people who work with children

16. Legislation and guidance

This procedure has regard to the following legislation and official guidance:

45. Education Act 2002, section 29
46. DfE: school complaints procedures - guidance for maintained schools
47. DfE: maintained schools governance guide
48. DfE: suspension and permanent exclusion guidance

49. Equality Act 2010
50. Data Protection Act 2018
51. Freedom of Information Act 2000
52. Cornwall Council: complaints about schools

Annex A - matters normally outside this procedure

The following matters normally have separate arrangements. The school will signpost complainants to the appropriate route. Complaints about the school's handling or communication may still be considered under this procedure where appropriate and lawful.

School admissions: Use the admission authority's statutory arrangements and the admission-appeal process. For St Ives Junior School, Cornwall Council can advise where it is the admission authority.

Education, Health and Care needs assessments and plans: Concerns about statutory EHC assessment or plan decisions should be raised with Cornwall Council and, where applicable, through mediation or the First-tier Tribunal. Complaints about the school's delivery of provision may fall within this procedure.

Safeguarding and child-protection investigation: Use the school's safeguarding and child-protection procedures and relevant local safeguarding routes. Allegations about an adult working with children must be referred to the LADO where the criteria are met.

Suspension and permanent exclusion: Use the statutory representations, governing body and independent review arrangements in the current DfE guidance. A complaint about the application of the behaviour policy, separate from the exclusion decision itself, may use this procedure.

Staff grievance, conduct or disciplinary matters: Employees should use the relevant internal procedure. A complaint by a member of the public about staff conduct may be considered under this procedure, but any resulting employment process and outcome remain confidential.

Whistleblowing: Employees, temporary staff and contractors should use the school's whistleblowing procedure. Volunteers who are not workers may use this complaints procedure.

Third-party services: A provider using school premises should use its own complaints procedure. The school may consider a complaint about its own role or contract-management responsibilities.

National curriculum content: Complaints about the content of the national curriculum should be directed to the DfE. Complaints about curriculum delivery by the school use this procedure.

Collective worship: Complaints about the content of the daily act of collective worship should be directed to Cornwall Council, SACRE or another relevant body. Complaints about the school's handling of a withdrawal request use this procedure.

Freedom of information and data protection: Use the school's information-rights procedure. Data-protection concerns may be escalated to the Information Commissioner's Office after raising them with the school.

Annex B - complaint form

Please send the completed form to the person identified in section 5.4. The form is optional; assistance and alternative formats are available.

Your name and preferred contact details

Pupil's name and your relationship to the pupil (if relevant)

What is your complaint? Please include relevant dates and people involved.

What have you already done to try to resolve the matter, and what response did you receive?

What outcome would help resolve the complaint?

List any documents attached

Signature	Date

School use

Date received	
Date acknowledged	
Allocated to	
Stage	
Response due	

Annex C - procedure at a glance

53. **Informal concern:** Raise the matter with the appropriate member of staff. The school will seek early resolution, but this step is not compulsory before a formal complaint.
54. **Stage 1 formal complaint:** Send the complaint to the correct recipient in section 5.4. The school acknowledges within five school days and normally responds within 15 school days.
55. **Request Stage 2:** If dissatisfied, write to the Clerk within 10 school days of the Stage 1 response, explaining the remaining concerns and outcome sought.
56. **Stage 2 complaints panel:** The Clerk normally arranges an impartial three-person panel within 20 school days. The panel considers the complaint afresh.
57. **Final school response:** The written panel decision is normally sent within five school days and confirms that the school procedure is complete.
58. **Department for Education:** A complainant who believes the procedure was mishandled, blocked, unlawful or unreasonable may use the DfE online service.

Key timescales

Action	Normal timescale
Raise complaint	Within three months, subject to exceptional circumstances
Acknowledge formal complaint	Five school days
Stage 1 response	15 school days
Request Stage 2	10 school days after Stage 1 response
Acknowledge Stage 2 request	Five school days
Arrange Stage 2 panel	Aim: within 20 school days
Stage 2 decision	Five school days after panel

Annex D - roles and responsibilities

Complainant

59. explain the complaint fully and as early as possible;
60. identify the outcome sought and cooperate in seeking a resolution;
61. respond promptly to reasonable requests for information or meetings;
62. treat those involved with respect and protect confidential information; and
63. ask for assistance or reasonable adjustments where needed.

Complaints coordinator or school office

64. record receipt and monitor published timescales;
65. make sure the complaint reaches the correct decision-maker;
66. keep the complainant appropriately updated; and
67. maintain secure records and support accessibility arrangements.

Investigator

68. clarify the complaint and relevant issues;
69. gather and analyse proportionate evidence with an open mind;
70. interview relevant people sensitively and keep accurate notes; and
71. provide a balanced report or findings without making a decision outside the authority given.

Decision-maker

72. consider the evidence impartially and apply the civil standard of proof - the balance of probabilities;
73. reach findings that are lawful, rational, reasonable, fair and proportionate;
74. give clear reasons and identify any appropriate remedy or learning; and
75. explain the next stage and deadline.

Clerk to the Governing Body

76. provide procedural and governance advice;
77. check panel members are impartial and appropriately appointed;
78. organise papers, attendance, reasonable adjustments and an accurate record;
79. advise the panel without taking part in its decision; and
80. send the written outcome and maintain the official record.

Stage 2 panel

81. consider the complaint afresh and fairly;
82. allow each party a reasonable opportunity to present and clarify their case;

83. make findings of fact and decide whether the complaint is upheld, partially upheld or not upheld;
84. decide or recommend appropriate action; and
85. identify improvements while protecting confidential information.