



# Complaint Procedure (SS-05)

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<b>Signature:</b>	
<b>Date:</b>	July 2024

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<b>Signature:</b>	
<b>Date:</b>	July 2024

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## Introduction

The complaint procedure set out below has been agreed by the Trustee Board of Cockermouth School. The Department for Education recommends, under Section 29 of the Education Act 2002, that every school should have a complaint procedure, which should be made available, upon request, to parents/carers.

Parental concerns and complaints are a reality of the day-to-day life and work of schools and Cockermouth School is no different to other schools in that complaints are received. However, the majority of complaints received by Cockermouth School can be successfully dealt with, to the satisfaction of all concerned, at the informal Stage 1.

Complainants may be made by parents or carers of pupils for whom education is being provided at the school. Therefore this policy does not cover complaints from parents of pupils who have left voluntarily or as a result of being excluded; except in cases where the complaint process was started when the pupil was still being educated at the school.

It is important to note that this procedure and the stages detailed should be followed in the order detailed in Appendix A whenever a parent/carer/other wishes to pursue a concern/complaint.

It is equally important to note that if you wish to make a complaint it should be made in a calm and respectful manner.

A record of each complaint made, and the action taken by staff or trustees to resolve the complaint will be held at the school.

**Out of time complaints** – three calendar months from the date the incident took place unless in exceptional circumstances.

## The difference between a concern and a complaint

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

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

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint procedure. Cockermouth School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, Cockermouth School will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Cockermouth School will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Cockermouth School will attempt to resolve the issue internally, through the stages outlined within the complaints procedure.

## Procedure for dealing with parent/carer concern/complaint

The staff and trustees at Cockermouth School are committed to providing a high-quality education for your child(ren) in a secure and supportive environment.

This policy applies to all concerns and complaints received by Cockermouth School other than those relating to:

- Reporting immediate concerns regarding Child Protection and Safeguarding
- Suspension and Exclusion of a student
- Freedom of information
- Student admissions

which have their own applicable policies, available on the school website – <http://cockermouthschool.org/>.

Whilst all concerned strive to achieve their best for the welfare of the students at the school, it is appreciated that there may be occasions when you have concerns about your child's education, or about particular incidents which have occurred at school.

If such a situation arises, we would ask you to follow the procedure outlined in this document starting with Stage 1. Complaints received at Stage 2 that should have been raised as a concern will be directed back to Stage 1.

All complaints at Stages 2 – 4 must be submitted with a fully completed complaint form. Complaints submitted without a complaints form completed will be returned and not accepted until a fully completed form is received.

## Stage 1

### I am concerned about an aspect of my child's school life. Who should I speak to first?

In the first instance, you should always address your concern to the appropriate person as indicated below:

- **Educational issues** – if the matter relates to the classroom, the curriculum or Special Educational Needs, please speak to the class teacher, Head of Department, SENCo, Assistant Headteacher or Deputy Headteacher as appropriate.
- **Pastoral care** – for concerns relating to matters outside of the classroom, please speak to or contact your child's Form Tutor or Head of Year as appropriate.
- **Disciplinary matters** – a concern over disciplinary action taken or a sanction imposed should be raised first with the member of staff that issued the sanction, then, if not resolved, with the relevant Head of Department or Head of Year.
- **Financial and administrative matters** – a query relating to fees or extras should be raised with the school's Finance Manager; other administrative matters should be raised with the school's Administration Manager.

You can contact any of these staff to arrange an appointment to discuss your concern by telephoning the school on 01900 898888, sending an email ([reception@cockermouthschool.org](mailto:reception@cockermouthschool.org)), writing them a letter or sending a note with your child.

It is always best to make contact at an early stage, so that any concerns can be dealt with before they become major issues, allowing parents/carers and the school to work together to find a satisfactory solution to the problem.

## Stage 2

### I have spoken to the appropriate member of staff, as outlined in Stage 1, but the situation has not improved. What should I do next?

If you are not satisfied with the response you have received from the school about your concern at Stage 1, or your complaint is about a senior member of staff, you will need to put your complaint in writing to the Headteacher using the Stage 2 - Complaint Form (Headteacher) (see Appendix B). If you require a printed copy of this form, it can be requested from the school by contacting reception on 01900 898888 or by sending an email ([reception@cockermouthschool.org](mailto:reception@cockermouthschool.org)).

Stage 2 complaints must be made within **10 school days** of receiving a response from the school regarding concerns raised at Stage 1.

The Headteacher will address your concerns, arrange to investigate the matter, and then report back to you. In some instances, the Headteacher may delegate the responsibility for investigating the complaint to another member of staff.

Do bear in mind that the Headteacher and other senior staff will have many other responsibilities to attend to, and you may have to wait several days before receiving a response. Obviously, if the matter is urgent, it will be attended to as soon as possible.

If your complaint is about the Headteacher, then you should write to the Chair of Trustees c/o the Clerk to Trustees at the school.

Receipt of a complaint will be acknowledged by telephone or in writing normally **within five school days** of receipt during term time, and as soon as practicable during the holidays. The acknowledgement will indicate the action that is being taken and the likely timescale for resolution. The school will endeavour to investigate and respond to any complaint **within 20 school days** of receipt. If the complaint is complex, or there are extenuating circumstances, a longer period of time may be required. The member of staff leading the investigation will keep you informed of the expected timescale.

## Stage 3

**I have written to the Headteacher, but I am not satisfied with the response I have received or the way in which my complaint has been handled, is there anyone else I can talk to about the problem?**

If you feel that your approach to the Headteacher has not resolved the issue as far as you are concerned, you can write to the Chair of Trustees using the Stage 3 - Complaint Form (Chair of Trustees) (See Appendix C) within **five school days** of receiving the decision.

The Chair of Trustees cannot interfere with the Headteacher's day-to-day management of the school but will investigate whether your problem has been dealt with in an appropriate manner and write back to you as soon as possible.

Please provide as much information about your complaint as possible on the form. As this is a serious step to take, it is important that you have thought things through carefully and that every possible attempt has been made to resolve your concerns by other means.

The Chair of Trustees will aim to respond to your complaint within **20 school days**.

Please send your completed Stage 3 - Complaint Form (Chair of Trustees) to the following address:

Chair of Trustees  
c/o Clerk to Trustees  
Cockermouth School  
Castlegate Drive  
Cockermouth  
Cumbria CA13 9HF

## Stage 4

**I have written to the Chair of Trustees but I am still dissatisfied with the way in which my complaint has been handled, is there anything more I can do?**

If you are not satisfied with the response from the Chair of Trustees and wish to take your complaint further, you must write to the Clerk to the Trustee board **within 5 school days** of receipt of your letter from the Chair of Trustees. The Clerk will then provide you with a copy of the Stage 4 - Complaint Form (Trustees' Complaint Panel). You will then have the opportunity of a formal hearing before a Complaint Panel of the Trustee board. Neither the Headteacher nor the Chair of Trustees will be on this panel, which will normally consist of three trustees appointed by the Trustee board. This panel will consist of three people; two trustees and one panel member independent of the school.

**You must state the reasons why you are dissatisfied with the response from the Chair of Trustees and what you wish the panel to address.**

Following the meeting of the Trustees' Complaint Panel, a decision will be confirmed in writing to you, the Chair of Trustees, the Headteacher and the member of staff you spoke to at Stage 1 of your complaint.

**The Trustees' Complaint Panel is the last stage of the complaint process.**

**My complaint is about the Chair of Trustees/Trustee board. Is there anything I can do?**

If your complaint is about the Chair of Trustees or Trustee board, you will need to put this in writing to the Clerk to the Trustee board, who will then determine the most appropriate course of action, depending on the nature of the complaint.

The vast majority of concerns and complaints will be dealt with by the staff and trustees of the school. Please remember that everyone involved at Cockermouth School wants to achieve the best they can for the child(ren) and community it serves.

## Serial and Unreasonable Behaviour relating to Concerns and Complaints.

### ABUSIVE, THREATENING AND OFFENSIVE BEHAVIOUR/COMMUNICATION

Cockermouth School is committed to dealing with all concerns and complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact of people raising concerns or complainants with our school. However, we do not expect our staff to tolerate unacceptable/unreasonable behaviour and will act to protect staff from that behaviour, including that which is abusive, offensive or threatening. This relates to all behaviours and communications with the school including, email, letter, telephone conversations, interactions on social media as well as face-to-face.

### UNREASONABLE BEHAVIOUR

Cockermouth School defines unreasonable behaviour as that which hinders our consideration of concerns/complaints because of the frequency or nature of the person raising the concern/complainant's contact with the school, such as, if they:

- refuse to articulate their concern/complaint or specify the grounds of a concern/complaint or the outcomes sought by raising the concern/complaint, despite offers of assistance
- refuse to cooperate with the concern being responded to or complaints investigation process
- refuse to accept that certain issues are not within the scope of the response or complaints procedure
- insist on the concern/complaint being dealt with in ways which are incompatible with the school's procedures or with good practice
- introduce trivial or irrelevant information which they expect to be considered and commented on
- raise large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- make unjustified concerns/complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- change the basis of the concern/complaint as the investigation proceeds
- repeatedly raise the same/or similar concern/complaint (despite previous investigations or responses concluding that the issue/complaint is groundless or has been addressed)
- refuse to accept the findings of the response/investigation into the concern/complaint where the school's procedures have been fully and properly implemented and completed including referral to the ESFA
- seek an unrealistic outcome
- make excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the concern/complaint in person, in writing, by email and by telephone while the issue/complaint is being dealt with
- use threats to intimidate (including threats of legal action against staff members)
- use abusive, offensive or discriminatory language or violence
- knowingly provide falsified information
- publish unacceptable information on social media or other public forums.

People raising concerns/complainants should try to limit their communication with the school that relates to their issue/complaint, while the matter 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 Headteacher or Chair of Trustees will discuss any concerns with the person raising the concern/complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the Headteacher will write to the person raising the concern/complainant explaining that their behaviour is unreasonable and ask them to change it. For people who excessively contact Cockermouth 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 be reviewed after six months. Not complying with the communication plan will not affect the school's response being made to a concern/complaint, however, the school will not respond to communication outside the parameters of the communication plan.

Any serious incident of aggression or violence will be responded to immediately by informing the police and we will communicate our actions in writing. Both violence/aggression and/or continued non-compliance with the communication plan may lead to the barring of an individual from contacting Cockermouth School.

### **PERSISTENT COMPLAINTS**

We will do our best to be helpful to people who contact us with a complaint or concern or a request for information. However, in cases where the same complaint is made after stages 1 to 4 above, we will ~~need~~ take proportionate action when responding.

If a complainant seeks to re-open a complaint that has already been considered in accordance with the Complaint Policy, the Chair of Trustees will inform them that the procedure has been completed and that the matter is now closed and a warning will be given that continuing to raise the same complaint will lead to the complaint being considered persistent.

If the complainant then contacts the school on the same issue, the correspondence may be viewed as 'persistent' and the Chair of Trustees will inform the complainant that the school will not respond. However, the school must ensure that the complaint is not classified as 'persistent' before the complaint has been fully processed through the complaint procedure.

If a complaint has been identified as a persistent complaint and the complainant has been notified of this, this does not preclude the same complainant from raising a different complaint that will be dealt with in accordance with the complaint procedure.

### **VEXATIOUS COMPLAINTS AND REQUESTS**

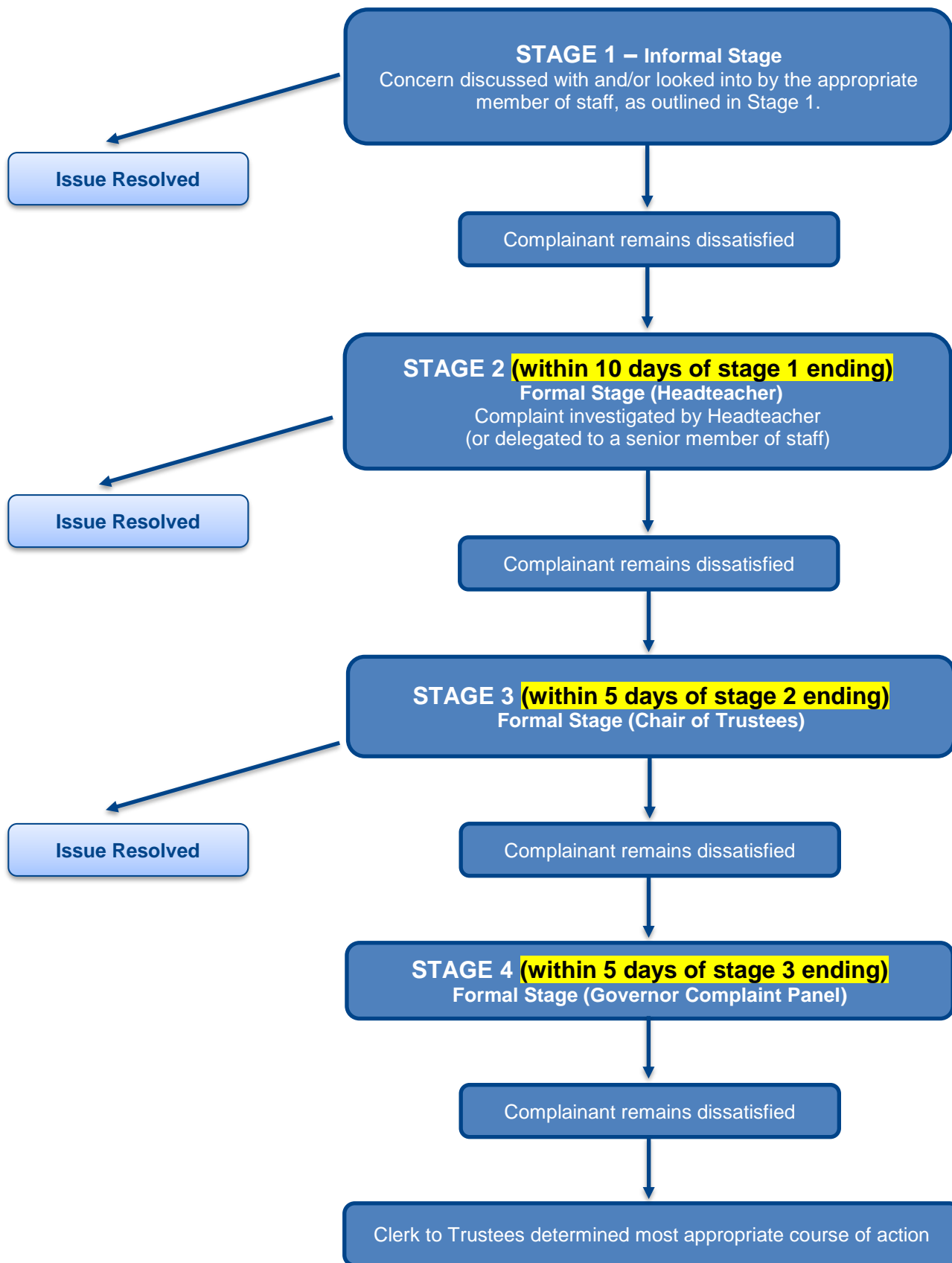
If the school reasonably believes that the complainant is continuing to contact the school with the intention of causing disruption or inconvenience, or if the complainant is abusive or threatening, the school has the right not to respond to the complainant. and will rely on guidance within the Behaviour Policy.

Once the school has decided that it is appropriate to stop responding to the complaint that has been considered in accordance with the complaint procedure, the school will inform the complainant of this decision in writing.



APPENDIX A

### Complaint procedure stages flowchart



## APPENDIX B

**Stage 2 – Complaint Form (Headteacher)**

<b>Your name:</b>	
<b>Student's Name (if applicable):</b>	
<b>Your relationship to the student:</b>	
<b>Address:</b>	
<b>Postcode:</b>	
<b>Contact Telephone Number:</b>	
<b>Email:</b>	
<b>Please give details of your complaint:</b>	
<b>What action, if any, have you already taken to try to resolve your complaint? (Who did you speak/write to and what was the response?)</b>	
<b>Please attach/include information about how your initial concern has tried to be resolved at Stage 1:</b>	

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

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**Are you attaching any paperwork? If so, please give details:**

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**Signature:**

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**Date:**

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*Please return the completed form to the Headteacher, Cockermouth School, Castlegate Drive, Cockermouth, CA13 9HF*

**OFFICIAL USE ONLY:**

**Date received:**

--

**Date acknowledgement sent:**

--

**Date response sent:**

--

**By whom:**

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## APPENDIX C

**Stage 3 – Complaint Form (Chair of Trustees)**

<b>Your name:</b>	
<b>Student Name (<i>if applicable</i>):</b>	
<b>Your relationship to the student:</b>	
<b>Address:</b>	
<b>Postcode:</b>	
<b>Contact Telephone Number:</b>	
<b>Email:</b>	

**Please give details of your complaint:**

**What action have you already taken to try to resolve your complaint?  
(*Who did you speak/write 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:**

<b>Signature:</b>	
<b>Date:</b>	

*Please return the completed form to Clerk to Trustees, Cockermouth School, Castlegate Drive, Cockermouth, CA13 9HF*

**OFFICIAL USE ONLY:**

**Stage 3 - Complaint Form (CHAIR OF TRUSTEES)**

<b>Date received:</b>	
<b>Date acknowledgement sent:</b>	
<b>Date response sent:</b>	
<b>By whom:</b>	

**Headteacher:**  
Mr R J King BSc

**Chair of Trustees:**  
Mr A Rankin

Cockermouth School · Castlegate Drive  
Cockermouth · Cumbria · CA13 9HF

Tel: 01900 898888

[www.cockermouthschool.org](http://www.cockermouthschool.org)  
[reception@cockermouthschool.org](mailto:reception@cockermouthschool.org)

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