



COMPLAINTS PROCEDURE

It is essential to establish the nature of the complaint to ensure that the correct policy/procedure is followed.

Purpose

We want all pupils and their families to be happy with the education we offer and the policies and procedures we follow. The school aims for all concerns raised to be dealt with promptly, openly, fairly and without prejudice. Most queries or concerns can be resolved satisfactorily through discussion or by providing clarification or further information.

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The purpose of this procedure is to ensure, for all parties, a fair and consistent approach to dealing with complaints.

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.

Scope

Separate arrangements apply in relation to safeguarding, pupil admissions and exclusions, Subject Access Requests and Freedom of Information Requests and Staff grievance, capability or disciplinary.. If a complaint is made about statutory provision in relation to special educational needs, the national curriculum or collective worship, you should contact the Governing Body if you are not satisfied with the school's response.

The Complaints Procedure provides a supportive framework for dealing with all matters relating to the conduct and actions of members of the school community and the application of school procedures as they affect individual pupils.

The procedure may be used by a parent, carer, governor or any person within the community who has a genuine interest in the school. An anonymous complaint will not be investigated under the procedure unless there are exceptional circumstances.

All complaints will be investigated by an appropriate person; this may be a teacher, a senior member of staff, a governor or the Executive Headteacher depending on the nature of the complaint. If the complaint is against the Executive Headteacher, the Chair of Governors will investigate.

As part of any investigation, all relevant parties will be given an opportunity to comment.

3. Confidentiality



Complaints will be dealt with in confidence for those involved, and we expect complainants to observe confidentiality also.

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Executive Headteacher and/or the individual's line manager. The complainant is entitled to be informed that action is being taken and the eventual outcome of any such action, but they are not entitled to participate in the proceedings or receive any detail about them.

4. Procedure

In the first instance an issue should be raised with the relevant member of staff who will discuss the matter and seek to establish a solution. If the outcome is not satisfactory and it is believed that the issue has not been resolved, then the following procedure should be followed.

5 Principles

Comments, concerns or complaints should be raised as soon as possible. They will be dealt with:

- fairly, thoroughly and promptly
- safely - nobody will be victimised as a result of a complaint being made
- efficiently and helpfully.

Outcomes could include;

- an explanation or clarification an apology from either party;
- an assurance, where appropriate, that the same thing will not happen again,
- action to put matters right.

Timescales

Complaints should be raised as soon as possible. Any complaint raised more than one month after the incident has occurred will not be considered, unless there are exceptional circumstances.

The designated timescales apply during term time and additional time will be required over school holiday periods.

Where the Executive Headteacher or Chair of Governors is unable to comply with the timescales for reasons beyond his/her control, such as the complexity of the complaint or the availability of witnesses, she/he will inform the complainant, within five school days of receipt of the complaint.

Procedure

Complaint



Stage 1 - Informal Stage

Many areas of concern can be dealt with quickly and harmoniously through discussion. Any concerns or complaints should be referred initially to the individual concerned and this may be by letter, by email, by telephone or in person by an appointment made at a mutually convenient time. A comment form is available for completion, which is attached as Appendix 1.

Every effort should be made by all involved to resolve the complaint and bring about a speedy resolution for all parties.

In the case of more serious concerns, it may be appropriate to discuss these with a senior member of staff or directly with the Executive Headteacher, who will normally be able to resolve the matter and take any necessary actions to put matters right.

At Stage 1, the member of staff will respond to the complainant within five school days of receipt of the complaint.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2 - Formal Stage

If the complaint is not resolved at the informal stage the complainant must write to the Executive Headteacher within ten school days of receiving the outcome of the Stage 1 complaint.

The Executive Headteacher (or designated member of the senior leadership team) will provide a copy of the complaint to the member of staff against whom the complaint has been made and will investigate it. Complainants will be asked to complete a Complaint Form and suggest a preferred resolution to their concerns. This form is attached as Appendix 1. Members of staff will be advised to record their recollection of the event for future reference.

The complainant, and staff member, should include details that might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition, the Executive Headteacher (or designated member of the senior leadership team) may meet with the complainant, who may be accompanied by a friend, to clarify the complaint.

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.

The Executive Headteacher (or designated member of the senior leadership team) will be responsible for collecting such other evidence as she/he deems necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, the employee may be accompanied by a work colleague or representative. In addition to receiving a copy of the complaint, the member of staff will be provided with any additional evidence presented by the complainant or collected by the Executive Headteacher.

The investigation will be undertaken as soon as possible and will be completed within ten school days of receipt of the formal complaint. The Executive Headteacher will inform the complainant and the member of staff concerned, in writing, of the outcome. This may be to the effect that:



- the concern is not substantiated by the evidence;
- the concern is substantiated in part or in full and an explanation and/or an apology given. Some details may then be given of the action the Executive Headteacher and governing body may be taking to put matters right or an assurance, where appropriate. However, details of the investigation or of any disciplinary procedures will not be released;
- there is insufficient evidence to reach a conclusion, so the complaint cannot be upheld;

The Executive Headteacher will confirm that consideration of the complaint is now concluded.

If the complainant is not satisfied that the procedure has been followed correctly, the complainant may request that the governing body reviews the Executive Headteacher's handling of the complaint. Any such request must be made in writing within ten school days of receiving notice of the outcome from the Executive Headteacher (or their deputy), and should include a statement specifying clearly any perceived failures. The procedure described in 7.4 will be followed.

Complaint relating to the Executive Headteacher

Stage 1 - Informal stage

Most areas of concern can be dealt with quickly and harmoniously through discussion. Any concerns or complaints should be referred initially to the Executive Headteacher and this may be by letter, by email, by telephone or in person by an appointment made at a mutually convenient time.

The Executive Headteacher will make every effort to resolve the issue and bring about a speedy resolution that is satisfactory to both parties.

Many concerns can be resolved by simple clarification or by providing further information and it is anticipated that most complaints will be resolved by this informal stage. The matter may be resolved by involving the chair of governors or advice from Milton Keynes Council .

At Stage 1, the Executive Headteacher will respond to the complainant as soon as possible and within five school days of receipt of the complaint.

Stage 2 - Formal Stage

If the complaint is not resolved at the informal stage, the complainant must write to the chair of governors within ten school days of receiving the outcome of the Stage 1 complaint. The chair of governors will provide a copy of the complaint to the Executive Headteacher and will investigate the complaint. Complainants will be asked to complete a Complaint Form and suggest a preferred resolution to their concerns. This form is attached as Appendix 1. The Executive Headteacher will be advised to record their recollection of the events for future reference.



The complainant and Executive Headteacher should include details that will assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition, the chair of governors may invite the complainant to meet him/her to give the complainant the opportunity to present oral evidence or to clarify the complaint. The complainant may be accompanied by a friend.

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.

The chair of governors will provide a note taker for the meeting to record the details of the complaint and a copy of the notes will be provided to the complainant and the Executive Headteacher.

The chair of governors will collect such other evidence as is deemed necessary. This may include the interviewing of witnesses and others who may provide relevant information.

In addition to receiving a copy of the complaint, the Executive Headteacher will be provided with any additional evidence presented by the complainant or collected by the chair of governors. Once there has been an opportunity for the Executive Headteacher to consider the evidence, s/he will be invited to meet separately with the Chair of Governors, in order to present written and oral evidence in response. The Executive Headteacher may be accompanied at this meeting by a work colleague or representative.

The investigation will be undertaken as soon as possible and will be completed within fifteen school days of receipt of the formal complaint. The chair of governors will inform the complainant and the Executive Headteacher in writing, of the outcome. This may be to the effect that:

- the concern is not substantiated by the evidence;
- the concern is substantiated in part or in full and an explanation and/or an apology given. Some details may then be given of the action the Executive Headteacher and governing body may be taking to put matters right or an assurance, where appropriate. However, details of the investigation or any disciplinary procedures will not be released;
- there is insufficient evidence to reach a conclusion, so the complaint cannot be upheld;

The complainant will be told that consideration of his/her complaint by the chair of governors is now concluded.

If the complainant is not satisfied that the procedure has been followed correctly or that his/her complaint has been addressed appropriately, s/he may request that the governing body reviews the chair of governors' handling of the complaint. Any such request must be made in writing within ten school days of receiving notice of the outcome from the chair of governors, and should include a statement specifying clearly any perceived failures. The procedure described in 6.4 will be followed.



Complaint relating to a governor

Formal complaints about a governor will be referred directly to the chair (or in the case where the complaint is against the chair, the vice-chair) of governors.

A governor who is the subject of the complaint would normally be advised of the situation immediately. However, if the complaint involves a child protection issue, child protection arrangements will come into force involving the Children's Services and potentially the police.

It is advisable that the chair (or in the case where the complaint is against the chair, the vice-chair or other nominated person) meet with the complainant, before any investigation, in order to clarify the precise nature of the complaint and to discuss ways in which the matter might be resolved. It may be that the complaint can be informally resolved at this point.

The following procedure will be followed to investigate complaints about the conduct of a governor:

If the chair (or in the case where the complaint is against the chair, the vice chair or other nominated person) deems that a formal investigation is required, then she/he will adhere to the following principles:

- a) A copy of the complaint will be given to the governor against whom the complaint has been made and they will be advised to contact another governor for advice and support.
- b) The chair (or in the case where the complaint is against the chair, the vice chair or other nominated person) will invite all parties (including witnesses) to provide written statements as part of the investigation.
- c) The governor will be advised that another governor or a 'friend' may accompany him/her at any subsequent interview or hearing.
- d) Following the investigation, the chair (or in the case where the complaint is against the chair, the vice-chair or other nominated person) will write up the findings and notify the complainant in writing of the outcome. This may be to the effect that:
 - the concern is not substantiated by the evidence;
 - the concern is substantiated in part or in full and an explanation and/or an apology given. Some details may then be given of actions to be taken to put matters right or an assurance, where appropriate, that the same thing will not happen again. However, details of the investigation or its outcome will not be released;
 - there is insufficient evidence to reach a conclusion, so the complaint cannot be upheld;
- e) The chair (or in the case where the complaint is against the chair, the vice chair) or other nominated person) will also inform the governor against whom the complaint was made of the outcome. This might result in a recommendation to the governing body to suspend or remove the governor in question in line with the regulations:

The process detailed above will be concluded within four school weeks from the date the complaint was received.

The School Governance (Constitution) (England) Regulations 2007/
The School Governance (Constitution) (England) Regulations 2012



Stage 3 - Review Process

The governing body's complaints committee consists of members of the governing board without direct knowledge of the complaint and they will undertake any review of the process undertaken by the Executive Headteacher or the chair of governors if requested by the complainant.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations will be considered sympathetically.

The committee will invite the complainant to submit written evidence of his/her complaint.

This information will then be given to the Executive Headteacher or Chair of Governors, as appropriate, and s/he will be invited to make a response to the complaint.

The committee may also have access to the records kept by the Executive Headteacher or chair of governors as appropriate of the details of the original complaint.

The committee will meet within fifteen school days of receipt of the request for the review to consider the evidence and decide:

- whether the complaint should be upheld or denied
- the reasons for their decision
- any action to be taken
- any recommendation they wish to make to the Executive Headteacher or Chair of Governors

The chair of the committee will send a letter to the complainant and the Executive Headteacher or Chair of Governors within three school days, notifying them of the outcome.

This may be to the effect that:

- the complaint is not substantiated by the evidence;
- the complaint is substantiated in part or in full but the procedural failure did not affect the outcome significantly and therefore the matter is now closed;
- the complaint is substantiated in part or in full and the governing body will take steps to rectify the situation (where this is practicable) or to prevent a recurrence;
- there is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.

The committee itself does not have any power to take remedial action. If it reaches a conclusion that disciplinary action may be appropriate, it can only recommend such action to the appropriate person.

If the committee wishes to make a recommendation regarding a change to the school's policy or procedures, this will be referred to the governing body for consideration.

This effectively ends the complaints procedure.



If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the School Complaints Unit (SCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.

The SCU will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The SCU also looks at whether the school's statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

Vexatious complainants

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the chair of governors (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, *and/or*
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, *and/or*
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

Complaint campaigns

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



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

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.

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.

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.

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

11. Legislation and guidance

This document meets the requirements of section 29 of the [Education Act 2002](#), which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE).

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.

APPENDIX 1: COMMENT FORM

Please use this form if you would like to comment on any aspect of school and/or to record discussion points from a meeting with a member of staff about issues you have raised.

Name

Signed

Date

Name of member of staff spoken to



Nature of Comment



APPENDIX 2: COMPLAINT FORM

Name

Address

Telephone (day):

Telephone (evening)

Email address:

Please give concise details of your complaint to allow the matter to be fully investigated.

Have you complained to the Executive Headteacher? Yes / No

When did you do this?

Date:

What happened when you complained to the Executive Headteacher?



What would you like us to do to put things right?

Signed

Date

**Please return this form to the School Office for the attention of either the
Executive Headteacher or Chair of Governor**