

A summary of our Complaint procedure

INFORMAL STAGE (up to 10 school working days in total)

School staff seek to resolve the complaint informally through discussion with the complainant. A complaint will not normally be considered unless the complainant has first raised the matter informally with the relevant school leader.

The complainant should submit a formal complaint within **90 calendar days** of the cause for complaint. If the complaint is received outside of term time, the calendar day timings for managing the complaint will start on the first school day after the holiday period.

FORMAL PROCEDURE – Stage 1* (up to 10 school working days in total)

Written complaint to the Headteacher

- Received by Headteacher;
- Acknowledgement – 3 school days;
- Investigation (including any discussion with the complainant);
- Formal written response (from the Headteacher – 10 school days from receipt).

*If the complaint is about the Headteacher then the complaint will be directed to the Chair of Governors and considered as a Stage 2 complaint.

FORMAL PROCEDURE – Stage 2 (up to 10 school working days in total)

Complaint to the Chair of Governors requesting review of the

Headteacher's decision or a complaint about the Headteacher

- Received by Chair of Governors (within 10 school days of the Headteacher's response);
- Acknowledgement – 3 school days;
- Investigation (including any discussion with the complainant);
- Formal written response (from the Chair of Governors or Clerk) – 10 school days from receipt.

FORMAL PROCEDURE – Stage 3 (up to 20 school days total)

Request for review of Chair's Decision – Governors' Complaint Panel

- Received by Clerk to the Governors (within 10 school days of the Chair of Governor's response);
- Acknowledgement – 3 school days;
- Meeting;
- Formal written response (from the Clerk) – 20 school days from receipt of request.

The conclusion of Stage 3 brings to an end the governors' role in considering the complaint. Complainants who remain dissatisfied may wish to contact the Department for Education.

Frequently Asked Questions

What if a formal complaint is made about a governor or the chair? The complaint should be passed through to the clerk who will arrange for an investigation. There is opportunity for the complainant to refer the matter to a Review Panel where the complainant is dissatisfied with the investigation response.

What if the complainant seeks support from a governor or governors? Governors must not involve themselves in matters that are likely to lead to formal complaint. Where a complainant raises their complaint with a governor who is not the Chair (or the Vice-Chair if the complaint is about the Chair), that governor must decline to discuss it and direct the complainant to the Chair, Vice Chair or the Clerk. A governor receiving written material about a complaint must forward it to the Chair, Vice-Chair or Clerk without comment.

What if the complainant wants to make a complaint on behalf of other people's children? The Governing Body will not accept complaints about other people's children since to do so may well compromise the position of the parents/carers of those children who may have a different view of the matter complained of.

What if the complainant makes reference to the complaint on social media? The Chair of Governors should contact the complainant to advise him/her that the complaint is a confidential matter and neither those investigating the issues, nor those who may be investigated would use social media in this way. Comments published on social media may be prejudicial to the fair investigation of the issues under consideration, and the Governing Body may decline to progress a complaint while unhelpful comments remain on social media.

What if the complainant contacts the Press while the complaint is being investigated? Similarly, the Chair of Governors should contact the complainant to remind him/her of the confidential nature of the process and the potential prejudice to fair investigation that can result from media involvement.

What if the complainant contacts their MP? The school will not conclude the complaints procedure just because a complainant contacts their MP. MPs are normally conversant with school complaint policies and will usually point the complainant in that direction. Where the MP contacts the school they will be advised of the relevant process and, if the complainant wishes, of the outcome of the complaint at the end of the process.

What if the parent or school asks for the support of the Local Authority? The Local Authority has no formal or statutory role in responding to complaints which must be directed to the school. The Local Authority may be involved in a complaint only in the following ways:

- In providing impartial procedural advice to Headteachers, Governors and complainants, as necessary, including attendance at Review Panel Meetings when requested by the school;
- Assisting in a mediation role where **both** parties agree that this offers a possible way forward as an alternative to more formal procedures;
- In investigating a complaint on behalf of the Governing Body where there is a need for an independent investigator, either in response to a governor view that it is necessary in a particular case to demonstrate the impartiality of the process, or because the subject matter is sufficiently complex or technical to require a higher level of experience or expertise. The governing body will consider requesting an independent review if the

complainant provides sufficient evidence that there would be bias in the proceedings if the review was carried out by a governor.

What if the complainant refers the complaint to Ofsted? Ofsted does not investigate individual complaints, though will record the complaint for information for the lead inspector when the school is next inspected. If there is a safeguarding component to the complaint then Ofsted will usually refer the matter to the Local Authority where it will be reviewed by a Leadership Adviser and/or the Local Authority Designated Officer (LADO), as appropriate.

How should records be kept through the complaints process? There are a number of aspects to this:

- The complainant may wish to take an **audio recording** of meetings
- It should be made clear to complainants that audio recordings are not permitted without the prior consent of everyone who is present. Audio recordings change the character of a meeting and usually increase tension between the parties. Participants in meetings should be aware that modern technology facilitates concealed recording.
- The clerk should **record any action points**, and **decisions**, and **the reasons for them**, should be recorded in a brief and self-explanatory way. These records should be accessible to the complainant if requested. There is no reason why the complainant should not make notes during the meeting if s/he wishes.
- Correspondence, statements and records relating to individual complaints will be kept confidential. No one should share a complaint beyond those who have a role in handling it. In particular, any disciplinary action that might follow the investigation of a complaint is a matter of employment law for employees and of conduct for governors and volunteers. Subsequent action will not be revealed to the complainant. Individuals have certain rights under the Data Protection Act to see their personal data, including records about them.
- A written record will be kept of all complaints made about the school, along with details of whether they resolved following a formal procedure, or progression to a panel hearing.
- The school will record the actions it takes as a result of complaints (regardless of whether they are upheld).

What if the Chair of Governors considers the complaint to be vexatious? These would be cases where the complainant persists unreasonably with complaints, or who deliberately seeks to make life difficult for school leaders/governors, rather than genuinely trying to resolve the complaint. The school should refer to the **Managing Serial and Unreasonable Complaints Policy**. This is a difficult area, particularly where harassment might be disguised as complaint, and it is recommended that the Chair discuss this with the LA's Leadership Adviser before taking an action.

What if the school receives duplicate complaints? If a duplicate complaint is received at the end of the complaints procedure from a spouse, a partner, a child or a grandparent for example and the complaint is on the same subject, the new complainant will be informed that the complaint and the local school process is concluded. If any new aspects are introduced, these will be investigated.

What if the school perceives there is a complaint campaigns? If the school becomes the focus of a complaint campaign and receives large volumes of complaints based on the same subject or from complainants unconnected with the school, the school will either send a template response to all complainants or publish a single response on the school website that is signposted in writing to all complainants involved.

Serial and unreasonable complaints

The school is committed to dealing with all complaints and requests for information fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our 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 and threatening.

If, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied and attempts to reopen the same issue, they will be informed that the procedure has been completed and that the matter is now closed. Correspondence about a complaint will not be viewed as 'serial' or 'persistent' until the complaint process has concluded, unless our published serial complaint criteria applies.

The school has adopted the model DFE policy for Managing Serial and Unreasonable Complaints. This is published on our website and is available on request from the school office.

The school will never take the decision to stop responding lightly and will only do so in the following circumstances:

- Every reasonable step has been taken to address the complaint;
- The complainant has been given a clear statement of the school's position and aims;
- The complainant contacts us repeatedly, making substantially the same points each time;
- The complainant's emails, letters or telephone calls are often or always abusive or aggressive;
- They make insulting personal comments about or threats towards staff;
- The school has reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience.

The school will not stop responding just because the complainant is difficult to deal with or asks complex questions. The school will act reasonably and consider any new complaint and we recognise that anybody has the right to raise a new complaint at any time.

Communication Strategy

In exceptional circumstances the school reserves the right to implement a tailored communication strategy if an individual's behaviour is causing a significant level of disruption. For example we can:

- restrict the individual to a single point of contact via an email address;
- limit the number of times they can make contact.

Regardless of any communication strategy, the school will provide parents and carers with the information they are entitled to under The Education (Pupil Information) Regulations 2005.

Barring from school premises

In additional exceptional circumstances the Headteacher may make the decision to bar an individual from entering school premises.

Issues outside of the scope of the complaints policy

Issue	Who to contact	Legislation, policy/procedure (references are generic and may not match the title of the school's own documents)
<p>Complaint about an admission to school</p> <p>School re-organisation proposals</p>	<p>Chair/Clerk in Foundation and Voluntary Aided schools</p> <p>Local Authority in community and voluntary controlled schools</p> <p>Local Authority or Diocese</p>	<p>Admissions and Admissions Appeal Procedure</p> <p>For information, view the Local Authority website</p>
<p>Complaint about a Pupil Exclusion</p>	<p>Clerk to the Governing Body if the exclusion is over 5 days</p> <p>Local Authority Inclusion Officer or relevant member of the Specialist Teaching Service</p>	<p>Rights to make representations to the Governors' Discipline Committee about a fixed period exclusion vary according to the length of the exclusion. There is a right of appeal to governors if the pupil is permanently excluded with a further right of review by an Independent Panel.</p>
<p>Allegation that a child has been harmed</p>	<p>Principal/Headteacher or Chair if the complaint relates to the Principal/Headteacher</p> <p>Local Authority Leadership Adviser.</p> <p>Local Authority Designated Officer (LADO)</p>	<p>DFE procedures – 'Keeping Children Safe in Education'</p>
<p>Special Educational Needs, content of or failure to maintain an Education, Health and Care Plan</p>	<p>Principal/Headteacher</p> <p>Local Authority</p> <p>The Local Authority Statutory Assessment and Resources Team</p>	<p>Local Authority procedures, with appeals made to the Special Educational Needs and Disability Tribunal.</p>

Services provided by an external contractor	Service Manager	Service provider's procedure
Staff capability (competence) Staff conduct Staff grievances	Headteacher, or Chair of Governors if the complaint relates to the Headteacher	Staff Capability Procedure Staff Disciplinary Procedure. Complainants will not be told the details of any disciplinary action taken against staff, but will be informed that the matter is being addressed Staff Grievance Procedure
Whistleblowing	Designated staff	School Whistleblowing Procedure

APPENDIX 4

Sample acknowledgement letter from Head/Chair of Governors

ISSUED ON SCHOOL HEADED PAPER

[DATE/HEADER etc.]

I am writing to acknowledge receipt of your complaint dated [INSERT DATE] that was received on [INSERT DATE]. I will be investigating this complaint and will write to let you know the outcome. You should expect me to have issued my response to you by [INSERT DATE THAT IS 10 SCHOOL DAYS FROM DATE OF RECEIPT].

As a first step, I will be making contact to arrange a meeting with you to:

- check my understanding of what the complaint is about;
- check whether anything in the Complaint Form can be withdrawn;
- check whether anything might be added to what is written in the Complaint Form;
- check whether any evidence is available that was not referred to in the Complaint Form;
- establish what would be an acceptable outcome for you;
- discuss whether there is anything that might help resolve matters without recourse to the Complaints Procedure, for example, through mediation.

Wherever possible, I am committed to ensuring the timescales within the Governing Body's Complaints Procedure are adhered to. The person responsible for the administration of the complaint is.....who is clerk to the governors. His/her role is to ensure that the timescales are being followed and to update you on the progress of your complaint.

This is a confidential matter and I want to reassure you that I will not be discussing this with anyone other than you and those I need to see as part of the investigation. Please could I ask you likewise to keep this matter confidential, so the investigation is not prejudiced in any way (for example through the use of social media)? If the complaint requires more time to consider than the standard 10 school days laid out in the policy, I will let you know, indicating when you can expect to hear from me.

Yours sincerely

[INSERT NAME]

Principal/ Chair of Governors

APPENDIX 5

Sample agenda for face-to-face meeting between complainants and governors' review panel at stage 3 (if adopted by the governing body)

Remove this Appendix if the face to face option is not adopted.

Meeting of Panel to consider any written representations (Parent and Investigating Governor join the meeting)	Panel, Clerk, LA Adviser
Introductions – Chair of Panel	Panel, Clerk, LA Adviser, Investigating Governor, Parent
Introduction to the Stage 2 report by the Investigating Governor	Panel, Clerk, LA Adviser, Investigating Governor, Parent
Questions to Investigating Governor about the Stage 2 report <ul style="list-style-type: none">▪ Panel▪ Parent	Panel, Clerk, LA Adviser, Investigating Governor Parent
Parental Representations	Panel, Clerk, LA Adviser, Investigating Governor Parent
Questions to the Parent <ul style="list-style-type: none">▪ Panel▪ Investigating Governor	Panel, Clerk, LA Adviser, Investigating Governor Parent
Closing remarks by the Investigating Governor	Panel, Clerk, LA Adviser, Investigating Governor Parent
Closing remarks by the Parent (Parent and Investigating Governor leave to allow the governors to make decisions)	Panel, Clerk, LA Adviser, Investigating Governor Parent
Panel's conclusions and recommendations	Panel, Clerk, LA Adviser

APPENDIX 6 (renumber as Appendix 5 if Appendix 5 on the previous page is omitted).

The DFE have published the following helpful advice about the roles and responsibilities of all involved.

<https://www.gov.uk/government/publications/school-complaints-procedures>

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible;
- co-operate with the school in seeking a solution to the complaint;
- 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 their complaint on social media and respect confidentiality.

Investigator

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 appropriate interviewing of the complainant to establish what has happened and who has been involved;
- interviewing staff and children/young people (or reviewing records of staff interviews with children) and other people relevant to the complaint;
- consideration of appropriate written records and other relevant information;
- analysing information;
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- 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 Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

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

Complaints Co-ordinator (this could be the Headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure;
- liaise with staff members, Headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure;
- be aware of issues regarding:
sharing third party information;
additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person;
- keep careful records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint 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 (DPA) 2018 and the General Data Protection Regulations (GDPR);
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible;
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale;
- make a written record of the proceedings;
- circulate the minutes of the meeting;
- notify all parties involved of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting;
- If the complainant is invited to the meeting, that it is conducted in an informal manner, is not adversarial, and that, everyone is treated with respect and courtesy;
- complainants who may not be used to speaking at such a meeting are put at ease.
- the remit of the committee is explained to the complainant;
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR;
- both the complainant and the school are given the opportunity to make their case and seek clarity, through written submissions ahead of the meeting

- the issues are addressed;
- key findings of fact are made;
- the committee is open-minded and acts independently;
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- minutes of the meeting are taken;
- they liaise with the Clerk

Committee Member

Committee 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 a prior involvement in the complaint or in the circumstances surrounding it;
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant;

It is recognised that the complainant might 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.

Omit the section below if the face to face option is not adopted.

- many complainants will feel nervous and inhibited in a formal setting;
- Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting;
- 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 child/young person's parent is the complainant, 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 the child/young person's best interests.
- the welfare of the child/young person is paramount.

School name... Complaint form

Section A – Your Details

Title – Mr/Mrs/Ms/Other	<input type="text"/>
Surname	<input type="text"/>
Forename	<input type="text"/>
Home Tel No	<input type="text"/>
Mobile Tel No	<input type="text"/>
Email Address	<input type="text"/>
Address and Postcode	<input type="text"/>

How would you prefer us to contact you?

Section B

Please give details of your complaint, including whether you have spoken to anybody at the school about it (please use a continuation sheet if necessary)

What would constitute a satisfactory resolution of your complaint?

School name... Complaint review request form

Section A – Your Details

Title – Mr/Mrs/Ms/Other

Surname

Forename

Home Tel No

Mobile Tel No

Email Address

Address and Postcode

How would you prefer us to contact you?

Section B

Please give reasons why you consider the response to your complaint from the Chair of Governors should be reviewed.

Please use a continuation sheet if required

What would constitute a satisfactory outcome by way of resolution of your complaint?

If at the end of the process you are not satisfied with the handling of your complaint and are seeking redress beyond the school you can contact the DFE. See Page 17 of our complaints policy for more details.