

Lady Boswell's C.E.
(Aided) Primary School

*Learning Together,
Learning for Life*

COMPLAINTS POLICY

Date of Policy: November 2019

Policy last reviewed: November 2025

Approved:

Date of Next Review: November 2026

Policy to be authorised by: Full
Governing Body

Signature:

We value every member of our community as a unique child of God and seek to demonstrate His love through our words and actions. We enable every child to achieve their full potential so that they leave us with their heads inspired and their hearts enriched.

As a result, our children will:

Develop a positive sense of self and well-being; confident to make the right choices and keep themselves safe in an ever-changing society

Strive for academic excellence, developing a thirst for knowledge and a love of learning

Become effective communicators, collaborators and leaders

Be resilient, resourceful and courageous

Be curious, creative individuals and confident problem solvers

Grow in spiritual awareness and develop a strong moral compass and a deepening understanding of the Christian faith in a multi-faith British society

Become responsible and tolerant global citizens who value diversity, forgive readily, and have concern for the needs of each other, the school, the wider community, and the planet.

Introduction

Our school is committed to providing the very best education for our young people and we want our pupils to be healthy, happy and safe and to do well. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised the school intends these to be dealt with:

- Fairly
- Openly
- Promptly
- Without Prejudice
- As informally as possible

The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will make sure we publicise the existence of this policy and make it available on the school website. Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

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), including the model procedure, and model procedure for dealing with serial and unreasonable complaints.

The DfE guidance explains the difference between a concern and a complaint:

- A *concern* is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- A *complaint* is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

Which procedure do I need?

Sometimes, when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following list details specific topics of complaints, and the correct policy to refer to. You can access these policies on the school website or ask for a copy from the school reception.

- Admissions
- Exclusions
- Special Educational Needs
- Staff Grievances / Discipline / Capability
- Child Protection
- Whistleblowing

It is expected that all complaints will be referred to the school in the first instance and that all stages will be pursued before considering a referral to the Secretary of State for Education (DfE Complaints Unit) if a complainant feels that their complaint has not been dealt with appropriately or remains unresolved.

Complainants are encouraged to follow through each stage of the procedure, as appropriate, in order to resolve their concerns. The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not publish details about the complaint on social media

Any person, including members of the public, may make a complaint. Non-parental complaints are likely to commence at Stage 2 of the complaints process set out below.

A written record of all complaints beyond Stage 2, whether they are resolved informally or through the complaints procedure will be kept by the Headteacher and monitored by the Governors.

Papers generated by or for the purpose of the Complaints Procedure, will be kept confidential to the parents, to members of staff involved, the members of the Complaints Panel in Stage 3, the Headteacher, Clerk to the Governors, Chair of Governors and staff relevant to the processing of the complaint. Information relating to the complaint will be dealt with in accordance to the School’s responsibilities under Data Protection legislation.

Complaints about the Headteacher or the governors

Where a complaint regards the Co-Headteachers, the complainant should first directly approach the Headteacher in an attempt to resolve the issue informally. *(Please note that for the remainder of this document the term Headteacher refers to both of our Co-Headteachers).* If the complainant is not satisfied with this outcome they should notify the Clerk to the governors. The Stage 2 process will then commence, but with the Chair of Governors as the individual responsible for the investigation rather than the Headteacher.

Where a complaint regards a governor, the same process applies as for the Headteacher. Where a complaint concerns the Chair of Governors, the individual should contact the Clerk to the governors. Informal resolution will be sought, but where this fails, the complaints procedure at Stage 2 will take place but with the Vice Chair or other nominated governor or an independent investigator responsible for the investigation.

Safeguarding

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy.

Social Media and confidentiality

In order for complaints to be resolved as quickly and fairly as possible, the school requests that complainants do not discuss complaints publicly, including via social media such as Facebook and Twitter. Complaints will be dealt with confidentially by the school and we expect complainants to observe confidentiality also.

Complaints that result in staff capability or disciplinary procedures

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 Headteacher and/or the individual's line manager. The complainant is not entitled to participate in the proceedings or receive any detail about them.

Anonymous complaints

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

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

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

Complaint Campaigns

Occasionally, schools may become the focus of a campaign and receive large volumes of complaints:

- all based on the same subject
- from complainants unconnected with the school

Following an internal investigation into the subject matter by the Senior Leadership Team the school will respond either by:

- sending a template response to all complainants or
- publishing a single response on the school's website

Aims and principles of the policy

This policy aims to:

- Encourage the resolution of concerns and complaints by informal means wherever possible
- Ensure that concerns are dealt with quickly, fully and fairly within defined time limits wherever possible
- Provide effective and appropriate responses to concerns and complaints
- Maintain good relationships between the school and all those involved

Key principles of this policy are:

- **Accessibility** – the policy will be available on the school's website and also can be requested from the school office. It will be in a useable format, free from jargon and will assume no specialist knowledge
- **Good communication** – the school will be happy to explain the process for dealing with concerns and complaints
- **Timescales**- there will be clear timescales, which the school will make every effort to adhere to. Where timescales have to change, we will ensure complainants are advised of the delay and reasons for this and are given clear revised timescales
- **Clarity** – over roles and responsibilities of those involved in the process and clarity around the desired outcome for the complainant
- **Confidentiality**- appropriate confidentiality will be maintained by all those involved (including school staff and governors).

The governing body will appropriately monitor the nature of the complaints received over each academic year to inform practice and potential improvements to procedures and policies within the school.

Upholding or not upholding complaints

At each stage of the complaints procedure the conclusion will be either:

- That the complaint is upheld (in part or in full) and where appropriate, some form of action is taken or recommendation made **OR**
- That the complaint is not upheld and reason(s) for this, where appropriate, are clearly given

The complainant may choose to take no further action or take their complaint to the next stage.

Following a decision about whether a complaint has or has not been upheld, the investigator will communicate the outcome to members of staff involved in the investigation. Where necessary and in the best interest of the school and its procedures, the wider staff and school community may also be informed of the outcome.

The Stages of the Complaints Process

(flowchart of process at Appendix 2)

Stage 1 – Informal Complaint

Please start by telling the class teacher about your concern. This is usually the best and quickest way of resolving issues. In some cases, the class teacher may feel it more appropriate to refer you to a more senior or experienced member of staff who will try to resolve the concern informally.

- It is recommended that you make an appointment to speak to the class teacher as soon as possible as this will give both parties the opportunity to talk about the issue without being interrupted
- It is important to recognise that schools are busy organisations and may not be able to offer an appointment straight away
- The purpose of this meeting should be to establish the nature of the concern and to seek a resolution to the problem
- It is good practice for the class teacher to make a brief written record of the concerns raised and any actions agreed
- The class teacher or member of staff may need to talk to others before they can respond to you.
- Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing either by letter or email.

Stage 2 – Formal Written Complaint (non- parental complaints are likely to go straight to this stage)

If you feel dissatisfied with the outcome of discussions with the class teacher, you should then contact the Headteacher (or member of the Senior Leadership Team) either by arranging an appointment to see them or by putting your complaint in writing. You may use the form attached as Appendix 1 to do this.

If you are not using the form, your letter should set out clearly the complaint and why you feel the issue has not been resolved through informal channels. The written complaint should set out what resolution you are seeking.

- The Headteacher (or delegated member of the senior leadership team) will consider the complaint and in doing so will:
 - Establish what has happened so far, and who has been involved;
 - Meet or contact you if they need further information;

- Clarify what you feel would put things right if this has not been set out in your letter or included on your form;
 - Interview those involved in the matter and those complained of, allowing them to be accompanied if they wish;
 - Conduct any interviews with an open mind;
 - Keep notes of any interview for the record
- The Headteacher will keep in mind ways in which the complaint can be resolved. It may be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:
 - an apology
 - an explanation
 - an admission that the situation could have been handled differently or better (please note this is not an admission of negligence)
 - an assurance that the event complained of will not recur
 - an explanation of the steps that have been taken to ensure that it will not happen again
 - an undertaking to review policies and practice in light of the complaint

It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated.

The Headteacher will discuss the outcome of their consideration of your complaint with you and should send a detailed response within a maximum of 20 school days. Where this proves to be unrealistic, you will be informed in writing and given an estimate of how long it will take to provide a detailed response.

Where you are unhappy about the decision the Headteacher has made the complaint normally moves to Stage 3 of the procedure. However, if the complainant and the Headteacher both agree, a further attempt at resolving the matter informally through a meeting with a governor will be offered.

Where you are unhappy about the decision the Headteacher has made about your complaint, this does not become a complaint about the Headteacher. However, if your complaint is about the conduct of the Headteacher and you feel that it has not been resolved at the informal stage, then you should move directly to **Stage 3** of the procedure and write to the Clerk.

Where the complaint is about the actions of the Headteacher

This section only applies where the core of the complaint is about the actions of the Headteacher. It does not apply in other cases, for example where the complainant is not satisfied with the investigation undertaken by the Headteacher into their initial complaint

If you are not satisfied with the response from the member of staff originally contacted at stage 1, or the Headteacher at stage 2, you should be advised that the next stage is to put your complaint in writing to the Chair of Governors care of the Clerk to the Governing Body. When writing the initial letter to the Chair of Governors (using the form at the end of this procedure) you should seek to include details that might assist the investigation, such as witnesses, dates and times of events and copies of relevant documents.

The Chair of Governors should write to you within 5 school days of receipt of your letter, setting out who is conducting the investigation and stating that the investigator/s will write to you setting out the actions being taken to investigate the complaint. The Chair of Governors will be responsible for carrying out an investigation or appointing an/other suitably skilled Governor/s to carry out the investigation who will then reach a conclusion based on the investigation.

Once satisfied that the investigation has been concluded and they have reached a decision on the complaint, the Investigating Governor or in the case of an independent investigation, the Chair of Governors, will notify you in writing of their conclusions and any actions that will be taken as a result of the complaint (except where this would involve taking any formal action against individual members of staff which would remain confidential). The Investigating Governor may feel it appropriate to meet with you to communicate their findings.

The outcome of the investigation would usually be one of the following but not limited to:

- The evidence indicates that the complaint was substantiated and therefore upheld and an apology given;
- The complaint was substantiated in part or in full which may include details of how the school may improve future practice (some details would be given of the actions the school will take in response to the complaint except where they may be of a disciplinary or other such nature relating to an individual member of staff);
- There is insufficient evidence to reach a conclusion so the complaint is inconclusive;

At this stage you will be told that consideration of the complaint by the Chair of Governors at Stage 2 is now concluded. Where you are unhappy about the decision the Chair of Governors or Investigating Governor has made about your complaint, this does not become a complaint about the Chair of Governors/ Investigating Governor, however, you will be advised of your entitlement to take your original complaint to the next stage by writing to the Clerk to the Governing Body within 10 school days, briefly outlining the content of the complaint and requesting that a Governor Complaints Panel is convened. Requests outside of this time frame will only be considered where exceptional circumstances apply. See **Stage 3** below.

Stage 3 – Governor Complaints Panel

If you are not satisfied with the response of the Headteacher, or you have a concern or complaint that is specifically about the Headteacher or a governor which has not been resolved informally (Stage 1) or at Stage 2 (Formal written complaint), then you must write a formal letter of complaint to the Clerk. You should either complete the complaints form or write to the Clerk at the school address, marking any envelope “urgent, private and confidential”.

Purpose of the Panel

The purpose of the Stage Three Complaint Appeal Panel is not to reinvestigate the original complaint. The investigation and fact-finding were completed at Stage Two, and the Panel will not revisit or repeat that process. Instead, the Panel’s role is to review whether the

complaint was handled fairly, appropriately, and in line with the school's Complaints Policy and relevant procedures.

Scope of the Appeal

The Appeal Panel will consider whether:

- The Stage Two investigation was conducted properly, following the school's policy and principles of fairness.
- The evidence presented at Stage Two was appropriately considered, and whether the conclusions reached were reasonable based on that evidence.
- Procedural requirements were followed, including timescales, communication expectations, and the opportunity for all parties to be heard.
- Any remedy or outcome from Stage Two was appropriate and proportionate to the findings.
- There is any new evidence, which could not reasonably have been provided earlier, that may have had a material impact on the Stage Two decision.

What the Appeal Panel Will Not Do

The Panel will not:

- Reopen or repeat the investigation undertaken at Stage Two.
- Consider new issues that were not part of the original complaint.
- Substitute its own view of the facts for that of the Stage Two investigator unless there is evidence of procedural unfairness.

Outcome of the Appeal

The Appeal Panel will determine whether to:

- Uphold the Stage Two outcome, or
- Uphold the complaint, in part or in full, where procedural failings or other valid grounds for appeal are established.
- The Panel's decision is final within the school's complaints process.

Procedure for a Governor Complaints Panel

- The Clerk should acknowledge receipt of the letter within 5 school days. The acknowledgement will inform you that three members of the school's governing body should hear the complaint within 20 school days of receiving the complaint. The letter will invite you to attend and will also explain that you have the right to submit any further documentation relevant to the complaint, to be provided at least 7 school days in advance of the meeting.
- The complainant/s may bring a friend or relative for support, this must not be a member of the press or media. The DfE does not recommend that complainants bring legal representation to the meeting as this is not a form of legal proceeding. This person is not entitled to ask questions or speak directly to the panel. The name of that person should be submitted to the Clerk for inclusion in the records 1 full school day ahead of the Complaints Panel hearing.
- A meeting of the Governor Complaints Panel will be convened. No governors with prior involvement in the issues complained about will be included on the panel. It may be necessary to use reserves (previously agreed by the Governing Body) and/or independent currently serving experienced governors from other Church of England

Voluntary Aided schools to ensure the panel is independent and can complete its work within the set time. An experienced governor will chair the panel meeting. The chair/clerk of the complaints panel will contact the complainant with the arrangements.

- At least 10 school days before the meeting, the clerk will notify the complainant of the date, time and venue of the meeting. If the complainant rejects the offer of three proposed dates without good reason, the clerk will decide when to hold the meeting. It will proceed in the complainant's absence on the basis of the written submission of the complainant.
- The clerk will request copies of any further written material that was not reasonably available at the time of the Stage 2 Complaint to be submitted at least 7 school days ahead of the meeting.
- Any written material from the complainant will be circulated to the panel 5 school days before the meeting. The panel will not consider any recordings that have been obtained covertly or without consent.
- The committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint.
- The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken. Schools are data controllers in their own right and have the discretion via their policies to decide for themselves whether to allow complainants to record meetings, if it's not required for the purposes of a reasonable adjustment.
- The Chair of the Committee will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within 15 school days. If it is not possible to meet these timescales then the chair of the panel will contact both parties to discuss a mutually convenient date. Further information on how the panel operates and the process is attached at Appendix 3.
- The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the school along with copies of the minutes.

Where members of staff are called as witnesses to a governor complaints panel, they may wish to be supported by union and/or legal representation.

Stage 4 – Escalation to Secretary of State for Education

If the complainant believes that the school did not handle their complaint in accordance with their published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education.

The School Complaints Unit considers complaints relating to local authority maintained schools in England on behalf of the Secretary of State. They will look at whether the school's complaints policy and other relevant statutory policies were adhered to. They will also check whether the school's policy adheres to education legislation. However the Unit will not re-investigate the substance of the complaint. This remains the responsibility of the school. If the Schools Complaints Unit finds that the school has not handled a complaint in accordance with its procedure, the Unit may request that the complaint is looked at again.

The School Complaints Unit can be contacted by calling the national helpline on 0370 000 2288 or by going online at: www.education.gov.uk/help/contactus or by writing to:

Department for Education
School Complaints Unit
2nd Floor, Piccadilly Gate
Store Street
Manchester
M1 2WD

Where the complaints process has reached its conclusion, its outcomes shared with and actioned by appropriate parties, the school will consider the matter closed and will not comment further on matters relating to the complaint. Complainants that persist in engaging the school in communication regarding a concluded complaint will be dealt with under the 'policy for serial, unreasonable or vexatious complaints' below.

Policy for serial, unreasonable and/or vexatious complaints

Our school is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will act to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The school defines unreasonable complaints as 'those who, because of the frequency or nature of the complainant's contacts with the school, hinder our consideration of their or other people's complaints'.

Examples: A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;

- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from school premises.

Duplicate Complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete

- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

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.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community. If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

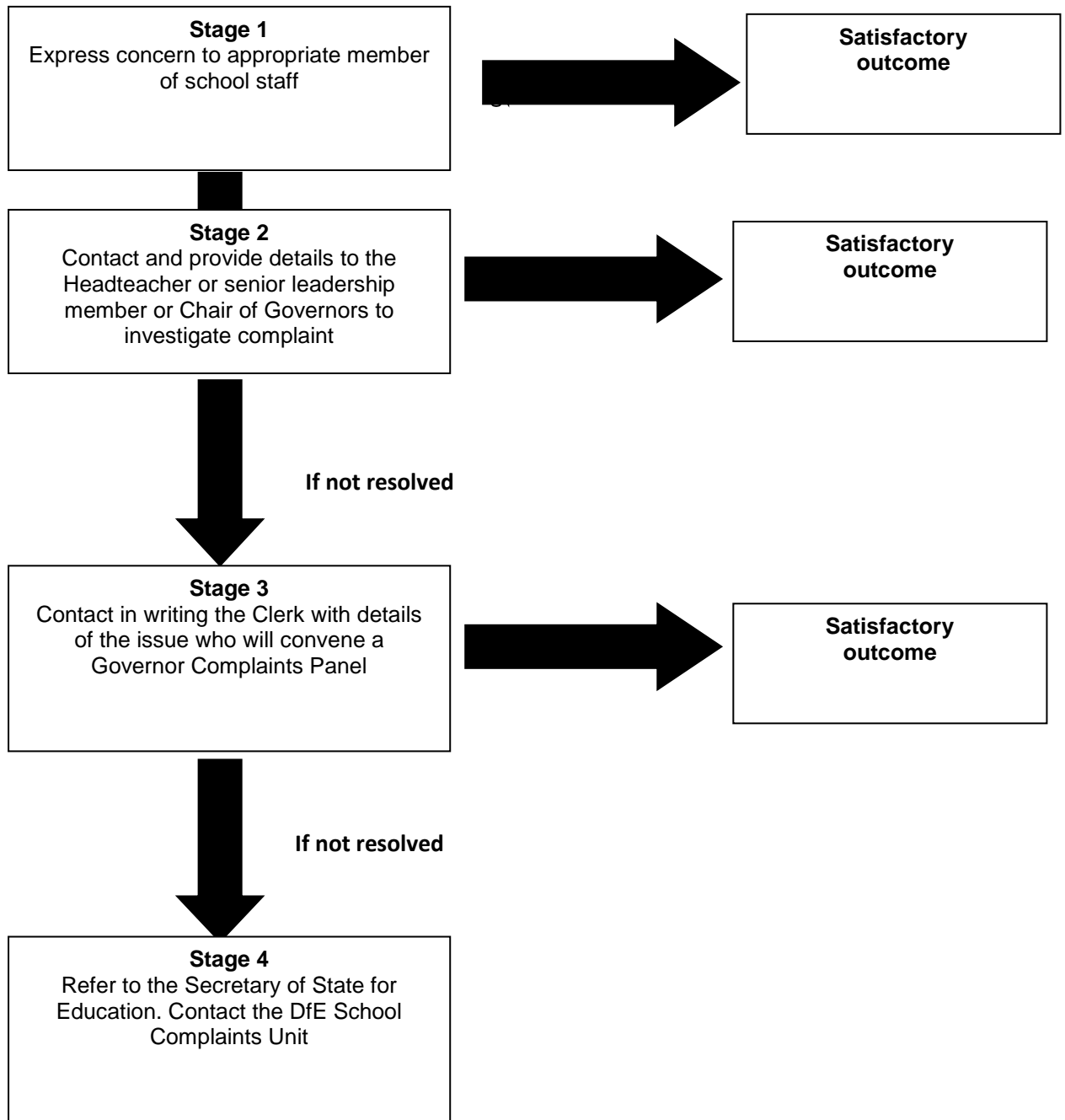
Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Complaints Form**Appendix 1**

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken	
Your Name	
Pupil's Name	
Your relationship to the Pupil	
Address	
Postcode	
Daytime Tel Number	
Evening Tel Number	
Please give details of your complaint here	
What actions, if any, have you taken to try and resolve your complaint?	
What actions do you feel might resolve the problem?	
Are you attaching any paperwork?	
Signature	
Date	
For Office Use only	
Date acknowledgement sent	By Whom
Complaint referred to:	Date:

Appendix 2

Model Complaints Procedure Flowchart



Appendix 3

Governor Complaints Panel procedure

- At the panel hearing:
 - You will have the opportunity to present your complaint.
 - The Headteacher (or investigating Governor) will explain the school's position.
 - Those present will have the opportunity to ask questions.
 - Panel members will have the opportunity to ask questions of the complainant and the Headteacher (or investigating Governor).
 - The Headteacher (or investigating Governor) will be given the opportunity to make a final statement to the panel.
 - The complainant will be given the opportunity to make a final statement to the panel.
 - The chair will ask the complainant if he or she feels they have had the opportunity to say everything they wish to say.
- The Chair of the Panel has responsibility to ensure that detailed minutes are taken.
- The Chair of the Panel will explain to the complainant and Headteacher that the Panel will consider its decision and that a written decision will be sent to both parties within 15 school days. The complainant, Headteacher, other members of staff and witnesses will then leave.
- The Panel will then consider the complaint and all the evidence presented and
 - Agree a decision on the complaint;
 - Decide upon the appropriate action to be taken to resolve the complaint; and
 - Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.
- A written statement clearly setting out the decision of the Panel must be sent to the complainant and Headteacher. The letter to the complainant should also advise how to take the complaint further.
- The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.