Complaints Procedure

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1. Introduction

Under Section 29 of the Education Act 2002 (see summary at **Appendix 3**) Governing Boards of all maintained schools and maintained nursery schools in England are required to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides.

For Academies, in having a complaints procedure, they are required to conform to the Education (Independent School Standards) Regulations 2014 (see summary at **Appendix 4)**.

For Faith schools, they must ensure that their complaints procedure is consistent with the Diocesan Regulations.

There is a requirement for this complaints procedure to be publicised and this must, in the first instance, be on the school's website (see section 4.3 of this Policy).

Schools may wish to nominate a member of staff to have responsibility for the operation and management of the school complaints procedure. They could be termed the school's "Complaints Co-ordinator". In smaller schools this will often be the Headteacher.

2. Scope

This procedure will be used to deal with any complaints relating to the school and to any community facilities or services that the school provides.

It is recommended that the Governing Board ensures that any third-party providers offering community facilities or services through the school premises or using school facilities have their own complaints procedure in place.

Complaints not within the scope of this procedure are outlined in **Appendix 2** together with references to the separate procedures which will apply to them.

This procedure will not apply to anonymous complaints unless the school determines that the complaint warrants an investigation.

Within this policy, references to the school, Headteacher, Governing Board and the Chair of Governors will, for Academies and Academy Trusts, be taken to mean a reference to the appropriate equivalent within those establishments.

3. General Principles

3.1 Dealing with Complaints – Initial Concerns

It is important to be clear about 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".

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Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

This procedure deals with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally.

In most cases, the class teacher or the individual delivering the service in the case of extended school provision will be the first to be notified of the concern.

3.2 Dealing with Complaints – Formal Procedures

The formal procedures will need to be invoked when initial attempts to resolve the concern prove unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. It is important to note however, that the informal process is not a compulsory step and there may be occasions when the complainant wishes to engage the formal process straightaway. Where this is the case, the school will attempt to resolve the complaint internally through the stages outlined within this procedure.

3.3 Framework of Principles

This complaints procedure:

- Encourages resolution of problems by **informal** means wherever possible
- Is easily **accessible** and **publicised**
- Is **simple** to understand and use
- Is **impartial**
- Is **non-adversarial**
- Allows **swift** handling with established **time-limits** for action and keeping people informed of progress
- Ensures a **full and fair** investigation by an independent person where necessary
- Respects people's desire for **confidentiality**
- Addresses all the points at issue and provides an **effective** response and **appropriate** redress, where necessary
- Provides **information** to the school's senior management team so that services can be improved.

All decisions taken in response to complaints under this procedure must be:

- Lawful
- Rational
- Reasonable
- Fair, and
- Proportionate.

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3.4 Investigating Complaints

The person investigating the complaint will ensure that they:

- Clarify the nature of the complaint and what remains unresolved
- Establish **what** has happened so far, and **who** has been involved
- Meet with the complainant or contact them (if unsure or further information is necessary)
- Clarify what the complainant feels would put things right
- Inform the complainant, where applicable, that recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded will not normally be accepted as evidence
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they so wish
- Conduct the interview with an open mind and be prepared to persist in the questioning
- Keep notes of the interview
- Ensure that all 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 the issues.

3.5 Resolving Complaints

At each stage in the procedure, schools will keep in mind ways in which a complaint can be resolved. It may suffice 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
- An assurance that the event complained of will not reoccur
- An explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the issue(s) at any stage.

It is useful to identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

3.6 Withdrawal of a Complaint

If a complainant wishes to withdraw their complaint, they will be asked to confirm this in writing and the withdrawal will be acknowledged by the school.

3.7 If Complainant remains Dissatisfied

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This procedure should limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing Board should inform them in writing that the procedure has been exhausted and that the matter is now closed, and provide them with contact details for the Department for Education (for schools)/Education & Skills Funding Agency (for academies) if they wish to pursue the matter further (see section 6 of this Policy).

3.8 Time Limits

The complainant 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. Complaints made outside of this timeframe will only be considered if exceptional circumstances apply.

Complaints which are received outside of term time will be considered to have been received on the first school day after the holiday period.

Complaints need to be considered and resolved as quickly and efficiently as possible using time limits given in this procedure. However, where further investigations are necessary, new time limits can be set.

If other bodies are investigating aspects of the complaint, for example the police, local authority, safeguarding teams or tribunals, this may impact on the school's ability to adhere to the timescales within this procedure or may result in the procedure being suspended until those public bodies have completed their investigations.

In both these instances, the complainant will be notified and provided with an explanation for the delay.

4. Managing and Recording Complaints

4.1 Recording Complaints

An example of a Complaint Form can be found in **Appendix 5**.

A complaint may be made in person, by telephone, or in writing. Where it is in person (meeting) or by a telephone call, at the end of the meeting/telephone call, it would be helpful if the member of staff ensured that the complainant and the school have the same understanding of what was discussed and agreed. To achieve this, a brief note of the meeting and telephone call must be kept together with a completed copy of the complaint form and a copy of any written response added to the record.

The progress of a complaint made under this procedure and the final outcome must be recorded including details of whether the complaint was resolved and how it was resolved i.e. whether it went to an Appeal Panel. Action taken as a result of the complaint must also be recorded.

All data pertaining to a complaint made under this procedure must be kept confidential and regard must be had to the UK General Data Protection Regulation and the Data Protection Act 2018. Disclosure of the complaint may be permitted in some circumstances to comply with statutory or contractual obligations.

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4.2 Governing Board Review

The Governing Board will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary.

Complaints information shared with the whole Governing Board should **not** name individuals.

As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, schools may identify underlying issues that need to be addressed.

The monitoring and review of complaints by the school and the Governing Board can be a useful tool in evaluating a school's performance.

4.3 Publicising the Complaints Procedure

There is a legal requirement for Complaints Procedures to be publicised. It is up to the Governing Board to decide how to fulfil this requirement, but details of the procedures must be included on the school's website. They can also be included in:

- The school prospectus
- The Governors' report to parents
- The information given to new parents when their children join the school
- The information given to children themselves
- The home-school agreement
- Home-school bulletins or newsletters
- Documents supplied to community users including course information or letting agreements
- A specific complaints leaflet which includes a form on which a complaint can be made
- Posters displayed in areas of the school that will be used by the public, such as reception or the main entrance.

5. Complaints Procedure

5.1 Informal Stage One: Complaint heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage.

The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, staff should periodically be made aware of the procedures so that they know what to do when they receive a complaint.

Complainants should never feel or be made to feel that a complaint made in a reasonable and appropriate manner will not be taken seriously or that it will reflect adversely on their child and their child's opportunities at the school.

The school should try to investigate and try to resolve every complaint in a positive manner and will treat every complaint as an opportunity to improve service.

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The school should try to respect the views of a complainant who indicates that they would have difficulty discussing a complaint with a particular member of staff. In these cases, the matter can be referred to the Headteacher who may, if they feel it appropriate, refer the complainant to another member of staff. Alternatively, they may not feel this is necessary. Where the complaint concerns the Headteacher, the complainant must be referred to the Chair of Governors.

If the member of staff directly involved feels too compromised to deal with a complaint, they may consider referring the complainant to the Headteacher. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial and the key factor.

Where the first approach is made to a Governor, the next step would be to refer the complainant to the appropriate person and advise them about the correct procedure. Here, the Governor must not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

The person dealing with the complaint should provide a written acknowledgement to the complainant within **5 working days** of receiving the complaint. A copy of this complaints procedure should be provided at the same time.

The person dealing with the complaint will carry out the necessary investigation to establish the facts. This may include meeting with the complainant and interviewing relevant witnesses.

On completion of the investigation, a written response to the complaint should be provided to the complainant within **10 working days** of the school's written acknowledgement of the complaint.

The written response should contain an outline of the complaint, the response to the complaint, the decisions reached and the reasons for those decisions. This can include:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern was not substantiated by the evidence
- The concern was substantiated in part or in full. Some details may then be given of the action that the school may be taking to review procedures etc. but details of the investigation or of any disciplinary procedures should not be released
- The matter has been fully investigated and that appropriate procedures are being followed which may be strictly confidential (e.g. where staff disciplinary procedures are being followed).

The written response must be endorsed by the Headteacher. It should also inform the complainant that if they remain dissatisfied with the outcome to their complaint, they can progress it to the second stage of this procedure.

If no further communication is received from the complainant within the specified period, it is deemed that the complaint has been resolved and the matter is closed.

5.2 Formal Stage Two: Complaint heard by Headteacher

If the complainant is dissatisfied with the outcome at Stage One and wishes to take the matter further, they can escalate the complaint to Stage Two and have the matter considered by the Headteacher. The complainant must send a written request within **10 working days** of receiving the Stage One written response stating their reasons for progressing to stage two.

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The complaint can also be dealt with at Stage Two from the outset where (i) the complaint warrants an investigation by the Headteacher or (ii) the complainant insists and has grounds to have the process commenced at stage two.

The Headteacher may delegate the task of collating any additional information required (to what has already been done at Stage One) to another staff member but not the decision on the action to be taken.

The same process and timings apply as in Stage One.

The written response to the complainant should inform them that if they remain dissatisfied with the outcome, they can request for the matter to be considered by a Governing Board Complaints Appeal Panel. This request must be made in writing to the Chair of the Governing Board within **10 working days** of receiving the outcome of Stage Two stating their reasons why they remain dissatisfied.

If no further communication is received from the complainant within the specified period, it is deemed that the complaint has been resolved and the matter is closed.

5.3 Stage Three: Complaint heard by Complaints Appeal Panel

Following a request being received from the complainant for their complaint to be considered at Stage Three, the Clerk to the Governing Board will record the date the complaint is received and acknowledge receipt in writing within **5 working days.**

The Chair of the Governing Board, or a nominated Governor, will convene a Complaints Appeal Panel within **4 working weeks** of receiving the request. Where this is not possible, the clerk will keep the complainant informed. For Academies, the Complaints Appeal Panel will be appointed by or on behalf of the proprietor.

The panel will consist of the first three Governors available and most suited in terms of training and experience to hear the complaint. They should have no prior involvement in the complaint and make a declaration to this effect. For Academies, at least one panel member must be independent of the management and running of the school.

Prior to the hearing, the panel will agree on who will act as Chair of the Panel.

The complainant should be given **10 working days'** notice of the hearing.

The clerk will write to and inform the panel, complainant and any witnesses of the date, time, and location of the hearing. The notification should inform the complainant that they can bring a friend/relative to accompany them to the hearing, and that they, if they wish to, can submit further written evidence relevant to the complaint for consideration by the panel. This further written evidence must be received no later than **3 working days** before the hearing. The panel will not accept new complaints at this stage or evidence unrelated to the complaint being reviewed. Nor will the panel accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded, unless there are exceptional circumstances which are agreed by the panel.

Where the date offered by the clerk is rejected by the complainant, the clerk can offer two additional dates. If these are also rejected without good reason, the clerk will decide when to hold the hearing which will then proceed in the complainant's absence and based on any written submissions and evidence from both parties.

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5.4 The Remit of the Complaints Appeal Panel

The panel can:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- (If the complaint is upheld in whole or in part) Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not reoccur.

There are several points which any Governor sitting on an appeal panel needs to remember:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it
- For schools with smaller Governing Boards who may not have sufficient numbers of Governors to sit on the panel, they can approach the clerk to the Governing Board or the Governor Support Service (where this independent third-party service is purchased by the school) to source suitable Governors or alternatively, approach another local Governing Board
- In deciding the make-up of the panel, Governors need to try and ensure that it is a cross-section of the categories of Governor and sensitive to the issues of gender, race, disability, age and religious affiliation
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend
- The Governors sitting on the panel need to be aware of this complaints procedure and adequately trained and supported to hear and determine complaints. This training and support can be provided by the Governor Support Service (where this independent third-party service is purchased by the school) or for faith schools by the appropriate religious body. It is recommended that the clerk keeps a record of the training attended by Governors.

5.5 Roles and Responsibilities

5.5.1 The Role of the Clerk to the Governing Board

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It is essential that any panel or group of Governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:

- Ensure that all persons 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 2018, and the UK General Data Protection Regulation
- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- Collate any written material and send it to the parties in advance of the hearing
- Meet and welcome the parties as they arrive at the hearing
- Take a record of the proceedings
- Notify all parties of the panel's decision.

5.5.2 The Role of the Chair of the Governing Board or the Nominated Governor

The Chair of the Governing Board/Nominated Governor role is to:

- Check that the correct procedure has been followed
- If a hearing is appropriate, notify the clerk to arrange the panel.

5.5.3 The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- The remit of the panel is explained to the parties and each party has the opportunity of presenting their case without undue interruption
- The issues are addressed
- Key findings of fact are made
- Parents and others who may not be used to speaking at such a hearing are put at ease
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- The panel is open minded and acting independently
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- Each side is given the opportunity to state their case and ask questions
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

5.6 Hearing the Complaint at the Complaints Appeal Panel Hearing

The aim of the hearing will be to resolve the complaint and achieve reconciliation between the school and the complainant. The hearing should be kept as informal as possible and heard in private.

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In the interest of natural justice, the introduction of previously undisclosed evidence or witnesses would be a reason to adjourn the hearing so that both sides have time to consider and respond to the new evidence.

The recommended conduct of the hearing is as follows:

- The Chair of the Panel ("Chair") will welcome the complainant, introduce the panel members and explain the procedure
- The Chair will invite the complainant to explain the complaint
- The panel members may question the complainant about the complaint and the reasons why it has been made
- The Chair will invite the Headteacher to ask any questions of the complainant relevant to the complaint
- The Chair will invite the Headteacher to make a statement in response to the complaint. At the discretion of the Chair, the Headteacher may invite members of staff directly involved in the complaint to supplement the Headteacher's response; the Headteacher may ask them questions
- The panel may ask questions of the Headteacher and the members of staff called about the response to the complaint
- The Chair will allow the complainant to ask questions of the Headteacher and members of staff about the response to the complaint
- Either party has the right to call witnesses, subject to the approval of the Chair. Witnesses are only required to attend for the part of the hearing in which they give their evidence
- The panel, the Headteacher and the complainant may question any such witnesses
- The Chair will invite the Headteacher to make a final statement to sum up their case
- The Chair will invite the complainant to make a final statement to sum up their case
- The Chair will explain to the complainant and the Headteacher that the panel will now consider all the information available to them and reach a decision
- The Chair will then ask all parties to leave except the members of the panel
- The panel will then consider the complaint and all the evidence presented and reach a decision on the complaint and the reasons for it; and decide upon the appropriate action to be taken to resolve the complaint.

A written decision will be sent to both parties (and where appropriate, to the specific individual against whom the complaint was made). This should include notification of any recommendations made.

5.7 Notification of the Complaints Appeal Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response within **10 working days** of the date of the hearing. The letter should inform the complainant that this was the last stage of the Complaints Procedure and that the Complaints Appeal Panel's decision is final. They should be informed of what they need to do if they wish to pursue the matter further externally (see section 6 of this Policy).

The findings and recommendations of the panel must be available for inspection on the school premises by the Proprietor and the Headteacher.

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5.8 Complaints against the Headteacher/Chair or Vice Chair of the Governing Board/Member of the Governing Board/Governing Board

Where the complaint is:

(i) Against the Headteacher, it should be notified to the Chair of the Governing Board in the first instance and then to a Panel made up of impartial members of the Governing Board

(ii) Against the Chair or Vice Chair of the Governing Board, it should be notified to the clerk to the Governing Board, who must seek appropriate guidance from, for example, the Local Authority, the Governor Support Service (where this independent third-party service is purchased by the school), appropriate religious body (for a faith school), or Regional Department for Education Directors (for an academy)

(iii) Against a member of the Governing Board, it should be notified to the clerk to the Governing Board. The clerk should then arrange for the complaint to be investigated. This can be by a suitably skilled and impartial member of the Governing Board and then to a Panel made up of impartial members of the Governing Board

(iv) Against the majority/entire Governing Board, it should be notified to the clerk to the Governing Board, who should then determine the most appropriate course of action having taken advice as recommended in (ii) above. This will depend on the nature of the complaint and may involve sourcing an independent investigator to investigate and then for the complaint to be heard by a Panel made up of Governors from other schools.

Note: Any Governor conducting an investigation or serving as a member of an appeal panel must have no conflict of interest or prior knowledge of the complaint and must confirm their independence to the clerk beforehand.

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6. Next Steps

Complaint to the Department for Education/Education & Skills Funding Agency

If the complainant remains dissatisfied with the outcome of the appeal hearing, they can take the matter to the Department for Education [DfE] (for schools) or to the Education & Skills Funding Agency [ESFA] (for academies). Unless there are exceptional circumstances, the DfE/ESFA will not deal with a complaint unless they are satisfied that the school has first had the proper opportunity to consider it and respond. The DfE/ESFA will not normally re-investigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

Complaints about schools/academies can be made to the DfE/ESFA using this online form or calling 0370 000 2288.

For further information about making a complaint about a school please visit:
https://www.gov.uk/complain-about-school

7. Adjustments

Where the complainant requires additional support or adjustments to accommodate a disability or because of language difficulties, this should be notified to the school for consideration and to determine what additional arrangement should be made to support the complainant in this process.

8. Serial, Persistent, Unreasonable and Vexatious Complainants

There will be occasions when, despite all stages of the complaints procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue, the school can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as “serial” or “unreasonable” or even “vexatious” and the school may choose not to respond.

In these circumstances, the guidance set out in **Appendix 1** should be followed.

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Appendix 1

Guidance on dealing with Serial, Persistent, Unreasonable and Vexatious Complainants

Serial or Persistent Complainants

Schools should not ordinarily refuse to accept further correspondence or complaints from an individual they have had repeat or excessive contact with. The application of a "serial or persistent" marking should be against the **subject or complaint** itself rather than the complainant so where a complainant contacts the school again on the same issue, that correspondence may be viewed as serial or persistent.

Unreasonable Complainants

The school defines "unreasonable behaviour" as that which hinders its consideration of the complaint because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on
- 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 progresses
- 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 (for schools) or Education & Skills Funding Agency (for academies)
- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint whether in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive, or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums.

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Frivolous or Vexatious Complaints

The school defines a “frivolous” or “vexatious” complaint as having the following characteristics:

- Complaints which are obsessive, persistent, harassing, prolific, repetitious
- Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- Insistence upon pursuing meritorious complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress that lack any serious purpose or value.

Dealing with Serial, Persistent, Unreasonable, Frivolous and Vexatious Complaints

Where the school receives complaints considered to be serial, persistent, unreasonable, frivolous and/or vexatious it can make a decision to stop responding to the complainant. The decision to stop responding should never be taken lightly and the following considerations will apply:

- Whether the school has taken every reasonable step to address the complainant’s concerns
- Whether the complainant has been given a clear statement of the school’s position and their options
- Whether the complainant contacts the school repeatedly, making substantially the same points each time.

The case to stop responding to the complainant is stronger where:

- The complainant’s letters, emails, or telephone calls are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- The school has reason to believe that the complainant is contacting the school with the intention of causing disruption or inconvenience.

Once the school has decided that it is appropriate to stop responding, it will need to inform the complainant.

NB: The school should not stop responding just because the complainant is difficult to deal with or asks complex questions.

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Appendix 2

Alternative Complaints Procedures

Exceptions	Who to contact?
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the Local Authority.
• Exclusion of children from school	**This complaints procedure will apply** to complaints about the application of the School Behaviour Policy. Further information about raising concerns in respect of exclusions can be found at: www.gov.uk/school-discipline-exclusions/exclusions
• National Curriculum – content	Please contact the Department for Education at: www.education.gov.uk/contactus
• Collective Worship	Complainants who are dissatisfied with the content of the daily act of collective worship should contact the Local Authority Or the Local Standing Advisory Council on Religious Education or any other relevant Body.
• Matters likely to require a Child Protection Investigation/Safeguarding	Complaints about child protection matters are handled under our child protection and safeguarding policies and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) or the Multi-Agency Safeguarding Hub (MASH).
• Whistleblowing	Whistleblowing complaints are handled under our Whistleblowing Policy (Confidential Reporting) which applies to all our staff. If you are not a staff member and wish to raise or report a concern, **this complaints procedure will apply**. You may also be able to complain to the relevant local authority or the Department for Education depending on the substance of your complaint. www.education.gov.uk/contactus
• Staff grievances	Complaints from staff (including former staff) concerning the employment relationship will be dealt with under the school's internal grievance procedures. If staff members have children at the school where they are employed and wish to make a complaint in their capacity as a parent concerning their child, **this complaints procedure will apply.** Where this is the

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	case, the complaint under this procedure cannot be used to cover staffing or employment relationship issues with the member of staff against whom a complaint is made. Here, the internal grievance procedures will continue to apply.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
• Data Protection	Complaints to be made direct to the School's Data Protection Officer or the ICO. https://ico.org.uk/global/contact-us/
• Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.

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Appendix 3

Summary of Section 29 of the Education Act 2002

Section 29 of the Education Act 2002 requires that:

(1) The governing body of a maintained school (including a maintained nursery school) shall –

(a) establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and

(b) publicise the procedures so established.

(2) In establishing or publicising procedures under subsection (1), the governing body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State.

Section 39 (1) of the Education Act 2002 provides the following:

"maintained school" means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school;.."

"maintained nursery school" means a nursery school which is maintained by a local education authority and is not a special school;…"

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Appendix 4

Summary of Part 7 of the Education (Independent School Standards) Regulations 2014

"Manner in which complaints are handled"

Part 7 of the Education Regulations 2014 requires that:

A complaints procedure is drawn up and effectively implemented which deals with the handling of complaints from parents of pupils which –

(a) Is in writing;

(b) Is made available to parents of pupils;

(c) Sets out timescales for management of the complaint;

(d) Allows for a complaint to be made and considered initially on an informal basis;

(e) Where the parent is not satisfied with the response to the complaint made in accordance with (d) above, establishes a formal procedure for the complaint to be made in writing;

(f) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (e) above, makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint;

(g) ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school;

(h) allows for a parent to attend and be accompanied at a panel hearing if they wish;

(i) provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is—

(i)provided to the complainant and, where relevant, the person complained about; and

(ii)available for inspection on the school premises by the proprietor and the head teacher;

(j) provides for a written record to be kept of all complaints that are made in accordance with sub-paragraph (e) and—

(i) whether they are resolved following a formal procedure, or proceed to a panel hearing;

and

(ii) action taken by the school as a result of those complaints (regardless of whether they are upheld); and

(k) provides that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Appendix 5

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Complaint Form

Please complete and return to the Complaints Co-ordinator who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name (if relevant):

Your relationship to the pupil (if relevant):

Address:

Postcode:
Day time telephone number:
Evening telephone number:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint (who did you speak to and what was the response)?

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:

Signature:

Date:

OFFICIAL USE ONLY

Date acknowledgement sent:

By whom:

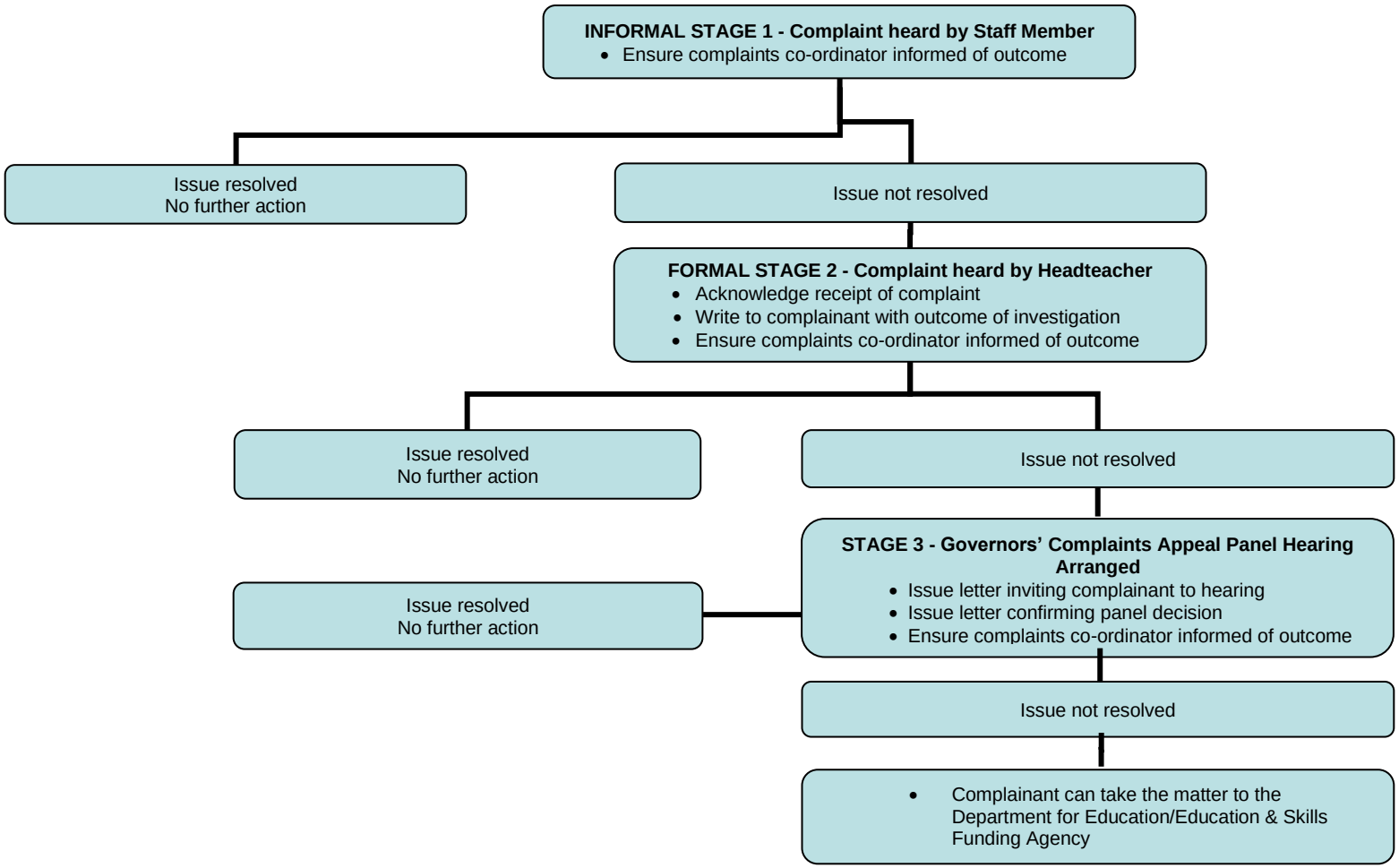
Complaint referred to:

Date:

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Appendix 6

Flowchart – Summary of Dealing with Complaints



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