



# Oxford Diocesan Bucks Schools Trust (ODBST)

*“Empowering our unique schools to excel”*



## Complaints and Resolution Policy

<p><b>ODBST Level 1 Statutory Policy:</b></p>	<p><b>ALL</b> Schools require this policy with <b>no changes</b> allowed to core text. No changes are necessary to personalise this with school name and branding, as this is a Trust level policy for use, without change, by all schools, <b>except</b> where a school contact is required as identified in the content of the policy. LGBs will <b>note</b> adoption in LGB meetings. Review will take place at Trust level, and schools will be notified of updates and review dates as necessary.</p>
<p><b>Other related ODBST policies and procedures:</b></p>	<p>Child Protection and Safeguarding Policy                  Admissions Policy                  SEN policy and Information report                  Behaviour Policy                  Exclusion Policy                  Anti-bullying Policy                  Whistleblowing Policy                  Disciplinary, Capability and Grievance                  Privacy notices</p>
<p><b>Committee responsible:</b></p>	<p>School Effectiveness Committee</p>
<p><b>Approved by:</b></p>	<p>School Effectiveness Committee</p>
<p><b>Date Approved:</b></p>	<p>November 2024</p>
<p><b>Date for Next Review:</b></p>	<p>Autumn term 2025</p>

# ODBST Complaints Procedure

## Handling complaints

All schools face complaints at some stage, and they are required by law to have a procedure for dealing with them. It is in everyone's interest that complaints about a school are resolved at the earliest possible stage and a school must be clear about the procedures they will apply when they receive a complaint.

ODBST complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Elmtree Infant and Nursery School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

A thorough and straightforward complaints procedure should minimise time spent dealing with complaints in schools by providing a clear process from which they can be efficiently dealt with. Complaints must still be dealt with thoroughly and schools should aspire to ensure that all parties are satisfied with the outcomes.

Academies are required by the **Independent School Standards 2014** to have a publicised complaints procedure with clear timescales and an informal stage that is available to parents and specifies that one member of any review panel must be independent from the school.

The Local Governing Body has delegated responsibility on behalf of the trustees of ODBST for the school and for ensuring that all pupils receive an appropriate and high standard of education. The headteacher is responsible for making decisions on a daily basis about the school's internal management and organisation. As such, the school should make it clear that parents and third parties should direct complaints to the school in most circumstances.

This policy is not intended to cover matters for which there is a specific statutory process to object, complain or appeal. Concerns about allegations of child abuse and staff discipline must be dealt with through the separate agreed procedures that have been adopted for these purposes. Similarly, separate procedures will apply in relation to appeals related to admissions, special educational needs and exclusions.

Children and or their families who have special educational needs, specific access requirements or particular health issues may need to have additional help, resources or support. Our schools will seek to ensure there are no barriers to learning or to taking a full part in school life for any child. We especially ask parents of children with special needs to work in a close partnership with our schools. Our schools need your help to ensure we can provide the very best education possible for your child. If a situation ever arises where any of our schools has any concerns or need to talk to you, the school shall contact you quickly and discuss matters confidentially, openly and fully with you. If you have any matter you wish to talk over, or any concerns whatsoever, please talk to your child's teacher. If you feel that the matter has not been resolved, then you can arrange to speak to the school's Special Educational Needs Coordinator (SENCo). If you are still not satisfied with the outcome, then please follow our complaints procedure below.

Please note: Government guidance states that if a parent raises a complaint about the school's SEN support, they must do so while their child is still registered at the school. This includes making a complaint that the school has not provided the support required by their child's SEN plan or by their education, health and care plan (EHCP).

Any feedback or concerns regarding this policy and the procedures set out should be reported back in the first instance to the ODBST School Effectiveness Committee via the Head of Governance.

## Principle 1: Know your procedure

Local governing bodies must be familiar with and confident about their policies and this policy provides the procedure (see below) for schools to follow. This complaints procedure covers the statutory requirements for your school as part of a multi-academy trust.

## **Principle 2: Make it easily available**

Schools should make their procedures as accessible as possible; parents and other relevant third parties should not be put off from making a complaint because they are not sure how to do so. It is a statutory requirement that schools publicise their complaints procedures and ODBST expects schools to publish their policy in a prominent place on the school website. The school should also make hard copies available in reception as well. So long as the procedure is easily accessible in the obvious places that individuals would think to look, you are fulfilling this criterion.

## **Principle 3: The procedure is straightforward and easy to understand**

The procedure is straightforward so that the individual making the complaint is clear what information they need to submit and to whom. The procedure sets out the steps that will be followed along with the timescales for completion.

## **Principle 4: Most complaints should be dealt with by staff and never reach the local governing body**

The vast majority of complaints should be dealt with at the informal stage by school staff. There should not be a significant volume of complaints being dealt with by the local governing body. The ODBST procedure is based on a three stage school process, one informal and two formal: in the first instance 'concerns' are dealt with by the relevant member of staff; if a parent is dissatisfied s/he complains formally to the headteacher who responds formally and if the parent remains dissatisfied there is a final stage which is a complaint to a panel of the local governing body. It is the view of ODBST that governors, including the chair, should only be involved in complaints at the final stage of the procedure i.e. when a review panel of governors would need to be convened. The headteacher or another member of staff should act as the complaints co-ordinator within the school, and the Trust should be notified of the number of complaints reaching the formal stages each academic term.

## **Principle 5: Schools should always seek resolution**

In ensuring that complaints do not escalate, staff should endeavour to resolve complaints informally wherever possible. It is important that they recognise the difference between a concern and a complaint:

- a **concern** is the raising of a potential issue that is an expression of some worry or apprehension
- a **complaint** is an actual statement of dissatisfaction that requires resolution. Staff should be clear on how to deal with complaints appropriately, depending on their seriousness.

Staff should be open and welcoming to parents and willing to discuss issues with them when they are raised. The aim is not to silence the complainant but to work together to resolve whatever issue there is. If schools adopt such an open culture it is less likely that 'concerns' will escalate into complaints. Complainants should always be asked what outcome to a concern or complaint they are seeking.

At every stage of the process, informal and formal complainants should be asked what resolution they are seeking and the individual investigating the complaint at that stage should consider whether the school is able to offer that solution.

Even where a formal complaint is required, resolution should be sought at every stage of the process, including at the local governing body review.

## **Principle 6: As few people should be involved as possible**

As few people as possible should be involved in complaints at each stage, partly for confidentiality purposes, but also to ensure that individuals who could be called upon to review the situation do not become tainted. By this, we mean that governors called upon to review complaints should have minimal prior knowledge about the situation in order to ensure that they have not formed any biases that may influence their ability to be impartial.

## **Principle 7: Records should be kept at each stage of the process**

While escalation of the complaint will ideally not result in further investigation, it is important that those responsible for reviewing the complaint at each stage keep records of what the complaint was, any relevant evidence that was considered and the outcome. Ideally, this would be sent to the complainant to sign that it was a true reflection of what was said.

In doing this, the school is making it easier to review the complaint at any later stages of the procedure (saving time for governors on appeal panels in the process) and also ensuring that it has the strongest base possible from which to defend itself if the complaint is taken to the Department for Education. Any personal information recorded in regard to the complaint must be kept according to the principles of the Data Protection Act 1998.

**Principle 8: Review the procedure regularly**

The ODBST Trustees should be confident that its complaints procedure is thorough, clear and robust.

As a matter of good practice, the ODBST Trustees should review its procedure every year to make sure it is still fit for purpose. The procedure may need to be amended before the review date if there are any changes to the law, or if it becomes apparent as a result of a complaint that the procedure is not working effectively. The Trust will review this procedure to reflect any changes to the law.

# Elmtree Infant and Nursery School Complaints Procedure

Approved by the Board of Trustees November 2023

Adopted by the local governing body <insert date here>

Review Date: November 2024

## Introduction

Elmtree Infant and Nursery School endeavours to provide the best education possible for all of its pupils in an open and transparent environment. 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 for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without Prejudice

In order to do so, the local governing body of Elmtree Infant and Nursery School has approved the following procedure which explains what you should do if you have any concerns about the school. All members of staff will be familiar with the procedure and will be able to assist you.

## 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 main school reception.

- Pupil admissions; please see the school's admissions policy
- Pupil exclusions; please see the school's *behaviour policy or Exclusion policy*
- Staff grievance, capability or disciplinary; these are covered by the school's <grievance/disciplinary/capability> procedure
- Where the complaint concerns a third party used by the school; please complain directly to the third party themselves
- Anonymous complaints – please refer to the whistleblowing policy
- Subject Access Requests and Freedom of Information Requests – please see the school's Data Protection and Freedom of Information policy

## Raising concerns or make a complaint

The majority of concerns can be dealt with without resorting to the procedure. Where you have a concern about any aspect of the school or your child's education or wellbeing, raise this with your child's class teacher or the member of staff most directly concerned via the phone or in person. Ideally, they will be able to address your concerns on the spot or can arrange a meeting with you to discuss the issue.

All concerns will be dealt with confidentially, although the staff member may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 1998. However, such notes would be able to be used as evidence if further investigation was required, or if the concern became a formal complaint.

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to [Diana Ohene \(Headteacher\)](#) via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to [Tony Hann](#) (the Chair of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to [Trevor Gibbons](#) (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## 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.

## 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 which can be found on the school website [Safeguarding | Elmtree School & Nursery](#) or a copy obtained from the main reception of the school.

## Social Media

In order for complaints to be resolved as quickly and fairly as possible, [Elmtree Infant and Nursery School](#) requests the complainants do not discuss complaints publicly via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

## Complaints that result in staff capability or disciplinary

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.

## Procedure

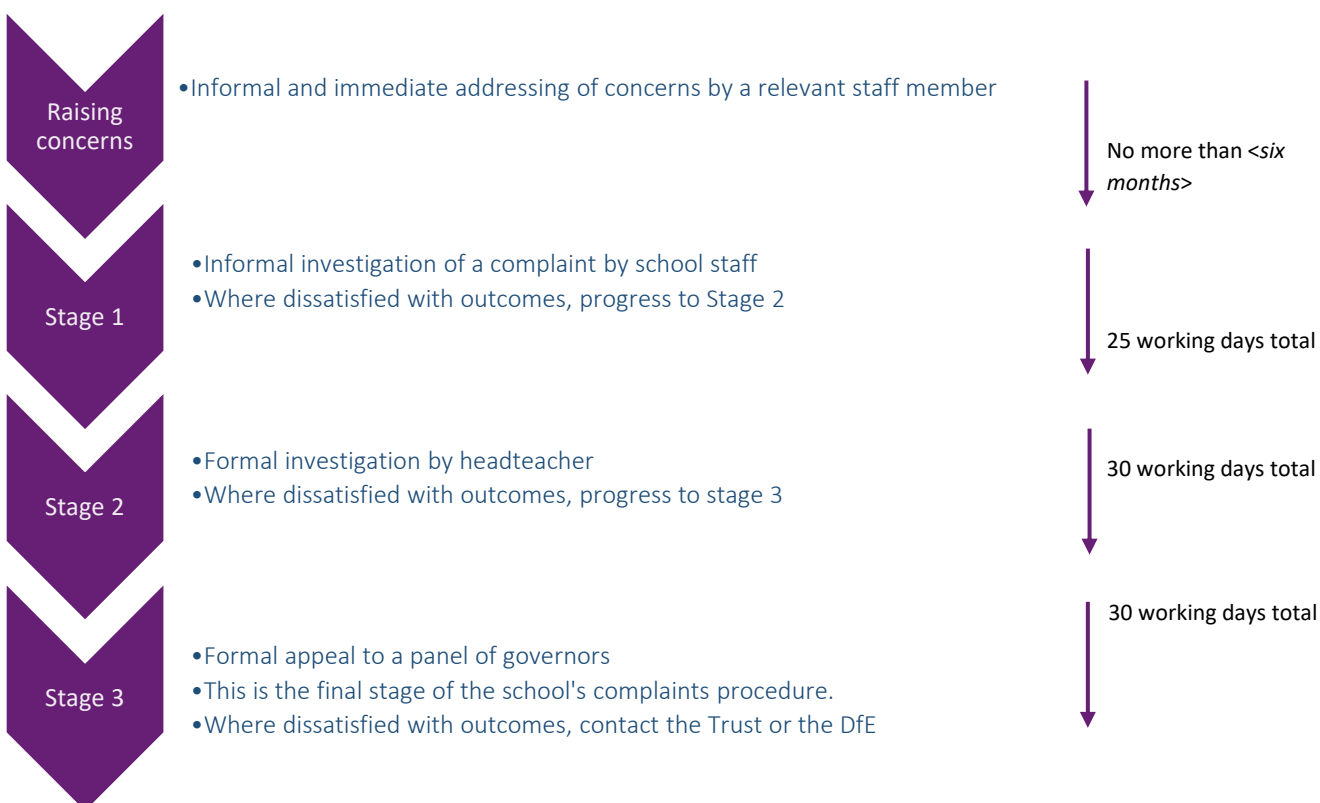
If you need to raise an issue in the first instance, please do so with the relevant member of staff who will be happy to talk to you and seek to establish a solution. If you are not satisfied with this response and believe the issue has not been resolved, please use the following procedure as detailed below.

### Resolving complaints

At each stage in the procedure, <School Name> wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology

### Timeline



### Timeframes

Elmtree Infant and Nursery School will endeavour to abide by timeframes stated under each stage but acknowledges that in some circumstances, this is not always possible due to the complexity of information needed to review a complaint or difficulties regarding individual's availability to deal with the complaint, for example. If it becomes

apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the individual responsible for handling the complaint will contact the complainant as soon as possible and come to an agreed timeframe that works for all parties involved.

Elmtree Infant and Nursery School reserves the right not to investigate complaints that have been made **six months** after the subject of the complaint took place, except in exceptional circumstances. What is meant by exceptional circumstances is where new evidence has come to light, where the complaint is of an especially serious matter or where there is reasonable justification for why the complainant has been unable to raise the complaint before this time. The headteacher will review the situation and decide whether or not to enact the complaints procedure, informing the chair of governors of the decision and recording the reasons.

## Who should I approach?

Educational matters: Class teacher (learning consultations)

Pastoral care: Danielle Garman, Family Liaison Office (Wed-Fri)

Behavioural matters: Mrs Dowling (Deputy Headteacher)

Financial/Administration matters: Laura Routh, School Business Manager

Complaint about a staff member's conduct: direct approach to the staff member themselves. Where this does not resolve the situation, their line manager should be approached.

## Complaints about the headteacher or the governors

Where a complaint regards the headteacher, the complainant should first directly approach the headteacher in an attempt to resolve the issue informally. If the complainant is not satisfied with this outcome they should notify the clerk to the governors (see contact details at the end of the document). The Stage 2 process will then commence, but with the chair of governors as the individual responsible for the investigation rather than the headteacher or another member of the senior leadership team.

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 3 will take immediate effect. The vice chair or an independent investigator will mediate any proceedings.

## Stages of the Complaint

### Stage 1 – Informal investigation by a staff member

Where as a result of raising a concern the complainant still feels that the issue has not been addressed, or where the outcome has been that the complaint needs further investigation and so cannot be resolved briefly, they may progress by making an informal complaint. In doing so, the following steps will be followed:

1. Complainant contacts the relevant staff member. (The class teacher or staff member directly involved)
2. The complainant should explain:
  - An overview of the complaint so far
  - who has been involved
  - why the complaint remains unresolved
  - action they would like to be taken to put things right.
3. The staff member will respond within **10 working days** (excluding those which fall in the school holidays) of having received the complaint. They will explain what action they intend to take.

4. Where the complaint is about a member of staff or a school governor, the staff member will arrange an informal mediation meeting between the two parties to see if a resolution can be reached.
5. The staff member will provide written confirmation of the outcome of their investigation, or of the informal mediation if this was able to resolve the complaint, within **15 working days** (excluding those which fall in the school holidays) of having sent confirmation of the intended action. Where the complainant is not satisfied with the outcome of the informal investigation, they are able to progress to stage 2 of the complaints process and launch a formal written complaint.
6. The staff member will make a record of the concern and the outcomes of the discussion which will be held centrally for twelve months, in line with the principles of the Data Protection Act 1998

## Stage 2 – Formal investigation by a Senior Teacher

1. The complainant must submit a formal complaints form to the headteacher. *Support can be provided to complete this from <add details>*. See the end of the procedure for the headteacher's contact details and for a copy of this form.
2. The headteacher will respond in writing within **10 working days** (excluding those that fall in the school holidays) of the date of receipt of the complaint to acknowledge receipt of the complaint and explain what action will be taken, giving clear timeframes.
3. A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles.
4. The headteacher will consider all relevant evidence; this may include but is not limited to:
  - a statement from the complainant,
  - where relevant a statement from an individual who is the subject of the complaint
  - any previous correspondence regarding the complaint
  - any supporting documents in either case
  - interview with anyone related to the complaint.
5. The headteacher may decide to have a meeting with the complainant (and where relevant, the subject of the complaint) if they feel that it would be appropriate for the investigation.
6. After considering the available evidence, the headteacher can:
  - Uphold the complaint and direct that certain action be taken to resolve it
  - Reject the complaint and provide the complainant with details of the stage three appeals process
  - Uphold the complaint in part: in other words, the headteacher may find one aspect of the complaint to be valid, but not another aspect. They may direct for certain action to be taken to resolve the aspect that they find in favour of the complainant.
7. The headteacher must inform the complainant of their decision in writing within **20 working days** (excluding those that fall in the school holidays) of having issued written acknowledgement of the receipt of the complaint. They must explain clearly why they have come to the decision that they made. They must detail any agreed actions as a result of the complaint. Finally, they must provide the complainant with details of how to progress the complaint to stage three if they are not satisfied, providing them with the contact details of the clerk to the governors (see the end of the procedure for these).

## Stage 3 – Appeal – Review by a panel of the local governing body

The following section, stage 3, will be the final stage for schools. Trustees of ODBST Multi-Academy Trust have delegated the task of reviewing complaints appeals to the local governing bodies. There is an option to write to the Trust if complainants are not satisfied with the outcome.

If the complainant wishes to appeal a decision by the headteacher at stage 2 of the procedure, or they are not satisfied with the action that the headteacher took in relation to the complaint, the complainant is able to appeal this decision.

They **must** write to the clerk (see the contact details at the end of the procedure) as soon as possible after receiving notice of the headteacher's decision, briefly outlining the content of the complaint and requesting that a complaints appeal panel is convened.

The clerk will fulfil the role of organising the time and date of the appeal hearing, inviting all the attendees, collating all the relevant documentation and distributing this 5 days in advance of the meeting, recording the proceedings in the form of minutes, and circulating these and the outcome of the meeting.

The complainant must request an appeal panel **within 4 weeks** of receiving the headteacher's decision or it will not be considered, except in exceptional circumstances. On receipt of this written notification, the following steps will be followed:

1. The clerk will write to the complainant **within five working days** (not including the school holidays) to confirm receipt of the appeal request and detail further action to be taken.
2. The clerk will convene a panel of **two school local governors and one independent member**. All three panel members will have no prior knowledge of the content of the complaint.
3. The appeal hearing will take place **within 20 working days** (excluding those which fall in the school holidays) of receipt of the date of the confirmation letter from the clerk to the complainant, confirming the appeal.
4. In addition to the panel, the following parties will be invited, where applicable:
  - the complainant
  - the headteacher (or senior staff member) who dealt with the complaint at Stage 2
  - where the complaint regards a member of staff, the staff member who is the subject of the complaint.

The complainant is also able to bring a companion with them to the hearing if they wish. Where the subject of the complaint is a member of staff, that staff member is also able to bring a companion with them.

The companion will be a friend or a colleague. Neither party is able to bring legal representation with them. If after the hearing any party feels that legal action is necessary, please see the contact details at the end of the procedure.

5. If the attendance of any pupils is required at the hearing, parental permission will be sought if they are under the age of 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.
6. Where the complaint is about a governor, the complainant may request that the appeal is heard by an entirely independent panel. It is at the discretion of the local governing body who will notify the clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school sources appropriate individuals for the review.
7. The panel can make the following decisions:
  - Dismiss the complaint in whole or in part.

- Uphold the complaint 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 recur.

8. All parties who attended the meeting will be informed in writing of the outcome and any recommendations of the appeal **within 5 working days** (excluding those which fall in the school holidays). This letter will also be available for inspection on the school premises by the representatives of ODBST and the headteacher.

This is the final stage at which the school will consider the complaint. If the complainant remains dissatisfied and wishes to take the complaint further, please see the contact details at the end of the document. The school will not consider the complaint beyond this.

## Records

Written records will be kept at each stage of the process to show:

- What the complaint was
- Any relevant evidence that was considered
- The outcomes including any action taken by the school throughout the process.

The information, and any correspondence, statements or records relating to the complaints will be kept confidentially in line with the data Protection Act 1998 except where the Secretary of State or a body conducting an inspection under section 109 of the 2005 Act requests access to them.

## Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## Learning lessons

The local governing board or trustee board, as appropriate, will review any underlying issues raised by complaints with the headteacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school or trust can make to its procedures or practice to help prevent similar events in the future.

## Monitoring arrangements

Local governing bodies and the trust board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. Local governing bodies and the trust board will track the number and nature of complaints and review underlying issues. The complaints records in respect of trust schools are logged and managed by the school administrator of each school under the direction of the trust chief operations officer and in respect of the trust are logged and managed by the trust chief operations officer. This policy will be reviewed by the trust chief operations officer every year. At each review, the policy will be approved by the trust board.

## Unreasonable complaints

Where a complainant raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the school will not reinvestigate the complaint except in exceptional circumstances, for example where new evidence has come to light.

If a complainant persists in raising the same issue, the headteacher will write to them explaining that the matter has been dealt with fully in line with the school complaints procedure, and therefore the case is now closed. The

complainant will be provided with the contact details of the Department for Education (see the end of this document) if they wish to take the matter further.

Unreasonable complaints include the following scenarios:

- The complainant refuses to co-operate with the school's relevant procedures.
- The complainant changes the basis of the complaint as the complaint progresses.
- The complainant seeks an unrealistic outcome
- Excessive demands are made on the time of staff and school governors and it is clearly intended to aggravate.
- The complainant acts in a way that is abusive or offensive.

The headteacher will use their discretion to choose not to investigate these complaints. Where they decide to take this course of action, they must inform the chair of governors that they have done so, explaining the nature of the complaint and why they have chosen not to investigate. If the chair deems it appropriate to, they can redirect the headteacher to investigate the complaint. The full complaints procedure will commence from stage one on this direction.

If the chair upholds the headteacher's decision not to look into the complaint and the complainant deems this decision to be so unreasonable that no other rational body in the same position would have made that decision, then the complainant may write to ODBST (see the contact details at the end of the document) and to the DfE.

## Contact details for external organisations if not satisfied with the outcomes of the complaints procedure in full.

- If you have any queries regarding any aspect of the complaints procedure, please direct these to the clerk to the governors <insert contact details here>.
- If the complainant remains dissatisfied with the outcome of the complaints procedure they may contact the Multi-Academy Trust:  
  
The Oxford Diocesan Bucks Schools Trust,  
8 The Green,  
Longwick,  
Bucks. HP27 5QY
- If the complainant feels that the local governing body acted 'unreasonably' in the handling of the complaint, they can complain to the Department for Education after the complaints procedure has been exhausted. Please note that unreasonable is used in a legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances. <https://www.gov.uk/complain-about-school>
- Ofsted will also consider complaints about schools.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.

- The headteacher can be contacted < insert contact details >

## Relevant legislation and guidance

The Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/contents>

The Data Protection Act 1998 <http://www.legislation.gov.uk/ukpga/1998/29/contents>

The Education (Independent School Standards) Regulations 2014 <http://www.legislation.gov.uk/uksi/2014/3283/contents/made>

Education Act 2002 <http://www.legislation.gov.uk/ukpga/2002/32/contents>

The Department for Education *Best Practice advice for school complaints procedures*  
<https://www.gov.uk/government/publications/school-complaints-procedures>

<Insert school name here> Formal Complaints Form

Name	
Name of pupil, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint	
Action taken so far (including staff member who has dealt with it so far) or solutions offered	
The reason that this was not a satisfactory resolution for you	
What action would you like to be taken to resolve the problem?	

Signed:	
Dated:	

Please attach any paperwork you would like to share.

## Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by <School Name>, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs</li> <li>• School re-organisation proposals</li> </ul>	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with &lt;insert local authority details&gt;</p>
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). &lt;insert LADO/MASH details&gt;.</p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. &lt;link to school behaviour policy&gt;.</i></p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>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.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> <li>• National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

## 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 thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of 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 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
- record the proceedings
- circulate the minutes of the meeting
- notify all parties 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
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- 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.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- 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
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

### **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

We recognise 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.

- 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.

*Official use*

Date received:

Signed: