Springwell School

Complaints Procedure

Last review: **September 2026**

Next review: **September 2028**

Names: **Lisa Needham**

Position: **Headteacher**

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INTRODUCTION

In any school, issues occasionally arise which individuals may feel are cause for concern or complaint. A 'concern' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'. It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures.

At Springwell School, we take informal concerns seriously and would make every effort to resolve the matter as quickly as possible. However, there will be occasions when complainants want to raise their concerns formally. In those cases, our complaints procedure would/should be followed.

At Springwell, these occurrences are extremely rare and when they do occur, they generally arise out of misunderstanding or genuine, unintentional mistakes.

Sometimes, in our daily communication with families, extended families, carers and other professional agencies we may say, write or do something which is ill-considered but can be put down to human fallibility rather than a serious lack of professionalism.

It is hoped that these situations could be dealt with by the member of staff concerned speaking to the complainant on an informal basis to resolve the issue to everyone's satisfaction.

However, when matters cannot be resolved amicably, or when more serious complaints are lodged against the school, it is necessary to have a clear set of guidelines which can be followed by parents, carers, Governors, the Headteachers and all staff.

AIMS

- To set out a clear procedure for dealing with complaints relating to the school, as required by section 29(1)(a) of the Education Act 2002.
- To set out timescales for dealing with complaints handled under the school's complaints procedure.

SCOPE: All matters relating to the actions of staff and application of school procedures where they affect the individual pupils concerned, except matters (relating to the curriculum, exclusion, admissions etc.) which are subject to separate procedures. (See box further below)

GENERAL PRINCIPLES:

Anonymous Complaints

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

Time Scales

Complaints must be raised 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.

Scope Of This Complaints Procedure

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

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 reorganisation proposals should be raised with Southampton City Council.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are managed 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) who has local responsibility for safeguarding or the Children's Resource Service (CRS – Social care)
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/schooldiscipline-exclusions/exclusions. *Complaints about the application of the behaviour policy can be made through the school's complaints procedure
• Whistleblowing	Springwell has an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers who do not want to raise matters direct with their

	employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. It is also possible to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• 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.
• 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.

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

If a complainant commences legal action against Springwell School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Who can make a complaint?

This complaint 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 Springwell School about any provision of facilities or services that we provide. We will use this complaints procedure unless complaints are dealt with under separate statutory local authority procedures.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, we ask you to visit the school office and we will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the school will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, we will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

Complainants should not approach individual school governors to raise concerns or complaints. Governors do not have the power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Please follow the lines of communication set out below.

Not sure why this is here? 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.

Process	**Stage and Person dealing with the compliant**
Part A – Complaining about the actions of a member of staff or provision	Informal stage 1 Class teacher, Phase Assistant Head, Deputy Head
	Formal stage 2 Deputy Head, Headteacher
Part B – Complaining about the actions of the Headteacher	Informal stage 1 Headteacher
	Formal stage 2 Chair of Governors
Part C – Complaining about the actions of the Governors	Formal stage 2 Headteacher
Following Stages 1 and 2 above	Formal stage 3 Governors panel
	Stage 4 The Local Authority
	Stage 5 The secretary of State for Education

PART A: Complaining about the actions of a member of staff other than the Headteacher.
Complainants should be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence. Equally, an effective procedure will identify areas of agreement between

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

Stage 1 - Informal Stage

The complainant is normally expected to arrange to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information, and it is anticipated that most complaints will be resolved by this informal stage. (In the case of serious concerns, it may be appropriate to address them directly to the Headteacher). An unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith (any dispute in relation to the "reasonableness" may be determined through the review process).

Stage 2 - Formal Stage

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing and pass it to the Headteacher, who will be responsible for its investigation (see Annex 2). If the complainant has missed out the informal stage, the complainant may be referred back to the informal stage of the procedure.

If the complaint is judged, at our absolute discretion, to be vexatious, then the complainant will be informed that their complaint will not be accepted and will not be investigated (see Annex 1: Investigation Procedures).

The complainant should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents (see Annex 2). In addition, the Headteacher may meet with the complainant to clarify the complaint. If they wish, the complainant will have the opportunity to be accompanied at any such meeting. The Headteacher will collect such other evidence as they deem necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, that member of staff may be accompanied by, for example, a Union representative if they wish. The investigation will begin as soon as possible and when it has been concluded, the complainant, and the member of staff concerned, will be informed in writing of the outcome.

<u>Resolving Complaints</u>

At each stage in the procedure, Springwell School 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:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The concern is not substantiated by the evidence.
- The concern was substantiated in part or in full. Some details may then be given of action the school may be taking, for example, the Headteacher, on behalf of the school, will offer-
- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- 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.
- However, details of the investigation or of any disciplinary procedures will not be released.
- The matter has been fully investigated and that appropriate procedures are being followed, which are strictly confidential (e.g. where staff disciplinary procedures are being followed).

The complainant will be told that consideration of their complaint by the Headteacher is now concluded. If the complainant is not satisfied with the manner in which the process has been followed, the complainant may request that the Governing Body review the process, followed by the Headteacher, in handling the complaint. Any such request must be made in writing within two weeks of receiving notice of the outcome from the Headteacher and include a statement specifying any perceived failures to follow the procedure.

The procedure described in Part C will be followed if the complainant considers that the decision of the Headteacher is perverse, or that the Headteacher has acted unreasonably in considering the complaint. Then the complainant may bring a complaint against the Headteachers under part B of this procedure. This will provide an opportunity for the evidence to support such a complaint to be investigated.

Withdrawal of a Complaint

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

At the conclusion of the investigation, the Headteacher will provide a formal written response within 28 school days of the date of receipt of the complaint. If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Springwell School will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

PART B: Complaining about the actions of the Headteacher(s)

Stage 1 - Informal Stage

The complainant is usually expected to arrange to speak directly with the Headteacher (in the case of serious concerns it may be appropriate to raise them directly with the Chair of the Governing Body). Many concerns can be resolved by simple clarification or the provision of information. If the matter is not resolved, if both parties agree, then a third party may be invited to act as a mediator at a further meeting. A refusal, unreasonably, to attempt an informal resolution may result in the procedure being terminated forthwith.

Stage 2 - Formal Stage

If the complaint is not resolved at the informal stage, the complainant must put the complaint in writing (see Annex 2) and pass it to the Chair of the Governing Body who will determine which of the agreed procedures to invoke (see Annex 1: Investigation Procedures).

Alternatively, the complainant may be referred back to the informal stage of the procedure. If the complaint is judged, at our absolute discretion, to be vexatious, then the complainant will be informed that their complaint will not be accepted and will not be investigated. If it is determined that the complaint is "General", the Chair will arrange for its investigation.

The complainant should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, copies of relevant documents etc. In addition, the complainant will be invited to meet with the Chair to present oral evidence or to clarify the complaint. If they wish, the complainant would have the opportunity to be accompanied at any such meeting.

The Chair will collect such other evidence as is deemed necessary. This may include the interviewing of witnesses and others who may provide relevant information. The Headteacher will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the Chair. Once there has been an opportunity for the Headteacher to consider this, they will be invited to meet separately with the Chair, in order to present written and oral evidence in response. The Headteachers may be accompanied at this meeting by a friend or representative.

When the investigation has been concluded, the complainant and the Headteacher will be informed in writing of the outcome. The complainant will not be informed of any disciplinary/capability action. The complainant will be told that consideration of their complaint by the Chair is now concluded. If the complainant is not satisfied with the manner in which the process has been followed or considers that the decision of the Chair is perverse, or that the Chair has acted unreasonably in considering the complaint, then the complainant may request that the Governing Body review the handling of the complaint by the Chair. Any such request must be made in writing within two weeks of receiving notice of the outcome from the Chair and include a statement specifying any perceived failures.

PART C: Complaining about the actions of the Governors

Complaints against the Chair of Governors or any individual Governors should be made to the clerk to the Governing Body. The clerk will then arrange for the complaint to be heard. This will be done by a suitably skilled and impartial member of the Governing Body at the informal stage and then a committee of members of the Governing Body at the formal stage. Complaints against the entire Governing Body or complaints involving both the chair and vice chair should also be sent to the clerk, who should then determine the most appropriate course of action.

This will depend on the nature of the complaint and may involve sourcing an independent investigator to complete the informal stage and co-opted Governors from other schools to hear the complaint at the formal stage.

Stage 3

If the complainant is dissatisfied with any of the outcomes at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3. This would be a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 5 school days of receipt of the Stage 2 response. The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint.

Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Springwell School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them. Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time, and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting. Any written material will be circulated to all parties at least 5 school days before the date of the meeting.

The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included.

New complaints must be dealt with from Stage 1 of the procedure.

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.

The committee will consider the complaint and all the evidence presented.

The committee can:

- uphold the complaint in whole or in part.
- dismiss the complaint in whole or in part. If the complaint is upheld in whole or in part, the committee will:
- decide on the appropriate action to be taken to resolve the complaint.
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Clerk of Governors on behalf of the Chair of the Committee will provide the complainant and Springwell School with a full explanation of their decision and the reason(s) for it, in writing, within 28 school days.

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 Springwell School.
If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body Stage 2 will be heard by a committee of independent governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Springwell School will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Review Process – Possible Outcomes

Any review of the process followed by the Headteacher or the Chair shall be conducted by a panel of three members of the Governing Body. The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations will be considered sympathetically. The panel will first receive written evidence from the complainant. The panel will then invite the Headteacher or the Chair, as appropriate, to make a response to the complaint. The panel may also have access to the records kept of the process followed. The complainant, and the Headteacher or the Chair, as appropriate, will be informed in writing of the outcome.

This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The concern is not substantiated by the evidence.
- The concern was substantiated in part or in full but that the procedural failure did not affect the outcome significantly, so the matter is now closed.
- The concern was substantiated in part or in full and the Governing Body will take steps to prevent a recurrence or to rectify the situation [where this is practicable].

Care will be taken not to overlook any new aspects to the complaint that have not been previously considered. These will be investigated and dealt with to the full extent of the complaint's procedure.

If a complainant believes that the Governing Body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representations to the Secretary of State. Complaints to the Secretary of State are handled by the government's Department for Education (DfE). (www.education.gov.uk)

Stage 4 - The Local Authority

If parent/carers remain dissatisfied after Stage 3, the next stage is to contact the Local Authority. The complaint will be addressed by a designated team member within a team unconnected with the school. At this stage the complaint may well be different from the original complaint lodged as it would include dissatisfaction with the action taken by the school management to resolve the original complaint.
https://www.southampton.gov.uk/council-democracy/have-your-say/comments-complaints/complaints/

Stage 5 – Secretary of State

If you still feel dissatisfied with the outcome of stages 1-3 above, the complainant can complain to the Secretary of State at the Department for Education.
https://www.gov.uk/government/organisations/department-for-education/about/complaints-procedure

Managing Serial and Unreasonable Complaints

Unreasonably Persistent Complaints

Most complaints raised will be valid, and therefore are treated seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it has already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive. Insists on pursuing a complaint that is unfounded, or out of scope of the complaint's procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner, e.g. refuses to articulate the complaint, refuses to co-operate with this complaint's procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value
- Publishes unacceptable information on social media or other public forums.

Please note that this is not an exhaustive list.

Steps We Will Take

- We will take every reasonable step to address the complainant's concerns and give them a clear statement of our position and their options.
- We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals.
- We will follow our complaints procedure as normal (as outlined above) wherever possible. If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place.

We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

When Springwell May Stop Responding

We may stop responding to the complainant when all these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience
- Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.
- In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

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. We will 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.

Complaint Campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

Notes

The complainant is not entitled to access any details of the investigation except for any statements that may have been provided regarding their child (if this is the focus of the complaint), within the scope of data protection law. Any information relating to the application of disciplinary procedures against any member of staff is strictly confidential.

If, after closing a complaint at the end of the complaints procedure, we receive a duplicate complaint from:

- a spouse
- a partner
- a grandparent
- a child

and the complaint is about the same subject, we will inform the new complainant that the school has already considered that complaint and the local process is complete. We will advise the new complainant to contact the Local Authority if they are dissatisfied with the school's handling of the original complaint

Appendix 1

INVESTIGATION PROCEDURE CARRYING OUT AN INVESTIGATION INTO A FORMAL COMPLAINT

The investigation of an allegation or a complaint should always be carried out thoroughly and responsibly, irrespective of whether the complaint appears to be trivial or serious.

The outcome of such an investigation will have significance not only for the complainant but also for the member of staff against whom the complaint has been made.

Any procedure should include provision that “An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances.” These would include serious concerns such as child protection issues or bullying allegations, where the school would either involve appropriate external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.

Where the Headteacher or Chair of Governors receives a complaint, it should be acknowledged formally and a commitment made that the complaint will be investigated and the outcome of the investigation notified to the complainant in due course.

The member of staff against whom the complaint has been made, should be notified that a complaint has been received, provided with a copy of the complaint and be informed that an investigation will be carried out.

It is essential that there is a clear understanding of the complaint. Where necessary the nature of the complaint should be confirmed with the complainant. Once the complaint has been confirmed the investigator should establish who they wish to interview and what documentation they will need to review. Arrangements should be agreed so that accurate notes can be taken of all interviews and the outcome of the investigation be accurately recorded.

The complainant and the member of staff should be given the opportunity to offer documentation and to identify potential witnesses or sources of evidence.

The member of staff subject to the complaint should be advised that they may be accompanied by a friend or trade union representative when invited to be interviewed. Any interviews should be conducted as soon as possible to ensure that recollections are as fresh as possible and to minimise the possibility that evidence will become tainted through witnesses discussing alleged incidents with other persons.

In conducting interviews, the investigator should prepare the questions to be asked prior to the interview. These can always be supplemented during the interviews.

The investigator should allow the interviewee to answer in their own way. Their responses should be listened to attentively. Any temptation to cut an interviewee short or to seek to "lead" them must be resisted.

The interviewee should be given the opportunity of providing other relevant information at the end of the interview.

Interviewees should, however, be advised that their responses must be confined to the substance of the complaint. Any attempt by the interviewee to introduce information relating to other members of staff or to issues unrelated to the complaint should be resisted.

The investigator should avoid reaching conclusions or passing judgement until the investigation has been completed.

A summary of the process undertaken and the outcome of the investigation should be provided to both the complainant and the member of staff against whom the complaint has been made. Caution must be exercised in reporting back to the complainant as revealing certain details may prejudice the ability of the employee to continue in post.

Any recommendations should also be shared with all parties, unless there is good reason not to. Wherever possible, recommendations should be constructive and not punitive.

The complainant should be advised that he/she may, if they are not satisfied that the appropriate procedure has been followed, request a review of that process by the Governing Body.

The Governing Body should invite the LA to express a view on the retention of records of any complaints procedure.

All documentation relating to complaints, including records of investigation and outcomes, will be retained securely for a minimum of six years. Where a complaint relates to a child, records may be retained until the child reaches 24 years of age, in accordance with good practice for safeguarding and potential legal proceedings.

Appendix 2

COMPLAINT FORM

When we receive a complaint, we aim to acknowledge receipt of the concern by telephone or email normally within five working days and will give details of proposed action to resolve the concern.

Name of Parent/Carer	
Student's Name	
Address	
Post Code	
Telephone (day)	
Telephone (evening)	
What is your concern and how has it affected you?	
Please list any witnesses or any relevant paperwork or evidence. (If attaching any additional paperwork please list below.)	
What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)	

What actions do you feel might resolve the problem at this stage?	
Signature	
Date	
SCHOOL USE ONLY	
Initial response and acknowledgement sent By whom	
Action Taken	
Date	
Final Outcome Date Sent	
By whom	
Data Protection Act 1998 – We will only process your personal data to respond to your complaint. In general, this will be used for administrative and statistical purposes.	

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 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.

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

<u>Committee Members</u>

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 as the welfare of the child/young person is paramount.

Timescales

The following time limits will apply to all complaints handled under the school's complaints procedure:

- Stage 1 (Informal): Parents/carers seeking to resolve matters of concern should receive a response within 15 working days of making initial contact unless there is a good reason not to do so. The response should offer the complainant a full explanation or set out the steps that are proposed to resolve the complaint.

- Stage 2: Should be responded to in 20 working days.

- Stage 3: Should be responded to in 20 working days.

Where it is not possible to respond to complaints within these timescales, the complainant should be informed in writing of the reason for the delay and given an anticipated response date. The complainant should be allowed a reasonable timescale in which to pursue a complaint.

Monitoring and Evaluation

Monitoring Complaints

Records are kept of all Stage 2, Stage 3 and Stage 4 Complaints. Governors will decide whether to include the number of complaints and types of complaint in their annual report to parents.

The Governors will monitor the implementation of this complaints procedure in order to ensure that all complaints are handled properly.

Governors will take into account any local or national decisions that affect the complaints process and will modify this policy as necessary to comply with such decisions. This policy is made available to all parents, so they can be properly informed of the complaints process.