



Complaints Policy & Procedure

Written by	Mrs C Grattan
Approved by	Full Governing Body
Date created	June 2022
Latest Review	November 2025
Latest Approval date	3rd December 2025
Version	2



Complaints Policy

Contents

Rationale	3
Legal framework	3
Aims and principles of the policy	4
Raising Concerns	4
Timescales.....	4
Safeguarding	4
Anonymous complaints	5
Social Media	5
Complaints that result in staff capability or disciplinary	5
Complaints about the Headteacher or the governors	5
The Stages of the Complaints Process	6
Policy for unreasonable complainants	8
Vexatious complaints.....	10
Barring from the School Premises	10
Appendix 1	11
Appendix 2.....	12
Appendix 3.....	13
Appendix 4.....	14



Complaints Policy

Rationale

Our school is committed to providing the very best education for our young people and we want our pupils to be healthy, happy and safe and to do well. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We are aware that there may be occasions where people have concerns or complaints and the following procedure sets out the steps that should be followed in order to resolve these as promptly, fairly and informally as possible.

School governing bodies are required under Section 29 of the Education Act 2002 to have in place a procedure for dealing with complaints relating to the school. Sometimes when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following lists specific topics and the correct policy to refer to should you have a concern or complaint. You can access these policies on the school website or ask for a copy from the school office.

Legal framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Education Act 2002
- Freedom of Information Act 2000
- Immigration Act 2016
- Equality Act 2010
- UK General Data Protection Regulation (GDPR)
- Data Protection Act 2018
- The Education (Pupil Information) (England) Regulations 2005
- The School Information (England) (Amendment) Regulations 2016

This policy has also due regard to guidance including, but not limited to, the following:

- DfE (2021) 'Best practice guidance for school complaints procedures 2020'
- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'



Complaints Policy

This policy operates in conjunction with the following school policies:

- Pupil Admissions: please see the school's admissions policy or contact Kent County Council Admissions team
- Pupil Exclusions; please see the school's exclusions Policy
- SEND Information Report and Policy: you can use this policy to complain unless your child has an Education, Health and Care Plan and you wish to appeal against a decision that the local authority has taken. If this is the case, you need to contact the local authority.
- Staff grievance policy.
- Anonymous complaints: Please refer to the school's whistleblowing policy
- Subject Access Requests and Freedom of Information Requests: please see the school's GDPR Policy

Aims and principles of the policy

This policy aims to:

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

Where concerns are raised, the school intends for these to be dealt with fairly, openly and promptly. The governing body has approved the following procedure which explains what you should do if you have any concerns about the school.

Where appropriate, the school may offer mediation to resolve a concern or complaint at any stage of the process. The school may also use someone independent from the school to investigate a complex issue and to report back to the headteacher, Chair of Governors or Governor Complaints Panel (depending on which the stage of the process the complaint is being dealt with).

Raising Concerns

The majority of concerns can be dealt with without resorting to the complaints procedure. Where you have a concern or query about any aspect of the school or your child's education or wellbeing, raise this with your child's class teacher in the first instance. Ideally they will be able to address your concerns immediately or can arrange a meeting with you to discuss the issue. All concerns will be dealt with confidentially, although it may be necessary to take notes if the matter may need to be taken further or may arise again in the future.

Timescales

You must raise the complaint within 12 months of the incident or, where a series of associated incidents have occurred, within 12 months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

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 Keeping Children Safe in Education (KCSIE), the school's Child Protection policy, Mobile and Smart technology and Social Media Policy.



Complaints Policy

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.

Anonymous complaints will only be investigated if they raise serious safeguarding concerns or allegations of criminal activity. In such cases, the Headteacher will consult with the designated safeguarding lead and where appropriate, external agencies before determining the course of action.

Social Media

In order for complaints to be resolved as quickly and fairly as possible, we ask that complainants do not raise concerns or discuss them publicly via social media. Complaints will be dealt with confidentially by the school and

we expect complainants to observe confidentiality also.

Complaints that result in staff capability or disciplinary

If at any formal stage of a complaint it is determined that staff disciplinary or capability proceedings are necessary, the details of any action will remain confidential to the Headteacher and/or the individual's line manager. The complainant is not entitled to participate in the process or receive any detail about the proceedings.

Complaints about the Headteacher or the governors

Where a complaint concerns the Headteacher, the complainant should first 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 that they wish to take a complaint forward. The Stage 3 process will then commence and the Chair of Governors will take the process forward.

Where a complaint concerns a governor, the same process applies as for the Headteacher. Where a complaint concerns the Chair of Governors the procedure at Stage 3 will apply but the Vice Chair or an independent investigator will take the process forward.



Complaints Policy

The Stages of the Complaints Process

(flowchart of process at appendix 2)

Stage 1 – Informal Complaint

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

- *It is recommended that you make an appointment to speak to the class teacher as soon as possible as this will give both parties the opportunity to talk about the issue without being interrupted*
- *It is important to recognise that schools are busy organisations and may not be able to offer an appointment straight away*
- *The purpose of this meeting should be to establish the nature of the concern and to seek a resolution to the problem*
- *It is good practice for the class teacher to make a brief written record of the concerns raised and any actions agreed*
- *They may need to carry out an investigation or talk to others before they can respond to you. You should be given a timescale for a response which will be no more than 10 working days.*

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

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

If you are not using the form, your letter should set out clearly the concern and why you feel the issue has not been resolved through informal channels. It is also helpful if you can set out what resolution you are seeking.

- The Headteacher or member of the Senior Leadership Team will consider the complaint and in doing so will:
 - Establish what has happened so far, and who has been involved;
 - Meet or contact you if they need further information;
 - Clarify what you feel would put things right if this has not been set out in your letter or included on your form;
 - Interview those involved in the matter and those complained of, allowing them to be accompanied if they wish;
 - Conduct any interviews with an open mind;
 - Keep notes of any interview for the record
- The Headteacher or member of the Senior Leadership Team will keep in mind ways in which the complaint can be resolved. It may be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:
 - an apology
 - an explanation
 - an admission that the situation could have been handled differently or better (please note this is not an admission of negligence)
 - an assurance that where possible the event complained of will not recur



Complaints Policy

- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review policies and practice in light of the complaint

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

The Headteacher or member of the Senior Leadership Team will discuss the outcome with you and should send a detailed response within a maximum of 15 school days. Where this proves to be unrealistic, you will be informed in writing and given an estimate of how long it will take to provide a detailed response.

Where you are unhappy about the decision the Headteacher or member of the Senior Leadership Team has made about your complaint, this does not become a complaint about the Headteacher or staff member concerned. However, you will be advised of your entitlement to take your original complaint to the next stage by writing to the Governance Professional to the governing body as soon as possible after receiving the decision, briefly outlining the content of the complaint and requesting that a governor complaints panel is convened.

Stage 3 – Chair of Governors

If you are not satisfied with the response of the Headteacher, or you have a concern or complaint that is specifically about the Headteacher which has not been resolved informally, then you must write to the Chair of Governors as soon as possible after receiving the decision, briefly outlining the content of the complaint and requesting that the Chair of Governors reviews the complaint and marking any envelope or email “urgent, private and confidential”

- The Chair of Governors will acknowledge receipt of the letter within 5 school days. The acknowledgement will inform the complainant that the complaint will be reviewed within 20 working days of receiving the complaint.
- For complaints specifically about the Headteacher, the Chair of Governors will arrange for the complaint to be investigated, either by him/herself or by an appropriate independent investigator.
- Once the complaint has been reviewed, the complainant and the school will be informed of the outcome within five school working days. If it is not possible to meet these timescales then the Chair of Governors will contact both parties to discuss a mutually convenient date.

Stage 4 – Governor Panel

If you are not satisfied with the response of the Chair of Governors, or you have a concern or complaint that is specifically about the Chair of Governors, then you must write to the clerk to the governing body as soon as possible after receiving the decision, briefly outlining the content of the complaint and requesting that a governor complaints panel is convened and marking any envelope or email “urgent, private and confidential”

- The Governance Professional to the Governing Body will acknowledge receipt of the letter within 5 school days. The acknowledgement will inform the complainant that three members of the school’s governing body will hear the complaint within 15 working days of receiving the complaint. The letter will invite the complainant to attend and also explain that the complainant has the right to submit any further documentation relevant to the complaint. The complainant may bring a friend or someone else for support.
- For complaints specifically about the Headteacher, the Chair of Governors will arrange for the complaint to be investigated by an appropriate independent investigator.
- A meeting of the Governors Complaints Panel will be convened. No governors with prior involvement in the issues complained about will be included on the panel and it may be necessary to use reserves



Complaints Policy

(previously agreed by the Governing Body) to ensure the Panel can meet within the set time. An experienced governor will chair the panel meeting. The chair/clerk of the complaints panel will contact

the complainant with the arrangements.

- Once the panel has been held, the complainant and the school will be informed of their decision within five school working days. If it is not possible to meet these timescales then the chair of the panel will contact both parties to discuss a mutually convenient date. Further information on how the panel operates and the process is attached at appendix 3.

Stage 5 – Escalation to Secretary of State for Education

If the complainant remains unsatisfied by the outcome of the governor's panel, they will be advised to contact the Secretary of State for Education. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably.

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

If a complaint has completed the school's process and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State using the online form or in writing to:

Ministerial and Public Communications Division

Department for Education

Piccadilly Gate

Store Street

Manchester

M1 2WD

Policy for unreasonable complainants

Our school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. The school defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

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

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;



Complaints Policy

- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

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

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

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

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

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a



Complaints Policy

significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

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

Vexatious complaints

A vexatious complaint is one that is pursued, regardless of its merits, solely to harass, annoy or subdue somebody. Vexatious complaints often involve an endless succession of demands and requests, with new issues being raised as soon as old ones are dealt with.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's or other associated person's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent or associated person may wish to make. Schools should always give the parent or associated person the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent or associated person, and either confirmed or lifted. If the decision is confirmed the parent or associated person should be notified in writing, explaining how long the bar will be in place.

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



Complaints Policy

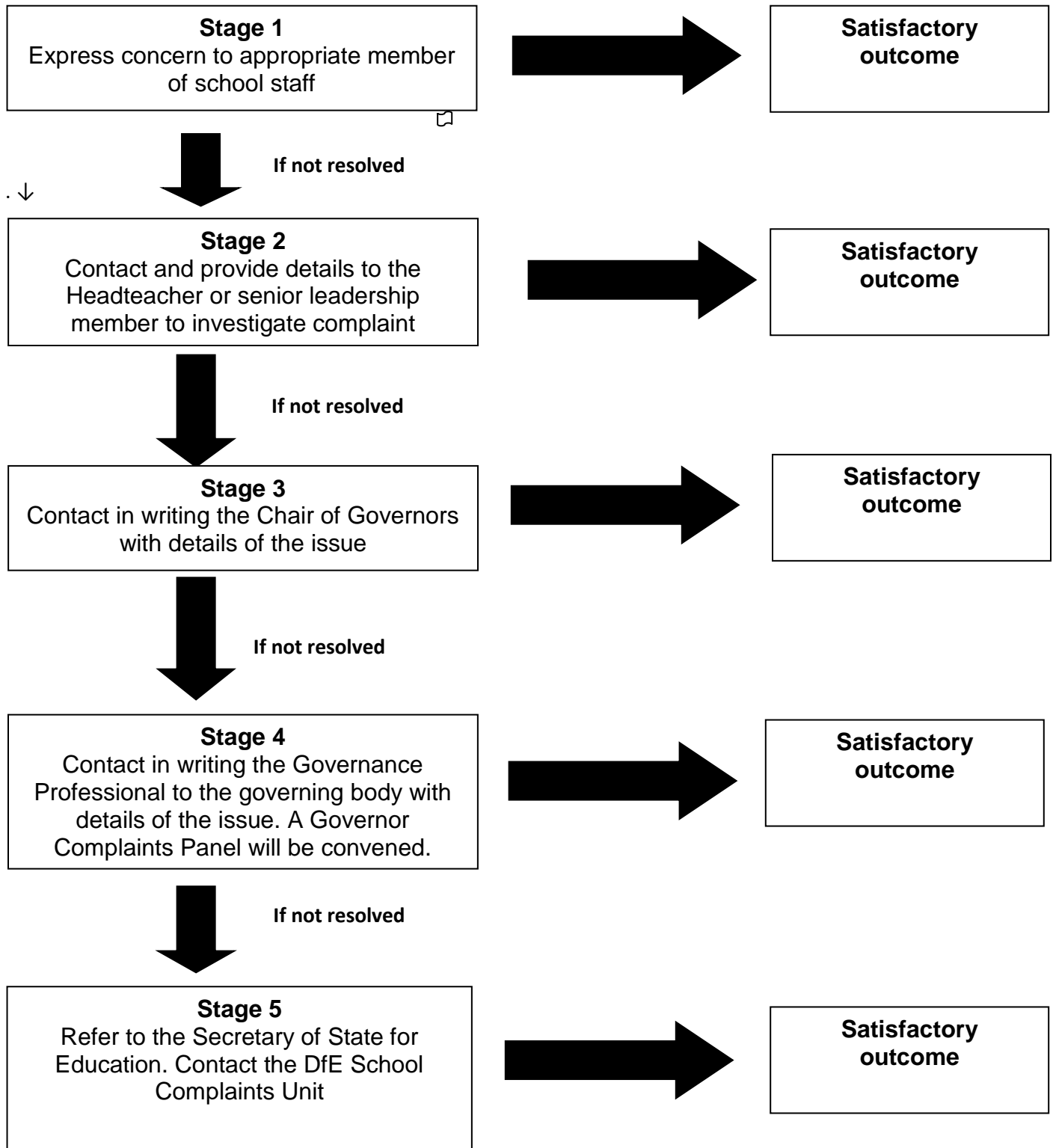
Appendix 1

Complaints Form

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

Appendix 2

Model Complaints Procedure Flowchart





Complaints Policy

Appendix 3

Governor Complaints Panel procedure

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



Complaints Policy

Appendix 4

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 Policy

Complaints Co-ordinator

(If you are using a Complaints Co-ordinator this could be the headteacher /clerk 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.

Governance Professional to the Governing Body

The Governance Professional 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 Governance Professional) 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



Complaints Policy

- 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 Governance professional (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



Complaints Policy

child/young person's best interests.

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