

Policy	**Complaints**		
Date for Review	October 2027	**Schedule**	Annually
Date agreed by staff	October 2026	**Date agreed by GB**	October 2026

Rationale

Under section 20 (2) of the Education Act 2002, Governing Boards of all maintained schools and maintained nursery schools in England are required to have in place a policy which sets out the procedure to deal with complaints, relating to their school and to any community facilities or services that the school provides. The law also requires the procedure to be published.

Schools must make all parents, carers and members of the public aware of the existence of their complaints procedure, so that complainants know how to raise concerns. The best way to do this may be to distribute a leaflet and include a summary of the procedure in the school's prospectus. The policy must be available on the school website.

It is recommended that the Governing Board (GB) ensures that any third party offering community facilities or services through the school premises, or using school facilities, understand the principles of this complaints policy.

The GB has overall responsibility 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. The school must make it clear that complainants should direct complaints or concerns to the school rather than the GB in the first instance.

This guidance relates to general complaints about the school which may be received from parents/carers or members of the public: there are separate procedures for dealing with specific issues such as;

- Exclusions / Suspensions
- Admissions
- Curriculum
- Religious Education and Collective Worship
- Special educational needs and disabilities
- Staff Grievance
- Staff conduct
- Withdrawal from the curriculum
- Child

Additional information is available in Appendix 1.

Introduction

The Federation aims to be a caring, positive and supportive place where young people can learn and receive high quality education. School staff are committed to ensuring that the school community feels valued and respected as individuals. We have good transparent communication and a willingness to listen to our children and parents/carers including when they are raising an initial concern or formal complaint. This policy sets out the procedures for dealing with situations where there is a formal complaint or an initial concern from a complainant, about an aspect of a child's education and/or experience at school.

This policy will ensure that the school/Federation manages initial concerns and formal complaints appropriately, in a timely and transparent way and in a manner that complainants will consider to be fair and objective. In order to investigate your complaint as fully as possible the GB has a staged process.

Resolving Initial Concerns and Complaints

This policy makes a clear distinction between a **'concern'** and a **'complaint'**.

A **concern** may be defined as an expression of worry or doubt over an issue considered to be important for which reassurances are sought.

A **complaint** may be defined as an expression of dissatisfaction however made, about actions taken or a lack of action.

What we will do

- Encourage resolution of concern by informal means wherever possible.
- Ensure that every member of our school staff understands the importance of listening to the school community.
- Ensure that all school staff are aware of this policy and their role should a complainant approach them with an initial concern/complaint.
- Ensure that all complaints/ initial concerns are taken seriously at the earliest stage and that all points of the complaint/initial concern are considered.

- Address all the points at issue and provide an effective response and appropriate redress, where necessary.
- If all attempts to resolve the issue informally are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further - the formal procedure will be invoked.
- If the complainant remains unhappy with the outcome, the Headteacher will arrange to meet and discuss the complaint/concern. They will review the actions taken to date and the reasons why things are still not resolved.
- Allow swift handling with established time limits for action and keeping all parties informed of the progress of the investigation.
- If the Headteacher is unable to resolve the issue to the satisfaction of the complainant, they will be informed that they have the opportunity to make the complaint formal. We will ensure that the complainant is advised of the process and is given this policy and the parental guidance leaflet.
- Ensure that the guidance leaflet is written in a way which is accessible and clear, that it is available on our school website and as a paper copy from the school office. Arrangements will be made to ensure that anyone making a complaint can access the information in a format which meets their needs.
- Ensure that the individual's confidentiality is respected.
- Ensure that the formal process is followed fairly and in line with this policy and that the chair/investigating officer will receive any paperwork and evidence which has been gathered during the informal stage and, that if necessary, they are given the opportunity to speak to any members of staff.
- Ensure that there is a room available in the school for the investigating officer to meet the complainant and any member of staff. All paperwork pertaining to the complaint will be available, signed and dated.
- Ensure that the complaints panel is convened and an appropriate room will be made available for the meeting and if necessary, a further room for any witnesses to wait.

Our staff will seek to learn from the process and ensure that any issues uncovered through the process can be used to improve our practices for delivery of high standards of education and care to all pupils at the school.

We will ensure that the complainants are confident that we will continue to work with them positively during and after the process, and that any pupils are not penalised in any way because of the complaint.

Equal Opportunities

Our school/Federation values all our children, staff and parents/carers. We celebrate diversity and will not tolerate any forms of discrimination. We are committed to using our policies to ensure that our school has an ethos of openness, fairness and excellent communication.

All documentation will be made available in a format which allows for equal access by anyone wishing to make a complaint. Please also refer to our EDI pages and policies.

What this policy does not cover

The complaints policy does not cover admissions, exclusions, curriculum concerns, religious education and collective worship or special educational needs and disability, staff discipline or grievance. These areas are covered by other processes.

If other bodies are investigating aspects of the complaint, for example the police, Local Authority (LA) safeguarding teams Tribunal, or OfSTED, 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 either Waterside or King's Oak Schools in the relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint, until those legal proceedings have concluded.

Resolving Complaints

At each stage this school remains committed to resolving complaints.

Withdrawal of a Complaint

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

Roles and Responsibilities

The GB will:-

- Ensure that the school has a policy and procedure in place to deal with all complaints relating to their school.
- Ensure that the policy is reviewed every year.
- Receive a report from the Executive Headteacher termly. This data will be used to evaluate the effectiveness of the policy/procedure and, if required, review the policy/procedure in advance of the in year review date.
- Ensure that all members of the school community are fully aware of the expectations of this policy, and ensure that if they are approached as an individual by a complainant regarding a concern, they will signpost the complainant to the relevant member of staff.
- Respect the complainant's desire for confidentiality and remain impartial.
- Monitor the nature and level of complaints and review the outcomes on a regular basis, to ensure the effectiveness of the procedure, making changes where necessary.

The Executive Headteacher or other senior member of staff will:-

- Ensure that all staff are aware of the policy and the procedures they will follow should a complainant approach them with an initial concern or complaint, and that it is properly recorded.
- Ensure that all complaints are dealt with fairly and objectively and within the agreed timescales set out in the complaints procedure.
- Report at least annually to GB with statistical data relating to all complaints received, so if required, services can be improved.

All our staff will

- Ensure that they are confident in their understanding of what the expectations are if a complainant approaches them with an initial concern or complaint.
- Endeavour to resolve any issues at the first point of contact.
- Ensure that they inform the Headteacher (or other senior member of staff) that they have been approached with a complaint.

School Complaints Procedure

If appropriate at this informal stage we will acknowledge that the complaint is upheld in whole or part, or not upheld. We will always ensure that this is in writing and will include one or more of the following;

- An explanation.
- An admission that the situation could/should 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.
- The reason why the complaint was not upheld.

Formal Complaints- Stage 1

Formal complaints must be made in writing and addressed to the Executive Headteacher. The letter/form will be acknowledged within 3 school days of receipt. The letter will also include clarity of what the complaint is, confirmation that the school has had an opportunity to resolve the issue informally, and what they perceive to be any unresolved elements of the complaint.

The Executive Headteacher is likely to delegate the investigation to another member of the school's leadership team or to a governor but will retain the responsibility to decide the outcome of the complaint.

The process will include interviewing any staff who may have witnessed the concern or been involved previously, any staff who are named in the complaint and the complainant. They will keep a written record of the interviews.

The Executive Headteacher will provide a written response to the complaint 5 days after the receipt of complaint (if this deadline is not going to be achieved the Executive Headteacher will write to the complaint explaining why and give a revised response date).

The response will include details of the actions taken; who was interviewed and an explanation of why the decision has been made. It may include the proposed actions to be taken to prevent the incident happening again. The letter will include how the complainant can escalate their complaint should they remain dissatisfied with the Stage 1 process.

If the complaint is about the Executive Headteacher, the chair or vice chair will carry out the investigation. If the complaint is against a member of the GB the school will use a member of a GB which is collaborated with their school as an independent investigator. Complaints about the Executive Headteacher or a governor should be made in writing to the clerk to the GB via the school. After the investigation has been completed the chair/vice chair will write the formal response to the complainant; if it against a member of the GB the independent investigator will respond.

Stage 2

If the complainant remains dissatisfied with the outcome of Stage 1 and wishes to take the matter further they can move to Stage 2. This is a meeting with a panel of the GB – 3 governors. The members of the panel will be impartial; the panel could include governors from the collaborated school.

The request to move to Stage 2 should be written to the clerk to the GB (via the school office) within 10 school days of receipt of the Stage 1 response. If the request for Stage 2 is outside of this timescale consideration will only be made in exceptional circumstances. The clerk will acknowledge receipt in writing within 3 school days.

The clerk will arrange the date and time of the meeting, this should be arranged within 10 school days of the Stage 2 letter – if this is not possible the clerk will provide a rationale for this and give an expected timeline.

The school will provide 3 possible dates for the meeting if these are refused by the complainant without very good reason the clerk will arrange the meeting on one of the proposed dates. If the complainant is unable to attend the meeting will be held in their absence using the written submissions from both parties.

The clerk will ensure that all attendees are informed of the date, time and venue of the meeting. They will request copies of any further written materials to be submitted to the committee at least 5 school days before the meeting. All written material will be sent to all attendees.

The committee will elect a chair of panel. They will decide whether they would wish to call witnesses to the hearing or whether to rely on written submissions.

The complainant may invite someone along with them to the hearing to provide support; this can be a relative or friend.

This is a closed meeting and not open to the public or the media. The electronic recording of the meetings or conversations will not be permitted unless the complainants own disability or special need require it. Consent must be sought in advance and the consent will be recorded in the minutes by the clerk.

It will be the committee's decision as to whether they will accept papers at the meeting.

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

The committee will consider the complaint and all evidence; they will decide whether to uphold the complaint in whole or part or to dismiss the complaint in whole or part.

If the complaint is upheld the committee can consider how the schools policies and procedures can be improved to prevent any further complaints.

The chair will respond in full to the complainant and the school leadership team in writing within 10 days of the hearing.

If the complaint is against a governor or the whole governing board Stage 2 will be heard by members of the GB the school has collaborated with. The response from the hearing will detail any actions taken, how the investigation was carried out and a full explanation for the decisions made.

The complainant will be informed in the final letter what the next stage is if they remain dissatisfied. The next stage is if they consider that the school failed to handle their complaint in accordance with the school complaints policy or acted unreasonably or unlawfully they can contact the DfE (only after they have completed Stage 2).

The DfE will not normally reinvestigate but will consider whether the school has adhered to the education legislation and any statutory policies connected to the complaint.

The complainant can contact the DfE on www.education.gov.uk/contactus; by telephone 0370 0002288 or in writing to: Department for Education, Piccadilly Gate, Store Street, Manchester. M1 2WD

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.

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,Executive 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.

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 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 Board

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 student/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.

· 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. 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.

· 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.
    - It is recognised 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 student/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 student/young person and give them equal consideration to those of adults.
    - If the student/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the student/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 student/young person needs to attend.
    - However, the parent should be advised that agreement might not always be possible if the parent wishes the student/young person to attend a part of the meeting that the committee considers is not in the student/young person's best interests.

- The welfare of the student/young person is paramount.

Appendix 1

- Exclusions information is available in the School Discipline and Exclusion Guidance (https//www.gov.uk/school-discipline-exclusions/exclusions)
- Admissions – this will depend on the admissions authority – either the school, or Local Authority.
- Curriculum, to the DfE (https://www.educatin.gov.uk/contactus)
- Religious Education and Collective Worship – Local Authority, Standing Advisory Council on Religious Education (SACRE).
- Special educational needs and disabilities issues concern about statutory assessment should be directed to the Local Authority.
- Special educational needs and disabilities – concerns about provision – refer to school Special Educational Needs and Disability Policy
- Staff Grievance – dealt with under the school's internal grievance procedures.
- Staff conduct – dealt with under the school's internal disciplinary procedures.
- Withdrawal from the curriculum – parents/carers can withdraw their children from any aspect of RE including the DACW they do not have to explain why – if parents are dissatisfied they should use this complaints policy.
- Child Protection – dealt with under the Child Protection and Safeguarding Policy and in accordance with the relevant statutory guidance.

Appendix 2

Complaint Form- Formal Complaint Stage 1

Please complete and return to Mr M Griffiths who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):

Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature: Date:
Official use
Date acknowledgement sent:

By who:
Complaint referred to:
Date: