

# Langley Grammar School

## Complaints Policy and Procedures



***June 2025***

### **1. Introduction and aims**

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This Complaints Policy helps underpin the ethos of Langley Grammar School ("the School"). Its aim is to ensure that a concern, difficulty or complaint is managed sympathetically, efficiently and at the appropriate level and resolved as soon as possible. Doing so is good practice, fair to those concerned and helps to promote parents' and students' confidence in the School's ability to safeguard and promote welfare.

We will try to resolve every concern, difficulty or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing the School's systems and procedures in the light of the matters raised.

The School needs to know as soon as possible if there is any cause for dissatisfaction. We recognise that a concern or difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which can be damaging to the relationship between the School and the parent and student, and can also have a detrimental effect upon the School's ethos and culture. Parents and students should never feel – or be made to feel – that raising a concern, difficulty or complaint will adversely affect the student's future at the School, or place the student at a disadvantage in any way.

### **2. Application**

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As an Academy, Langley Grammar School is governed by the Education (Independent School Standards) (England) Regulations 2014 (as amended) ("the Regulations").

This Complaints Policy is based on the DfE's model complaints procedure which has been formulated to comply with part 7 of the Regulations, with the Education and Skills Funding Agency's guidance document *Best practice guidance for academies complaints procedures*, as well as equality legislation and the rules of natural justice. In the case of any variance between the procedure outlined in this Complaints Policy and the Regulations, the procedure outlined in the Regulations will apply.

This Complaints Policy applies to all concerns and complaints of the parents of students at the School, other than those involving child protection issues, or relating to admissions, exclusions and SEN, for which there are separate statutory procedures.

Where a complaint is made against a member of staff, depending upon the nature and seriousness of the complaint, the matter may be dealt with under separate HR procedures which are strictly confidential, rather than under this Complaints Policy.



This Complaints Policy distinguishes between a concern or difficulty, which can usually be resolved informally, and a formal complaint which will require further investigation.

### **3. The Rules of Natural Justice**

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Simply put, the rules of natural justice relate to fairness.

The School will ensure that all concerns, difficulties or complaints are dealt with in accordance with the following principles:

- All parties will be provided with all information and documentation pertinent to the matters raised;
- All parties will be given the opportunity to prepare and present their case and respond to the other parties involved;
- All persons investigating and making decisions in relation to the matters raised will be impartial and will do so without bias (or apparent bias) to any party involved;
- All decisions will be made on a balanced and considered assessment of the information before the investigator only;
- All decisions will be based upon logical conclusions, and not on mere speculation or suspicion;
- All decisions will be supported by detailed reasons which will be disclosed to all parties involved.

### **4. Equality Act 2010**

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The School will deal with concerns, difficulties and complaints in accordance with its duty under the Equality Act 2010 to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between those who share a relevant protected characteristic and those who do not, by having regard to the need to:
  - remove or minimise disadvantages connected to a relevant protected characteristic; and
  - take steps to meet the different needs of those sharing a relevant protected characteristic; and
  - encourage those who share a relevant protected characteristic to participate in school life and activities in which participation is disproportionately low;
- Foster good relations between those who share a relevant protected characteristic as defined by the Equality Act and those who do not, by having regard to the need to:
  - tackle prejudice; and
  - promote understanding;

“Relevant protected characteristics” include sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy and maternity and (in the case of persons who are not students) marriage and civil partnership, and age.



In addition, the School will comply with its duty to make the following reasonable adjustments for persons with a disability:

- Where a provision, criterion or practice places a disabled person at a substantial disadvantage compared to a person who is not disabled, reasonable steps must be taken to avoid that disadvantage;
- Where a disabled person would, but for the provision of an auxiliary aid, be placed at a substantial disadvantage compared with a person who is not disabled, reasonable steps must be taken to provide the auxiliary aid.

An auxiliary aid can be a piece of equipment or a service.

If a Complainant or other person involved in the complaints procedure requires an interpreter, a signer or any other assistance at meetings or at a Complaint Panel Hearing, they should let the School know immediately. Further details can be found in the School's Equality Policy.

## 5. Terms Used

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For the purpose of this Complaints Policy, a "parent" includes the natural or adoptive parent of a student, irrespective of whether they are or ever have been married, whether they are separated or divorced, whether the student lives with them, whether the father has parental responsibility for the student or whether they have contact with the student.

A "parent" will also include a non-parent who has parental responsibility for a student, an adult non-parent with whom the student lives, and an adult who is involved in the day-to-day care of the student (for example, collecting or dropping off the student from school).

Any reference to a "student" will also include a prospective or former student of the School. A person making a complaint will be referred to as a "Complainant" throughout this Complaints Policy.

## 6. Who can make a complaint?

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This Complaints Policy 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 the School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use the procedures outlined in this policy.

## 7. The difference between a concern and a complaint

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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'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.



If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. 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, the School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## **8. How to raise a concern or make a complaint**

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

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Mrs Sue Littman, the Clerk to the Governing Board, via the school office. Please mark them as Private and Confidential.

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, or holding meetings in accessible locations.

## **9. Time scales**

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

We aim to resolve concerns, difficulties and complaints in a timely manner. Time limits for each stage of the procedure are set out under each individual stage. For the purposes of this Complaints Policy, a "school day" is defined as a weekday during term time, when the School is open to children. This excludes weekends, school holidays, bank holidays and staff training days. For the avoidance of doubt, term dates are published on the School's website, and made available to parents and students periodically.

Although every effort will be made by the School to comply with the time limits specified under each stage of the procedure, it may not always be possible to do so, for example due to the complexity or number of matters raised, or due to the unavailability of the Complainant to attend a meeting, if offered. In all cases, where a time limit cannot be complied with, the School will write to the Complainant within the specified time limit, setting out the reasons why the time limit cannot be complied with, and confirming the new time limit which will apply.



## 10. Complaints received outside of term time

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We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

## 11. Anonymous complaints

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

## 12. Scope of this complaints procedure

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This procedure covers potential complaints about a number of aspects of the School's provision. There are some areas of concern which would be dealt with under separate statutory processes, as shown below

Area of concern/complaint	Process, or who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy 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 Multi-Agency Safeguarding Hub (MASH).
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .
Whistleblowing	We have 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 in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> .
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.
National Curriculum - content	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

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 this happens, we will inform you of a proposed new timescale.

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

### **13. Withdrawal of a complaint**

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

### **14. Retention of Records**

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A full written record will be maintained centrally at the School of all complaints resolved under Stages 2 and 3. Records of complaints will be destroyed when the student to which they relate reaches the age of twenty four years or, in the case of a student with a statement of special educational needs, when the student reaches the age of thirty years.

### **15. Confidentiality**

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All correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State, a school inspector, or under another legal authority.

### **16. Publication**

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This Complaints Policy has been ratified by the Governing Board, and will be reviewed after three years or where there is a change in legislation or guidance. It will be published on the School's website and provided to parents and students on request to the school office. A copy of this Complaints Policy will be provided to a Complainant when a concern, difficulty or complaint is first raised.

### **17. Resolving complaints**

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At each stage in the procedure, the 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:

- an explanation



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

None of the above will constitute an admission of negligence or an acceptance of liability on behalf of the School.

## 18. Outcome Principles

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Examples of outcomes include:

- There was insufficient evidence to reach a conclusion, so the complaint cannot be upheld;
- The investigation did not substantiate the matters raised, so the complaint cannot be upheld;
- The complaint was substantiated in part or full. A description should be given of the remedial action being taken by the School as a consequence of the complaint. Details of any disciplinary action or sanctions to be taken against a member of staff are strictly confidential and cannot be disclosed.
- The matter has been fully investigated and, as a consequence, further confidential procedures are being pursued. Details of any disciplinary action or sanctions to be taken against a member of staff are strictly confidential and cannot be disclosed.

## 19. Stage 1 – Informal complaints

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Most concerns and difficulties, where a parent or student seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching or pastoral care, allocation of privileges or responsibilities, a timetable clash, an issue with the School's systems or equipment, or a charging error.

Concerns should be raised with the most appropriate member of staff, as follows:

- **Education issues** – if the matter relates to the classroom, the curriculum or special educational needs, the Complainant should initially contact the relevant Subject Leader, or Deputy Headteacher, as appropriate.
- **Pastoral care** – for concerns relating to matters outside the classroom, the Complainant should initially contact the Phase Leader, Director of Sixth Form or the Deputy Headteacher as appropriate.
- **Disciplinary matters** – a problem over any disciplinary action taken or a sanction imposed should be raised with the member of staff who imposed it in the first instance. If not resolved, the Complainant should contact the relevant Subject Leader, Phase Leader, Head of Sixth Form or Deputy Headteacher.



- **Financial and administrative matters** – a query relating to fees, extras or other administrative matters should be raised by the Complainant with the Finance team or the School Business Manager.
- **An issue with a specific member of staff** – often, the best way to resolve an issue with a specific member of staff is to raise it with that member of staff directly, so that they are given the opportunity to address and resolve the concern or difficulty before it becomes a formal complaint. If the Complainant feels uncomfortable doing this, however, the issue should be raised with the appropriate Subject Leader, Phase Leader, or with a member of the Senior Leadership Team.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

At the conclusion of their investigation, the appropriate person investigating the concern or complaint will provide an informal response **within fifteen school days** of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

## 20. Stage 2 – Formal complaints

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Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person or in writing (preferably on the Complaint Form).

The Complainant should clearly set out the matters in dispute, the relevant dates, the full names of the persons involved and what the Complainant believes the School should do to resolve the complaint. Any documentation relied upon by the Complainant should be attached to the formal complaint.

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within **five** school days.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the Complainant would like to see. The Headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

*Note: The Headteacher may delegate the investigation to another member of the School's Senior Leadership Team but not the decision to be taken.*

During the investigation, the Headteacher (or investigator) will seek to

- clarify what has happened,
- who was involved, and
- what the Complainant feels would put things right.

If necessary, the Headteacher (or investigator) will interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish. Students will only be spoken to with an independent member of staff present to support them.



Written records of any meetings/interviews will be kept in relation to the investigation. Any student or member of staff spoken to will be asked to read, sign and date the written record to confirm that it is accurate. In the case of students, the accompanying independent member of staff will also be asked to sign and date the record of the conversation.

If the Headteacher deems it to be appropriate in relation to the matters raised, the Complainant will be offered a meeting to discuss the issues raised. This may take place at the beginning of the investigation to clarify any matters which are unclear, or after the investigation has taken place with the aim of reaching an amicable resolution.

At the conclusion of their investigation, the Headteacher will provide a formal written response within **twenty** 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 the 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 2.

If the complaint is about the Headteacher, or a member of the Governing Board (including the Chair or Vice Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2. Complaints about the Headteacher or member of the Governing Board must be made to the Clerk to the Governors, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Governing Board or
- the majority of the Governing Board,

then Stage 2 will be considered by an independent investigator appointed by the Governing Board. At the conclusion of their investigation, the independent investigator will provide a formal written response.

## **21. Stage 3 – Panel Hearing**

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If the Complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the School. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk to the Governors, via the school office, within **five** school days of receipt of the Stage 2 response. The Complainant should not repeat the matters raised in their original letter or attach documentation already provided, but should clearly set out how and why the Complainant does not accept the findings made under Stages 1 and 2.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within **five** school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.



The Clerk to the Governors will liaise with the Complaint Panel, the Complainant and the School's Representative to agree a mutually convenient date. The Clerk will write to the Complainant to inform them of the date of the hearing. They will aim to convene a hearing within **twenty** school days of receipt of the Stage 2 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 hearing. It will then proceed in the Complainant's absence on the basis of written submissions from both parties.

The Complaint Panel will consist of three persons appointed by or on behalf of the Governing Board by the Clerk to the Governors. None of the three Complaint Panel members will have been involved in the matters which gave rise to the complaint, have been involved in dealing with the complaint previously or have any detailed prior knowledge of the complaint.

Two of the Complaint Panel members may (but do not have to) be Governors. The third Complaint Panel member will be independent of the management and running of the School, i.e. they will not be a member of staff or a Governor, and will not be linked to the School in another way, for example as a parent of a student at the School. The independent Complaint Panel member will be the Chair of the Complaint Panel.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

then Stage 3 will be heard by a completely independent committee panel.

A Complainant may bring someone along to the Complaint Panel hearing to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the Complaint Panel hearing. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a Complaint Panel hearing, 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 (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

Representatives from the media are not permitted to attend.

The School will be represented at the Complaint Panel Hearing by the person who dealt with the complaint under Stage 2, which will usually be the Headteacher (or investigator). This person will be referred to as the "School's Representative" for the purposes of Stage 3. The Complaint Panel Hearing will be minuted by the Clerk to the Complaint Panel, who will usually be the Clerk to the Governors.

When responding to the Complainant's request, the Clerk to the Governors will inform them of the names of the Complaint Panel members. If the Complainant objects to any of the named persons being appointed to the Complaint Panel, they should notify the Clerk to the Governors within **three** school days of receipt of the letter. Fair consideration will be given to any bona fide objection to a particular member of the Complaint Panel.



Any written material will be circulated to all parties at least **five** school days before the date of the hearing. The names of individuals other than the Complainant, the Complainant's family, members of the School's staff and Governors, will be redacted and replaced with a letter relevant to that particular individual unless they have provided their written consent for their name to be disclosed. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

If the Complainant wishes the Complaint Panel to consider any additional information, they should forward this documentation to the Clerk to the Governors to arrive at least **five** school days before the Complaint Panel Hearing, to enable the Clerk to the Governors to forward it to the School's Representative and the Complaint Panel members.

The Panel will 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 hearing will be held in private. Electronic recordings of hearings 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 hearings or conversations take place. Consent will be recorded in any minutes taken.

## **22. Complaint Panel decision**

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The Complaint Panel will convene in private, either immediately after the Complaint Panel Hearing or on a subsequent date, and will consider all of the documentation and everything that they have heard at the Complaint Panel Hearing and make:

### ***a) Findings of Fact***

The Complaint Panel will decide which facts are established to be true, on a balance of probabilities (i.e. more likely than not). If a fact is not deemed relevant, the Complaint Panel will not consider it further. The Complaint Panel will make a written record of the facts that have been established, those which have not been established and those which are not relevant, with their reasons for making these findings.

The panel can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

### ***b) Recommendations***

The Complaint Panel will consider the facts which they have established and will make recommendations based upon them. If the complaint is upheld in whole or in part, the panel will:

- recommend the appropriate action to be taken to resolve the complaint or achieve reconciliation between the parties,
- where appropriate, recommend changes to the School's systems or procedures to prevent similar issues in the future.

The Complaint Panel will keep a written record of their recommendations, with reasons.

## **23. Outcome of Panel hearing**

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The Clerk to the Governors will write within **ten** school days of the Complaint Panel Hearing to the:



- Complainant;
- The School's Representative;
- Any person complained about;

The letter will identify each of the issues complained about, summarise how the Complaint Panel Hearing proceeded, and confirm each of the Complaint Panel's findings of fact and recommendations, if any, with reasons. The letter will also confirm that, if the Complainant believes that this Complaints Policy does not comply with the Regulations, or that the School has not followed the procedure outlined in this Complaints Policy, the Complainant may refer their complaint to the Education Funding Agency for further consideration. The Clerk to the Governors will also ensure that a copy of the Complaint Panel's findings and recommendations are made available on the School's premises for inspection by the Trust, the Governing Board and the Headteacher.

The Chair of the Panel will provide the Complainant and the School with a full explanation of their decision and the reason(s) for it, in writing, within **five** school days. 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 the School will take to resolve the complaint.

The letter to the Complainant will include details of how to contact the Department for Education (DfE) if they are dissatisfied with the way their complaint has been handled by the School.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

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

## 24. Next Steps

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If the Complainant believes the School did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the DfE after they have completed Stage 3.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by the School. They will consider whether the School has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

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

The School Complaints Unit (SCU)  
 Department for Education  
 2<sup>nd</sup> Floor, Piccadilly Gate  
 Store Street  
 Manchester, M1 2WD

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## Policy approval



This policy will be reviewed and approved in line with the LGS Policy Framework approved by the Governing Board.

<b>Drafted by</b>	<b>Business Manager</b>	<b>May 2025</b>
<b>Approved by</b>	<b>Headteacher</b>	<b>June 2025</b>
<b>Next Review</b>	<b>Headteacher &amp; Assistant Headteacher</b>	<b>May 2028</b>



## **Appendix 1 - Roles and Responsibilities**

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### **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 to agree 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 take 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 head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Headteacher or complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the Complainant, providing the appropriate escalation details.

### **Complaints Co-ordinator**

The complaints co-ordinator should:

- ensure that the Complainant is fully updated at each stage of the procedure
- liaise with staff members, head teacher, Chair of Governors or the Clerk and to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information



- additional support. This may be needed by Complainants when making a complaint including interpretation support or where the Complainant is a child or young person
- keep records.

### **Clerk to the Governing Board / Trust Board**

The Clerk is the contact point for the Complainant and the Complaint Panel 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 hearing, 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 (eg stage 1 paperwork, School/Complainant submissions) and send it to the parties in advance of the hearing within the timescale laid out in the procedure
- record the proceedings
- circulate the minutes of the hearing
- notify all parties of the Panel's decision.

### **Panel Chair**

The Panel Chair, who is the Independent Panel member, 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 hearing
- the hearing 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 hearing 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 hearing
- both the Complainant and the School are given the opportunity to make their case and seek clarity, either through written submissions ahead of the hearing or verbally in the hearing itself
- the issues are addressed and key findings of fact are made
- the panel is open-minded and acts independently
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the hearing is minuted
- they liaise with the Clerk and complaints co-ordinator.

### **Panel Member**

Hearing panel members should be aware that:



- The hearing must be independent and impartial, and should be seen to be so. No Governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the hearing 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 hearing 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 hearing. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The panel 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 panel 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 panel should give the parent the opportunity to say which parts of the hearing, 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 hearing that the panel considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.



## **Appendix 2 – Unreasonable and/or persistent serial complaints**

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The School recognises that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. However, all instances of unacceptable behaviour such as harassment, aggressive verbal or physical abuse at any time will be documented and this may result in the complaint being dealt with only through written communication thereafter.

The school is committed to dealing with complaints fairly and impartially and to providing a high quality service to those who do complain. However, we do not expect our staff to accept unreasonable complaints.

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.
- 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.

A complaint will be considered unreasonable if the person making the complaint does so face-to-face, by telephone, in writing or electronically in a way that could be described as:

- Maliciously.
- Aggressively, using threats, intimidation or violence.
- Using abusive, offensive or discriminatory language.
- Knowing it to be false.
- Using falsified information.
- By publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Where aggression or abusive behaviour has been used, the school may have to:

- Ask them to leave the school premises.
- Inform the police.



- If necessary, bar them from being on school premises. The school will give the complainant 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 complainant and either confirmed or lifted. If the bar is confirmed, the complainant will be given an explanation as to how long the bar will be in place (usually 3 months).

## **Serial or persistent complaints**

We do not normally limit the contact complainants have with the school but it is not helpful if repeated correspondence is sent or repeated requests for meetings are made while a complaint is being progressed.

Such situations may occur when the complainant:

- 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/or by telephone while the complaint is being dealt with.
- 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 DfE.
- Seeks an unrealistic outcome.

Where complainants excessively contact the school, causing a 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 six months.

If a complaint is investigated according to the school's policy but not to the satisfaction of the complainant, who then tries to reopen the same issue, the chair of the governing board will inform them in writing that the procedure has been exhausted and that the matter is now closed. However, if the complainant raises an entirely new, separate complaint, it will be dealt with in accordance with the school's complaints procedure.

The same applies to 'duplicate' complaints by a relative or friend of a previous complainant who seeks to re-open a closed issue. However, if the duplicate complaint contains new allegations then these must be considered under the school's procedure.

## **Monitoring and evaluation**

The governing board will monitor the level and nature of complaints using the records kept by the complaints co-ordinator. Wherever possible, complaints information shared with the whole governing board will not name individuals. The policy will be evaluated in the light of complaints made and their resolution in order to contribute to school improvement.

Should the DfE advise the school that the policy or procedures need to be amended, these will be effected as soon as possible. Where changes in legislation require changes to the policy, these will also be introduced as soon as possible.



### **Appendix 3 - Procedure at the Complaint Panel Hearing**

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The Complaint Panel Hearing will be conducted as follows:

- a) The Clerk to the Complaint Panel will greet the Complainant, the Complainant's supporter and the School's Representative and welcome them into the room where the Complaint Panel has convened (any witnesses will remain outside of the room until they are called in to give their account);
- b) The Complainant will be invited by the Complaint Panel to give an account of their complaint;
- c) The School's Representative will be invited to ask the Complainant questions, if any;
- d) The Complaint Panel will ask the Complainant questions, if any;
- e) At the discretion of the Chair of the Complaint Panel, the Complainant's first witness will be invited into the room to give an account of what they saw or know;
- f) The School's Representative will be invited to ask the Complainant's witness questions, if any;
- g) The Complaint Panel will ask the Complainant's witness questions, if any;
- h) The Complainant's witness will be asked to leave the room;
- i) If the Complainant has any further relevant witnesses, at the discretion of the Chair of the Complaint Panel, they will be invited into the room individually to provide their accounts and be questioned as outlined above;
- j) The School's Representative will be invited by the Complaint Panel to respond to the complaint and make representations on behalf of the School;
- k) The Complainant will be invited to ask the School's Representative questions, if any;
- l) The Complaint Panel will ask the School's Representative questions, if any;
- m) At the discretion of the Chair of the Complaint Panel, the School's relevant first witness will be invited into the room to give an account or what they saw or know;
- n) The Complainant will be invited to ask the School's witness questions, if any;
- o) The Complaint Panel will ask the School's witness questions, if any;
- p) The School's witness will be asked to leave the room;
- q) If the School has any further relevant witnesses, at the discretion of the Chair of the Complaint Panel, they will be invited into the room individually to provide their accounts and be questioned, as outlined above;
- r) The Complainant will be invited by the Complaint Panel to summarise their complaint;
- s) The School's Representative will be invited by the Complaint Panel to summarise their response to the complaint and the School's stance;
- t) The Complaint Panel Hearing will conclude and the Complainant and the School's Representative will be asked to leave.







**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**

**Acknowledgement sent on**

**By who?**

**Complaint referred to:**

**Date**

**Action taken**