

# Complaints Policy



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Please note, any reference to "School" refers to all of the schools above.

This policy has been ratified by the Governing body of all 3 schools on the date noted below.

Review Date May 2024

Next Review Date May 2026

*Equalities Statement:*

Stat policy

Bi-Annual Review

*We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.*

## **1 General Principles**

Catholic schools aim to be places where love of one's neighbour is evident at all times. Christ said to His disciples at the Last Supper "This is my commandment, that you love one another, as I have loved you." It is in wishing to uphold this principle that Catholic schools, and those who work there, commit themselves to care for their school community and uphold the Catholic doctrine and the ethos of the school. Nevertheless, as in any organisation, there can be times when a complaint may arise, and the aim of this Complaints Policy is to set out how those complaints will be dealt with and how the school will work with all parties involved towards achieving a satisfactory resolution.

The main purposes of this Complaints Policy are to:

- resolve problems as swiftly as possible, ideally through an early informal stage.
- give complainants a means to raise complaints and to have them addressed.
- explain who a complaint should be directed to at the different stages and how they will be dealt with at each stage, including expected timescales.
- encourage all parties to raise and/or respond to complaints as quickly as possible so that they may be dealt with swiftly and whilst the matter is still fresh in people's minds.
- stress that at all stages of this policy any discussions, consideration and hearings will be held with the intention to resolve the complaint rather than apportion blame.

It should be noted that this Complaints Policy does not replace the arrangements for dealing with certain types of complaint that fall outside of its remit and are covered by other policies, for example, admissions to schools, statutory assessments of Special Educational Needs, school re-organisation proposals, any matter that may require a Child Protection Investigation, exclusions, whistleblowing, staff grievances and disciplinary procedures and complaints about services provided by third parties using the school premises or facilities. Schools may seek the assistance or advice from the Diocese or other agencies as appropriate. Any adviser supporting the school through this process may also support the Governors Complaints panel in their deliberations.

Schools recognise that complaints can be submitted by anyone, not just by parents of pupils in the school. Complaints will be dealt with consistently regardless of who the complainant is.

### **• Legal framework**

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

- Freedom of Information Act 2000
- Education Act 2002
- Equality Act 2010
- The Education (Independent School Standards) Regulations 2014
- Immigration Act 2016
- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'
- DFE (2021) 'Best practice guidance for academies complaints procedures'
- DFE (2023) 'Academy School handbook 2023'

## **2 The Role of the Individual Governor**

It is important that everyone understands that no Governor will deal with a complaint in isolation/alone. Anyone considering raising a complaint with the school should refer to the Complaints Management Procedure (Appendix B) to check who the complaint should be directed to.

Governors should not get into discussion with a complainant if they are approached but should advise them only of the procedure to follow. If the situation is such that the Governor has to listen in order to help to direct the complainant, then this would prejudice their impartiality if the complaint were raised, and they would be unable to take part in the process any further. Should this situation arise, the Governor concerned must inform the Chair of Governors accordingly.

### **3 Stage 1 – Informal Resolution**

In the majority of cases, the concern should be handled, if at all possible, without the need to undertake any formal procedures and this should be the objective of all parties involved.

The complaint should be initially discussed with the relevant member of staff, for example the class teacher or form tutor. There is no need at this stage for the complaint to be put in writing, however, the staff member should complete the Initial Record Form (Appendix C) outlining the nature of the complaint and the agreed actions to be taken including any timescales to complete them. A copy of the Initial Record Form should be given to the complainant along with a copy of the school's complaints procedure.

At this stage the complaint should ideally be raised with the relevant staff member within 5 school days of the complainant becoming aware of the complaint/incident and be resolved within 10 school days. The school will, however, consider exceptions to complaints being raised outside of 5 school days and will not refuse to deal with a complaint simply because it has been lodged outside of this preferred timescale. 5 school days is considered to be an appropriate length of time to report a complaint so that it is still fresh in everyone's mind and can be dealt with and resolved as quickly as possible.

Should the person raising the concern be unable to resolve the matter at this stage then they may feel it appropriate to move on to Stage 2 of the process. However, it is expected that the majority of complaints would be resolved by the end of stage 1 without the need to escalate the complaint further.

### **4 Stage 2 – Formal Resolution**

If the complaint cannot be resolved at Stage 1, then the complainant may, if they wish, proceed to Stage 2 by completing and submitting a Stage 2 Complaint Form (Appendix D) to the relevant person as detailed in the Complaints Management Procedure (Appendix B). The Stage 2 Complaint Form should be submitted within 10 school days of the conclusion of Stage 1.

On receipt of the Stage 2 Complaint Form, the relevant person will:

- acknowledge receipt of the Stage 2 Complaint Form within 5 school days.
- investigate the complaint and decide how best to resolve it. This would normally involve meeting with and interviewing the complainant and any other persons.
- within 5 school days of completing the investigation, write to the complainant outlining how the investigation was conducted and the outcome of the complaint. This letter will also include details of what the complainant can do next if the complaint has still not been resolved to their satisfaction. Information advising the complainant that they can escalate the complaint to Stage 3 must also advise them that if they wish to do so then it must be within 10 school days of the notification of the outcome of Stage 2.

### **5 Stage 3 – Governors Complaints Panel**

If the complainant is not satisfied with the outcome of the Stage 2 process, they may, if they wish, request that the complaint be considered by a Governors Complaints Panel. To request this, the complainant will need to complete and return the Stage 3 Complaint Form (Appendix E) within 10 school days of the notification of the outcome of Stage 2. This form should be sent to the Chair of Governors (or the Vice-Chair of Governors if the complaint relates to the Chair) via the school address.

The Governors complaints panel is the last school-based stage in the complaints process and is not convened to merely rubber-stamp any previous decisions.

The panel will consist of three members of the Governing Body. No Governor may sit on the panel if they have had any prior involvement in the complaint or in the circumstances surrounding it. Neither the Executive Principal/Principal/Head of School or the Chair of Governors should be a member of this panel. The panel should elect their own Chair. Where it is not possible for the Governing Body to convene a panel due to there being insufficient Governors who have no prior involvement in the complaint, then another school from within the Aquinas School may be approached to request that the Governors from that school make up the panel. Anyone from the Governing Body of another Catholic school who sits on the Complaints Panel would become an Associate Member for this purpose.

The Stage 3 Complaint Form will be acknowledged within 5 school days and the Governors Complaints Panel will normally be convened within 20 school days of the receipt of the form.

Both parties should normally be present whilst the complaint is being described and responded to. However, there may be situations where the Chair of Governors considers that the relationship between the complainant and the school has broken down to such an extent that any further meeting that they jointly attend would not be beneficial. If this situation arises then the Chair of Governors may decide that the Stage 3 hearing should be held in two parts with each party, and their witnesses, meeting with the Governors Complaints Panel on their own. Should this decision be taken then the Chair of Governors will advise both parties, the Clerk to the Complaints Panel and the Chair of the Complaints Panel accordingly.

The panel will consider the following:

- any appropriate action to be taken to resolve the complaint.
- whether to dismiss the complaint in whole or in part.
- whether to uphold the complaint in whole or in part.
- whether changes to the school procedures or systems in the future may be necessary to ensure that situations of a similar nature do not recur.

The panel will take into account whether the complaint has been handled properly and reasonably in accordance with this policy and whether the outcome at Stage 2 was reasonable and appropriate.

As part of the Governors Complaints Panel hearing the following will be undertaken:

- a Clerk to the panel will be appointed. This would usually be the Clerk to the Governing Body.
- the Clerk will ensure that all parties have received a copy of this Complaints Policy.
- the Clerk will set a date, time and venue for the hearing within 20 school days of the receipt of the Stage 3 Complaint Form. The venue will be accessible for all parties.
- At least 5 school days prior to the hearing, all parties will submit to the Clerk to the Complaints Panel any written evidence or other documentation to be presented at the hearing, together with the names of any witnesses either party wishes to call.
- all written evidence or other documentation submitted will be sent to all parties and the panel members to arrive at least 5 school days prior to the hearing.
- the Clerk to the Complaints Panel will record the proceedings and notify, in writing, all parties of the panel's decision within 5 school days of the hearing.
- the issues raised in the complaint are addressed.
- the panel will be open minded and act independently.
- no member of the panel will have a vested interest in the outcome of the proceedings or any involvement in any earlier stage of the procedure.
- only the issues raised in the complaint will be discussed and considered. Any new issues raised will need to be raised as a separate complaint and given due consideration by progressing through the Complaints Policy.
- if any party fails to attend the Governors Complaints Panel hearing, then the hearing will continue in their absence and considered on any written evidence that the absent party has submitted at least 10 school days prior to the hearing.

The following points should also be noted:

- all parties shall be put at ease and the hearing will be conducted as informally as possible with each party treating the other with respect and dignity.
- the Chair of the Complaints Panel will explain the panel's remit to all parties and ensure that each party has the opportunity to put their case without undue interruption and to ask questions.
- witnesses are only required to attend for the part of the hearing in which they give their own evidence.
- after an introduction by the Chair of the panel, the complainant is invited to explain their complaint and be followed by their witnesses.
- the Head Teacher (or the representative for the school) may question both the complainant and the witnesses after each has spoken but only to clarify what they are saying.
- the Head Teacher (or the representative for the school) is then invited to explain the school's actions and be followed by the school's witnesses.
- the complainant may question both Head Teacher (or the representative for the school) and the school's witnesses after each has spoken but only to clarify what they have said.
- the panel may ask questions at any time.
- the complainant is invited to sum up their complaint.
- the Head Teacher (or the representative for the school) is invited to sum up the school's actions and response to the complaint.
- the Chair explains that both parties will receive the written decision of the panel from the Clerk within 5 school days.
- both parties leave together whilst the panel considers the issues. The Clerk, and any other advisers, may be present with the panel during their discussion but the conclusions and recommendations are the responsibility of the panel members only.

The Chair of the Complaints Panel will ensure that all parties are notified of the panel's decision within 5 school days. The reasons for the decision will be clearly defined, in plain English.

If either party requires clarification concerning any points in the letter, this will be provided by the Chair of the Complaints Panel.

## **6 Register of Complaints**

The school will maintain a register of all formal complaints received and note whether each one was resolved at the end of Stage 2 or whether the proceed to a Stage 3 panel hearing. This register will record any action taken by the school as a result of the complaint, regardless of whether the complaint is upheld or not.

## **7 Confidentiality**

Correspondence, statements and records relating to an individual complaint 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.

## **8 Anonymous Complaints**

Anonymous complaints will not be investigated under this policy unless there are exceptional circumstances. These would include serious concerns such as Child Protection issues, where the school would either involve external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.

## **9 Serial and Persistent Complaints**

There will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. Where a complainant tries to reopen the same issue, the Chair to the Governing Body will inform them in writing that the procedure has been exhausted and that the matter is now closed.

## **10 Managing unreasonable complaints**

The school is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The school will not normally limit the contact complainants have with the school or school itself; however, the school does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

For the purposes of this policy, "unreasonable complaints" include:

- Vexatious complaints, which:
  - Are obsessive, persistent, harassing, prolific, or repetitious.
  - Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
  - Insist upon pursuing meritorious complaints in an unreasonable manner.
  - Are designed to cause disruption or annoyance.
  - Demand for redress which lacks any serious purpose or value.
- Serial or persistent complaints, which:
  - Are duplicated, sent by the same complainant once the initial complaint has been closed.
  - Are new complaints that are submitted additionally, as part of an existing open complaint, by the same complainant.

A complaint may also be regarded as unreasonable when the complainant:

- 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 cooperate 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 complaint's 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 they expect 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 complaints procedure has been fully and properly implemented and completed, including referral to the DFE.
- 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 complainant:

- Acts maliciously or aggressively.
- Uses threats, intimidation or violence.
- Uses abusive, offensive or discriminatory language.
- Knows the complaint to be false.

- Uses falsified information.
- Publishes unacceptable information in media such as social media websites and newspapers.

The above applies regardless of the method the complaint is made, e.g. face-to-face, by telephone, in writing or electronically.

Complainants should limit the number of communications with the 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 member of staff or School leading the response to a complaint will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

Serial or persistent complaints will only be marked as 'serial' once the complainant has completed the complaints procedure. It is the complaint that will be marked as 'serial', meaning the complainant can complain about a separate issue if necessary.

If the behaviour continues, the individual handling the complaint will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school or any of its academies causing a significant level of disruption, the school may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

A decision to stop responding will only be considered in circumstances where the following statements are true:

- Every reasonable step has been taken to address the complainant's concerns.
- The complainant has been given a clear statement of the school or School's position and their options.
- The complainant contacts the school repeatedly, making substantially the same points each time.

If the above criteria are met, in making a decision to stop responding, the school will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about or threats towards staff, or if the school believes their intent is to disrupt or inconvenience the school.

The school will not stop responding to a complainant on the basis that they are difficult to deal with or they ask complex questions.

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 the premises.

## **11 Complaint Campaigns**

If the school becomes the focus of a campaign and receives a large volume of complaints that are all based on the same subject and/or are from complainants unconnected with the school, then they will be dealt with separately. The school will establish the most appropriate way to deal with these which could include sending a template response to all complainants or publishing a single response on the school's website.

## **12 Third Parties**

If a complaint relates to a third party who is using the school premises or facilities, then that complaint must be submitted directly to the third party concerned following their own complaint's procedures. For example, this could be where the school site is being used for community facilities or services.

## **13 Deviation from following this published procedure.**

There may be occasions when it is necessary or reasonable to deviate from the published complaints procedure. This could be not doing something that the procedure says that the school will, should or may do. In the event that this is deemed to be necessary the school will document any deviation and reasons for it.

## **14 Taking a complaint further**

If a complainant has completed the stages in this Complaints Policy and is still dissatisfied, they have the right to refer their complaint to the Secretary of State. The Secretary of State has a duty to consider all complaints raised but will only intervene where the Governors have acted unlawfully or unreasonably and where it is expedient or practical to do so.

The Regional Director considers complaints relating to schools in England on behalf of the Secretary of State. The Regional Director will consider complaints about schools that fall into any of the following three areas:

1. where there is undue delay, or the academy did not comply with its own complaints procedure when considering a complaint.
2. where the academy is in breach of its funding agreement with the Secretary of State.
3. where an academy has failed to comply with any other legal obligation.

The Regional Director will not overturn a school's decision about a complaint. However, if it finds that the school did not deal with a complaint properly it will request the complaint is looked at again and procedures meet the requirements set out in the Regulations.

If the school's complaints procedure does not meet the Regulations, it will ask the school to put this right. It may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State if appropriate.

The Regional Director can be contacted through The Regions Group

## **15 Resolving complaints**

At each stage of the complaint's procedure, the school is committed to resolving the complaint. Where appropriate, the school will acknowledge that the complaint is upheld in whole or in part, and may offer one or more of the following:

- An explanation
- An admission that the situation could have been handled better.
- An assurance that the school will try and ensure the incident will not occur again.
- An outline 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 changes will be made.
- An undertaking to review School policies in light of the complaint.
- An apology

## **16 Expectations under this procedure**

When raising a complaint under this policy a complainant can expect the school to:

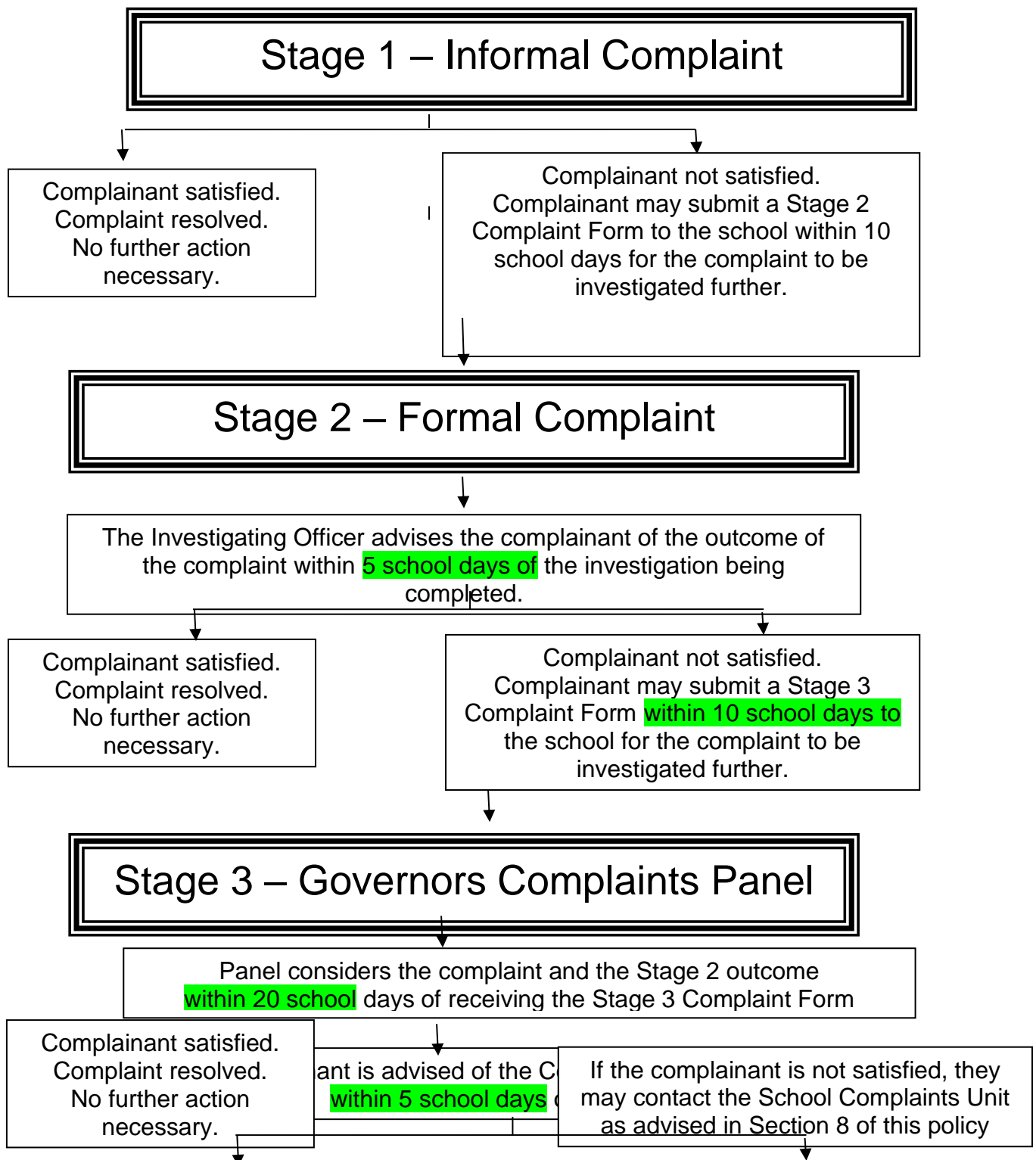
- take the complaint seriously.
- treat them with courtesy and respect.
- deal with the complaint with discretion and confidentiality (although if the matter relates to the safety and wellbeing of a child then the school may have to share the details with other agencies).
- offer them the opportunity to be accompanied by a friend, adviser or colleague.
- meet the timescales set unless there are good reasons to extend these, in which case they will be informed of this.
- seek and offer resolution at all stages.
- inform them of the action taken to resolve the complaint and of any measures put in place to ensure that a similar complaint does not arise in the future.

In turn, the school expects that complainants will:

- treat school staff with respect.
- be mindful of the need to keep information relating to children confidential in the interest of all students.
- enter into the process in the spirit of seeking resolution.
- appreciate that if the school considers that disciplinary action may be necessary against a member of staff then this will be dealt with under the school's disciplinary procedure and in confidence.

Appendix A

FLOWCHART TO SHOW GENERAL COMPLAINTS PROCESS



**Appendix B**  
**Complaints Management Procedure**

<b>Who the Complaint relates to:</b>	<b>Stage 1: Informal Resolution</b>	<b>Stage 2: Formal Resolution</b>	<b>Stage 3: Governors Complaints Panel</b>
Pupil, parents or staff (other than the Head Teacher)	The relevant member of staff, e.g. the class teacher or form tutor	The Head Teacher	Panel appointed by the Chair of Governors
The Head Teacher	The Head Teacher	The Chair of Governors or another nominated non-staff Governor	Panel appointed by the Vice Chair of Governors
A Governor or Governors (other than the Chair of Governors)	The Chair of Governors	Another nominated non-staff Governor	Panel appointed by the Vice Chair of Governors
The Chair of Governors (or a group of Governors including the Chair of Governors)	The vice Chair of Governors	Another nominated non-staff Governor	Panel appointed by the Vice Chair of Governors

If a complaint relates to any individual governor, both the Chair and Vice Chair of Governors or the entire governing committee then it should be submitted to the Clerk to the LGC who will then determine the most appropriate course of action in liaison with the Multi Academy School's CEO/Accounting Officer and the MAT's approval protocols. This will depend on the nature of the complaint. It may involve escalating the complaint to the Board of Directors, who may in exceptional circumstances determine it is necessary to deviate from this published procedure as set out in section 12 above.

**Note:** No Governor will be involved at Stage 3 if they have been involved in the complaint in any way prior to the Stage 3 panel hearing.

**Appendix C**  
**Initial Record Form for a School Complaint**

<i>School:</i>		
<i>Name of Complainant:</i>		
<i>Name of Child:</i>		
<i>Date of Contact with School:</i>		
<i>Nature of Concern</i>		
<i>Actions Taken</i>		
<i>Name:</i>	<i>Signature:</i>	<i>Date:</i>



*What actions do you feel may resolve the complaint at this stage?*

*Are you attaching any paperwork to this Form? If yes, please give details.*

*Signature:*

*Date:*

***For Office Use Only***

*Date acknowledgement sent:*

*By whom:*

*Complaint referred to:*

*Date complaint referred:*

**Appendix E**  
**Stage 3 Complaint Form**

<i>Your Name:</i>	
<i>Child's Name:</i>	
<i>Your relationship to the child:</i>	
<i>Address:</i>	
<i>Telephone Number(s):</i>	
<i>Email Address:</i>	
<i>Please provide details of why you are dissatisfied with the outcome of the Stage 2 investigation:</i>	
<i>What actions do you feel may resolve the complaint at this stage?</i>	
<i>Are you attaching any paperwork to this Form? If yes, please give details.</i>	
<i>Signature:</i>	<i>Date:</i>
<b><i>For Office Use Only</i></b>	
<i>Date acknowledgement sent:</i>	
<i>By whom:</i>	
<i>Complaint referred to:</i>	
<i>Date complaint referred:</i>	

## Who can make a complaint?

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

## The difference 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'*.

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 complaint's procedure. 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 Head Teacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, **they** will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

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

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

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

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

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

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

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

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

## **Anonymous complaints**

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

## **Time scales**

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

## Complaints received outside of term time.

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

## Scope of this Complaints Procedure

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

Exceptions	Who to contact
<ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• School re-organisation proposals</li></ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Bristol Local Authority
<ul style="list-style-type: none"><li>• Matters likely to require a Child Protection Investigation</li></ul>	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). Nicola Laird, )117 9037795
<ul style="list-style-type: none"><li>• Exclusion of children from school*</li></ul>	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> .  <i>*Complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>
<ul style="list-style-type: none"><li>• Whistleblowing</li></ul>	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 whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> .  Volunteer staff who have concerns about our school should complain through the school's

	complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• 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 a complainant commences legal action against School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## Resolving complaints

At each stage in the procedure, 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.

## Withdrawal of a Complaint

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

### Stage 1

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

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 15 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:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the headteacher will provide a formal written response within 15 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 School will take to resolve the complaint.

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

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

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

- the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

## Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaint's procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 15 school days of receipt of the Stage 1 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 15 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 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 meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from <School Name> available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

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

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

*Note: Complaints about staff conduct will not generally be handled under this complaint's procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

Representatives from the media are not permitted to attend.

At least 15 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- request copies of any further written material to be submitted to the committee at least 15 school days before the meeting.

Any written material will be circulated to all parties at least 15 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

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

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

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint.
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and school with a full explanation of their decision and the reason(s) for it, in writing, within 15 school days.

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

If the complaint is:

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

Stage 2 will be heard by a committee of independent governors.

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

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

## Next Steps

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 Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by <School Name>. They will consider whether <School Name> has adhered to education legislation and any statutory policies connected with the complaint.

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

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

## Complaint Form

Please complete and return to [the Clerk](#) who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>

**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 whom:**

**Complaint referred to:**

**Date:**

## **Roles and Responsibilities**

### **Complainant**

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible.
- co-operate with the school in seeking a solution to the complaint.
- respond promptly to requests for information or meetings or in agreeing the details of the complaint.
- ask for assistance as needed.
- treat all those involved in the complaint with respect.
- refrain from publicising the details of their complaint on social media and respect confidentiality.

## Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved.
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning.
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.
- ensure that any papers produced during the investigation are kept securely pending any appeal.
- be mindful of the timescales to respond.
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

## Complaints Co-ordinator

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 complaint's procedure.
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person.
- keep records.

## Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible.
- collate any written material relevant to the complaint (for example, stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale.
- record the proceedings.
- circulate the minutes of the meeting.
- notify all parties of the committee's decision.

## Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy.
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person.
- the remit of the committee is explained to the complainant.
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

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

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed.
- key findings of fact are made.
- the committee is open-minded and acts independently.
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.

- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

## Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount