Wolsey House Primary School

Complaints Policy

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Together we grow, achieve and thrive.

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Wolsey House Primary School is committed to providing a high-quality education and to building positive relationships with parents, carers and other members of the school community. We welcome feedback and aim to resolve concerns promptly, fairly and, wherever possible, informally.

Under section 29 of the Education Act 2002, the governing body must establish and publish procedures for dealing with complaints relating to the school and to any community facilities or services it provides, where no separate statutory procedure applies.

The school takes all concerns and complaints seriously. Complaints will be considered fairly, impartially and professionally in accordance with the procedures set out in this policy.

Complaints about the school's delivery of the curriculum will be considered under this complaints procedure. Complaints about the content of the National Curriculum should be directed to the Department for Education. Other matters for which separate statutory or formal procedures apply, such as school admissions, suspensions and permanent exclusions, statutory education, health and care needs assessments, staff grievances and child-protection investigations, are outside the scope of this policy.

The school will publish this complaints procedure on its website. A paper copy will be made available on request from the school office. The procedure may also be made available in alternative formats where reasonably required.

The school is committed to equality and to meeting its duties under the Equality Act 2010. We will make reasonable adjustments where necessary to ensure that complainants can access and participate fully in the complaints process.

This policy sets out the roles and responsibilities of those involved in making, investigating and considering complaints.

1. Statement of Intent

Wolsey House Primary School aims to resolve concerns and complaints promptly, fairly and, wherever possible, informally. However, a complainant will not be prevented from making a formal complaint or required to complete an informal stage before doing so.

This policy applies to complaints about the school, members of school staff, and the facilities or services provided by the school, except where a separate or formal procedure applies. Matters outside the scope of this policy are identified in the section entitled "complaints outside the scope of this procedure."

The school's complaints procedure will be:

- clear and straightforward;
- accessible and impartial;
- non-adversarial;
- capable of providing a full and fair investigation;
- respectful of confidentiality, while recognising that information may need to be shared to investigate a complaint properly;
- responsive to the individual needs of the complainant, including through reasonable adjustments where required; and
- focused on addressing all relevant points, providing reasons for decisions and, where appropriate, identifying suitable remedies and opportunities for school improvement.

Any person, including a parent, carer, former parent or member of the public, may raise a complaint about a facility or service provided by the school, unless a separate procedure applies. A complaint may be resolved or withdrawn at any stage. The school will keep an appropriate written record of the complaint, its progress and its final outcome, including where the complaint is withdrawn.

2. Aims

This policy aims to:

- provide a clear, accessible and impartial process for raising and resolving concerns and complaints;
- ensure complaints are considered promptly, thoroughly, fairly and consistently;
- ensure that complainants and those who are subject of a complaint are treated with dignity and respect;
- resolve concerns at the earliest appropriate stage, while preserving the complainant's right to use the formal procedure;
- ensure that decisions are based on the available evidence and that clear reasons are provided;
- provide appropriate remedies where a complaint is upheld, in whole or in part;
- identify matters that must be considered under another statutory, safeguarding, employment or school procedure;
- make reasonable adjustments to ensure that the complaints procedure is accessible;
- maintain appropriate confidentiality and comply with data-protection requirements; and
- use learning from complaints to improve the school's policies, practices and services.

3. Definitions

Department for Education (DfE) guidance explains 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 or statement of dissatisfaction however made, about actions taken or a lack of action"

In most cases, a concern can be resolved through informal means. A complaint will follow formal procedures.

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 Wolsey House Primary School about any provision of facilities or services that are provided.

The school will take concerns and complaints seriously and seek to resolve them promptly and fairly. Concerns will usually be addressed informally at the earliest appropriate stage. Formal complaints will be considered through the formal stages of this procedure.

The school will encourage informal resolution where appropriate. However, a complainant will not be required to complete an informal stage before making a formal complaint and will not be prevented from progressing a complaint through the published procedure.

If an individual has difficulty discussing a concern with a particular staff member, the school will respect their views and arrange for another appropriate member of staff to consider the matter. This person may be more senior, but their ability to consider the matter objectively and impartially is more important than their level of seniority.

A "**grievance**" is a concern, problem or complaint raised by an employee about their employment, working conditions or workplace relationships. Staff grievances are outside the scope of this policy and will be considered under the school's Grievance Policy.

An **unreasonable complaint or unreasonable behaviour** may arise where the nature or frequency of a complainant's contact, conduct or demands obstructs the school's consideration of the complaint or causes a disproportionate level of disruption. The school will not regard a complaint as unreasonable merely because the complainant is persistent, disagrees with the outcome or exercises their right to progress the complaint. Further information is provided in the section entitled "**Managing serial and unreasonable complaints**".

A **duplicate complaint** is a complaint about substantially the same matter that has already completed the school's complaints procedure, made by someone closely connected to the original complainant, such as a spouse, partner or family member.

Where the school receives a duplicate complaint, it may explain that the matter has already been considered and that the school's internal procedure is complete. The school will not disclose confidential information relating to the original complaint or complainant. If the new complaint raises materially different issues or provides significant new evidence, those elements will be considered under the appropriate stage of this procedure.

Where the school's complaints procedure has been completed, a complainant who believes that the school has not handled the complaint properly may refer the matter to the Department for Education.

Legislation and guidance

This document meets the requirements of section 29 of the Education Act 2002, which states that schools must have and make available a procedure to deal with all complaints relating to the school and to any community facilities or services that the school provides.

It is also based on guidance for schools on complaints procedures from the DfE, including the model procedures for complaints and for managing serial and unreasonable complaints.

In addition, it addresses duties set out in the Early Years Foundation Stage (EYFS) statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage (EYFS) requirements.

4. Scope

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters likely to require a Child Protection Investigation
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances

- Staff discipline and conduct
- School re-organisation proposals
- Collective worship

Please see our separate policies for procedures relating to these types of complaint.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

Complaints about the school's delivery of the National Curriculum are within the scope of this policy, but complaints about the content of the National Curriculum should be sent to the DfE.

5. Timescales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time, and the complaint can still be investigated in a fair manner for all involved, however, this would be on a case-by-case basis.

For the purposes of this procedure, a school day is a day on which the school is open to pupils. When complaints are made outside of term time, they will be deemed to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits
- Send the complainant details of the new deadline and explain the delay

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 policy or result in the procedures being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Wolsey House Primary School in relation to their complaint, then we will consider whether to suspend the complaints procedures in relation to their complaint until those legal proceedings have concluded.

6. Responsibility for the Policy and Procedure

The complainant

The complainant will get a more effective and timely response to their complaint if they:

- follow these procedures;
- explain their concern or complaint clearly and provide all relevant information at the earliest reasonable opportunity;
- identify what they believe would help to resolve the complaint;
- cooperate with the school's efforts to investigate and resolve the matter;
- respond within a reasonable time to requests for information or invitations to meetings;
- inform the school as soon as possible if they need assistance, an interpreter, information in an alternative format or another reasonable adjustment;
- treat everyone involved in the complaints process with dignity and respect;

- respect the confidentiality and privacy of pupils, staff and other people involved in the complaint.
- ask for assistance as needed; and
- do not approach individual governors about the complaint;

Complainants are asked not to publish information on social media that could identify pupils, disclose confidential information or compromise the fair investigation of the complaint. The school cannot prevent a complainant from discussing their experience, but it may take appropriate action where published material breaches another person's privacy, places a child at risk, is abusive or threatening, or may be unlawful.

The investigator

This is an individual appointed to investigate the complaint and establish the relevant facts. The investigator will act impartially and declare any actual or potential conflict of interest. They will:

- Interview all relevant parties, making clear notes and keeping these securely pending any appeal
- Carefully consider any relevant records, information or evidence
- Provide a comprehensive, open, transparent and fair consideration of the complaint
- Conduct interviews with an open mind and be prepared to persist in the questioning
- Be mindful of the timescales to respond
- Prepare a comprehensive report to the headteacher or complaints panel, which includes the facts and potential solutions through:
    - Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
    - Interviewing staff and children/young people (where appropriate and/or necessary) and other people relevant to the complaint
    - Consideration of records and other relevant information
    - Analysing information

The complaints coordinator

The complaints coordinator can be:

- The headteacher
- The designated complaints governor
- Any other staff member providing administrative support

The complaints coordinator should:

- act as the main contact for the complaint;
- acknowledge receipt of formal complaints and requests for escalation within the timescales set out in this procedure;
- coordinate communication between the complainant, investigator, headteacher, chair of governors, clerk and any other relevant person;
- provide the complainant with appropriate progress updates and notify them promptly if a published timescale cannot be met, explaining the reason and providing a revised response date;
- ensure that everyone involved understands the relevant procedure, their role and the applicable timescales;

- identify and arrange reasonable adjustments or additional support, including interpretation or accessible information, where required;
- give particular consideration to the needs and best interests of a child or young person who makes, contributes to or is affected by a complaint;
- ensure that personal and third-party information is shared only where necessary and in accordance with data-protection requirements;
- maintain an accurate and secure record of the complaint, its progress, correspondence, evidence, decisions, outcomes and any resulting actions;
- ensure that each written outcome explains the decision, the reasons for it and, where applicable, how and by when the complainant may progress to the next stage;
- seek procedural or governance advice from the clerk to governors and, where appropriate, the local authority or another relevant adviser; and
- monitor agreed actions arising from complaints and confirm that they have been completed.

The panel chair

The panel chair will:

- confirm, with support from the clerk, that each panel member is impartial and has had no prior involvement that could give rise to actual or apparent bias;
- ensure that the complainant and the school are given reasonable notice of the meeting;
- ensure that both parties are asked to submit relevant evidence by a specified deadline;
- ensure that the panel papers are circulated securely to the complainant, school representative and panel members sufficiently in advance of the meeting, subject to appropriate redaction and data-protection requirements;
- decide, in consultation with the panel, whether any late evidence should be accepted and, if necessary, allow additional time for the other party to consider it;
- explain the panel's remit, procedure and possible outcomes at the beginning of the meeting;
- ensure that the panel considers the complaint afresh and addresses each element of it;
- conduct the meeting in a fair, respectful, accessible and non-adversarial manner;
- give the complainant and the school representative a fair opportunity to present their position, respond to relevant evidence and answer questions;
- ensure that questions are appropriate and are asked without hostility or undue interruption;
- make reasonable adjustments and arrange appropriate support where needed;
- ensure that any child or vulnerable person involved is treated sensitively and appropriately;
- adjourn the meeting where necessary to preserve fairness, consider new information or provide an appropriate break;
- ensure that the panel bases its findings on the available evidence and applies the balance of probabilities;
- ensure that accurate minutes are taken by the clerk; and
- ensure that the panel's written decision clearly records its findings, reasons, recommendations and any further route available to the complainant.

Whether the meeting is held in person or remotely, arrangements will be accessible, appropriate and as informal and non-adversarial as reasonably possible.

The complaints panel

The aim of the panel is to consider the complaint fairly, establish what happened and identify an appropriate resolution where possible. Reconciliation may not always be achievable. In such cases, the panel will reach evidence-based findings and may make recommendations to address any identified failings and improve school practice.

All panel members will:

- act independently of any earlier decision and consider the complaint impartially;
- declare any actual or potential conflict of interest;
- consider the complaint afresh, rather than merely reviewing whether Stage 1 followed the correct procedure;
- consider all relevant evidence and disregard irrelevant considerations;
- give both parties a fair opportunity to present their position;
- maintain confidentiality and comply with data-protection requirements;
- treat everyone involved with dignity and respect;
- consider each element of the complaint separately;
- reach findings on the balance of probabilities; and
- contribute to a clear, evidence-based decision.

The panel may:

- uphold the complaint in full;
- uphold the complaint in part;
- not uphold the complaint;
- determine that there is insufficient evidence to reach a finding on a particular point;
- identify appropriate action to resolve the complaint;
- recommend changes to school systems, policies or practice to help prevent a recurrence; and
- recommend that the governing body or school monitors the implementation of agreed actions.

The panel must act within the governing body's legal powers. It must not:

- impose disciplinary sanctions through the complaints procedure;
- disclose confidential staffing or disciplinary information;
- overturn decisions made under separate statutory procedures; or
- promise an outcome that the school or governing body has no power to deliver.

Clerk to the Governing Board

The clerk to governors will:

- provide impartial procedural and governance advice to the panel;
- ensure that everyone involved is informed of the relevant procedure, their role and the applicable timescales;
- identify where specialist legal, data-protection, safeguarding or human-resources advice may be required;
- liaise with the panel chair, complaints coordinator, investigator and relevant parties to support the proper administration of the procedure;

- arrange the date, time, format and venue of the panel meeting, taking reasonable steps to make the arrangements accessible and practical for those attending;
- notify the parties of the meeting and provide clear information about the procedure and who may attend;
- invite both parties to submit relevant written evidence by a specified deadline;
- collate and securely circulate the panel papers sufficiently in advance of the meeting, subject to necessary redactions and data-protection requirements;
- ensure that information relating to pupils, staff and third parties is handled securely and shared only where necessary;
- keep an accurate record of attendance and take objective minutes of the panel meeting;
- record the panel's findings, reasons, recommendations and agreed actions as directed by the panel chair;
- provide administrative support to the panel while remaining independent of the matters being considered;
- ensure that the panel's written decision is sent to the complainant and relevant school representatives within the published timescale;
- ensure that the outcome letter explains that the school's complaints procedure has been completed and provides details of the appropriate external route; and
- retain complaint records securely in accordance with the school policy.

Involvement of children and young people

A pupil will only be interviewed where their evidence is necessary and it is reasonable and in their best interests to involve them. Any conversation with a pupil will be conducted sensitively by an appropriately experienced person. The school will consider the pupil's age, understanding and wishes, whether parental consent is required, and whether a trusted adult should be present. Pupils will not be expected to attend a complaints committee meeting unless there is a compelling reason and appropriate safeguards are in place.

A child or young person will not normally be expected to attend a complaints committee meeting. Their views may be obtained in advance through a written statement, a recorded account, a drawing, an advocate or a discussion with an appropriately experienced adult.

Where a child or young person's attendance is considered necessary, the panel chair will consider in advance:

- whether attendance is necessary and in the child's best interests;
- the child's age, understanding, wishes and feelings;
- which parts of the meeting, if any, it is appropriate for the child to attend;
- what information should be shared with the child;
- whether parental consent or agreement is required;
- whether a trusted adult, advocate or other appropriate person should support the child;
- any communication needs or reasonable adjustments; and
- how to prevent the child from feeling intimidated, blamed or responsible for the outcome.

The panel will seek the views of the child and their parent or carer when making these arrangements. The final decision about the child's attendance and participation will be made by the panel chair, having primary regard to the child's welfare and best interests.

A child will not be expected to remain for the whole meeting, answer inappropriate or confrontational questions, or be present while sensitive information about another person is discussed. Questions for a child will normally be agreed in advance and asked by the panel chair or another appropriately experienced person.

Role of the governing body

The governing body will:

- establish, approve and publish a complaints procedure in accordance with section 29 of the Education Act 2002, having regard to current Department for Education guidance;
- retain overall responsibility for ensuring that complaints are considered fairly, impartially and in accordance with the published procedure;
- ensure that the procedure is clear, accessible and available on the school's website, with paper or alternative-format copies available on request;
- ensure that appropriate arrangements are in place for complaints about the headteacher, individual governors, the chair or vice-chair of governors, and the governing body as a whole;
- ensure that suitably skilled and impartial governors, or appropriately independent persons where necessary, are available to investigate complaints and serve on complaints panels;
- ensure that no person takes part in considering a complaint where they have had prior involvement or where there is an actual or apparent conflict of interest;
- ensure that reasonable adjustments are made where required and that the school meets its obligations under the Equality Act 2010;
- ensure that complaint records are maintained securely and processed in accordance with data-protection and records-management requirements;
- receive anonymised information about the number, nature and outcomes of complaints and any recurring themes or recommended improvements;
- monitor whether actions and recommendations arising from complaints have been implemented;
- use the learning from complaints to improve school policies, practice and provision; and
- review the complaints procedure regularly and whenever relevant legislation or Department for Education guidance changes.

Details of individual or ongoing complaints will not normally be shared with the full governing body. This is to ensure that governors who may later be required to serve on a complaints panel remain impartial and have no prior knowledge of the complaint. The governing body will receive anonymised information for monitoring and school-improvement purposes.

Role of the headteacher

The headteacher will:

- promote an open culture in which concerns are taken seriously and addressed promptly, fairly and respectfully;
- ensure that staff understand the complaints procedure and know how to respond when a concern or complaint is raised;
- seek to resolve concerns informally where appropriate, without preventing a complainant from making or progressing a formal complaint;
- consider and respond to formal Stage 1 complaints, except where the complaint concerns the headteacher or where there is another actual or apparent conflict of interest;

- appoint a suitably skilled and impartial investigator where the headteacher does not investigate the complaint personally;
- ensure that investigations are fair, proportionate and completed within the published timescales;
- ensure that complainants are informed promptly where a timescale cannot be met and are given an explanation and revised response date;
- ensure that formal complaint records, outcomes and agreed actions are recorded securely in accordance with the Records Management Policy;
- ensure that personal and confidential information is shared only where necessary and handled in accordance with data-protection requirements;
- ensure that reasonable adjustments and appropriate support are provided where required;
- ensure that agreed actions and recommendations arising from complaints are implemented;
- identify recurring themes and use learning from complaints to improve school policies, practice and provision;
- provide the governing body with anonymised information about the number, nature and outcomes of complaints, together with any identified themes or lessons; and
- support the governing body in monitoring and reviewing the effectiveness of the complaints procedure.

Where a complaint concerns the headteacher, the headteacher will not investigate, determine or otherwise manage the complaint, except to provide information or representations requested by the appointed investigator or panel. Please see section below entitled “complaints about the headteacher.”

7. Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to our school’s fulfilment of the Early Years Foundation Stage (EYFS) requirements and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint and make this available to Ofsted on request.

If parents/carers are not satisfied with our response, they can contact Ofsted by:

Calling: 0300 123 4666

Emailing: enquiries@ofsted.gov.uk

We will notify parents and carers if we become aware that our school is to be inspected by Ofsted. After the inspection, we will supply a copy of the inspection report card to parents and carers of children attending the setting on a regular basis.

8. Complaint procedures

Informal Concerns

Our school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision, or clarification of information will resolve the issue.

The complainant should raise the concern as soon as possible.

The concern should be addressed to the relevant member of school staff or the headteacher, either in person or by letter, telephone or email. Concerns can also be raised by a third party acting on behalf of the complainant, if they have the complainant's consent to do so.

If the complainant is unclear who to contact or how to contact them, they should contact the school office via email: office@wolseyhouse.leicester.sch.uk or telephone: 0116 2667566

- The informal stage will involve a meeting between the complainant and the person closely involved with the complainant's cause for concern or with the Headteacher.
- If the concern is not resolved informally, it will be escalated to a formal complaint.
- Every effort should be made to resolve the matter at this stage.

Stage 1: Formal Investigation

Formal complaints should normally be made in writing and addressed to the headteacher. These can be sent via the school office, marked private and confidential. A complaint may also be made in person or by telephone. Where a complaint is made verbally, the school will make a written record and ask the complainant to confirm that it accurately reflects their complaint.

The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the school office via email: office@wolseyhouse.leicester.sch.uk or telephone: 0116 2667566

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 3 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 (or designated member of the senior leadership team) will consider whether a face-to-face meeting is the most appropriate way of clarifying the complaint and to seek a resolution. The complainant may be accompanied to any meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant can arrange alternative accompaniment.

The headteacher (or other person appointed by the headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 15 school days of receipt of the complaint. If the headteacher (or other person appointed by the headteacher for this purpose) is unable to meet this deadline then they will provide the complainant with an updated timescale.

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 Wolsey House Primary 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.

How to escalate a complaint

If the complainant wishes to proceed to the next stage of the procedures, they should write to the clerk to the governing board via the school office within 7 school days. Requests received outside of this timeframe will only be considered in exceptional circumstances.

The complainant should provide details of how they feel the previous stage of the procedures has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

The clerk will acknowledge receipt of the request within 5 school days.

Stage 2: Governing body complaints committee

Convening the panel

The complaints panel will consist of three suitable skilled and impartial governors who are available. The governors will select a panel chair from among themselves.

If insufficient impartial governors are available, the clerk may seek suitably skilled and independent governors or eligible individuals from other schools. The school may ask the local authority's governor services team to assist in identifying suitable panel members.

The complainant will be given reasonable notice of the date of the panel hearing. The clerk will aim to find a date within 12 to 20 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

The clerk will set a deadline for the submission of evidence sufficiently in advance of 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 before the meeting

Any written material will be circulated to all parties before the date of the hearing.

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 panel will ensure that the hearing is properly minuted.

At the hearing

The hearing will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless required as part of reasonable adjustments. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in minutes taken.

At the panel hearing, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant will be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish. We don't encourage either party to bring legal representation, but we will

consider it on a case-by-case basis. For instance, if a school employee is called as a witness, they may wish to be supported by their union and/or legal representation.

Representatives from the media are not permitted to attend.

At the hearing, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

This hearing will deal with the matters that have progressed from stage 1 only. The panel will not consider any new complaints or unrelated evidence at this stage. Any new complaints must be dealt with from stage 1.

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave, and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The findings and recommendations will be provided to the complainant, the person who determined the complaint at Stage 1 and, where appropriate, the governing body or relevant school leader responsible for implementing any agreed action.

The outcome

The panel may:

- uphold the complaint in full;
- uphold the complaint in part;
- not uphold the complaint;
- determine that there is insufficient evidence to reach a finding on a particular point;
- identify appropriate action to resolve the complaint;
- recommend changes to school systems, policies or practice to help prevent a recurrence; and
- recommend that the governing body or school monitors the implementation of agreed actions.

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

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The panel will inform those involved of the decision in writing within 7 school days. Where appropriate, this correspondence will include details of the actions that the school will take to resolve the complaint.

If the complainant believes the school did not handle their complaint in accordance with the published complaints policy 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 2.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by Wolsey House Primary School. The DfE will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

Complaints about the headteacher

Formal complaints about the headteacher must be sent to the Chair of Governors via the school office, marked private and confidential. The Chair of Governors will either consider the complaint themselves or arrange for it to be considered by another suitably skilled and impartial governor.

The suitably skilled member of the governing board (usually the chair of governors) will then carry out the steps of stage 1 set out above.

The complainant can escalate the complaint as set out above. The complaint will then be considered by a complaints panel.

A complaint about the headteacher should not be investigated by another school employee who is accountable to the headteacher.

Complaints against governors.

A complaint about a governor should be addressed to the clerk to the governing board via the school office, marked private and confidential.

Complaints jointly concerning the chair and vice-chair, a majority of governors or the entire governing body must be sent to the clerk to the governing body through the school office, marked private and confidential.

The clerk will determine the most appropriate arrangements. This may include a suitably skilled member of the governing board carrying out the steps of stage 1 set out above.

The complainant can escalate the complaint as set out above. The complaint will then be considered by a complaints panel, as detailed earlier in this policy.

Referring complaints on completion of the school's procedures

If the complainant believes the school did not handle their complaint in accordance with this complaints policy, or acted unlawfully or unreasonably, they can contact the DfE.

The DfE will not normally re-investigate the matter of the complaint or overturn any decisions made by Wolsey House Primary School. The DfE will consider whether the school adhered to:

- Its complaints policy
- Any other relevant statutory policies
- Education legislation

The DfE will intervene where a school has:

- Failed to act in line with its duties under education legislation and any statutory policies connected with the complaint
- Acted (or is proposing to act) unreasonably when exercising its functions

The DfE can be contacted after the complainant has completed stage 2.

If the complaints policy is found to not meet regulations, the school will be asked to correct its procedures accordingly.

For more information, or to refer a complaint, see the following webpage: www.gov.uk/complain-about-school

We will include this information in the outcome letter to complainants.

9. Unreasonable, vexatious and persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable or vexatious if the person:

- 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
- Refuses to accept that certain issues are not within the scope of the complaints procedures
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedures, or with good practice
- Introduces trivial or irrelevant information that they expect to be considered and commented on
- 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 procedures have 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 and complicated contact with staff regarding the complaint in person (either in writing, by email, phone or text) while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums

Please note: the above list is not intended to be exhaustive, and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.

Complainants should try to limit their communication with the school while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either in writing, by email, phone or text), as it could delay the outcome being reached.

Steps we will take

We will take every reasonable step to address the complainant's comments and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints policy as normal (as outlined above), wherever possible.

Whenever possible, the headteacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable, refer

them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, we may:

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

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

Serial/persistent complaints

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

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

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

The school will not refuse to accept further correspondence or complaints from an individual they have had repeat or excessive contact with. The application of a 'serial or persistent' marking will be against the subject or complaint itself rather than the complainant.

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern.

Duplicate complaints

If we have resolved a complaint under this policy and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If a duplicate complaint is raised which, in the view of the school, warrants further consideration, the procedures outlined above will be repeated.

Complaint campaigns

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

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

If complainants are not satisfied with our handling of the situation, they can contact the DfE as per information detailed in this policy.

10. Record keeping and confidentiality

Our school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and stored securely, and will be viewed only by those involved in investigating the complaint or the panel hearing.

This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of UK GDPR and the Data Protection Act 2018, or where the material must be made available to Ofsted with regard to complaints from parents of pupils at the school

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law and our privacy notices and records management policy.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a panel hearing needs to be organised at a later point. The exception to this is when a complaint is made against the whole governing board and they need to be aware of the allegations to respond.

Where the governing board is aware of the substance of a complaint (that is not about the board) before the panel hearing stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

Learning lessons

The governing board will review any underlying issues raised by complaints with the headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

Monitoring arrangements

The governing board will monitor the effectiveness of the complaints procedures in making sure that complaints are handled properly. The governing board will track the number and nature of complaints, and review underlying issues.

The complaints records are logged and managed by the school's business manager.

This policy will be reviewed annually and whenever relevant legislation or Department for Education guidance changes. It will be approved by the governing body or a committee to which the governing body has formally delegated this responsibility.

11. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Behaviour policy
- Suspension and permanent exclusion policy
- Staff grievance policy
- Staff disciplinary procedures
- Special educational needs policy and information report
- Privacy notices