



Complaints Procedure

Date approved:

June 2023

Date for review:

June 2026

Author:

L Smith - Headteacher

Section 29 of the Education Act 2002 requires that:

(1) The governing body of a maintained school shall –

(a) establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and

(b) Publicise the procedures so established.

(2) In establishing or publicising procedures under subsection (1), the governing body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State.

Section 39 of the Education Act 2002 provides the following:

“Maintained school” means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school;

The principle underlying this procedure is that concerns ought to be handled, if at all possible, without the need for formal procedures. By taking informal concerns seriously at the earliest stage we hope to keep the numbers that develop into formal complaints to a minimum.

In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Equality Statement

The School is committed to equality for all and ensuring that all stages of complaint handling are fair. The complaint procedures will be reviewed on a regular basis to ensure that complainants are not discriminated against on the grounds of race, nationality, gender, religion, age, disability, marital status, sexual orientation. The School acknowledges that unfair discrimination can arise on occasion and therefore will ensure that the Equality is the foundation for all its activities.

Our Complaints Procedure will:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial;
- be non-adversarial;
- allow swift handling with established time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- Provide information to the school's senior leadership team and the governing body so that services can be improved.

Our complaints procedure covers all complaints about any provision of our facilities or services with the exceptions listed below, for which there are separate (statutory) procedures.

Type of Complaint	Who to go to
Admissions to the school and/or complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman	Slough Local Authority
Statutory assessments of Special Educational Needs (SEN)	Slough Local Authority
Matters likely to require Child Protection	Slough Local Authority
Exclusion of a child from school	Separate Complaints Process www.gov.uk/schooldiscipline-exclusions/exclusions
Whistleblowing	Schools have an internal whistleblowing procedure for their employees and voluntary staff.
Staff grievances and disciplinary procedures	These matters will invoke the school's internal grievance procedures.

Dealing with Complaints – Initial concerns

Schools need to be clear about the difference between a concern and a complaint. A concern can be defined as a cause of worry, whilst a complaint can be defined as an expression of dissatisfaction. We will take informal concerns seriously at the earliest stage in the aim of reducing the numbers that develop into formal complaints.

These key messages deal with complaints but the underlying principle is that concerns ought to be handled, if possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if Staff were able to resolve issues on the spot, including apologising where necessary.

Investigating Complaints

The person investigating the complaint will:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- Keep notes of the interview.

Resolving Complaints

At each stage in the procedure schools we will try to find ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking to review school policies considering the complaint.

We will encourage complainants to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

Recording Complaints

We will record the progress of the complaint and the outcome. At stages one and two a complaint should be made in person, by telephone or in writing. At the end of a meeting or telephone call, it would be helpful if the member of staff ensured that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.

The Head Teacher/ complaints co-ordinator will be responsible for the records and hold them centrally.

Governing Body Review

The GB will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole GB will not name individuals.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, the GB may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the GB will be a useful tool in evaluating a school's performance.

Publicising the Procedure

Details of the Complaints Procedures will be included in:

- the school prospectus;
- the information given to new parents when their children join the school;
- the information given to the children themselves;
- the home-school agreement;
- home school bulletins or newsletters;
- documents supplied to community users including course information or letting agreements;
- posters displayed in areas of the school that will be used by the public, such as reception or the main entrance;
- The school website.

Wexham School Complaints Procedure

Stage One: Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, staff will be made aware of the procedures, so that they know what to do when they receive a complaint.

We will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a member of staff. In these cases, the complaints co-ordinator will refer the complainant to another staff member. Where the complaint concerns the head teacher, the complaints co-ordinator will refer the complainant to the chair of governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step will be to refer the complainant to the appropriate person and advise them about the procedure. Governors will not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Stage Two: Complaint Heard by Headteacher

At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

Stage Three: Complaint referred to Chair of Governors

The complainant should write to the Chair of Governors providing detail of the complaint and steps that have been taken to date.

The Chair will explore the complaint with both parties seeking to resolve the matter.

Stage Four: Heard by Governing Body's (GB) Complaints Appeal Panel

If the informal mediation process is unsuccessful the Chair will ask the clerk to convene a Complaints Panel. The Chair will not be a member of the panel but could be asked to provide evidence/written material.

The governors' appeal hearing is the last school-based stage of the complaints process and is not convened merely to rubber-stamp previous decisions.

Individual complaints will not be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The governing body will nominate three to five members with delegated powers to hear complaints at that stage. The panel will choose its own chair.

The Remit of The Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

We will ensure that:

- Any appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors will try to ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- The hearing, which will be held in private, will always seek to resolve the complaint and achieve reconciliation between the school and the complainant. However, it must be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- The panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care will be taken to ensure the setting is informal and not adversarial.
- Extra care will be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated.

The panel will listen to the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it will give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.

- The governors sitting on the panel will be aware of this complaint's procedure.

Roles and Responsibilities

The Role of the Clerk

Any panel or group of governors considering complaints will be clerked. The clerk will be the contact point for the complainant and will:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- Notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor. The nominated governor role:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel;

The Role of the Chair of the Panel

The Chair of the Panel will ensure that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure; each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The chair of the panel will ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this will be within 7 school days. The letter will explain that any further appeals must be directed to the Secretary of State.

General

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. In such cases the complainant will need to decide on how they wish to proceed.

Vexatious Complaints

A vexatious complaint is likely to involve some or all of the following:

- the complaint arises from a historic and irreversible decision or incident;
- contact with the school is frequent, lengthy, complicated and stressful for Staff;
- the complainant behaves in an aggressive manner to Staff when he/she presents his/her complaint or is verbally abusive or threatening;
- the complainant changes aspects of the complaint partway through the complaint process;
- the complainant makes and breaks contact with the school on an ongoing basis; or
- The complainant persistently approaches the school (or other bodies) through different routes about the same issue in the hope of eliciting different responses.

If the situation is challenging but it is possible to proceed, Staff should avoid giving unrealistic expectations on the outcome of the complaint. In instances where there is a complete breakdown of relations between the complainant and the school, a decision may be made to restrict contact. Any restrictions imposed should be appropriate and proportionate. The options that schools are most likely to consider are:

- requesting contact in a form (e.g. – letters only);
- requiring contact to take place with a named member of Staff (e.g. – Headteacher);
- restricting telephone calls to specified days and times;
- asking the complainant to enter into an agreement about his/her future contact with the school; and
- Informing the complainant that if he/she still does not follow this advice (as stated above) any further correspondence that does not present significant new matters or new information will not necessarily be acknowledged but should be kept on file.
- If the complainant tries to reopen an issue that has already been examined through the complaint's procedure, the Chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

- If a complainant continues it may be appropriate to notify them that all communication will cease with this individual and they will require to nominate someone else to liaise with the school. They will still receive reports etc on their child.
- In all other aspects if an individual continues this will be deemed as harassment and it may be necessary to contact the police or seek legal advice.
- Sadly, there have also been many occasions nationwide where a disgruntled parent, child or other person does not use the complaints procedure or makes false and fabricated accusations and either sends these to the media or posts them on social media. In such cases the police may be informed, or legal advice will be sought to pursue this through the courts if required as a civil action for defamation, either on the part of an individual or the school.

Time of complaints

- Complaints should be made promptly if they arise.
- The school will reject complaints about historical matters that have already been investigated and the complainant has already been informed of the outcome.

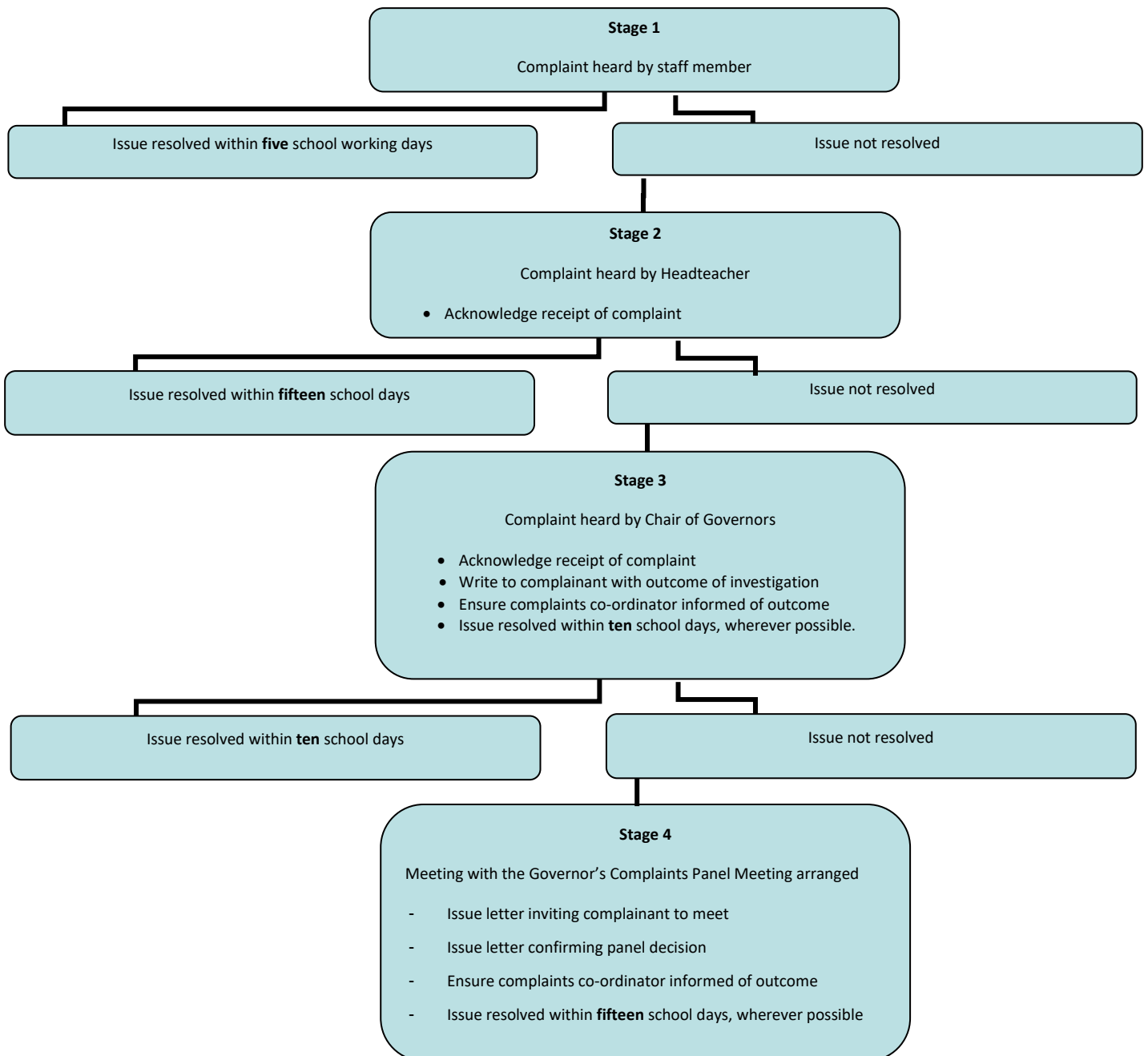
Complaint by a Parent whose child no longer attends the school

The purpose of this complaints process is to ensure that if an error has been made, or an injustice done, some action can be taken to remedy matters for the injured party. Where Parents have removed their child from the roll of a school it is clearly impossible for the Governing Body to put things right for that child. However, the Governing Body has a duty of care to the pupils who remain on roll and it would be advisable for Governors to investigate the circumstances to satisfy themselves that no-one had acted inappropriately, and that procedures and policies had been followed correctly. Whilst it is not necessary to convene a Governor's Complaint Panel, it would be good practice to inform Parents whether the complaint had been upheld or otherwise and of any changes to practice and procedures which have been agreed by the Governing Body.

Complaints regarding compliance with Data Protection and Freedom of Information legislation

All schools are responsible for their own compliance with the Data Protection and Freedom of Information Acts, regardless of their status. Advice and guidance about DP and FOI can be found at www.ico.org.uk

Appendix A: Flowchart for the Complaints Procedure



APPENDIX B: COMPLAINTS FORM

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your Name	
Student's Name	
Tutor Group	
Relationship to the Student	
Address	
Postcode	
Home Telephone Number	
Mobile Telephone Number	
Details of your complaint [Please continue on separate sheet if necessary and if you are attaching additional paperwork make a note here]	

<p>What action, if any, have you already taken to try and resolve your complaint. [Who did you speak to and what was the response?]</p>	
<p>What actions do you feel might resolve the problem at this stage?</p>	
<p>Signature</p>	
<p>Date</p>	

Official Use

<p>Date of Acknowledgement</p>	
<p>By whom?</p>	
<p>Complaint referred to</p>	
<p>Date</p>	

APPENDIX C: CHECKLIST FOR A PANEL HEARING

The Governors' Complaints Panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher [or his representative] may question both the complainant and the witnesses after each has spoken.
- The Headteacher [or his representative] is then invited to explain the School's actions and be followed by the School's witnesses.
- The Complainant may question both the Headteacher [or their representative] and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher [or his representative] is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.