



## **Complaints Procedure**

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**Author:**

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### **1. 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.

### **2. 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 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.

### **3. 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.

### **4. 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 and non-adversarial.
- allow swift handling with established time-limits for action.
- 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.

## **5. Other types of complaint**

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 <a href="http://www.gov.uk/schooldiscipline-exclusions/exclusions">www.gov.uk/schooldiscipline-exclusions/exclusions</a>
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.

## **6. 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. Staff should aim to resolve issues on the spot, including apologising where necessary.

## **7. 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.

## **8. Resolving Complaints**

At each stage in the procedure, 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.

## **9. 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 Headteacher will be responsible for the records and hold them centrally.

## **10. 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 complaint, 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.

## **11. 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.
- The school website.

## **12. Wexham School Complaints Procedure**

### **12A. INFORMAL PROCEDURE STAGE ONE**

The underlying principle is that concerns/enquiries must be handled, if possible, without the need for formal procedures. The school encourages those that have concerns to raise them directly with the relevant member of staff as soon as possible e.g. the class teacher, Leader of Year, Leader of Department, Senior Staff and to work constructively with that person towards resolving them. The concern or enquiry may be raised either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office. Matters should aim to be resolved in five school days.

The school will take concerns seriously and make every effort to resolve the matter quickly. The informal stage will normally involve at least a meeting or phone call between the person raising the concern/enquiry and the relevant member of staff. Generally, this will resolve the matter but if this is not the case, other avenues should be explored before it is escalated to a formal complaint (see stage 2 below). This could be in the form of:

- Holding another meeting or phone call.
- Agreeing simply to monitor the situation for a period.
- Agreeing on this occasion to disagree and monitor the situation.

### **12B. FORMAL PROCEDURE STAGE TWO**

Complaint considered by Headteacher.

It is in everyone's interest that concerns are resolved at the earliest possible stage. When initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further, then formal procedures will need to be invoked. These must only be for concerns/enquiries that would be considered as serious.

The school will not engage in the formal process without significant evidence that the complainant has tried to resolve the concern informally, depending on the nature of the complaint. If that is the case, the school will acknowledge the complaint within 5 school days either in person, by telephone or in writing and investigate and provide a response within 25 school days. If this target cannot be met, the complainant will be informed within 25 school days explaining the reason for the delay and providing a revised target date, and a record of this should be kept.

#### **Raising a Complaint**

The complainant must raise the complaint within 1 month of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 1 month 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.

When complaints are received outside of term time, we will consider them to have been received on the first school day after the holiday period in terms of the school's commitment to respond in a timely way. We will, however, still consider these to have been made in good time provided the complaint was sent to the school within 1 calendar month (even if it wasn't directly received by the appropriate person until the first day after the holiday).

To initiate the formal complaint procedure, the complaint must be sent, in writing, to the Headteacher (other than in the circumstances outlined below), together with copies of any relevant documents.

Appendix B is the form that must be used to structure the relevant details of a complaint. The school may not respond to the complaint if this form is not completed. However, the school is happy to support the complainant in completing the form if required.

Where the complaint concerns the Headteacher, the complaint should be referred to Stage Three.

If the complainant is unclear who to contact or how to contact them, they should contact the school office.

Where the first approach is made to a Governor or Clerk of Governors, they should refer the complainant to the Headteacher and advise the complainant about the procedure. No governor should be involved in the early stages of hearing a formal complaint in case they are needed to sit on a panel at a later stage of the procedure.

### Investigating Complaints

The Headteacher (or other relevant individual as outlined above) will normally appoint a member of senior staff to investigate the complaint made. The school will respect the views of a complainant who indicates that they would have difficulty discussing a complaint with a particular member of staff. In this event, the Headteacher can refer the complainant to another staff member. Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the Headteacher may consider referring the complainant to another staff member. The ability to investigate the complaint objectively and impartially is crucial.

At each stage the person investigating the complaint will make sure that they:

- 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 any interviews held.
- collate correspondence and other documents relating to the complaint.

The investigation procedure will identify areas of agreement between the parties. It will also clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

### Decision on the Action to be Taken

The Headteacher will usually be responsible for considering what the appropriate outcome should be of any complaints following the investigation. The Headteacher will then normally meet with the complainant to try to resolve the issue. A record of all communications will be kept. The result of the investigation will be communicated in writing to the complainant, normally within 25 working days of the acknowledgement of the complaint. The response will contain an outline of the complaint, the outcome of the investigation and any subsequent action. If no further communication is received from the complainant within 10 working days, it will be assumed that the complaint has been resolved and should subsequently be laid to rest. Paperwork relating to any concern or complaint will be kept on file for a period of 6 years.

## **12C. FORMAL PROCEDURE STAGE THREE**

Complaint considered by the Chair of Governors.

If the complainant is unhappy that they feel the Headteacher's response does not resolve their complaint then it can move to Stage 3. Similarly, if a claimant feels that their complaint is so serious then it would normally be heard by the Chair of Governors, at this level it would normally be a complaint about the Headteacher, they should make a representation to the Chair of Governors (in the case of complaints considered by the Headteacher) within 25 working days. This will be coordinated via the Clerk to the Governors. [cochran@wexham.slough.sch.uk](mailto:cochran@wexham.slough.sch.uk).

The Clerk to the Governors will assess the complaint, often in consultation with the Headteacher, to check what level a complaint should be held to. The exception to this is if the complaint is about the Headteacher, when the Chair of Governors will review it. The Chair of Governors will not engage in the formal process without significant evidence that the complainant has tried to resolve the concern at Stages 1 and 2.

### **Raising a Complaint**

The complainant must raise the complaint within 1 month of the incident or the result of a Stage 2 complaint. If the complaint is about a series of related incidents, they must raise the complaint within 1 month of the last incident or the result of a Stage 2 complaint. 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.

When complaints are received outside of term time, we will consider them to have been received on the first school day after the holiday period in terms of the school's commitment to respond in a timely way. We will, however, still consider these to have been made in good time provided the complaint was sent to the school within 1 calendar month (even if it was not directly received by the appropriate person until the first day after the holiday).

To initiate the formal complaint procedure at Stage 3, the complaint must be sent, in writing, to the Clerk of Governors (other than in the circumstances outlined below), together with copies of any relevant documents. Appendix B is the form that must be used to structure the relevant details of a complaint. The school may not respond to the complaint if this form is not completed. However, the school is happy to support the complainant in completing the form if required.

If the complainant is unclear who to contact or how to contact them, they should contact the school office.

An acknowledgement of the complaint will be given within 5 working days of its receipt. The acknowledgement will give a brief explanation of the complaints procedure and will give a target date for providing a response which should normally be within 25 working days (as defined during term time). If this target cannot be met, the complainant will be informed within 25 working days (from the start of the complaint) explaining the reason for the delay and providing a revised target date, and a record of this should be kept.

### **Investigating Complaints**

The Chair of Governors will review all previous information from Stage 2. They may or may not meet with the complainant depending on the nature of the complaint. If the complaint is about the Headteacher then the process for Stage 2 will essentially be followed by them. The investigation cannot be delegated but it could be appropriate to appoint an external investigator to assist them.

## Decision on the Action to be Taken

The Chair of Governors will consider what the appropriate outcome should be of any complaints following the investigation. A record of all communications will be kept. The result of the investigation will be communicated in writing to the complainant, normally within 25 working days of the acknowledgement of the complaint. The response will contain an outline of the complaint, the outcome of the investigation and any subsequent action. It will also inform the complainant that if they are not satisfied, they should make a representation to panel of governors within 25 working days.

This will normally be coordinated via the Clerk to the Governors [ccoehran@wexham.slough.sch.uk](mailto:ccoehran@wexham.slough.sch.uk).

If no further communication is received from the complainant within 10 working days, it will be assumed that the complaint has been resolved and should subsequently be laid to rest. Paperwork relating to any concern or complaint will be kept on file for a period of 6 years.

## **12D. FORMAL PROCEDURE STAGE FOUR**

### Complaint Considered by Review Panel

Where following the involvement of the Chair of Governors, the complainant is still not satisfied, or where the complaint involves the Chair of Governors, the complainant should write to the Clerk of Governors within 1 month of a Stage 4 complaint. The complainant should include:

- how they tried to resolve the initial concern/enquiry.
- a summary of the complaint.
- why they are dissatisfied with the outcome of Stage Three.
- the outcome they are seeking.

The Clerk will convene a review panel, normally consisting of three governors. They may decide to replace one of the governors with an independent person/expert. A staff governor cannot sit on this panel.

The review panel should approach the complaint afresh and apply their own judgement to the evidence in front of them. Critically the panel should exercise an independent judgement. The review panel hearing is the last stage of the school's complaints process.

If a written complaint is received by the Clerk of Governors, then the complaint will be acknowledged within 15 working days (as defined in term time) informing the complainant that a panel will sit within 30 working days to hear the complaint. The letter should also explain that the complainant has the right to submit further documents relevant to the complaint. These must be received at least 5 working days before the date of the panel hearing to allow adequate time for the documents to be circulated.

The panel will have access to the existing record of the complaint's progress. The Clerk write and inform the complainant, Headteacher, any relevant witnesses, and members of the panel, at least 5 working days (as defined by term time) in advance of the date, time and place of the meeting. If the complainant rejects the offer of the date another will be arranged. If second date is not adhered to the panel will then proceed in the complainant's absence since written submissions from both parties.

The notification to the complainant should also inform them of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter will also explain how the meeting will be

conducted. It is the responsibility of the Chair of the review panel to ensure that a note of the meeting is properly made.

#### The Remit of the Complaints Review Panel

The panel has the authority to:

- 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.

There are several points which any Governor sitting on a complaints panel needs to remember:

- It is important that the review hearing is independent and impartial. No Governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the hearing, which needs to be held in private, will always be 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 their complaint has been taken seriously.
- The panel, before meeting at the agreed day and time, must be satisfied in the first place that the complainant has evidenced that they have tried to work with the school to resolve their concern/enquiry informally. If this is not the case, the panel may direct the complainant back to the previous stages.
- The panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child and may choose to be accompanied. The panel chair will ensure that the proceedings are as welcoming as possible.
- Extra care needs to 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 needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the student/child to attend a part of the meeting that the committee considers is not in the student/child's best interests - the welfare of the student/child is paramount.

#### Notification of the Panel's Decision

The Chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within 5 working days.

#### Checklist for a Panel Hearing

The panel needs to take the following points into account:

- 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 Panel may question both the complainant and the witnesses after each has spoken and ask for clarification of why the Headteacher or Chair of Governors conclusions in the previous stages were made.
- The Headteacher and/or Chair of Governors is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the Chair of Governors and any 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 Chair of Governors is then invited to sum up the school's actions and response to the complaint.
- The chair explains that both parties will hear from the panel within 5 working days as defined in term time.
- Both parties leave together while the panel decides on the issues.

### **13. Roles and Responsibilities**

#### ***The complainant***

The school aims to operate the most effective procedure for resolving any concern or complaint. To help achieve this objective, complainants are asked to:

- Explain the complaint in full as early as possible.
- Co-operate with the school throughout the process, exhausting all avenues to resolve the concern/enquiry informally and respond to deadlines and communication promptly.
- Ask for assistance as needed.
- Treat all those involved with respect.
- Not publish details about the complaint on social media.

#### ***The investigator***

An individual may be appointed to look into the complaint and establish the facts. They will:

- Provide an open, transparent and fair consideration of the complaint.
- Interview all relevant parties, keeping notes.
- Consider records and any written evidence and keep these securely.
- Prepare a comprehensive report to the Headteacher or complaints review panel, which includes the facts and potential solutions.

#### ***The Role of Clerk to a panel***

The complaints review panel will be clerked. They will be the contact point for the complainant at the panel review stage and be required to:

- 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.
- request copies of any further written material to be submitted to the panel at least 5 working days before the meeting and check the documents for redactions if required.
- collate any written material and send it to the parties in advance of the hearing.

- advise the panel of any additional relevant communications / requests.
- meet and welcome the parties as they arrive at the hearing.
- record the proceedings.
- support the panel in producing the outcome letter.
- notify all parties of the panel's decision.

### ***The Role of the Chair of the Review Panel***

The Chair of the review panel has a key role, ensuring 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/carers and others who may not be used to speaking at such a hearing are put at ease.
- the hearing is conducted in a 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.

### **14. General**

An informal concern/enquiry cannot start by the complainant informing the school what they should do and how they should do it. In these circumstances e.g. I want, I expect, you will, you must...., the school may decide not to respond. This is because schools work in loco parentis and on this basis, the school wants to work in partnership with parents/carers to help solve any concerns/enquiries.

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.

### **15. Artificial Intelligence (AI) generated complaints.**

The increased use of AI in complaint generation nationally has seen a rise in complaints. Many schools and institutions are refusing to accept complaints generated by AI. Wexham School believes AI can empower those that may not have previously been able to express their voice, especially in written English. This could be due, for example, to language barriers, disabilities or confidence.

However, some AI generated complaints are often expressing laws and rules which are not applicable to the country they reside in or are far from the point the complainant wants. They can often be unduly intimidating, without necessarily meaning to, and threatening repercussions which do not exist.

We want to answer all aspects of a complaint; the use of AI can make this challenging. Therefore, for complaints that are generated using AI and are not clear we will make an initial assessment and if required clarify with the complainant what it is they are complaining about in order to focus our response.

## **16. Vexatious Complaints**

A vexatious complaint is likely to involve some or all 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.
- 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 Headteacher / 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 and/or seek legal advice.

Sadly, there have also been many occasions nationwide where a disgruntled or malicious 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.

## **17. Duplicate Complaints**

If we have resolved a complaint under this procedure 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 had not 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 the local process is complete.

## **18. 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, the school may respond to these complaints by:

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

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## **19. 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.

## **20. 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.

## **21. 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](http://www.ico.org.uk).

## **22. Referring complaints on completion of the school's procedures**

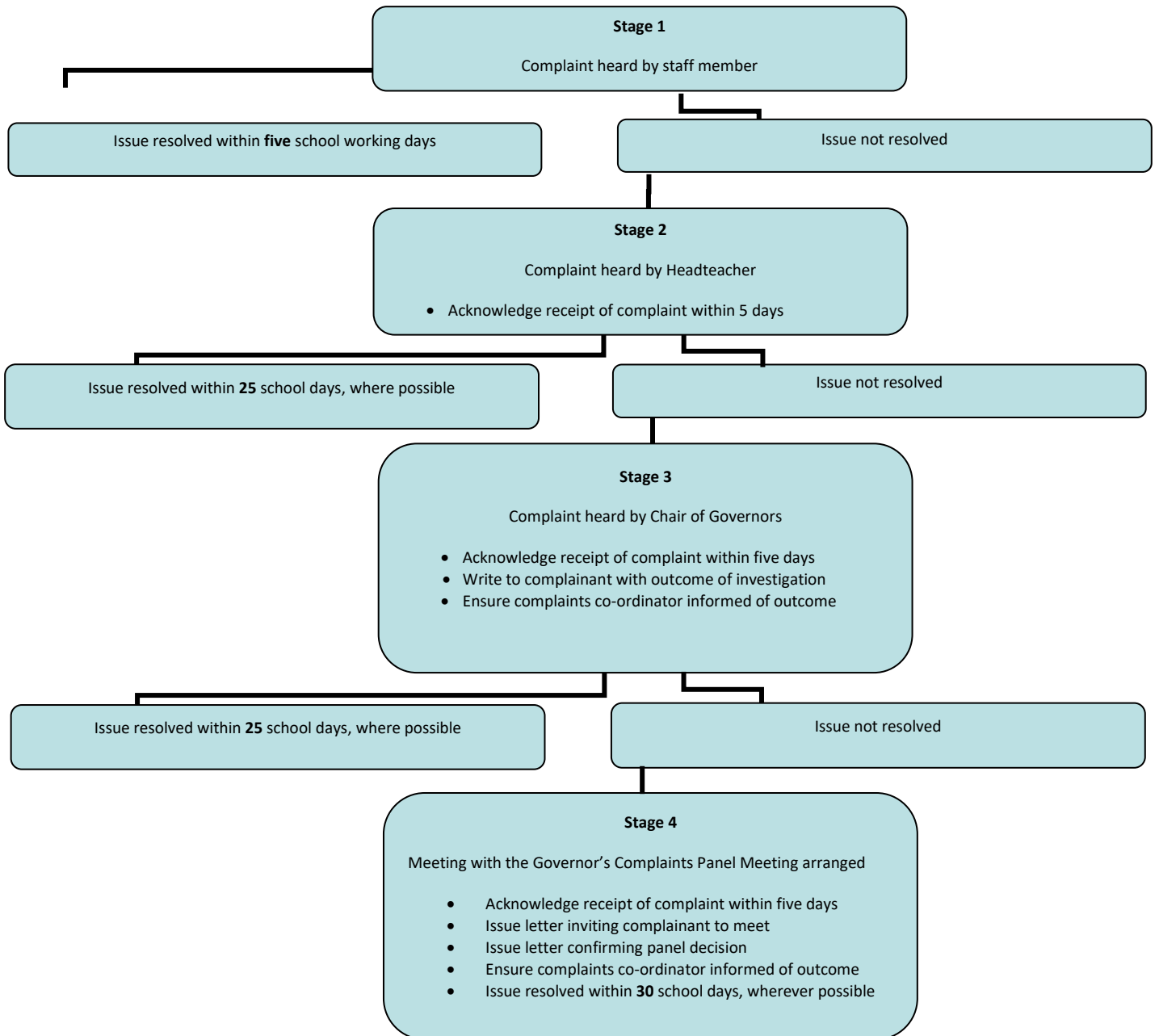
If the complainant is unsatisfied with the outcome of the school's complaints procedure after they have completed Stage 4 or believes the school acted unlawfully, they can refer their complaint to the Department for Education (DfE). The role of the DfE is to make sure that the school has handled a complaint properly. The DfE cannot change the school's decision about a complaint, their role is ensuring the school has handled the complaint properly.

The DfE consider complaints in which evidence is provided that the school;

- does not have a complaints procedure.
- did not provide a copy of its complaints procedure when requested.
- does not have a procedure that complies with statutory regulations.
- has not followed its published complaints procedure.
- has not allowed its complaints procedure to be completed.

To refer a complaint to DfE or to Ofsted, visit the following link: <https://www.gov.uk/complain-about-school>.

## Appendix A: Flowchart for the Complaints Procedure



**APPENDIX B: COMPLAINTS FORM (a word version is also available on our website)**

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

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

**Official Use**

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