Complaints Policy

Autumn Term 2025

Introduction

It is a requirement of Section 29 of the Education Act 2002 that all schools have procedures in place for dealing with complaints. Any person, including members of the public, may make a complaint about any provision of facilities or services that a school provides unless separate statutory procedures apply e.g. pupil exclusions.

This policy does not cover complaints about:

- admissions to schools;
- statutory assessments of Special Educational Needs and Disabilities (SEND);
- school reorganisation proposals;
- exclusions (which have their own appeal process);
- staff capability, grievances, or disciplinary matters;
- safeguarding or child protection concerns;
- requests for information under the Freedom of Information Act 2000 or Data Protection legislation.

These matters have separate statutory processes.
Elloughton Primary School seeks to promote positive relationships between all members of the school community and welcomes feedback in the form of comments, compliments and complaints. Feedback can help to improve services and help to raise standards.

Policy Framework

In dealing with complaints, the school will:

- Encourage informal resolution wherever possible;
- Publish the complaints procedure and ensure it is accessible, simple to understand and use;
- Be impartial;
- Be non-adversarial;
- Allow swift handling with established time-limits for action and keep the complainant informed of progress;
- Ensure a full and fair investigation by an independent person where necessary;
- Respect the need for confidentiality;
- Address all issues raised by a complainant, providing an effective response and appropriate redress where necessary;
- Provide information to the school's senior leadership team so that services can be improved.

At each stage of the procedure, appropriate resolution will be sought. This may include acknowledging that the complaint is valid in part or in whole. 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 in light of the complaint.

This list is not exhaustive, and other outcomes may be considered where appropriate. Where part or all of a complaint is upheld, this is not an admission of negligence.

A complaint should be submitted as soon as possible after the incident so that it can be investigated whilst events are still fresh in the minds of those involved, but it is recognized that this is not always possible. Complaints will therefore normally only be considered up to one year after the incident has happened. In exceptional circumstances, this can be extended.

Record of Complaint

All formal complaints must be made via the Complaints Form. Appendix 1 and will be recorded in our school system. Copies of the complaint, investigation reports, etc. including the outcomes and actions will be retained in accordance with data protection legislation in force at the time.

Records will normally be kept securely for six years after the complaint has been resolved, in line with statutory guidance and the school's records retention schedule.

Governing Body Review

Stage 1 (Informal) Complaint considered by member of staff

Most concerns can be quickly resolved by the member of staff involved. This can often be achieved by the complainant contacting the member of staff directly. Where possible, the concerns should be put in writing and provided to the member of staff so that they are able to look into the matter.

If the complainant does not feel able to take up the issue with a member of staff, the complainant can ask the headteacher to appoint another member of staff to deal with the complaint.

If the member of staff feels that they are too compromised to deal with a complaint, the headteacher may deal with the matter.

If the complaint is about the headteacher or a governor, the matter should be referred to the Chair of Governors.

If needed, the member of staff will contact the complainant or arrange to meet with them to ensure that the nature of the complaint is fully understood and to determine what the complainant feels needs to be done to resolve the issue.

There may be a need for the member of staff to undertake an investigation and interview others to establish the facts, but they will try to deal with the complaint and seek to resolve the issue in an informal manner.

This stage should normally be concluded within ten school days of the details of the complaint being agreed. If a longer period is required, the complainant should be informed of the reasons for this and provided with a revised timescale.

Stage 2 (Formal) Complaint considered by the headteacher

If the complainant is dissatisfied with the informal resolution, they should contact the headteacher with the details of their complaint in writing. (see Appendix 1). If needed, the headteacher will contact the complainant or arrange to meet with them to ensure that

the nature of the complaint is fully understood and to determine what the complainant feels needs to be done to resolve the issue.

The headteacher will gather factual evidence and information. This may involve interviewing those involved in order to be able to fully respond to the complainant. The headteacher will keep appropriate records and inform the complainant of the outcome of the investigation. Feedback to the complainant may be given verbally in a meeting, but a formal response in writing may also be provided.

Stage 2 should normally be concluded within ten school days of the detail of the complaint being agreed. If a longer period is required, the complainant should be informed of the reasons for this and provided with a revised timescale.

Stage 3 Complaint considered by Chair of Governors

In a small number of cases, the matter may not be resolved even with the involvement of the headteacher. When this happens, or the complaint is about the headteacher, the complainant should write to the Chair of the Governing Body detailing why they are not happy with the decision and send it to the school via admin@epsch.co.uk

If the matter is not discussed with the headteacher, it is not normally possible to proceed further with the official complaints procedure. In this circumstance, the complaint should be submitted to the Chair of Governors in writing stating the reasons why it has not been discussed with the headteacher. If the complaint is about the headteacher, they will need to be informed of the complaint in order for the matter to be investigated.

The Chair of Governors will then review the decision of the headteacher. This may also require the Chair of Governors to contact the complainant to clarify why they are not satisfied with the decision of the headteacher. The Chair of Governors may ask for further information or ask someone to undertake additional investigations in which case a written report may be provided to the Chair of Governors. Feedback to the complainant may take place in a meeting, but a formal response in writing may also be given.

Stage 3 should normally be concluded within ten school days of the matter being referred to the Chair of Governors. If a longer period is required, the complainant should be informed of the reasons for this and provided with a revised timescale.

Complaints about a Governor or Chair of Governors

If a complaint is received about a governor, it should be considered by the Chair of Governors as a stage 3 complaint.

If the complaint is about the Chair of Governors, it should be considered by the Vice Chair of Governors or another governor who has not been involved in the complaint.

If there are no independent governors, the Governing Body may ask another Governing Body or an independent person to conduct the stage 3 investigation.

Stage 4 Complaint heard by Governing Body Complaints Appeal Panel

If the complaint cannot be resolved by the involvement of the Chair of Governors, the complainant should write to the Clerk of the Governing Body giving the details of their complaint and why they are not happy with the decision of the Chair of Governors.

The Complaints Committee will convene and review the decision of the Chair of Governors. The panel will not include any governor, including the Chair of Governors, who has had previous involvement in the case.

The panel will be convened within 15 school days of receipt of notification from the complainant and at a time that is convenient to all parties. If the meeting cannot be convened in this period, the complainant should be informed of the reasons for this and provided with a revised timescale. Where appropriate, witnesses may be invited to attend the meeting but will only be present for the part of the hearing in which they give evidence.

At the panel meeting, the complainant will be given the opportunity to state their case as to why they are not satisfied with the outcome of the complaint. The panel will be provided with all the information that has been collated as part of the investigation. The headteacher or chair of governors, as appropriate, will also be able to explain the school's actions and the reasons for the decision about the complaint.

The panel will consider the issue in private and 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 policies, systems or procedures to ensure that problems of a similar nature do not recur.

If the Complaints Committee agrees that the outcome could lead to disciplinary action being taken against an employee of the school, the matter will be passed to the Disciplinary Committee. In this case, it is not the responsibility of the Complaints Appeal Panel to make a judgment about whether the employee is culpable, only that there is a case to answer. The complainant will be informed that the matter has been passed to the Disciplinary Committee for further consideration.

At this point, the Disciplinary Procedure adopted by the Governing Body will be followed.
If it is not possible for the Governor's Complaints Committee to consider the matter e.g. because there are no governors available who are independent of the issue that is being considered, the Governing Body will consider asking another Governing Body, or appoint independent people, to hear the complaint appeal.

Notification of the panel's decision

The panel will inform the complainant in writing of their decision, together with reasons, within five working days.

Should the complainant still not be satisfied with the outcome, they can refer the matter to the Secretary of State for Education via the Department for Education's online complaints service. Complainants may escalate to the Department for Education via: www.gov.uk/complain-about-school

The School Complaints Unit does not re-investigate the substance of complaints but will review whether the school followed its complaints policy and relevant education legislation.

Further information can be obtained from the School Complaints Unit National Helpline on 0370 000 2288. The School Complaints Unit will not re-investigate the substance of the complaint but will examine if the complaints policy and other relevant policies were followed in accordance with the provisions set out and that they adhere to education legislation.

Unreasonable Complaints

Once the procedures have been exhausted, if the complainant continues to contact the school on the same issue, they will be informed that the matter has been dealt with and

that no further correspondence will be entered into on the matter. Any new complaints raised by the complainant will, however, follow the normal procedure.

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

The school defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their, or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:-

• Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;

• Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;

• Refuses to accept that certain issues are not within the scope of a complaints procedure;

• Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;

• Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;

• Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;

• Changes the basis of the complaint as the investigation proceeds;

• Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);

• Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;

• Seeks an unrealistic outcome;

• Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

• Maliciously;

• Aggressively;

• Using threats, intimidation or violence;

• Using abusive, offensive or discriminatory language;

• Knowing it to be false;

• Using falsified information;

• Publishing unacceptable information in a variety of media such as in social media websites and local national press.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone or email) as it could delay the outcome being reached.

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 and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

Where a complainant's behaviour is considered unreasonable, the school may, if necessary, refer the matter to the Local Authority, legal advisors, or the police if the behaviour is threatening, abusive or harassing.

Complaints made to the Local Authority

If the Local Authority receives a written complaint about a school, the headteacher will be contacted to ensure that they are aware of the complaint and asked to deal with it under the school's complaints policy and procedure. **The Local Authority does not investigate complaints about schools** but may check that the school has followed its own complaints policy and statutory guidance.

The Local Authority will ensure that the headteacher and Chair of Governors receive copies of any documentation sent to it by the complainant. If the complainant requests that copies are not sent to the school, then they will be advised that an investigation cannot be undertaken.

Complaints about an Education Health Care Plan (EHCP)

If your concern relates to the provision set out in your child's Education, Health and Care (EHCP) plan, you should raise this with the SENCO or Headteacher in the first instance.

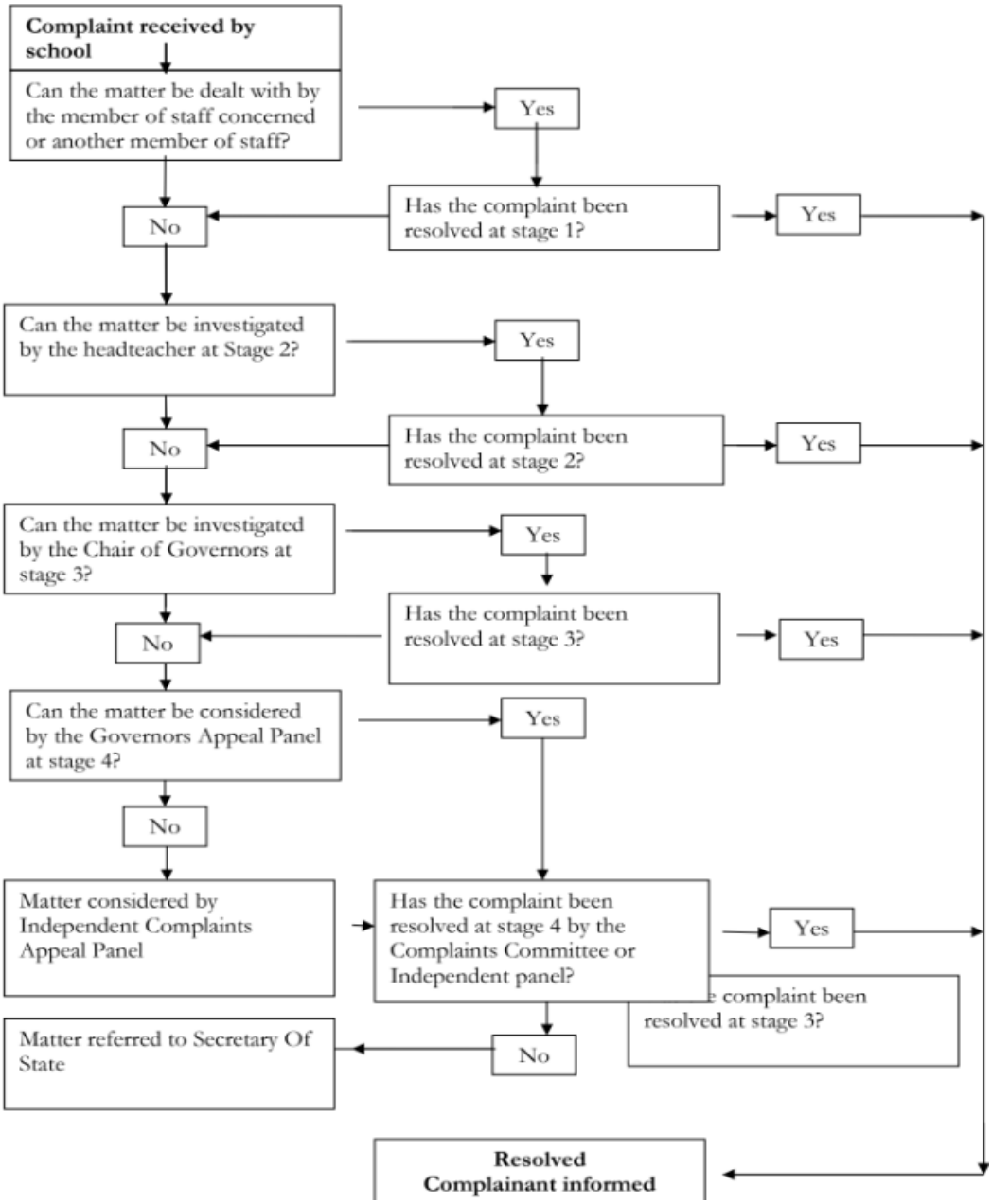
Disagreement with the content of an EHC plan or a Local Authority decision (e.g. to assess, issue, amend or cease an EHC plan) is not dealt with under this policy. These matters should be raised directly with the Local Authority and may be appealed through the SEND Tribunal.

If you do not wish to make a formal complaint, or if the issue cannot be resolved at school level, you may be able to access:

The Local Authority's Disagreement Resolution Service – an independent service to help resolve disagreements about SEN provision.

SENDIASS (Special Educational Needs and Disabilities Information, Advice and Support Service) – free, impartial advice for parents and carers. Details of both services can be found in the Local Authority's "SEND Local Offer" website.

Complaints Procedure Flowchart



Monitoring and review

This policy will be reviewed as guidance from the Local Authority or DfE is updated, and as a minimum yearly by the Headteacher/Senior Leader. The policy will be approved by the Full Governing Body.

Appendix 1

Complaint Form

Please complete and return to the school office who will forward this to the relevant person. That person will acknowledge receipt and explain what action will be taken.

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

Please give details of your complaint, including whether you have spoken to anybody at the school about it.
What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details

Signature:
Date:
Office Use:
Date acknowledgement sent:
By who:
Complaint referred to:
Date:

Adoption, Approval, Sign Off

Signed	**Mrs Fulstow, Headteacher**
On behalf of	Leadership & Management Committee
Date	Autumn Term 2025

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