



# Colwall CofE Primary School and Nursery

## Complaints Policy

*Sparkling Curiosity, Unleashing Potential*

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## Statement of Intent

Colwall CofE Primary School and Nursery aims to resolve all complaints at the earliest possible stage, and where possible, informally, and is dedicated to continuing to provide the highest quality of education possible throughout the procedure.

This policy has been created to deal with any complaint against a member of staff or the school as a whole, relating to any aspects of the school or the provision of facilities or services. It is designed to ensure that the school's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality and delivers an effective response and appropriate redress.

Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the school provides. This policy outlines the procedure that the complainant and school must follow. Once a complaint has been made, it can be resolved or withdrawn at any stage.

Our Christian Values as a key aspect in our Complaints Policy: **"Let your light shine"**



... in relationships, as we trust ourselves and others.



... in learning, as we encourage our curiosity.



... in the community, as we develop the courage to light the lives of others.

<b>Christian Value</b>	<b>Our Intent</b>	<b>Implementation (What We Will Do)</b>	<b>Impact (What You Will Be Able to See)</b>
<b>Trust</b>	Establish a transparent and fair process for handling complaints, fostering trust and respect among staff, pupils, parents and the wider school community.	<ul style="list-style-type: none"> <li>- Develop a clear Complaints Policy that outlines the steps for raising and resolving complaints, ensuring it is documented and accessible to all stakeholders.</li> <li>- Regularly review and communicate the outcomes of complaints to maintain transparency and build trust.</li> </ul>	<ul style="list-style-type: none"> <li>- Increased confidence among stakeholders that complaints will be handled fairly and confidentially.</li> <li>- A culture of openness where individuals feel safe to express their concerns without fear of repercussions.</li> <li>- Reduced incidents of unresolved complaints leading to conflict or dissatisfaction.</li> </ul>
<b>Curiosity</b>	Encourage a culture of inquiry where stakeholders feel empowered to seek clarification and understand the complaints process.	<ul style="list-style-type: none"> <li>- Provide training for staff on the complaints process, ensuring they understand how to support parents and pupils in raising concerns.</li> <li>- Foster an environment where individuals are encouraged to reflect on their experiences and seek to understand the perspectives of others involved in the complaint.</li> </ul>	<ul style="list-style-type: none"> <li>- Stakeholders demonstrate a greater understanding of the complaints process and feel empowered to engage with it.</li> <li>- A learning environment where curiosity leads to improved practises and relationships.</li> </ul>
<b>Courage</b>	Empower stakeholders to voice their complaints and advocate for their rights, promoting a culture of accountability and respect.	<ul style="list-style-type: none"> <li>- Clearly outline the procedures for raising complaints and ensure that all stakeholders know how to access support.</li> <li>- Provide training for staff on handling complaints sensitively and effectively, reinforcing the importance of listening and empathy.</li> </ul>	<ul style="list-style-type: none"> <li>- Increased willingness among staff, pupils and parents to raise complaints in order to seek a resolution.</li> <li>- A supportive atmosphere where individuals feel empowered to advocate for themselves and others.</li> </ul>

## **Links with other policies:**

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Suspension and permanent exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

## **Aims**

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation (by using an independent person or panel, where necessary)
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

## 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 their 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 Department for Education (DfE), including the model procedure, and model procedure for dealing with serial and unreasonable complaints.

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

## Definitions and scope

### 3.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

### 3.2 Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. We would like to reassure you that the school takes concerns seriously and will make every effort to resolve the matter as quickly as possible. If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, you will be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand, however, that there may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

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

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
- School re-organisation proposals
- Curriculum
- Collective worship

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

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

## **Roles and responsibilities**

### **4.1 The complainant**

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

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not publish details about the complaint on social media

## 4.2 The investigator

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

- 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 committee, which includes the facts and potential solutions

## 4.3 The complaints co-ordinator

The complaints co-ordinator can be:

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

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the headteacher, chair of governors, clerk and local authority in maintained schools
- Be aware of issues relating to:
  - Sharing third party information
  - Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person
- Keep records

## 4.4 Clerk to the governing board

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

## 4.5 Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

## Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

### 5.1 Time scales

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.

When complaints are made out of term time, we will consider them 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 with the complainant
- Send the complainant details of the new deadline and explain the delay

### 5.2 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage 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.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4666, or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

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



## **Stages of complaint**

### **6.1 Stage 1: Informal concern**

The 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 complaint as soon as possible with the relevant member of staff or the headteacher as appropriate, either in person or by letter, telephone or email. They should contact the school office by telephone: 01684 540532 or via email to: [admin@cotwall.hereford.sch.uk](mailto:admin@cotwall.hereford.sch.uk) where it will be forwarded to the most appropriate person.

The school will acknowledge informal complaints within 10 school days and investigate and provide a response within 21 school days.

Individual governors should not be approached to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at a later stage in the procedure. The informal stage will involve a meeting between the complainant and the headteacher and/or another member of staff and/or the subject of the complaint, as appropriate.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

### **6.2 Stage 2: Formal complaint**

#### **How to raise a formal complaint**

Formal complaints can be raised:

- By letter or email
- Over the phone
- In person

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 01684 540532 or [admin@cotwall.hereford.sch.uk](mailto:admin@cotwall.hereford.sch.uk)

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 10 school days.

The headteacher (or designated member of the senior leadership team) will call a meeting to clarify concerns and seek a resolution. The complainant may be

accompanied to this 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 has the opportunity to 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 21 school days.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing board within 10 school days.

### **6.3 Stage 3: Reviewing a Formal complaint**

#### **How to escalate a complaint**

Complaints can be escalated by contacting the clerk to the governing board:

- By letter or email
- Over the phone
- In person

The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently and what they feel would resolve the complaint.

The written conclusion of this investigation will be sent to the complainant within 28 school days.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing board in writing within 10 school days. Requests received outside of this timeframe will be considered in exceptional circumstances.

The clerk will acknowledge receipt of the request within 10 school days.

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined under Stages 1 and 2 above.

- We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within 10 school days.
- We will enclose a copy of these procedures with the acknowledgement.

- Normally we would expect to respond in full within 28 working days but if this is not possible, we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
- As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
- The headteacher or chair of governors may also be accompanied by a suitable person if they wish.
- Following the meeting, the headteacher or chair of governors will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
- We will talk to pupils with either a parent or carer present or a member of staff, with whom the pupil feels comfortable.
- If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
- The headteacher or chair of governors will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
- Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the headteacher's or chair of governors' decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.
- If you are not satisfied with the outcome of the Stage 2 and 3 investigation and the schools' findings, you may wish to proceed to Stage 4, as described below.

### **Closure of complaints**

- Very occasionally, a school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.
- We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".
- If a complainant persists in making representations to the school – to the headteacher, designated governor, chair of governors or anyone else – this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.
- For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint

## **6.4 Stage 4: Formal - submit the complaint to the review panel**

### **Convening the panel**

The review panel consists of the first 3 members of the governing board available, who don't have direct knowledge of the complaint. These individuals will have access to the existing record of the complaint's progress. The governors will select a panel chair from among themselves.

If not enough impartial governors are available, we will seek panel members from other schools, the local authority or the diocese. We will make sure the governors we source are suitably skilled and can demonstrate that they are independent and impartial.

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 21 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.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting.

### **At the meeting**

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

At the review panel meeting, 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 must 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 will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

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

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 panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher.

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

### **The outcome**

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee 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 school will inform those involved of the decision in writing within 10 school days.

If an independent investigator is used to review the complaint, they will be appointed by the governing board or diocese and will write a formal response at the end of their investigation.

### **Withdrawal of a complaint**

If you wish to withdraw a complaint, we will ask you to confirm this in writing.

## **Referring complaints on completion of the school's procedure**

If the complainant is unsatisfied with the outcome of the school's complaints procedure following the review panel, they can refer their complaint to the DfE.

The DfE will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The DfE also looks at whether the school's statutory policies adhere to education legislation.

The DfE will intervene where a school has:

- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

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

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

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

## **Unreasonable and Persistent complaints**

### **8.1 Unreasonably persistent complaints**

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

- Has made the same complaint before and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value
- Raises large numbers of detailed but unimportant questions and insists they are fully answered, often immediately and to their own timescales

- Repeatedly makes the same complaint despite previous investigations or responses concluding that the complaint is groundless or has been addressed
- Raises multiple complaints which are considered to be unreasonable

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.

### **Steps we will take**

We will take every reasonable step to address the complainant's concerns 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 procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. 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

### **Stopping responding**

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so.

We will also explain that we will still consider any new complaints they make.

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 our school site.

## **8.2 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 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 process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow the complaints procedure set out in this document again.

## **8.3 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 of the complainants

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

## **Record keeping**

The 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 held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

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 the Data Protection Act 2018, or where the material must be made available during a school inspection.

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



The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel 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**

Colwall CofE Primary School and Nursery Board of Governors 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 Colwall CofE Primary School and Nursery board of Governors will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The Colwall CofE Primary School and Nursery board of Governors will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by headteacher

This policy will be reviewed by Headteacher and Colwall CofE Primary School and Nursery board of Governors every 3 academic years.

At each review, the policy will be approved by the Headteacher and Colwall CofE Primary School and Nursery board of Governors