

PEWITHALL PRIMARY SCHOOL

COMPLAINTS PROCEDURE

Please note that this school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

Concern and Complaint

A *concern* may be defined as an expression of worry or doubt over an issue considered to be important, for which reassurance is sought. A *complaint* may be defined as an expression of dissatisfaction, however made, about actions taken or a lack of action by the school. It is in everyone's interest that concerns are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke the formal stages of the complaints procedure. However, where a concern cannot be resolved informally, or where the complainant wishes to pursue the matter formally, the complaints procedure will be followed.

Who Can Make a Complaint

This complaints procedure is not limited to parents or carers of children registered at the school. Any individual, including parents, carers, pupils, school visitors, neighbours of the school, or members of the wider community, may make a complaint about the provision of facilities or services that the school provides. Complaints will be handled in accordance with this procedure unless they are subject to separate statutory processes, such as admissions, exclusions, SEND appeals, staff grievances, child protection matters or whistleblowing.

Timescales for Handling Complaints

Timescales

The school will endeavour to deal with complaints in a timely manner and within published timescales. Complaints received outside of term time will be considered as received on the first school day of the next term.

- *Stage 1 (Informal)*: The complaint will usually be addressed within **10 school days** of the concern being raised.

- *Stage 2 (Formal – Headteacher)*: The complaint will be acknowledged within **5 school days** and a written response provided within **15 school days** of acknowledgement.
- *Stage 3 (Formal – Chair of Governors / Nominated Governor)*: The complaint will be acknowledged within **5 school days**, with a written response provided within **15 school days**.
- *Stage 4 (Governing Body Complaints Panel)*: The panel hearing will normally take place within **20 school days** of the request being received, with the outcome confirmed in writing within **5 school days** of the hearing.

Where delays are unavoidable, the complainant will be informed of the reasons and provided with a revised timescale.

Managing Serial, Duplicate and Unreasonable Complaints

Managing Serial, Duplicate or Unreasonable Complaints

The school is committed to dealing with all complaints fairly and proportionately. However, there may be occasions where a complainant raises repeated, duplicate or unreasonable complaints, or continues to pursue a complaint once the procedure has been exhausted. In such cases, the school may determine that the complaint has reached the end of the formal procedure.

Where appropriate, the school may:

- Decline to consider a complaint that is duplicative or has already been fully investigated;
- Restrict the method of communication with the complainant;
- Provide a single consolidated response to multiple issues;
- Conclude correspondence where further communication would not lead to a different outcome.

Any decision to curtail further correspondence will be communicated clearly and in writing, explaining the reasons and confirming the complainant's right to refer the matter to the Department for Education where local procedures have been exhausted.

Anonymous Complaints

Anonymous complaints will generally not be investigated. However, the school may decide to investigate an anonymous complaint if it raises matters of significant concern, particularly those relating to safeguarding, health and safety, or serious misconduct.

The Act

Section 29 of the Education Act 2002 requires that:

(1) The Board of Governors of a maintained school in England 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 failing 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 Board of Governors shall have regard to any guidance given from time to time 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;

"maintained nursery school" means a nursery school which is maintained by a local authority and is not a special school;

The Complaints Procedure

The stages of the complaint

Stage 1 (informal): 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, if staff are made aware of the procedures, they will know what to do when they receive a complaint.

It would assist the procedure if the school respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator can refer the complainant to another staff member. Where the complaint concerns the head teacher, the complaints co-ordinator can 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 would be to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if governors did 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 2 (formal): complaint heard by head teacher

The head teacher's influence will already have shaped the way complaints are handled in the school. At this point, the complainant may be dissatisfied

with the way the complaint was handled at Stage 1 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 3 (formal): complaint heard by Chair of Governors

If the complainant is not satisfied with the response of the head teacher or the complaint is about the head teacher, the complainant should write to the Chair of Governors to request that their complaint is considered further.

Stage 4 (formal): complaint heard by Governing Bodies Complaints Appeal Panel

The complainant usually needs to write to the Clerk to the Governing Body giving details of the complaint and asking that it is put before the appeal panel. The Chair, or if the Chair has been involved at any previous stage in the process, a nominated governor, will convene a GB complaints panel.

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 would 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 may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy • as a result of complaints.

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their 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.

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

a. It is important that the 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 need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

b. 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 has to be recognised that 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.

c. An effective 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 is needed to ensure the setting is informal and not adversarial.

d. 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.

e. The governors sitting on the panel need to be aware of the complaints procedure.

Roles and responsibilities

The role of the clerk

The department strongly recommends that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant 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;
- collate any written material and send it to the parties in advance of the hearing (recommended at least five school days in advance);
- meet and welcome the parties as they arrive at the hearing;

- record the proceedings;
- notify all parties of the panel's decision.

As best practice, the Clerk should share copies of the panel meeting minutes with all parties involved in the panel hearing, providing a reasonable opportunity for the minutes to be agreed and if necessary, challenged.

It is not unknown for complainants to raise additional complaints because they do not agree with the record of the meeting.

The role of the Chair of the Board of Governors or the nominated governor

The nominated governor role:

- Check that the correct procedure has been followed; • If a hearing is requested, notify the clerk to arrange the panel.

The role of the Chair of the Panel

The Chair of the 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 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 needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response (including the reasons for the decision); this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed. This may be the LA or Diocesan Board.

The final stage of appeal is to the Secretary of State for Education.

Complainants should be advised to write to The School Complaints Unit (SCU) at:

Department for Education
2nd Floor, Piccadilly Gate
Manchester
M1 2WD

What will the Department for Education do?

If a complaint has exhausted the local procedures, SCU will examine if the complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint. This remains the responsibility of schools.
If legislative or policy breaches are found, SCU will report them to the school and the complainant and, where necessary, require remedial action to be taken. Failure to carry out remedial actions could ultimately result in a formal Direction being issued by the Secretary of State.

Checklist for a panel hearing

The 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 head teacher may question both the complainant and the witnesses after each has spoken.
- The head teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the head teacher 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 head teacher 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.
- The Chair explains that both parties will hear from the panel within a set time scale.

Summary for Dealing with Complaints

Stage 1 – Complaint heard by staff member

- Ensure complaints co-ordinator informed of outcome

If not resolved, then escalate to Stage 2 – Complaint heard by **head teacher**

- Acknowledge receipt of complaint
- Write to complainant with outcome of investigation
- Ensure complaints co-ordinator informed of outcome
- Offer escalation to Stage 3 if dissatisfied
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If not resolved, then escalate to Stage 3 - Complaint heard by **Chair of Governors**

- Acknowledge receipt of complaint
- Write to complainant with outcome of investigation
- Ensure complaints co-ordinator informed of outcome
- Offer escalation to Stage 4 if dissatisfied

If not resolved, then escalate to Stage 4 – **Governor's complaints panel** meeting arranged

- Issue letter inviting complainant to meeting
- Issue letter confirming panel decision
- Ensure complaints co-ordinator informed of outcome
- Advise of escalation routes to the Secretary of State for Education

Complaints against the headteacher, a governor or the governing board

Stage 1: informal

Complaints made against the headteacher or any member of the governing board should be directed to the clerk to the governing board in the first instance.
If the complaint is about the headteacher or one member of the governing board (including the chair or vice-chair), a suitably skilled and impartial governor will carry out the steps at stage 1.

Stage 2: formal

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board or
- The majority of the governing board

An independent investigator will carry out the steps in stage 2 (set out in section 6 above). They will be appointed by the board of governors and will write a formal response at the end of their investigation.

Stage 3: review panel

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board or
- The majority of the governing board

A committee of independent governors will hear the complaint. They will be sourced from local schools, the local authority and will carry out the steps at stage 3 (set out in section 6 above).

Publication of the Complaints Procedure

This complaints procedure is approved by the Governing Body and is published on the school's website in accordance with statutory requirements. A paper copy of the procedure is available on request from the school office. The school will take reasonable steps to ensure that the procedure is accessible to all complainants, including those with additional needs.

Complaints Form

Please complete and return to Mr Baugh. (complaints co-ordinator) who 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.

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature: **Date:**
Official use **Date acknowledgement sent:** **By who:** **Complaint referred to:** **Date:**

Should you wish to complain to the LEA you should do this through:

The Area Education Office,
Grosvenor House,
Halton Lea, RUNCORN.

Reviewed: April 2026
Minuted & Adopted: 2nd November 2026
Date for review: 2nd November 2027
Signed: Mr N Burgess (Chair of the board of Governors



Signed: Mr D Baugh (Head Teacher)

