



# Complaints POLICY

**Rednock School**  
*Where everyone matters*



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# Complaints

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## 1. Definition & Aims

### 1.1 Concerns and Complaints

A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. Concerns can usually be solved at an informal stage.

A complaint may be generally defined as 'an expression of dissatisfaction, however made, about actions taken or lack of action'. A complaint will result in a formal process.

The school takes informal concerns seriously and confidentially and will aim to resolve all informal concerns at the earliest stage in order to reduce the numbers that develop into formal complaints. The fundamental principle is that concerns will be handled, if at all possible, without the need for formal procedures.

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

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

### 1.2. Aims

All complaints will be treated seriously and courteously and given the time they need to be heard. They will be dealt with effectively and with fairness to all parties. It is important that complainants have confidence in the procedure and know that their concerns and complaints will be investigated fully and impartially.

#### Our procedure aims to:

- be easily accessible and publicised
- be simple to use and understand
- be impartial
- be non-adversarial
- keep complainants informed of the progress of the complaints process
- ensure a full and fair investigation by an independent person or panel, where necessary
- respect complainants' desire for confidentiality, wherever reasonably possible (some information sharing may be necessary to carry out a thorough investigation)
- address all points of issue and provide an effective and prompt response
- make sure that any decisions made are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- consider how the complaint can feed into the school improvement process.

### 1.3 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 procedures for complaints and for managing serial and unreasonable complaints.

This procedure will be used by the school when dealing with general complaints; it is for parents, carers and members of the public to use. The school will try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, the school's formal procedure will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, the school will publicise the existence of this policy and make it available on our website.

## 2. Scope

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 complaint.

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

## 3. Roles and Responsibilities

### 3.1. The Complainant:

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

- Follow the procedures set out in this policy
- Cooperate with the School throughout the process and respond to deadline and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Not publish details about the complaint on social media.

### 3.2. 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.

**3.3. The Complaints Coordinator:**

The complaints coordinator may be:

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

**3.4. The Complaints Coordinator 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 the Local Authority
- Be aware of issues relating to sharing third party information and any additional support required by the complainants
- Keep records.

**3.5. Clerk to the Governing Body:**

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.

**3.6. Complaints 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.

**4. 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.

The school may consider exceptions to this time frame 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, the school will consider them to have been received on the first school day after the holiday period.

If at any point the school is unable to meet the time scales set out in this policy, the school will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay.

## 5. Informal Concern

Our 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 concern as soon as possible within the timescales set out in section 4.

The concern should be addressed to the relevant member of school staff or the headteacher, 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.

The school will acknowledge informal concerns within 2 working days, which will confirm how the school intends to proceed, including an indication of the anticipated timescale.

The informal stage may involve a meeting between the complainant and the most appropriate member of staff and a written outcome of the concern will be shared via letter or school email.

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

## 6. Escalating to a formal complaint (not complaints against the Headteacher or Governors)

### 6.1. Stage 1: Formal Complaint

Formal complaints can be raised: by letter or email; over the phone; in person; by a third party acting on behalf of the complainant; or using this [referral form](#).

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 for support. The Headteacher will ensure a record of the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 2 working days.

The Headteacher will usually delegate the investigation to an appropriate member of the senior leadership team, who will call a meeting (this maybe in person, virtually or over the telephone) to clarify the complaint 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 7 working days.

## **6.2. Stage 2: Escalating a Formal Complaint**

If the complainant not satisfied and wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing board within 7 working days. Requests received outside of this timeframe will be considered in exceptional circumstances.

Complaints can be escalated by contacting the clerk to the governing board by: letter or email; over the phone; in person; by a third party acting on behalf of the complainant.

The clerk will need the details of the complaint as set out in 6.1, 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 clerk will acknowledge receipt of the request within 5 working days.

The Headteacher / Chair of Governors will decide, after considering the complaint, the appropriate course of action to take which will likely include a formal meeting.

The Headteacher / Chair of Governors will keep in mind ways in which the complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or part, and/or it may be appropriate to offer, for example:

- An apology
- An explanation
- An admission that the situation could have been handled in a more appropriate way
- An assurance that the school will take steps to prevent matters complained of recurring and will take any corrective action if appropriate
- An assurance to review school policies and procedures in light of the complaint and communicate with those affected of any changes made.

Once the Headteacher / Chair of Governors is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the complainant will be informed of this decision in writing and within 7 working days of receiving the complaint under Stage 2.

## **6.3. Stage 3: Submit Complaint to the Review Panel**

Following Stage 2, if the complainant is still not satisfied, they can escalate their complaint Stage 3 for review. To do so, the complainant should write to the Clerk of the Governing Body giving details of the complaint and why they remain dissatisfied within 7 working days of receipt of the response.

A review panel consisting 3 members of the governing board (who don't have direct knowledge of the complaint) will be convened. They 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, or when appropriate the local authority.

The complainant will be given reasonable notice of the date of the review panel. The clerk will aim to find a date within 15 working 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 and the hearing will go ahead using written submissions from both parties.

The complainant will also have the opportunity to submit written evidence on the complaint prior to the meeting. Copies of such particulars and evidence shall be supplied to all parties normally not later than 5 working days prior to the meeting. The school or complainant can request for the panel meeting to be held virtually.

#### **6.4. The review meeting**

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless required as part of reasonable adjustments. 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, 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.

After due consideration of all facts, they consider relevant, the Panel will reach a decision and may make recommendations. The Clerk to the Governors will write to the complainant informing them of the panel's decision and the reasons for it, normally within 5 working days of the meeting. The decision of the Panel will be final.

#### **6.5. The outcome**

The Review Panel 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 7 working days.

## **7. Complaints against the headteacher, a governor or the governing board**

### **7.1. Stage 1: Formal**

Complaints that involve or are about the headteacher should be addressed to the chair of governors, via the school office, and marked as private and confidential.

Complaints about the chair of governors, any individual governor or the whole governing board should be addressed to the clerk to the governing board via the school office, marked as private and confidential.

If the complaint is about the headteacher or 1 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 (set out in section 6 above).

If the complaint is:

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

An independent investigator will carry out the steps in stage 1. They will be appointed by the governing board or local authority and will write a formal response at the end of their investigation.

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

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 7 working days. Requests received outside of this timeframe will be considered in exceptional circumstances.

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

- By letter or email
- Over the phone
- In person
- Through a third party acting on behalf of the complainant

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.

### **7.2 Stage 2: review panel**

If the complaint is about the headteacher or 1 member of the governing board (including the chair or vice-chair), a committee of members of the governing board will hear the complaint. They will carry out the steps at stage 2 (set out in section 6 above).

If the complaint is:

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

A committee of independent governors will hear the complaint. They will be sourced from local schools or the local authority and will carry out the steps at stage 2 (set out in section 6 above).

## 8. Referring Complaints on Completion of the School's Procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, 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:

[www.gov.uk/complain-about-school](http://www.gov.uk/complain-about-school)

## 9. Unreasonable and Persistent Complaints

In rare circumstances a complainant might, even after having exhausted the complaints procedure, persist with the complaint. In this instance the school may consider the complaint vexatious.

### 9.1 Unreasonable complaints

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

- 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
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information that they expect to be taken into account and commented on
- 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 and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate

- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums

**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.

Complainants should try to limit their communication with the school while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

### **Steps we will take**

We will take every reasonable step to address the complainant's comments 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.

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, refer them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, 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

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 school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence

### **9.2. Serial/persistent complaints**

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern

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

If a duplicate complaint is raised, which in the view of the school, warrants further consideration, the procedure outlined will be repeated.

### 9.4. 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.

### 9.5. Anonymous Complaints

Anonymous complaints will not normally be considered. The Headteacher or Chair of Governors will consider whether the issue is related to the fear of identification and if so whether this is genuine before deciding whether to pursue the complaint. Any concerns regarding safeguarding will always be managed in accordance with the School's Safeguarding and Child Protection Procedures.

## 10. Record keeping and confidentiality

Our 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 stored securely, 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, 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. 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.

### **11. Learning Lessons**

Any underlying issues raised by complaints will be reviewed by the Headteacher and Chair of Governors, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practices to help prevent similar events in the future.

### **12. Monitoring and Review**

The Governing Body will monitor the effectiveness of the Complaints Policy, in order to ensure that all complaints are handled properly. The school will log all formal complaints and will record how they were resolved and at what stage. The Governing Body will examine this log on an annual basis and consider the need for any changes to the procedure. Complaint's information shared with the Full Governing Body will not name individuals.

### **13. Variations to the above Procedures**

All references to 'working days' in this policy mean Monday – Friday (excluding weekends and school holidays).

In the event of a complaint being received during a school holiday period, it will be dealt with as soon as reasonably practicable and normally within the timescales set out throughout this policy. Where there are delays in collecting information, for example, caused by staff absence, complainants will be informed of the reasons why and a likely time frame for a response.

The school will make reasonable adjustments to this procedure due to a complainant's disability or learning support needs i.e. the school will allow alternative methods of contact or communication if needed. Complainants who require adjustments to be made to this procedure are asked to contact the Clerk to the Governing Body.

### **Associated Policies**

- Child Protection and Safeguarding Policy & Procedures
- Admissions Policy
- Suspension & Exclusions Policy

- Staff Grievance Procedures
- Staff Disciplinary Procedures
- SEND Policy