Wolston St Margaret's C of E Primary School

LEARNING, BELIEVING AND ACHIEVING TOGETHER TO

'LET YOUR LIGHT SHINE'

Matthew 5:16

COMPLAINTS PROCEDURE POLICY
September 2026

Our Christian vision shapes all that we do: Learning, Believing, and Achieving together to "Let your Light Shine" *(Matthew 5-16)*

Guided by our Christian values of **Honesty, Love, Courage and Community**, we encourage all to flourish. Like a lamp set high to light its surroundings, everyone – whether timid or outgoing – is called to share their light for all to see. Our vision welcomes children and adults of all faiths and none, inspiring them to live, grow, and learn together, showing the world their unique light.

INTRODUCTION

It is in everyone's interest that complaints about the school are resolved at the earliest possible stage. We appreciate that 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, we aim to be clear about the procedures that will apply when there is a complaint.

The difference between a concern and a complaint

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

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 again 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.

The underlying principle of this policy is that concerns will be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally.

In most cases we advocate that the class teacher will receive the first approach. It is helpful when staff are able to resolve issues on the spot. This may include offering a clear explanation; in some cases accepting that a situation could have been handled better; in other cases an apology may be appropriate.

The Responsibility of the School

Since 1 September 2003, the governing body of every maintained school and maintained nursery school in England has been required, under Section 29 of the Education Act 2002, to have a procedure for dealing with complaints relating to the school and to any community facilities or services that the school provides, where no separate statutory procedure applies. The law also requires schools to publicise their complaints procedure. Since 1 September 2016, maintained schools are required to publish their complaints procedure on their website.

The governing body has overall responsibility for the school and for ensuring that all pupils receive an appropriate and high standard of education. The Headteacher is responsible for making decisions on a daily basis about the school's internal management and organisation. **Parents and others should direct complaints to the school rather than the governing body in the first instance.**

Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Wolston St Margaret's Primary School, other than complaints that are dealt with under other statutory procedures, including those listed below:

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the Admissions department at Warwickshire County Council
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaints procedure.*

• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
• Complaints about services provided by other providers who may use school premises or facilities	Providers have their own complaints procedure to deal with complaints about service. Please contact them direct.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

In addition to the above bodies if other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Wolston St Margaret's Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded

Using the Complaints Procedure

In following the complaints procedure, the following guidance will be borne in mind:

- The resolution of a complaint can be an opportunity for the school to improve its practice and develop further a strong partnership with parents.

- The complaints procedure should be easily accessible and well publicised, so that parents know how to raise concerns.

- It is desirable for any complaint to be addressed by a member of staff at a level closest to the cause of concern.

- Procedures should be as speedy as possible and ensure fairness to all involved. Suggested time-scales are provided in the model for schools to adopt or adapt to suit their circumstances (Appendix 1 flow chart).

- It should be acknowledged that most complaints are 'genuinely felt' by the complainant.

- Confidentiality is important in securing the confidence of all concerned. Conversations and correspondence must be treated with discretion and investigators should be sensitive to the feelings of those involved. Parents need to feel confident that a complaint will not disadvantage their child. However, the parties to a complaint need to be aware that some information may have to be shared in order to carry out a thorough investigation.

- If the investigation of a complaint shows that it is justified, then the school should consider how to make amends in an appropriate way.

- All complaints should be recorded and monitored to identify issues and allow any lessons to be learned by the school.

- Staff and governors in schools should have the opportunity to take part in training or briefing to raise their awareness of the procedures and develop their skills in dealing with people who wish to complain.

Dealing with Complaints — Formal Procedures

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

A complaint is distinct from any formal disciplinary procedure. Staff who may be questioned as part of a complaints procedure must be treated fairly and have an opportunity to respond to the issues raised by the complainant. They should be offered support if required to respond to any investigation into a complaint.

If it becomes apparent that the complaint has the potential to be a disciplinary issue it is for the Headteacher or designated senior member of staff or, in the case of the Headteacher, the Chair of Governors or designated governor, to determine whether the disciplinary or capability procedures should be followed. If this is the case, the matter will be dealt with by following the appropriate (disciplinary or capability) procedure and the complainant will be notified that this is the outcome of their complaint, i.e. "The matter has been referred to the appropriate procedure".

Vexatious Complainants

There may be occasions when, despite all stages of procedures having been followed, the complainant remains dissatisfied. If the complaint becomes vexatious (e.g. the complainant tries to re-open the same issue), the Chair of the Governing Body can inform the complainant in writing that the procedure has been exhausted and that the matter is now closed. In the event of this School will contact its legal advisors.

COMPLAINTS POLICY

Governors of Wolston St Margaret's C of E Primary School have adopted the following policy to deal with formal

complaints from members of the school community or general public.

Dealing with concerns at the earliest opportunity

If parents, pupils or members of the public have concerns they should follow the process outlined below. Stages 1 and 2 are classed as an informal complaint and we expect the majority of concerns will be resolved in this way. This will mean that they are not recorded as a formal complaint. However, if the complainant is not satisfied after Stages 1 and 2, the formal procedure (Step 3 onwards) will be followed:

1. Discuss their concerns with the member of staff most directly involved, *and, if not satisfied;*

2. Discuss their concerns with a senior member of staff *and, if not satisfied;*

3. Discuss their concerns with the Headteacher. This is ***Stage 1 of the formal process***

At each stage in the procedure, we aim to keep in mind ways in which a concern or complaint can be resolved. It might be sufficient to acknowledge that the concern or complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an appropriate 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;
- a commitment to review school policies in light of the complaint.

Complainants should be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence. Equally, an effective procedure will identify areas of agreement between the parties. It is also of importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Only where all these avenues have been tried and found unsatisfactory should the complainant take a complaint to the Chair of Governors or Clerk to the Governing Body.

Principles informing our complaints procedure

This procedure is designed to:

- be well publicised and easily accessible
- be simple to understand and use
- be impartial
- be non-adversarial
- allow swift handling with established time limits for action and keeping people informed of the progress
- allow a mediation process if agreed by the complainant
- allow for a hearing of a panel of Governors, where appropriate
- respect people's desire for confidentiality, wherever possible
- address all points of issue, provide an effective response and appropriate redress where necessary
- provide information to the school's Senior Management Team so that services can be improved
- ensure a full and fair investigation by an independent person where necessary and possible – this may be brokered through the Local Authority's legal department.

Making a Complaint to the Governing Body - Stage 2

Where informal attempts have been unsuccessful in resolving a complaint, the complainant should write to the Chair of Governors or Clerk to the Governing Body at the school address. The envelope should be marked 'FOR IMMEDIATE ACTION' 'PRIVATE AND CONFIDENTIAL' and staff in the school office must ensure that the letter is forwarded without delay.

The complainant will be asked to complete a complaint form (Annex 1) if they have not already done so. The Chair of Governors or Clerk will offer to help an individual to complete the form if appropriate.

On receipt of the complaint form the Chair of Governors (or other governor) will:

- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right.

At this point the chair of governors will decide whether the complaint should go straight to the governors' complaints panel or whether a mediation stage should be offered. Mediation can only proceed if the complainant and the Headteacher are willing for it to be tried. If mediation is not successful, the complaint will be considered by the governors' complaints panel.

Mediation

Mediation can be a good way to resolve a complaint because:

- It gives both complainant and Headteacher another opportunity to hear each other's points of view (with a third party facilitating)
- It gives the third party an opportunity to help Headteacher and complainant identify and build on areas of agreement
- It gives Headteacher and complainant a structure within which they can resolve remaining differences.
- If both complainant and Headteacher emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them.

- Even if the complaint continues to a governors' panel, the issues to be considered are likely to be much clearer following the mediation.

Mediation may elicit one or more of the responses listed below from either party:

- an acknowledgment that the complaint is valid in whole or in part;
- an appropriate 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 acceptance that the complaint needs go no further;
- a commitment to review school policies in light of the complaint.

See Appendix for Mediation facilitator options

Governors' Complaints Panel

Where the complainant is still not satisfied that their complaint has been dealt with fully and properly, they may choose to take it to a panel of Governors

Establishing a complaints panel

The Governing Body agrees the composition of the complaints panel at the first meeting of the Governing Body each year.

When the clerk of governors receives a copy of the complaint form he/she will inform the Governing Body that a complaint has been received and that it has been passed to the panel to deal with. **No further information about the complaint should be shared with other governors.**

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.
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
c) 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 not intimidating and not adversarial

The Chair of the Panel will be nominated by the Chair of Governors and is responsible for ensuring that both complainant and Headteacher are given a fair hearing and that the panel arrives at its judgment without fear or favour.

Remit of the panel: the complaints 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 problems of a similar nature do not recur.

It may:

- Consider and, if appropriate, criticise the way in which an operational decision was communicated — **but cannot overturn the decision itself;**

- Consider the thoroughness with which the Headteacher investigated a complaint about a member of staff — **but cannot expect the Headteacher to provide details about confidential discussions with that staff member;**
- Consider the manner in which a complaint about any decision was addressed ask for the decision to be reviewed — **but cannot expect the Headteacher to have changed the decision;**
- Consider and, if appropriate, identify limitations in a policy or procedures **—but cannot make changes to the policy.** (It can, however, recommend that the policy be reviewed by the governing body to ensure that problems of a similar nature do not recur, and individual panel members can subsequently play their part in improving the policy);
- Consider whether it should recommend that the governing body offer appropriate redress

The complaints hearing should be made as unintimidating as possible to all parties.
The panel may ask questions at any point. Panel members must find ways to ask probing questions while maintaining impartiality.
The Headteacher must have no contact with members of the governors' complaints panel to preserve the principle of neutrality.
The chair of the panel should discourage the introduction of fresh documentary evidence at the hearing — there should be every encouragement to produce the evidence in advance. However, if new and relevant evidence is accepted by the chair, the chair will adjourn the hearing for a few minutes to allow everyone to read the document.

Some notes on exceptional circumstances

For the sake of clarity, the description above does not cover exceptional circumstances which might include:

1. *The chair of governors may not be able to find three governors who have no prior knowledge of the case*
If a case has become a major talking point around the community, the chair can nominate three governors with minimal prior knowledge

If there are still insufficient governors able to sit on a panel, the governing body in consultation with the Local Authority or Diocese will put in place an alternative fair process.

Please consult Governor Services in the first instance on 01926 412259

2. *A complaint to the governors' complaints panel will never be against a junior member of staff*
It is not appropriate for governors to deal with a complaint against a junior member of staff. However, it may be against the way the Headteacher handled a complaint against a junior member of staff. In this instance, a member of the senior management team will appropriately stand in for the Headteacher. That would need to be considered very carefully but if agreed the senior manager would be 'the Headteacher' for the purpose of the panel.

3. *The complaint is against the Chair of Governors*
There may be exceptional circumstances in which the complaint is against the chair of governors— e.g. for refusing to deal with a complaint. In those circumstances the procedure above would be adapted and every reference to 'Headteacher' would be read as 'chair of governors'.

Writing the decision letter

The clerk should ensure that s/he has clear wording stating the panel decision about each of the issues that the panel considered before the panel is allowed to finish. The clerk will use that wording to draft the decision letter. This should be sent to all members of the panel for checking. Once approved by all three panel members, it should be sent to the complainant with a copy to the Headteacher.

The letter should clearly express how seriously the panel considered the complaint.

The clerk should be careful that the letter sticks to the facts and gives no hint of partiality.
The clerk should ensure that the letter reaches the complainant and the Headteacher by the deadline stated in your policy and/or in a statement by the chair at the end of the hearing — usually five working school days.

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Wolston St Margaret's Primary School. They will consider whether the School has adhered to education legislation and any statutory policies connected with the complaint.

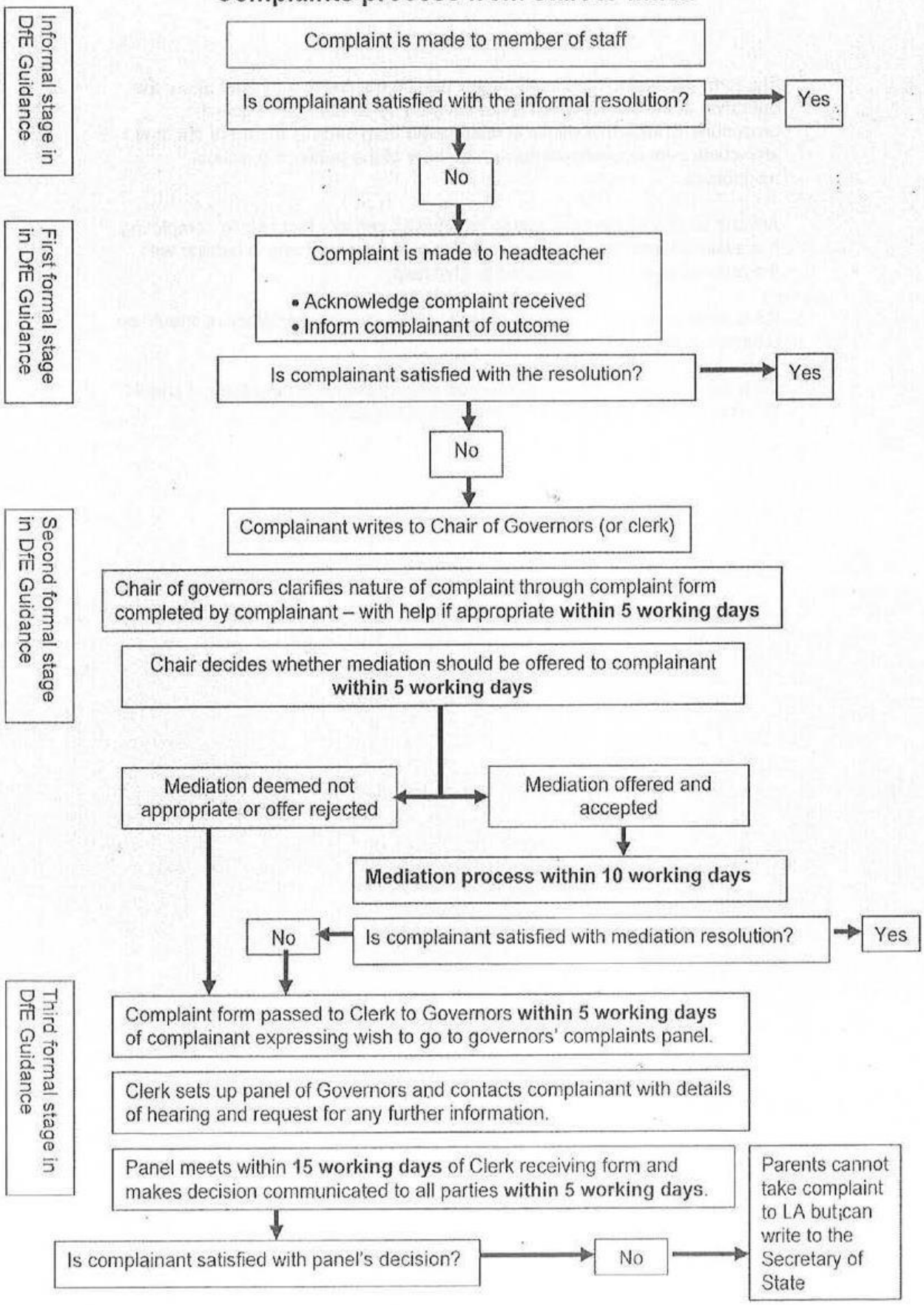
The complainant can refer their complaint to the Department for Education online at:
www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Monitoring Complaints

As well as addressing an individual's complaint, the process of listening to and resolving complaints would contribute to school improvements. When individual complaints are heard, schools may identify issues that need to be addressed. The monitoring and review of complaints by the school and Governing Body can be useful to evaluating the school's performance. Any discussion of complaints by the Governing Body or others in the school community should not name or be able to identify individuals.

The flowchart overleaf summarises the complaints process.

Complaints process from start to finish



Annex 1 Complaint Form Notes

The form overleaf must be used by any person making a complaint about the operation of the school which is not covered by an alternative specific procedure. Complaints will most often come from parents or carers but may also come from pupils/students or members of the public, e.g. school neighbours.

Anyone receiving this form should be advised verbally that help in completing it is available from the school. A member of school staff who is familiar with the process should be nominated to give help.