



## **Complaints Procedure**

# **Albemarle Primary School 2025**

This document was approved and adopted by the governing body.

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### **Who can make a complaint?**

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Albemarle School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure. School staff should bring any issues or complaints under the Staff Grievance Policy.

### **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'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Albemarle 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, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you 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.

Parents should be aware that investigating complaints formally take a significant amount of staff time and remove staff from their primary role of teaching children and improving the school. Parents should be mindful of this before requesting formal complaints that may not have a clear purpose or required outcome. However, we understand that there are occasions when people would like to raise their concerns formally. In this case, Albemarle School will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

### **How to raise a concern or make a complaint**

#### Informal Stage

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter/email, telephone or in person by appointment, requested via the school office (contact details are on our website). Many concerns can be resolved by simple clarification or the provision of information, and it is anticipated that most complaints will be resolved at the informal stage.

If the issue remains unresolved, the next step is to make a **formal complaint**.

#### Formal Stage

Complainants should not approach individual governors 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 Stage 2 of the procedure.

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

It is very important that you are as clear as possible about your specific complaint and that you include a statement of the actions you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

For ease of use, a template complaint form is included at the end of this procedure (appendix 1). If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice or The Wandsworth Independent Advisory Service (WIAS) to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### 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 Albemarle School other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs</li> <li>• School re-organisation proposals</li> </ul>	<p>Concerns about statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Wandsworth Local Authority.</p> <p>Concerns about admissions should be raised with the governing body who are the admissions authority, or Wandsworth LA (dependent on the concern).</p>
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>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)</p>

<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have adopted the Wandsworth Whistleblowing Policy for all our employees, including temporary staff and contractors.</p> <p>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: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>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.</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>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.</p>
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct. We request that the school is copied into complaints to other providers</p>
<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

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 Albemarle 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.

### Resolving complaints

At each stage in the procedure, Albemarle School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better

- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

### **Keeping a written record of complaints**

The process of listening to and resolving complaints can contribute to school improvement. Governing bodies can use learning identified from across the spectrum of complaint investigations to:

- inform improvements within the school
- improve the effectiveness of the complaints procedure.

### **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

#### **Stage 1**

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This should be done in person, in writing, on the complaints form (appendix 1) 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 5 school days. If a complainant does not respond to an invitation to discuss the complaint, the Headteacher will proceed to investigate the complaint based on the information provided.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this, and they may decide to have a second member of staff present at the meeting. This will be decided on a case-by-case basis.

If after three attempts the complainant has not responded to an invitation to discuss the complaint then the Head or whoever is hearing the complaint may choose to complete the investigation and present their findings by email.

*Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but will make the decision themselves.*

During the investigation, the Headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response within 20 school days of the date of receipt of the complaint.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Albemarle School will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair), up to three governors will be appointed by the Chair or Vice Chair, who will complete all the actions at Stage 1. This will be decided on a case-by-case basis. A note-taker will be present at all meetings

Complaints about the Headteacher must be made to the Chair of Governors- This must be done by completing the form in appendix 1 and leaving it in the school office for the attention of The Chair of Governors, and marked as private and confidential.

Complaints about a member of the governing body must be made by completing the form in appendix 1, and leaving it in the school office for the attention of the Clerk of Governors and marked as private and confidential

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.

If a complaint is made against both the headteacher and the Chair of governors, or a governor, or the governing body, it is likely that these will be dealt with separately, but this will be managed on a case by case basis.

## **Stage 2**

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the Governing Body's complaints committee, which will be formed of the first three impartial governors available. This meeting may take place at school, or in another setting, at the school's discretion. If the complainant decides to move to Stage 2, it means they are appealing the Stage 1 decision. The role of the panel of governors at Stage 2 is to consider the original complaint afresh. The review will include a consideration of written and verbal submissions from the complainant, and the Stage 1 complaints governor. During the Stage 2 complaint hearing, the complainant may not raise additional complaints or allegations as the purpose of the hearing is to investigate the outcomes of Stage 1, in relation to the original complaint.

Stage 2 is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 1 response. The complainant should complete the Complaints Review Request Form (appendix 2), stating why they were dissatisfied with the procedure at Stage 1, and what actions they feel might resolve the problem.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If after three attempts the complainant either fails to respond or rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant’s absence based on written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Albemarle School available, the Clerk will source any additional, independent governors through another local school or through their LA’s Governor Services team, to make up the committee.

Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2. The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant’s needs.

The Governing Body has appointed an associate member for complaints and may be involved at stage 1 or 2.

If the complainant is invited to attend the meeting, they may bring a trusted adult along to provide support. This can be a relative or friend.

In summary

<b>If the complaint is about....</b>	<b>Make the complaint to...</b>	<b>At stage 1, it will be considered by</b>	<b>At Stage 2, it will be considered by</b>
A member of staff (not the Headteacher)	The Headteacher	The headteacher or a member of the senior leadership team	A meeting with the governors complaints committee
The Headteacher	The Chair of Governors	Up to three governors, appointed by the Chair of Governors or Vice Chair	A meeting with the governors complaints committee
A governor	The Clerk to the Governing Body	Up to three governors, appointed by the Chair of Governors or Vice Chair	A meeting with the governors complaints committee

Jointly about the Chair of Governors and the Vice Chair	The Clerk to the Governing Body	An independent investigator appointed by the governing body	A meeting with the governors complaints committee
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## Legal representation

In the event that a complaint progresses to a committee of members of the school governors, we recommend that neither the complainant nor the school bring legal representation. These committees are not a form of legal proceedings. The aim of the governors committee should be:

- reconciliation
- to put right things that may have gone wrong

We recognise there are occasions where legal representation may be appropriate.

**Example** If a school employee is a witness in a complaint, they may be entitled to bring union or legal representation.

If a complainant commences legal action against the school in relation to their complaint, the school will consider whether to suspend the complaints procedure, until those legal proceedings have concluded.

*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.*

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 5 days before the meeting.
- Ask the complainant if they are bringing a trusted adult to the meeting with them as a support, or witness, and request details. The complainant must declare if they are bringing anyone with them to the meeting at least five days before the meeting, and declare in what capacity they will be attending, and what their profession is. If this is not declared within this timeframe, the meeting may have to be re-scheduled, at the committee's discretion

Any written material will be circulated to all parties at least 3 days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

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 must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Albemarle School with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Albemarle School.

If the complaint is:

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

Stage 2 will be heard by a committee of independent governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Albemarle School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

### **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 Albemarle School. They will consider whether Albemarle 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](http://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.

Local Authorities are not part of the formal statutory process for school complaints, however Albemarle School works closely with Wandsworth Local Authority and governors believe there can be value in using a mediation process for some complaints. Therefore, if both parties are in agreement, the Governing Board of Albemarle School has agreed to offer Local Authority mediation at a stage before a complaint is escalated to the Secretary of State for Education.

Mediation is an effort to bring the two parties together; it does not formally reinvestigate and Wandsworth LA mediation service cannot impose a resolution to a complaint. Wandsworth's involvement in mediation shall be time limited to no more than six weeks and school term times will need to be taken into consideration. Should a resolution fail to be reached within this time period, you will be advised of your right to escalate your complaint to the Secretary of State for Education.

### **Managing serial and persistent complaints**

We will do our best to be helpful to people who contact us with a:

- complaint or concern
- request for information

However, there will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue, we can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts us again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and we may choose not to respond. However, we will not mark a complaint as 'serial' before the complainant has completed the procedure,

Under no circumstances should a complainant be marked as 'serial' for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

The school may receive complaints that we consider to be vexatious. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

We would not refuse to accept further correspondence or complaints from an individual who has made repeat or excessive contact. The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

### **When to stop responding**

The decision to stop responding should never be taken lightly. The school would need to be able to say yes to all of the following:

- 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 school agrees with one or more of these statements:

- their letters, emails, or telephone calls are often or always abusive or aggressive
- they make insulting personal comments about or threats towards staff
- the school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience

We should not stop responding just because an individual is difficult to deal with or asks complex questions.

It may be the case that the school has to refer to its 'Parent Code of Conduct' policy in order to address the behaviour of a complainant. In cases of unacceptable behaviour, it may be necessary in some cases to restrict communication.

### **Duplicate complaints**

At the end of the complaints process, if a duplicate complaint is received from:

- a spouse
- a partner
- a grandparent
- a child
- a family friend

and the complaint is about the same subject, the new complainant will be informed that the school has already considered that complaint and the local process is complete. The new complainant should be informed to contact the Department for Education if they are dissatisfied with the school's handling of the original complaint.

## **Roles and Responsibilities**

### **Complainant**

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media, or discussing it within the school community in order to respect confidentiality

## Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- make all reasonable efforts to contact all parties involved to gather the required information.

The Headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

**Complaints Co-ordinator** (this could be the Headteacher / designated complaints governor, or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

## Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)

- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

### **Committee Chair**

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

### **Committee Member**

Committee members should be aware that:

- the meeting must be independent and impartial and should be seen to be so.  
No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
- that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting. Parents/carers often feel

emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- the committee should respect the views of the child/young person and give them equal consideration to those of adults.
- if the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount

## Appendix 1

### Complaint Form: Stage 1



Please complete and return in a sealed envelope to the school office for the attention of:

- The headteacher (complaint about a member of staff)
- The Chair of Governors (complaint about the headteacher or a governor)
- The Clerk to the Governing Body (complaint about the Chair of Governors)

Receipt of your complaint will be acknowledged and next steps will be communicated.

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

**Please give details of your complaint, including whether you have spoken to anybody at the school about it.**

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

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

**Signature:**

**Date:**

I give consent for this information to be shared with a third party for the purposes of addressing your concerns and following the steps in the policy

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**



**Appendix 2**

**Complaint Review Request Form (Stage 2)**

Please complete this form and return it to the clerk to the governing body (email address available from the school office) who will acknowledge its receipt and inform you of the next stage of the procedure.

Your name:

Your address:

Telephone numbers:

Daytime:

Evening:

Email:

Please state why you are dissatisfied by the procedure that was followed at Stage 1 (you may attach additional pages if you wish)

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

Signature:..... Date: .....

## **Appendix 3**

### **Sample Agenda for a stage 2 hearing**

2.1 Welcome and introduction by Complaints Panel Meeting Chair.

- Chair should explain that the meeting is strictly confidential to those present.
- Chair to outline procedure to be followed and explain roles and responsibilities of individuals.

2.2 Complainant to present their case

2.3 Any witnesses to be called or any paperwork to be considered in support of complainant's case

2.4 Questions to complainant from panel members and Headteacher

2.5 School to present their case

2.6 Any witnesses to be called or any paperwork to be considered in support of school's case

2.7 Questions to school from panel members and complainant

2.8 Discussion of complainant's desired outcomes or discussion of any possibilities of redress

2.9 All parties to withdraw except panel members and clerk

2.10 Panel to decide on its recommendations including any redress measures. The decisions and recommendations of the Complaints Panel will be sent in writing to all parties

## **Appendix 4**

### **Model letters**

#### **Response to spurious complainant**

Dear [insert name of complainant]

Thank you for submitting your concern in the letter received on [insert date]. After careful consideration, I'm unable to deal with this matter under the governing body's complaints procedure. This is because [we suggest you include one of the following statements:]

The substance of your complaint has been addressed under the complaints procedure already.  
OR

The concerns you have raised do not fall within the scope of this procedure [suggest an alternative procedure. For example, admissions policy, exclusion policy, behaviour policy, grievance procedure, etc]

If you wish for my decision to be reviewed, you can follow the school's formal complaint procedure by writing to the Clerk to the Governing Body.

Yours sincerely,

Headteacher or Chair of Governors

**Acknowledgement of receipt of formal complaint and invitation to meet**

Dear [Insert name of complainant]

I have received your formal complaint, dated ..... and I am grateful that you have brought this to my attention.

The school and governing body take any complaint seriously. Therefore, I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend if you would find this helpful.

Please telephone..... to arrange an appointment **OR** I can offer you an appointment at .... on ..... Please let me know if this is convenient.

I hope we will be able to resolve your concerns through our meeting, but if not, I will ensure the appropriate investigation takes place.

Yours sincerely,  
Head teacher  
Or Chair of governing body

**Acknowledgement of receipt of formal complaint referred by a third party [eg LA, Diocese, MP]**

Dear [Insert name of complainant]

I have received a copy of the documentation that you sent in to ..... setting out a complaint about ..... . This has been passed to the school because it has responsibility for these matters.

The school and governing body take any complaint seriously. Therefore, I would like to meet with you so that I may understand the details of your concerns more clearly. Please telephone ..... to arrange an appointment **OR** I can offer you an appointment at ..... on ..... Please let me know if this is convenient.

Meanwhile, I'd be grateful if you would complete and return the formal complaint form that is enclosed, along with details of the school's complaints procedure.

I hope we will be able to resolve your concerns through our meeting, but if not, I will ensure the appropriate investigation takes place.

Yours sincerely,  
Head teacher  
Or Chair of governing body school complaints procedure

**Acknowledgement of receipt of a formal complaint and advising complainant that the matter is being dealt with under the confidential school procedure**

Dear .....

I have received your formal complaint dated ..... and I am grateful you have brought this to my attention.

The school and governing body take any complaint seriously. Therefore, I have initiated an immediate investigation. It is possible that the investigator will wish to meet with you to clarify the evidence that you have provided so far. If so, they will write to you to make suitable arrangements.

Because your concerns relate to the conduct/capability of a member of staff, the investigation will be carried out under the school's personnel procedures. This means the detail of the procedure and its outcome must remain confidential to the school and the member of staff concerned.

OR

Because your concerns relate to the behaviour of a pupil, the investigation will be carried out under the school's pupil conduct and disciplinary procedures. This means the detail of the procedure and its outcome must remain confidential to the school and the parents of the child concerned.

In due course, I may be able to provide you with some information about the outcomes of the investigation and the processes that have been followed, but in any event, I'll let you know when the matter has been concluded.

If I can be of any further assistance, do let me know.

Yours sincerely,  
Head teacher  
Or Chair of governing body

## **Appendix 5: Notification of decision regarding formal complaint**

Pro Forma for response at end of complaint investigation

Dear

I am writing with my response to your complaints, having investigated the issues you have raised.

It has been my sincere intention to resolve these complaints and, where appropriate, acknowledge where situations could have been handled differently or better, to offer an explanation and outline the steps that need to be taken for good practice and to ensure errors will not recur.

Following a brief introduction, I have listed the outcome of the investigation in Section A, followed by a conclusion in Section B.

I have presented the details of the investigation of the complaints in Section C. There were **X** complaints, some of which had more than one strand. I have attempted to address each one in the order they were presented.

If you are dissatisfied with the outcome of this investigation, the procedures for taking a complaint to a further stage has been included in Appendix 3.

The names of those I spoke with, to inform my understanding for writing this report, are given in Appendix 1.

The full list of recommendations to the school is given in Appendix 2.

**Introduction**

The Chair of Governors of St Anselms’s School confirmed receipt of written complaint on -----, and I was appointed to investigate the complaint on -----.

This complaint followed ----- (e.g. unresolved )verbal complaint

I contacted ----- on ----- and met to discuss the complaints on -----

<b>Section A</b>	
<b>Complaint</b>	<b>Outcome</b>
Text of complaint	Upheld
Text of complaint	Not upheld
Text of complaint	Partially upheld
Text of complaint	Not within scope of investigation

<b>Section B</b>
<b>Outcome of Investigation</b>
<p><b>In conclusion</b>, this complaints investigation shows that some errors have been made ----- at St Anselm’s School. The significant matter is ----- and ----- is aware of this.</p> <p>Complainant’s view that ----- be dismissed, would be an inappropriate and disproportionate response to the errors that have been made.</p> <p>The important response to these errors is the clear recognition that ----- and there is the need to update training, policy and practice, for management, all staff, and governors to ensure that such faults do not recur. The list of these recommendations is included in Appendix 2.</p>

<b>Section C</b>
<b>Investigation of Complaint</b>
Text of complaint
Explanation
Outcome
Action to take

Repeated for each complaint

- For the purpose of clarifying my understanding of the substance of the complaints and the context in which matters had taken place, I spoke with -----, ----- and -----
- List in order of which spoken to:
- Organisation Title, Name
- I was shown reports around the same matters from::
-

- Organisation Title, Name
- I also consulted with Wandsworth Governor Services to clarify how my approach to dealing with the complaint should be conducted:

**Recommendations**

**A table of the actions to improve practice in the light of learning from the errors that have been made, that will be taken, or that have already been taken, by the school are:**

1. **Practice** – give detail
2. **Training**– give detail
3. **Policy** – give detail

