



Complaints Policy and Procedure

"I have come in order that you might have life – life in all its fullness."

John 10:10

Christ taught us that his purpose was to give life in all its fullness. Through our Christ like attitude, we seek to do the same.

This is at the heart of all we do.

Written by	Headteacher
Policy reference material, guidance or link policies	Safeguarding Policy Managing serial, unreasonable or vexatious complaints Policy
Reviewed by	Resources Committee
Ratified by	Resources Committee
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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 Kingsholm Church of England Primary School and Nursery 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.

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 complaint's procedure. Kingsholm Church of England Primary School and Nursery 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, Mrs P. Fowke, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Mrs P. Fowke 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.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Kingsholm Church of England Primary School and Nursery will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

Responsibilities

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 and respect confidentiality.

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
- preparing a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The **Governing Body** is responsible for:

- making and reviewing the policy, procedures, and guidelines;
- hearing and deciding on appeals;
- receiving reports;
- advising the Headteacher.

The **Chair of Governors** is responsible for:

- receiving complaints at Stage 3 (see below);
- nominating a panel of at least three people to hear the appeal;
- nominating a Chair of the panel;
- ensuring that the panel follows the correct procedure.

The **Chair of the Panel** is responsible for ensuring that:

- the parties understand the procedure;
- the issues are addressed;
- key findings of fact are established;
- complainants are put at ease;
- the hearing is conducted as informally as possible;
- the panel is open-minded and acts independently;
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously;
- all parties have the chance to be heard;
- all relevant material is seen by all parties.

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
We recognise 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.

The **Clerk to Governors** will act as the Complaints Co-ordinator at Stage 3. The Clerk must:

- keep written records of all complaints received, including indication as to which stage the complaint was resolved at;
 - arrange convenient dates and times and venues for hearings once complaints are escalated to Stage 3;
 - collate all relevant supporting documents and forward it to the parties;
 - meet and welcome the parties;
 - record the proceedings,
- and
- notify the parties of the decision.

The **Headteacher** is responsible for:

- the overall internal management of the procedures;
- for hearing complaints at the second stage (this may be delegated to the Deputy Headteacher) (see below);
- ensuring that the procedures are monitored and reviewed and reports made to the Governing Body.

The **Deputy Headteacher** is responsible for dealing with and where possible resolving complaints at stage 2 of the procedures where requested by the Headteacher.

Year Group Leaders are responsible for dealing with and where possible resolving complaints concerning overall student progress, behaviour issues and pastoral care at stage 1 of the procedures.

All staff are responsible for:

- hearing any concerns brought to them by parents;
 - reassuring them that they will be dealt with as soon as possible by the appropriate member of staff;
 - informing relevant member of staff of the concerns;
- and
- passing any parental complaint to the appropriate person to manage that stage.

Information for Parents

This policy is available on the school website and can be made available to parents and prospective parents upon request.

If parents wish to make a formal complaint under Stage 2, they should be asked to complete the school's formal complaint form.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Kingsholm Church of England Primary School and Nursery, 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 Gloucestershire 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 amadmin@gloucestershire.gov.uk or the Multi-Agency Safeguarding Hub (MASH). childrenshelpdesk@gloucestershire.gov.uk.
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: School exclusions: guide for parents - GOV.UK (www.gov.uk) <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i> [829905]Behaviour Policy.pdf (kingsholmprimary.co.uk)
• 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: Complaints procedure - Department for Education - GOV.UK (www.gov.uk) 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 should 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

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 Kingsholm Church of England Primary School and Nursery 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.

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.

Complaints procedure

All concerns should be discussed with the class teacher in the first instance (unless the concern is relating to the class teacher). If a straightforward verbal communication is made it might be possible in most cases to resolve it immediately.

Following this, the school's procedure for managing complaints is as follows:

Stage 1: The complaint will be reviewed by the year group lead (unless the year group lead is the subject of the complaint);

Stage 2: If the concern is complaint is not resolved at stage 1, the complaint will then be heard by the Deputy Headteacher or Headteacher;

and

Stage 3: If the complaint is not resolved at stage 2 (or if the complaint is about the Headteacher), the complaint should be directed to the Chair of Governors

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 3 of the procedure.

Complaints against school staff (except the Headteacher) should be made in the first instance, to Headteacher) via the school office. Please mark them as Private and Confidential. These may then be delegated to the member of staff's line manager to address where the Headteacher deems appropriate.

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.

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 Gloucester Diocese (the school will be liable for the cost). At the conclusion of their investigation, the independent investigator will provide a formal written response.

A template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice 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.

Managing Complaints

Should a complaint reach stage 2, parents and others should always be asked to put their complaint in writing using the complaints form (found at the end of this policy). This is to ensure that there is no conflict in determining what the complaint consists of and the action taken by the member of staff. Please note that all complaints made in writing or via email will automatically be referred to Stage 1.

Stage 1

If the complaint cannot be resolved informally, the complaint should be directed to the Year Group Leader. This may be done in person, in writing (preferably on the complaint form), or by telephone.

If the Year Group Leader considers the issue to be serious (but is not a child protection issue) they should inform the Headteacher via the school's 'Complaints Form', and inform the complainant of the action taken. If the Year Group Leader or other senior member of staff considers that they can deal with the complaint appropriately, they should attempt to do so. If a resolution cannot be found the relevant person should inform the complainant of their right to proceed to Stage 2, and should inform the Headteacher of the action taken. If the complaint concerns a child protection issue, or involves an allegation of abuse by a member of staff, the 'Designated Person' responsible for safeguarding students should be informed and the procedures set out in the school's Child Protection Policy should be followed. In cases of doubt the Year Group Leader should seek the advice of the Deputy Headteacher or Headteacher. At Stage 1 the school should aim to resolve the complaint within five working days of receiving the complaint. , Where this is not possible, a Senior Leader will inform the parties of the action being taken, and when it is expected to resolve it. In exceptional circumstances the matter will be referred to the Headteacher who will determine the appropriate action, and will keep the parties informed.

If parents are not satisfied with the response to the complaint made at the informal stage or Stage 1, they may proceed to Stage 2 and put their complaint in writing to the Headteacher using the school's Formal Complaint Form.

Stage 2: Referral to the Headteacher

The Headteacher will decide the outcome at this stage. A senior member of staff delegated by the Headteacher may investigate all written complaints. The Headteacher will normally resolve the matter within five working days of receiving notification of the complaint. In exceptional circumstances a longer time scale can be agreed, preferably with agreement with all parties. If the Headteacher is unable to resolve the issue it is open to the complainant to make representations to the Governing Body (Stage 3).

Stage 3

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaint's procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within ten school days of receipt of the Stage 2 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within five 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 ten school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant 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 on the basis of 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 Kingsholm Church of England Primary School and Nursery available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3. 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.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaint's 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 ten 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 five school days before the meeting.

Any written material will be circulated to all parties at least five school 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 Kingsholm Church of England Primary School and Nursery with a full explanation of their decision and the reason(s) for it, in writing, within five 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 Kingsholm Church of England Primary School and Nursery

If the complaint is:

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

Stage 3 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 Kingsholm Church of England Primary School and Nursery 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 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Kingsholm Church of England Primary School and Nursery. They will consider whether Kingsholm Church of England Primary School and Nursery 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.

Time scales for raising complaints

Complaints must be raised 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 pupil day after the holiday period.

Resolving complaints

At each stage in the procedure, Kingsholm Church of England Primary School and Nursery wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we will also 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.

Withdrawal of a Complaint

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

Policy for managing serial and unreasonable complaints:

Kingsholm Church of England Primary School and Nursery is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive, or threatening.

Kingsholm Church of England Primary School and Nursery defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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 complaint's 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 which 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.

Complainants should try to limit their communication with the school that relates to their complaint, 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.

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 and ask them to change it. For complainants who excessively contact Kingsholm Church of England Primary School and Nursery causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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 Kingsholm Church of England Primary School and Nursery.

This policy will be reviewed annually and at any other time should the need arise.

Complaint Form

Please complete and return to the Complaints Co-Ordinator, Mrs P Fowke who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, 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:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: