WHOBERLEY HALL
PRIMARY SCHOOL

Complaints Policy

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1 INTRODUCTION

1.1 In accordance with Section 29(1) of the Education Act 2002, all maintained schools and maintained nursery schools must have and publish procedures to deal with all complaints relating to their school and to any community facilities or services that the school provides, for which there are no separate (statutory) procedures.

1.2 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 procedure.

1.3 Whoberley Hall school takes informal concerns seriously and makes every effort to resolve the matter as quickly as possible and provide any resolutions and or reassurances that may be necessary. However, there may be occasions when a complainant would like to raise their concerns formally. In these cases, the school will attempt to resolve the issue internally, through the stages outlined within this Complaints Policy.

Our school aims to foster and maintain positive relationships with parents and carers through a timely response to all concerns and complaints.

Our school's Governing Board want to ensure that potential complainants feel able to raise concerns with members of staff without formality, either in person by telephone or in writing. This allows staff to establish whether a person is asking a question, expressing an opinion/concern, or making a complaint and advise them accordingly.

1.4 The Governing Board will track the number and nature of complaints received by the school.

The Governing Board will review any underlying issues raised by complaints with the Head teacher, where appropriate and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practices to help prevent similar events in the future.

1.5 This Complaints Policy will be reviewed in line with DfE guidance and by the Governing Board every two years.

2. AIMS OF THE POLICY

2.1 This Policy aims to:

- Encourage the resolution of concerns and complaints by informal means wherever possible.

- Ensure that concerns are dealt with quickly, fully and fairly within defined time limits wherever possible.

- Provide effective and appropriate responses to concerns and complaints.

- Maintain good relationships between the school and all those involved.

- Where concerns are raised, the school intends for these to be dealt with fairly, openly and promptly.

- The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure the policy is accessible and available on the school website.

- Where appropriate, the school may offer mediation to resolve a concern or complaint at any stage of the process. The school may also use someone independent from the school to investigate a complex issue and to report back to the Headteacher or Chair of Governors.

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

3. WHO CAN MAKE A COMPLAINT

3.1 This Complaints Policy is not limited to parents or carers of children that are registered at the school. Any person, including parents or carers of children no longer at the school and members of the public, may make a complaint to Whoberley Hall about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures or other policies (*such as appeals relating to exclusions or admissions - see Section 11 of the Policy*), we will use this Complaints Policy.

3.2 In accordance with administrative law principles, complainants will be given the opportunity to complete the complaints procedure in full, unless there is clear evidence that the complaint meets the unreasonable, persistent or vexatious complaint criteria (*see Section 9 of the Policy*).

4. THE DIFFERENCE BETWEEN FEEDBACK, A CONCERN AND A COMPLAINT

4.*1* ***Feedback is the sharing of a voice without needing the school to respond, but to listen and take it on board. Feedback is often sought by schools who want to hear and adapt to parents' views on a particular matter.***

4.2 **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'.*

4.3 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 Policy. Whoberley Hall takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

4.4 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.

4.5 We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Whoberley Hall will attempt to resolve the issue internally, through the stages outlined within this Complaints Policy.

5. HOW TO RAISE A CONCERN OR MAKE A COMPLAINT

5.1 A concern or complaint can be made:

- in person
- in writing or
- by telephone

They may also be made by a third party acting on behalf of a complainant, if they have appropriate consent to do so.

5.2 Concerns should be raised with either the class teacher or Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

5.3 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.

5.4 Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office.

5.5 Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, via the school office.

5.6 Complaints about the Chair of Governors, any individual Governor or the whole Governing Board should be addressed to the Clerk to the Governing Board, via the school office.

5.7 For ease of use, it is advised that a complainant uses the template complaint form which is included at the end of this Policy (*Appendix 1*). If you require help in completing the form, please contact the school office.

5.8 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.

5.9 Although AI can be a useful tool, it is important if using it to submit a complaint to ensure that it is accurate and reflects the nature of the complaint clearly before submitting it. AI is not always correct when citing laws and can make a complaint more complex than necessary.

6. ANONYMOUS COMPLAINTS

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

7. COMPLAINT TIME SCALES

7.1 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.

7.2 We will consider complaints made outside of this time frame if exceptional circumstances apply. This is at the discretion of the Headteacher or Chair of Governors, as applicable.

7.3 Complaints received outside of term time will be considered to have been received on the first school day after the holiday period.

8. DUPLICATE COMPLAINTS

8.1 After closing a complaint at the end of the complaint's procedure, if a complaint is received about the same subject, a check will be completed to ensure that there are no new aspects to the complaint and if not, the new complainant will be informed that the school has already considered the complaint, and the local process is complete.

8.2 The new complainant will be advised to contact the DfE if they are dissatisfied with the school's handling of the original complaint.

8.3 If there are any new aspects to the complaint, these will be investigated and dealt with to the full extent of the complaint procedure.

9. UNREASONABLE, PERSISTENT OR VEXATIOUS COMPLAINTS

9.1 Once raised most complaints will be progressed through this policy, and therefore Whoberley Hall will follow the procedure outlined to deal with them. 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.

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

9.3 Whoberley Hall 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 complaint's procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice.
- Introduces trivial or irrelevant information which they expect to be considered 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.
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school times (vexatious).
- 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.

The above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the Headteacher and Chair of Governors what is deemed to be unreasonable.

Steps the school will take:

9.4 Whoberley Hall will take every reasonable step to address the complainant's concerns and give a clear statement of our position and their options. We will follow our Complaints Policy wherever possible.

9.5 If the behaviour is unreasonable, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.

9.6 If the complainant continues to contact the school in a disruptive way, we may put communication strategies in place. We may:

- Give the complainant a single point of contact via an email address.
- Limit the number of times the complainant can make contact.
- Ask the complainant to engage a third party on their behalf.
- Put any other strategy in place as needed.

9.7 Complainants hold the right to refer their complaint to their local MP. This would not make the individual a 'serial' or 'persistent' complainant.

9.8 The school will not deny any individual access to information that they have a right to under the Education (Pupil Information) (England) Regulations 2005.

Stopping responding

9.9 Whoberley Hall may stop responding to the complainant and cease to continue with the process when all these factors are met:

- We believe we have taken all reasonable steps to help address their concerns.
- We have provided a clear statement of our position and their options; and
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience.

9.10 Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make if they have not already been addressed.

9.11 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 our school site. The Headteacher will make the decision to impose a ban from site.

9.12 The wellbeing and safety of our children, staff and the school community will be a priority.

10 COMPLAINT CAMPAIGNS

10.1 Occasionally, a school may become the focus of a complaint campaign and receive large volumes of complaints. For the purpose of this Policy, a complaint campaign is defined as *a* complaint from three or more separate individuals (whether or not connected with the school) which are all based on the same subject.

10.2 Depending on the subject in question, Whoberley Hall may deviate from the procedure set out in this Policy and would follow DfE recommendations.

10.3 Where the school becomes the subject of a complaint campaign from complainants who are not connected with the school, a standard, single response will be published on the school's website.

10.4 If Whoberley Hall receives many complaints about the same subject from complainants who are connected to the school, e.g. parents, each complainant will receive an individual response.

10.5 If complainants remain dissatisfied with the school's response, they will be directed to the DfE.

11. SCOPE OF THIS COMPLAINTS POLICY

11.1 This Policy covers all complaints about any provision of community facilities or services by Whoberley Hall**,** 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 Local Authority.
• 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- Policy available on school website. If you have serious concerns, you may wish to contact the Local Authority Designated Officer (LADO) who has local responsibility for safeguarding or the Children FIRST (The Children and Family Initial Response and Safeguarding Team)
• Exclusion of children from school*	Further information about raising concerns about exclusions 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. Policy available on website and at school office upon request.
• 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/ third parties 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

11.2 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.

11.3 If a complainant commences legal action against Whoberley Hall 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.

12. Roles and Responsibilities

12.1 **Complainant**

The complainant is required to:

- Explain the complaint in full as early as possible using the forms provided where appropriate.
- 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 including, but not limited to, Facebook, WhatsApp, Instagram and X (formerly known as Twitter) Complaints will be dealt with confidentially for those involved, and Whoberley Hall expect complainants to also observe confidentiality.

  If information is shared that may be considered defamatory against the school or a member of staff, legal advice will be sought, and any appropriate action taken.

12.2 **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 where appropriate.
  - Consideration of records, evidence and other relevant information.
  - Analysing information.
- Liaising with the complainant 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 Governor Complaints Committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or Governor Complaints Committee (as applicable) will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

12.3 **Clerk to the Governing Board**

The Clerk is the contact point for the complainant and the Committee at Stage 2 of the process 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 documentation, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale.
- Record the proceedings in writing.
- Circulate the minutes of the meeting.
- Notify all parties of the Committee's decision.

12.4 Committee Chair

The Committee's chair, should ensure that:

- 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 through questioning, either through written submissions ahead of the meeting and/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 has had any involvement in an earlier stage of the procedure.
- The meeting is minuted.
- They liaise with the Clerk.

12.5 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.

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 member of staff who deals with the initial contact will:

  - Clarify the nature of the concern and reassure the complainant that their concern is being listened to.

  - Resolve the concern immediately if the member of staff can do so.

  - Record the enquiry and any agreements made and notify the Headteacher.

13. RESOLVING COMPLAINTS

13.1 At each stage in the procedure, Whoberley Hall 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.

14. WITHDRAWAL OF A COMPLAINT

14.1 If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing. A complaint can be withdrawn at any stage.

15. FORMAL STAGES OF COMPLAINT

Stage 1 – Formal Investigation

15.1 Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form – Appendix 1)), or by telephone.

15.2 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 five school days.

15.3 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.

Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

15.4 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.

- Have written record of any meetings/interviews in relation to their investigation.

15.5 At the conclusion of their investigation, the Headteacher (or Investigator) will provide a formal written response within ten school days of the date of receipt of the complaint.

15.6 If the Headteacher (or Investigator) is unable to meet this deadline, they will provide the complainant with an update and explanation for the delay and a revised response date.

15.7 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 the school will take to resolve the complaint.

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

15.9 If the complaint is about the Headteacher, or a member of the Governing Board (including the Chair or Vice-Chair), a suitably skilled Governor will be appointed to complete all the actions at Stage 1.

15.10 Complaints about the Headteacher or member of the Governing Board must be made to the Clerk, via the school office.

15.11 If the complaint is:

- Jointly about the Chair and Vice Chair or
- The entire Governing Board or
- The majority of the Governing Board

Stage 1 will be considered by an Independent Investigator appointed by the Governing Board. At the conclusion of their investigation, the Independent Investigator will provide a formal written response.

15.12 Should the complainant have a Barring Order or any other legal restriction in place which prevents them from attending the school site and the Headteacher/Investigator decides to invite them to be interviewed, the complainant will be invited to join remotely.

15.13 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 Board's Complaints Committee, which will be formed of the first three, impartial, Governors available. Sometimes external Governors may be used at this Stage. This is the final stage of the Complaints Procedure.

Stage 2 – Review Panel

15.14 A request to escalate to Stage 2 must be made to the Clerk to Governors, via the school office, within ten school days of receipt of the Stage 1 response. This request will, if possible, be on the Escalation Form (Appendix 2).

15.15 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.

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

15.17 The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 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.

15.18 If the complainant rejects the offer of three proposed dates, without good reason or has not responded to communication, 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.

15.19 The Complaints Committee will consist of 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 available from Whoberley Hall, the Clerk will source any additional, independent Governors from other local Governing Boards to make up the Committee. Alternatively, an entirely

independent Committee made up of three Governors may be convened to hear the complaint at Stage 2.

15.20 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.

15.21 If the Committee have decided to consider written representations only the timeframe for documentation from both the Complainant and the school will be sooner to enable Panel Governor and Complainant questions, for those to be responded to and the responses shared with all parties before the meeting takes place. All parties will be informed of the timeframe by the Clerk.

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

15.23 Should the complainant have a Barring Order or any other legal restriction in place which prevents them from attending the school site and the Committee decides to invite parties to a meeting, the complainant will be invited to attend the meeting remotely.

15.24 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 a union and/or legal representation.

15.25 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.

15.26 Representatives from the media are not permitted to attend.

15.27 At least 10 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 (see 15.19).

- Request copies of any further written material to be submitted to the committee at least seven school days before the meeting.

15.28 Any written material will be circulated to all parties at least seven 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.

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

15.30 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.

15.31 The Committee can set time limits for both sides to present their case and for the length of the hearing overall. These will be communicated to all parties by the Clerk.

15.32 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.

15.33 The Chair of the Committee will provide the complainant and Whoberley Hall with a full explanation of their decision and the reason(s) for it, in writing, within five school days of the meeting.

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 Whoberley Hall.

15.34 If the complaint is:

- Jointly about the Chair and Vice Chair or
- The entire Governing Board or
- The majority of the Governing Board

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

15.35 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 Whoberley Hall will take to resolve the complaint.

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

16. Next Steps

16.1 If the complainant believes the school did not handle their complaint in accordance with the published Complaints Policy 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.

16.2 The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Whoberley Hall. They will consider whether Whoberley Hall has adhered to education legislation and any statutory policies connected with the complaint.

16.3 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.

WHOBERLEY HALL
PRIMARY SCHOOL

STAGE 1 COMPLAINT FORM

Please complete and return to the Headteacher via the school office who will acknowledge receipt and explain what action will be taken.

Your Name:
Pupil 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 of complainant: **Date:**
Official Use: **Date received:** **Date acknowledgement sent:** **By Whom:** **Complaint referred to:** **Date:**

WHOBERLEY HALL
PRIMARY SCHOOL

STAGE 2 ESCALATION FORM

Please note this form can only be used when Stage 1 of the complaints procedure has been completed and a full response received from the school.

The request to escalate the complaint to Stage 2 of the complaints procedure must be made within ten workings days of the Stage 1 response being received. <u>This is the final stage of the school's Complaints Policy.</u>

Your name:
Pupil Name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Day time telephone number:** **Evening telephone number:**
Please give details of why you are dissatisfied with the response received following the Stage 1 Investigation and why you wish to escalate the complaint to Stage 2 for a Governor Complaint Committee to consider:

What actions do you feel might resolve the problem?
Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
Official Use: **Date received:** **Date acknowledged:** **By Whom:**

School Policies Referenced in the Complaints Policy:

- **Child Protection and Safeguarding Policy**
- **School Behaviour Policy**
- **Social Media Policy**