Complaints Policy

St Nicholas School is a UNICEF Rights Respecting School with Gold Status and promotes rights respecting values in all its policies

The Governing Board of St Nicholas School formally adopted

this Policy on January 2026

It will be reviewed in January 2028 unless otherwise advised

Signed _____ **Head Teacher**

Signed _____ **Chair of Governors**

Do you have a concern or complaint about something at St Nicholas School?

Speak to your class teacher/a member of SLT/or the head Teacher and explain the situation

Is your complaint resolved? YES → Nothing more needs to be done

NO

Stage 1: Explain your concerns in writing to Katie Goodwin via the school office or email (see note)

Confirmation of receipt of your email will be sent within **3 school days.**

The Head Teacher or designated SLT member will investigate complaint with all relevant parties and will respond in writing **within 10 school days** of the complaint. (see note)

Notes:

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.
2. If the Head Teacher is unable to meet this deadline, they will inform the complainant and advise of revised response date.

Is your complaint resolved? YES → Nothing more needs to be done.

NO

Stage 2: If you are dissatisfied with outcome of Stage 1, you can escalate to Stage 2 via the Clerk to the Governors via the school office within **5 school days** of receipt of Stage 1 response. The clerk will acknowledge receipt of the request within **5 school days**.

You will be invited to a meeting within **20 school days** of receipt of the complaint with a panel of 3 Governors (date and paperwork confirmed **5 school days before)** where the committee will consider the complaint.

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

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Statement of Intent

The school's Governors and the Headteacher are committed to providing the best educational experience they can for all pupils attending this school. They recognise the value to all concerned of dealing fairly, speedily and effectively with any complaint against their decisions, actions or omissions which a pupil or parent or other aggrieved person may have. To this end, they have adopted the underlying principles and procedures set out here.

- The principles guiding the school's procedure for handling complaints are that it should:
- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised;**
- be **simple** to understand and use;
- be **impartial;**
- be **non-adversarial;**
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- ensure a full and **fair** investigation by an independent person where necessary;
- respect people's desire for **confidentiality;**
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the school's senior management team so that services can be improved.

Complainants will be treated seriously and courteously and given the time they require to be heard. It is important to the school that complainants have confidence in these procedures and know that their cases will be impartially investigated.

Complainants will be advised at the earliest possible stage of:

- the scope, if any for pursuing their complaint and the extent of the procedure for dealing with it;
- the way in which the complaint is likely to be handled

Complaints will be dealt with as quickly and effectively as possible, adhering to time limits laid down for responding to complainants at each stage of the procedure. Everyone involved will adhere to the procedures for the hearing of complaints.

The 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 about any provision or services that we provide. Unless complaints are dealt with under a separate statutory procedure (such as a Tribunal), we will use this complaints procedure.

The Head teacher will be the first point of contact when following the complaints procedure.

1. Legal Framework

This policy has due regard to all relevant legislation, but not limited to, the following:

- Education Act 2002
- Freedom of Information Act 2000
- Equality Act 2010
- UK General Data Protection Regulation (GDPR)
- Data Protection Act 2018
- The Education (Pupil Information) (England) Regulations 2005
- The School Information (England) (Amendment) Regulations 2016

This policy has also due regard to guidance including, but not limited to, the following:

- DfE (2021) 'Best practice guidance for school complaints procedures 2020'

This policy operates in conjunction with the following school policies:

- Records Management Policy
- Child Protection and Safeguarding Policy
- Grievance Policy
- Exclusion Policy
- Whistleblowing Policy

2. Roles and Responsibilities

The **complainant** will:

- Cooperate with the school in seeking a solution to the complaint.
- Express the complaint and their concerns in full at the earliest possible opportunity.
- Promptly respond to any requests for information or meetings.
- Ask for assistance as needed.
- Treat any person(s) involved in the complaint with respect.

The **complaint investigators** 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 for 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 **complaint investigator** will:

- Ensure that all parties involved in the complaint are fully updated throughout each stage of the procedure.
- Prepare a comprehensive report for the headteacher or complaints committee that sets out facts, identifies solutions and recommends courses of action to resolve problems.
- Conduct interviews with an open mind and be prepared to persist in the questioning
- Be mindful of the timescales to respond
- Guarantee that all parties involved in the procedure are aware of any relevant legislation, including the Equality Act 2010, UK GDPR, Data Protection Act 2018 and Freedom of Information Act 2000.
- Keep up-to-date records throughout the procedure – these records will be kept securely on the school's ICT system and retained in line with the school's Records Management Policy.
- Liaise with all parties involved to ensure the complaints procedure runs smoothly, including the headteacher, clerk to governors and chair of governors.
- Ensure, where the complainant is dissatisfied with the response, they are allowed to escalate it to the next formal stage and are provided the opportunity to complete the complaints procedure in full.
- Be aware of issues with regards to sharing third party information.
- Understand the complainant's need for additional support, including interpretation support, and will be aware of any issues concerning this.

The **headteacher**, or where the complaint is against the headteacher, the **chair of governors**, is responsible for:

- Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved.
- Considering all records, evidence and relevant information provided.
- Interviewing all parties that are involved in the complaint, including staff and pupils.
- Analysing all information in a comprehensive and fair manner.
- Liaising with the complainant and complaint investigator to clarify an appropriate resolution to the problem.
- Identifying and recommending solutions and courses of actions to take.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales.
- Responding to the complainant in a clear and understandable manner.

The **panel chair** will:

- Ensure that minutes of the meetings are taken on every occasion.
- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.

- Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any pupils involved.
- Conduct the hearing in an informal manner, ensuring that everyone is treated with respect and courtesy.
- Ensure that the room's layout and setting is informal and non-adversarial, yet still sets the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the school the opportunity to state their case and seek clarity without undue interruption.
- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the panel clerk and complaint investigator to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

All panel members will be aware that:

- The review panel meeting is independent and impartial.
- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain a harmonious reconciliation between the parties involved.
- Reconciliation between the school and complainant is not always achievable, and that it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.
- The panel can:
    - Dismiss or uphold the complaint, in whole or in part.
    - Decide on appropriate action to be taken.
    - Recommend changes that the school can make to prevent reoccurrence of the problem.
- Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.
- When a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child's view is represented equally.

The panel clerk will:

- Continuously liaise with the complaint investigator.
- Record the proceedings.
- Set the date, time and venue of all hearings, ensuring that this is appropriate, convenient and accessible to all parties involved.

- Collate all written material or evidence involved and send it to the parties involved in timely advance of the hearing.
- Greet all parties as they arrive at the hearing.
- Ensure that the minutes of the panel hearing are circulated.
- Notify the relevant parties of the panel's decision and any other actions to be taken.

3. Definition of 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 action 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 complaints procedure. St Nicholas 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 head teacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the head teacher 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, that there are occasions when people would like to raise their concerns formally. In this case, St Nicholas School will attempt to resolve the issue internally, through the stages outlined within their complaints procedure.

4. Definition of a complainant

A complainant is someone:

- who allegedly has been wronged; or
- whose child(ren) has been wronged, i.e. a parent, guardian or other person with parental responsibility; or
- someone representing a person in one of the above groups, for example, a Councillor

Where a complainant is a pupil under the age of 18 years, the complaint may be pursued only by, or on behalf of, the child' s parent or other guardian. Where someone other than a pupil or parent is pursuing a complaint on their behalf, this can be done only with the consent of the pupil or parent.

5. How to raise a concern or make a complaint

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, as long as they have appropriate consent to do so.

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

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 form considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance to Katie Goodwin (the Head teacher) via the school office or Arbor. Please mark them as Private and Confidential.

Complaints that involve or are about the Head Teacher should be addressed to Gill Manson (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 board should be addressed to the Clerk to the Governing Board via the school office. Please mark them as Private and Confidential.

Complaints should be made via the complaints template attached at the end of this policy. 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 complaints in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

6. Anonymous complaints

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

7. 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 timer frame if exceptional circumstances apply.

8. 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.

9. Scope of this complaints Policy

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters such as Child Protection Investigations
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
- Complaints about services provided by other providers who may use the school premises or facilities.

10. Resolving Complaints

At each stage in the procedure, St Nicholas 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

11. Withdrawal of a complaint

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

12. Stages of the complaint

Stage 1

Formal complaints must be made to the head teacher (unless they are about the Head Teacher) via the school office. This may be done in person, in writing (preferably on the Complaints Form), or by telephone.

The Head teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or by email) within 3 school days.

Within this response, the Head teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Head Teacher can consider whether a face to face meeting is the most appropriate way of doing this.

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

During the investigation, the head teacher (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 head teacher will provide a formal written response within 10 school days of the date of the receipt of the complaint.

If the Head Teacher 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 St Nicholas School will take to resolve the complaint.

The Head Teacher 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 Head Teacher, 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 of Stage 1.

Complaints about the Head Teacher or member of the governing board must be made to the Clerk, via the school office.

If the complaint is:

- Jointly about the Chair and Vice Chair or
- The entire governing 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.

Stage 2

If the complainant is dissatisfied with the outcome of Stage 1 and wishes to take the matter further, they can escalate the complaint to stage 1 – a meeting with member of the governing boards complaints committee, which will be formed of the first three, impartial, governors available. This 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 5 school days of the receipt of the Stage 1 response. Requests received outside of this time frame will only be considered in exceptional circumstances. The clerk will acknowledge receipt of the request (either by letter or by email) within 5 schools says where possible.

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.

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 submission 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 St Nicholas School 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 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.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or a 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. Representatives from the media are not permitted to attend.

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.

At least five 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 part
- Dismiss the complaint in whole or 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 system or procedures to prevent similar in the future.

The Chair of the Committee will provide the complainant and St Nicholas School with a full explanation of their decision and their 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 St Nicholas 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 St Nicholas School will take to resolve the complaint.

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

13. Managing serial and unreasonable complaints

St Nicholas School 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.

St Nicholas School 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 complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information 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 St Nicholas School 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 St Nicholas School.

14. 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 investigate the substance of complaints or overturn any decision made by St Nicholas School. They will consider whether St Nicholas School has adhered to the education legislation and any statutory polices connected with the complaint.

The complainant can refer to their complaint to the Department for Education online at: www.education.go.uk/contactus , by telephone on: 0370 0002288 or by writing to:

Department for Education
Piccadilly gate
Store Street
Manchester
M1 2WD

15. Monitoring and Review

The complaints procedure will be reviewed as and when needed, considering any legislative changes and the latest guidance issued by the DfE. The next scheduled review date for this policy is January 2027.

Responsibility for reviewing the procedure belongs to a committee of the governing board, an individual governor or the Head Teacher. All projected review dates will be adhered to.

Information gathered through reviewing the complaints procedure will be sued to continuously improve and develop the process.

The monitoring and reviewing of complaints will be sued to help evaluate the school's performance.

Appendix 1: Legal Responsibility of the Governors

Section 29 of the Education Act 2002 requires that:

(1) The governing body of a maintained school (including a maintained nursery school) shall –

(a) establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and

(b) publicise the procedures so established.

(2) In establishing or publicising procedures under subsection (1), the governing body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State.

Section 39 of the Education Act 2002 provides the following:

"maintained school" means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school;

"maintained nursery school" means a nursery school which is maintained by a local education authority and is not a special school;

Appendix 2: Complaint Form

Please complete and return to ……..(Headteacher) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name:
Your relationship to the pupil:
Address: **Postcode:** **Day time telephone number:** **Evening telephone number:**
Please give details of your complaint.
What action, if any, have you already taken to try and resolve your complaint. **(Who did you speak to and what was the response)?**

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 who:** **Complaint referred to:** **Date:**