

Bentley CEVC & Copdock Primary Schools

Complaints Procedure

Approved by the Governing Board 5th February 2025

Next review date: Summer term 2026

1. Introduction

Bentley CEVC & Copdock Primary Schools endeavour to provide the best education possible for all pupils in an open and transparent environment. We welcome and consider any feedback that we receive from parents, pupils and third parties, accepting that not all feedback will be positive. Where concerns are raised, the schools aim for these to be dealt with:

- fairly and impartially, without prejudice and non-adversarial
- by full and fair investigation, by an independent person or panel, where necessary
- addressing all the points at issue and provide an effective and prompt response
- respecting the complainants desire for confidentiality and treating complainants with respect and courtesy
- lawfully, rationally, reasonably, in a fair and proportionate way, in line with the principles of administrative law
- keeping the complainants informed of the complaint's progress
- Considering if the complaint should feed into the school improvement evaluation process

In order to do so, the Governing Board of our schools has approved the following procedure which explains what you should do if you have any concerns or complaints about the schools. All members of staff will be familiar with these procedures and will be able to assist you.

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the schools' website.

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

2. Legislation and guidance

This document meets the requirements of section 29 of the Education Act 2002, which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on guidance for schools on complaints procedures from the Department for Education (DfE), including the model procedures for complaints and for managing serial and unreasonable complaints.

In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the schools' fulfilment of Early Years Foundation Stage (EYFS) requirements.

3. Definitions and scope

3.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought"

A **complaint** is defined as "an expression or statement of dissatisfaction however made, about actions taken or a lack of action"

In most cases, a concern can be resolved through informal means. A complaint will follow formal procedures.

3.2 Scope

The schools intend to resolve complaints informally where possible, at the earliest possible stage. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This complaints procedure is mainly aimed at parents or carers of children that are registered at the school, but it is not limited to them. Any person, including members of the public, may make a complaint to the school about any provision of facilities or services that the schools provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), the school will use this complaints procedure.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusions
- Whistleblowing
- Staff grievances
- Staff discipline
- Staff conduct
- School re-organisation proposals
- Content of the curriculum
- Collective worship
- Withdrawal from curriculum
- Third-party providers

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with special educational needs (SEN), about the school's support are within the scope of this policy. Such complaints should first be made to the class teacher, who will inform the SENCO; they will then be referred to this complaints policy. Our SEND Policy and SEN Information Report (SEND Report, located under School Information on our website), includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4. Roles and responsibilities

4.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not approach individual governors about the complaint
- Do not publish details about the complaint on social media

4.2 The investigator

An individual will be appointed to investigate the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes

- Consider records and any written evidence and keep these securely
- Prepare and submit a comprehensive report to the Headteacher or, if applicable, a complaints committee, including the facts and potential actions / solutions

4.3 The complaints co-ordinator

Likely to be the Headteacher or a designated complaints governor, or any staff member providing administrative support

The complaints co-ordinator will:

- Keep the complainant updated at each stage of the procedure
- Make sure the process runs smoothly by liaising with staff members, Headteacher, Chair of Governors, Clerk and local authority, as necessary
- Be aware of issues relating to; sharing third-party information; additional support needed by complainants, for example interpretation support or, where the complainant is a child or young person
- Maintain accurate and current records

4.4 Clerk to the Governing Board

The Clerk will:

- Be the contact point for the complainant and the complaints committee, once the complaint has been acknowledged by the Chair of Governors, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

4.5 Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case.

5. Principles for investigation

When investigating a complaint, we will try to clarify:

- **What has happened**
- **Who was involved**
- **What the complainant feels would put things right**

5.1 Timescales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved. The Headteacher will review the situation and decide whether or not to enact the complaints procedure, informing the Chair of Governors of the decision. Complaints will not be dealt with if a child is no longer a member of the school, unless the complaint is of a serious nature, as determined by the Headteacher or Chair of Governors.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

5.2 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements (EYFS) and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also place a copy of the inspection report on the schools' website.

6. Informal concerns

Our school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the concern as soon as possible within the timescales set out in section 5.1.

The concern should be addressed to the relevant member of school staff or the Headteacher, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office (contact details on the schools' website homepage).

The school will acknowledge informal concerns within 5 school days, which will confirm how the school intends to proceed, including an indication of the anticipated timescale.

The informal stage will involve a meeting between the complainant and the Headteacher and the subject of the concern, if appropriate. A written response will be provided by the school within 10 school days following the informal meeting.

If the concern is not resolved informally, it will be escalated to a formal complaint.

7. Stages of complaint (not complaints against the Headteacher or governors)

We have adopted a 2-stage process for dealing with complaints:

- Stage 1 – formal investigation
- Stage 2 – review panel

7.1 Stage 1: formal

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Formal complaints can be raised:

- By letter or email (this is preferred)
- Over the phone
- In person
- By a third party acting on behalf of the complainant

The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the school office [contact details on the schools' website homepage].

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 10 school days.

The Headteacher (or designated member of the senior leadership team) will call a meeting to clarify the complaint and seek a resolution. The complainant may be accompanied to this meeting and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 20 school days.

How to escalate a complaint

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the Governing Board within 10 school days. Requests received outside of this timeframe will be considered in exceptional circumstances.

Complaints can be escalated by contacting the clerk to the Governing Board:

- By letter or email (via the school office)
- Through a third party acting on behalf of the complainant

The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

The clerk will acknowledge receipt of the request within 5 school days.

7.2 Stage 2: submit the complaint to the review panel

Convening the panel

The review panel consists of the first 3 members of the Governing Board available who don't have direct knowledge of the complaint. These individuals will have access to the existing record of the complaint's progress (see section 10). The governors will select a panel chair from among themselves.

If not enough impartial governors are available, we will seek panel members from other schools, the local authority or the diocese. We will make sure the governors we source are suitably skilled and can demonstrate that they are independent and impartial.

The complainant will be given reasonable notice of the date of the review panel. The clerk will aim to find a date within 15 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting.

The board will ensure that the hearing is properly minuted.

At the meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless required as part of reasonable adjustments. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave, and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the Headteacher.

The outcome

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The school will inform those involved of the decision in writing within 5 school days.

8. Complaints against the Headteacher, a governor or the Governing Board

8.1 Stage 1: formal

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, via the school office, and marked 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, marked as private and confidential.

If the complaint is about the Headteacher or 1 member of the Governing Board (including the Chair or Vice-Chair), a suitably skilled and impartial governor will carry out the steps at stage 1 (set out in section 7 above).

If the complaint is:

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

An independent investigator will carry out the steps in stage 1 (set out in section 7 above). They will be appointed by the Governing Board and will write a formal response at the end of their investigation.

How to escalate a complaint

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the Governing Board in writing within 10 school days. Requests received outside of this timeframe will be considered in exceptional circumstances.

Complaints can be escalated by contacting the clerk to the Governing Board:

- By letter or email
- Through a third party acting on behalf of the complainant

The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

The clerk will acknowledge receipt of the request within 5 school days.

8.2 Stage 2: review panel

If the complaint is about the Headteacher or 1 member of the Governing Board (including the Chair or Vice-Chair), a committee of members of the Governing Board will hear the complaint. They will carry out the steps at stage 2 (set out in section 7 above).

If the complaint is:

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

A committee of independent governors will hear the complaint. They will be sourced from local schools, the local authority or diocese, and will carry out the steps at stage 2 (set out in section 7 above).

9. Referring Complaints on completion of the schools' procedure

If the complainant is dissatisfied with the outcome of the schools' complaints procedure, they can refer their complaint to the DfE.

The DfE will not re-investigate the matter of the complaint. It will look at whether the schools' complaints policy and any other relevant statutory policies that the school holds were adhered to. The DfE also looks at whether the schools' statutory policies adhere to education legislation.

The DfE will intervene where a school has failed to act in line with its duties under education law; acted (or is proposing to act) unreasonably when exercising its functions.

If the complaints procedure is found not to meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

10. Unreasonable and persistent complaints

10.1 Unreasonable complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)

- 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 that 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
- 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

Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.

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.

Steps we will take

We will take every reasonable step to address the complainant's comments and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

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, refer them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, we may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

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 school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

10.2 Serial/persistent complaints

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern

10.3 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information that we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If a duplicate complaint is raised, which in the view of the school, warrants further consideration, the procedure outlined in section 6 or 7 (as appropriate) will be repeated.

10.4 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

11. Record keeping and confidentiality

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential, stored securely and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access

request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and Record Retention Policy.

The details of the complaint, including the names of individuals involved, will not be shared with the whole Governing Board in case a review panel needs to be organised at a later point.

Where the Governing Board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Governing Board, who will not unreasonably withhold consent.

12. Learning lessons

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

13. Monitoring arrangements

The Governing Board will monitor the effectiveness of this complaints procedure in ensuring that complaints are handled properly. It will track the number and nature of complaints and review underlying issues, as stated in section 11.

Complaint records are logged and managed by the Headteacher.

This policy will be reviewed every three years and will be approved by the full Governing Board.

14. Links with other policies

Policies dealing with other forms of complaints include:

- Child Protection and Safeguarding Policy and procedures
- Admissions Policy
- Exclusion Policy
- Staff grievance procedures
- **Allegations of abuse against staff**
- Staff disciplinary procedures
- Whistleblowing Policy
- SEND Policy and Information Report
- Privacy Notices
- Data Protection Policy
- Record Retention Policy

If you have any queries regarding any aspect of this Complaints Procedure, please direct these to the Chair of Governors. This should be in writing, to the school address, marking the correspondence 'urgent, private and confidential'.

Chair of Governors
Mr. Simon Hurst

Vice-Chair of Governors
Mr. Laurie Page

Bentley and Copdock Primary Schools Formal Complaint Form

Name	
Name of pupil, school name, year group and your relationship to them	
Contact address	
Daytime telephone number	
Mobile telephone number	
Contact email address	
Details of the complaint	
Action taken so far (including staff member who has dealt with the complaint so far) or solutions offered	
The reason that this was not a satisfactory resolution for you	

What action would you like to be taken to resolve the problem?

Signed:	
Dated:	

<i>Official use</i>
Date received:
Signed:

The procedure for the hearing

The Chair of the Panel has a key role, ensuring that:

- The remit of the Panel is explained to the parties involved;
 - Each party has the opportunity to make an oral statement as part of the presentation of the complaint, without undue interruption;
 - The issues are addressed;
 - Key findings of fact are made;
 - The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
 - The Panel is open minded and acting independently;
 - No member of the Panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
1. The Chair will greet all attendees and put them at ease.
 2. The complainant may make an oral representation of their complaint.
 3. The school may make an oral statement about the complaint.
 4. The Panel may wish to ask questions of the parties involved to seek clarification on any points raised.
 5. When the Chair is satisfied that all issues raised by the complainant have been clarified for the benefit of all parties, they will invite the Headteacher or school representative and the complainant to make final statements about the complaint if they so wish.

All parties to the hearing will then withdraw. The Panel, advised by the Clerk to the Governing Board, will then deliberate. If it is necessary to recall either party or any witnesses to assist with clarifying any points of uncertainty, this may only be done if information is shared with both parties and clearly documented.

Notification of the Panel's decision

The Panel's decision is to be regarded as final and the complainant will be informed to contact the DfE should they be dissatisfied with the outcome.