

St Mary's Church of England Primary School & Little Oaks Nursery



"Let your light shine"

Complaints Procedure and Guidance 2025 - 2027

Status	Statutory
Responsible Person	Morwenna Dunstan
Responsible Governor	Chair of Governors
Ratified by Headteacher	July 2025
Date approved by the GB	July 2025
Review Period	Biennially
Review Date	July 2027

St Mary's CEVC Primary School

Complaints

1. The Law

[Section 29 Education Act 2002](#) requires that all LA maintained schools must have and make available a procedure to deal with all complaints relating to their school and that this will also apply to any community facilities or services that the school provides.

2. Concern or a Complaint

We should be clear about the difference between a concern and a complaint. Informal concerns, taken seriously at the earliest stage, will reduce the numbers that develop into formal complaints.

Concern – defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.

Complaint – defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’.

The underlying principle is that concerns ought to be handled, if possible, without the need for formal procedures. In most cases, classroom teachers will receive the first approach and it would therefore be beneficial if staff were able to resolve issues on the spot, including apologising where necessary, so that concerns do not develop into formal complaints. In other cases, where the complaint is about the school but not from a parent/carer, it will be the headteacher who will manage this; again, it is beneficial if they can resolve the issue.

Formal procedures should only be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Anyone can make a complaint about any provision or service that the school provides. Our complaints procedure is not limited to parents or carers of children in our school but also includes members of the general public. Those complaints not in the scope of the procedure and that are covered by a separate statutory procedure are shown in the table in **Appendix 1**.

3. Framework of Principles

Our complaints procedure will:

- Encourage resolution of problems by **informal** means wherever possible;
- Be **clear** on the issues that will be dealt with under the formal complaints process
- 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.

4. Investigating Complaints

At each stage, the person investigating the complaint will ensure that they:

- Establish what has happened so far, and who has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right;
- Consider interviewing those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Conduct any interviews with an open mind;
- Keep notes of any interviews.

5. Resolving Complaints

At each stage in the procedure, we will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;
- An assurance that the event complained of will not recur;
- An explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking to review school policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem. An admission that the school could have handled the situation better is not the same as an admission of negligence.

We will try to identify areas of agreement between the parties. We will also try to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

6. Serious and Persistent Complainants

If properly followed, our complaints procedure is expected to limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing body will inform them in writing that the procedure has been completed/exhausted and that the matter is now closed.

We have a separate policy for dealing with Unreasonable Complaints provided in **Appendix 2**.

7. Time-Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible with the expectation being that complaints will be made as soon as possible after the incident arises but no later than 3 months (although the school will consider exceptions). The complainant will be informed about the expected timescales associated with dealing with the complaint within each stage. Where further investigations are necessary, the complainant will be sent details of the new deadline and an explanation for the delay.

At each stage, complainants must respond within 10 working days, otherwise it will be assumed that the complainant does not wish to pursue the complaint further, and the procedure will be halted.

8. Formal complaints Procedure

There are two formal stages to our complaints procedure:

Stage one – first formal stage

- The complaint is put in writing or made in person to the Headteacher (unless the complaint is about the Headteacher.)
- The date the complaint is received will be recorded and an acknowledgement of receipt will be provided in writing (this could be via email) within the timeframe given in your procedure.
- The Headteacher will then investigate the nature of the complaint, although they may decide to ask another member of staff to undertake the investigation (the investigator) on their behalf.
- Upon conclusion, a formal written response will be provided to the complainant.

When the complaint is about the Headteacher, or anyone serving on the governance board, it must be made in writing via the Clerk to the governance board. Either the Chair or a suitably skilled Governor (especially if the complaint is about the Chair or Vice-Chair), will be appointed to conduct the investigation and provide a formal written response.

Stage two –escalation to a panel of the Governance Board.

Complaints will only be escalated to this stage if the complainant is not satisfied with the outcome at the first formal stage and has escalated their complaint within the timeframe stipulated in your procedure. Only if exceptional circumstances apply will requests outside of the timeframe be considered.

- The panel will comprise of three people from the Governance Board not directly involved with the complaint.
- If there are fewer than three Governors able and eligible to serve on the panel, the Clerk will source additional, independent Governor/s from another school or through their LA Governance Services.
- Alternatively, an entirely independent panel can be convened to hear and investigate the complaint or, when the complaint is jointly about any Chair and Vice-Chair, all of the Governance Board or the majority of the Board.
- They will provide a formal written response upon conclusion.

Contact:

Mrs Mary Clothier, Chair of Governors, c/o St Mary's CEVC Primary School, Oakfield Road, Bridgwater, TA6 7LX

Mrs Jo Watkins, Clerk to Governors, St Mary's CEVC Primary School, Oakfield Road, Bridgwater, TA6 7LX

9. Managing and Recording Complaints

Due to GDPR (General Data Protection Regulations), data must not be kept longer than is necessary. Complainants have a right to copies of any records under the Freedom of Information Act 2000, Data Protection Act 2018 and GDPR

Recording Complaints – We recognise that it is useful for us to record the progress of the complaint and the outcome. A complaint may be made in person, by telephone, or in writing. Our complaints form can be found in **Appendix 3**. At the end of a meeting, or telephone call, a brief note of the conversation will be made to make sure that all parties have the same understanding of what was discussed and agreed, and a copy of any written response will be retained for the record. This will avoid any later challenge or disagreement over what was said. The progress of the complaint and the outcome will be recorded and held centrally within the school. Complainants will have a right to copies of these records.

Review by the Board of Governors – Complaints will not be shared with the whole Board of Governors except in general terms in case an appeal panel needs to be organised. If the whole Board is made aware of the substance of a complaint, prior to the final stage being completed, an independent panel will be arranged to hear the complaint comprising of Governors from another school and/or members of the Governor Services Team. Complainants can request an independent panel if they believe there is likely to be bias in the proceedings and the board will consider the request, but the decision will be made by the Governors.

As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to our school improvement. The monitoring and review of complaints by the school and the Governing body is a useful tool in evaluating our school's performance. We can monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of our procedure making changes where necessary. Complaint information shared with the whole governing body will not name individuals.

The procedure and policy are reviewed by the board regularly, in accordance with DfE best practice advice.

Publicising the Procedure – There is a legal requirement for the complaints procedure to be publicised. As a governing body we include details of our procedure via:

- Information detailed in the Parents/Carers' Handbook, which is given to new parents when their children join the school
- Through our website

10. The Role of the DfE in a school's complaint

Anyone can make a complaint about a maintained school to the DfE; however, they will expect that the correct procedure has been followed first. The DfE make it clear in their contact form that complainants must have completed your procedure before they can submit concerns to them. The only exceptions would be when: -

- Children are at risk of harm,
- Children are missing education,
- A complainant is being prevented from using your published complaints procedure, and
- The DfE have evidence that your school is proposing or is acting unlawfully or unreasonably.

The DfE will only intervene when it is appropriate to do so because either the LA or the governance board have acted outside their duties under education law or are acting unreasonably.

When considering a complaint, the DfE review all evidence provided; this will include the school's published policies and will then determine whether they need to take any action. If appropriate where serious failings are identified the DfE may share information about the complaint and their findings with other agencies such as OFSTED.

Appendix 1

Complaints not in scope of the procedure

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to schools• Statutory assessment of Special Educational Needs (SEN)• School re-organisation proposals• Matters likely to require a Child protection investigation	<p>Concerns should be raised directly with local authorities (LA).</p> <p>For school admissions this will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.</p> <p>In the case of child protection contact the LADO – local authority designated officer.</p>
<ul style="list-style-type: none">• Exclusion of children from school	<p>Concerns will be dealt with under the school exclusion policy/procedure.</p>
<ul style="list-style-type: none">• Whistleblowing	<p>Our school has an internal whistleblowing procedure for our employees and voluntary staff. Other concerns can be raised directly with Ofsted by telephone on: 0300 123 3155, or via email at whistleblowing@ofsted.gov.uk. The DfE (Department for Education) is also a prescribed body for whistleblowing in education.</p>
<ul style="list-style-type: none">• Staff grievances and disciplinary procedures	<p>These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>
<ul style="list-style-type: none">• Complaints about services provided by other providers who use the school premises and/or facilities	<p>Providers have their own complaints procedure to deal with complaints about the service they provide and should be contacted direct.</p>

Appendix 2

Policy for Unreasonable Complaints

St Mary's 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 the 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 Mary's 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
- 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 limit the numbers of communications with a school while a 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 asking them to change it. For complainants who excessively contact St Mary's causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include barring an individual from St Mary's School.

Barring from the school premises

Although fulfilling a public function, our school is a private place, and the public has no automatic right of entry. We therefore act to ensure we remain a safe place for pupils, staff, and other members of our community.

If a complainant or parents' behaviour is a cause for concern, they will be asked to leave school premises. In serious cases the Headteacher or Local Authority will notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any written representation that they wish to make. The decision to bar will be reviewed upon receipt of any representations made and will either be confirmed or lifted. Any decision will be notified in writing with an explanation of how long the bar will be in place.

Should anyone wish to complain about being barred they can do so via letter or email to the Headteacher or Chair of Governors. However, complaints about being barred cannot be escalated to the Department for Education. Once the school's complaints procedure has been completed the only remaining avenue of appeal is through the Courts.

