

Thackley Primary School
Complaints Procedure



This procedure forms part of the Complaints Policy and should also be read alongside the Complaints Procedures Flowchart.

Informal Stage – Informal concern or complaint made to a member of staff

- 1.1. An informal concern or complaint may be made in person, by telephone or in writing to a member of staff.
- 1.2. The member of staff the complaint has been made against can discuss the concern with the Headteacher, Line Manager or a designated complaints co-ordinator to seek support.
- 1.3. To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls are kept and a copy of any written response is added to the record. These notes are kept securely.
- 1.4. If the concern is about the Headteacher, a complaints co-ordinator will be appointed and will need to handle the concern. The complainant may then be referred to the Chair of Governors.
- 1.5. Complainants must not approach individual governors to raise concerns or complaints. Governors have no power to act on an individual basis and it may also prevent them from considering the complaint at a later stage of the process.
- 1.6. Within 15 school days, the complainant and a relevant member of staff should discuss the issue in a respectful and informal manner to seek a mutual resolution.
- 1.7. At this stage, the complainant may be asked what they think might resolve the issue – any acknowledgement that the school could have handled the situation better is not an admission of unlawful or negligent action.
- 1.8. If an appropriate resolution cannot be sought at this informal level, or if the complainant is dissatisfied with the outcome following the initial discussions, the complainant may wish to proceed to the next level of the procedure.

Formal Stage One – Formal complaint made to the Headteacher

- 1.9. The complaint will be acknowledged within 10 school days of the complaint being received by the Headteacher. The Headteacher will aim to complete Formal Stage One within 15 school days. Where the situation is recognised as complex, and it is deemed to be unable to be resolved within this timescale, the Headteacher will write to the complainant to inform them of the revised target date.
- 1.10. The complainant should lodge their complaint within three months of the incident occurring.
- 1.11. An appointment with the Headteacher should be made, as soon as reasonably practical, to avoid any possible worsening of the situation.
- 1.12. If the complaint is against the Headteacher, the complainant will initially need to write, in confidence, to the Chair of Governors. The Chair will respond within 15 school days and

arrange a meeting with the complainant. The Chair will seek to resolve the issue informally before moving directly to Formal Stage Two of the procedure.

- 1.13. Where the Headteacher or Chair of Governors has made reasonable attempts to accommodate the complainant with dates for a complaint meeting and they refuse or are unable to attend, the meeting will be convened in their absence and a conclusion will be reached in the interests of drawing the complaint to a close.
- 1.14. To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls are kept, and a copy of any written response is added to the record. These notes are kept securely.
- 1.15. In terms of a complaint being made against a member of staff, the Headteacher will discuss the issue with the staff member in question. Where necessary, the Headteacher will conduct interviews with any relevant parties, including witnesses and pupils, and take statements from those involved.
- 1.16. All discussions shall be recorded by the Headteacher and findings and resolutions will be communicated to the complainant either verbally or in writing.
- 1.17. Once all facts are established, the Headteacher shall contact the complainant in writing with an explanation of the decision. The complainant will be advised of any escalation options (e.g., escalation to Formal Stage Two) and will be provided with details of this process.
- 1.18. The complainant may also be provided with copies of minutes, subject to any necessary redactions under the Data Protection Act 2018 and the GDPR.
- 1.19. Any further action the school plans to take to resolve the issue will be explained to the complainant in writing.
- 1.20. If the complainant is not satisfied with the outcome suggested, the procedure will progress to Formal Stage Two.

Formal Stage Two – Complaints Appeal Panel (CAP)

Following receipt of a Formal Stage One outcome, the complaint should be made in writing to the Chair of Governors within 10 school days of the end of the Formal Stage One process.

- 1.21. The Chair of Governors will then appoint a Complaints Appeal Panel (CAP) comprising of three impartial members of the governing board with no previous knowledge of the complaint.
- 1.22. Written acknowledgement of the complaint will be made within 5 school days. This will inform the complainant that a CAP will hear the complaint within 20 school days.
- 1.23. To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls are kept, and a copy of any written response is added to the record. These notes are kept.
- 1.24. Neither the school nor the complainant should bring legal representation to the CAP proceedings; however, there are occasions where legal representation may be appropriate, e.g. where a school employee is a witness in a complaint, they may be entitled to bring union or legal representation.

- 1.25. Five school days' notice will be given to all parties attending the CAP, including the complainant.
- 1.26. Prior to the hearing, the clerk to governors will have written to the complainant informing them of how the review will be conducted. The Headteacher will also have a copy of this letter.
- 1.27. At the hearing, all participants will be given the opportunity to put their case across and discuss any issues.
- 1.28. The CAP will consider issues raised in the original complaint and any issues which have been highlighted during the complaints procedure.
- 1.29. The meeting should allow for:
 - The complainant to be present and accompanied at the hearing if they wish.
 - The complainant to explain their complaint and the Headteacher to explain the reasons for their decision.
 - The complainant to question the Headteacher, and vice versa, about the complaint.
 - Any evidence, including witnesses who have been prior approved by the chair of the CAP, to be questioned.
 - Members of the CAP to question both the complainant and the Headteacher.
 - Final statements to be made by both parties involved.
- 1.30. The complainant will receive a written response explaining the panel's findings and recommendations within 15 school days. This letter will be distributed by the clerk to governors and will also explain whether there are any further rights of appeal and to whom they need to be addressed.
- 1.31. Where relevant, the person complained about will receive a summary of the panel's findings and recommendations. They will also receive a copy of the minutes, subject to any necessary redactions under the Data Protection Act 2018 and the GDPR.

Final stage – Appeal

- 1.32. If a complaint has completed the school's process and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State using the [online form](#) or in writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD
- 1.33. There are exceptional circumstances which are outlined in section 11 of the Complaints Policy. See also Section 15 of the Complaints Policy for more information.
- 1.34. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing board has acted unlawfully or unreasonably and where it is expedient or practical to do so. In this case, the word "unreasonably" is used in a strict sense and means acting in a way that no reasonable school or governing board could act in the circumstances.

Please also refer to the Complaints Procedure Flowchart.