Complaints Policy

Date policy created: September 2026

Date of last review:

Date of next review: September 2027

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1. Introduction

Ashton Primary School is committed to providing the best possible education, care and support for its pupils and to working positively in partnership with parents, carers and the wider community.

We recognise that, from time to time, concerns may arise. We welcome the opportunity to address these concerns and, where something has gone wrong, to put matters right and learn from the experience.

Any person, including a parent, carer or member of the public, may make a complaint about the provision of facilities or services provided by Ashton Primary School, unless separate statutory procedures apply.

The Governing Body is responsible for establishing and publishing the school's complaints procedure.

2. Our Commitment

When dealing with concerns and complaints, Ashton Primary School will aim to:

- listen carefully and respectfully;
- deal with matters fairly, objectively and consistently;
- resolve concerns as early as possible;
- investigate formal complaints thoroughly;
- keep complainants appropriately informed;
- respect confidentiality;
- acknowledge where the school could have handled something better;
- apologise where appropriate;
- identify appropriate actions or remedies where a complaint is upheld; and
- use complaints as an opportunity to improve school practice.

Making a complaint will not adversely affect the way in which a pupil is treated by the school.

3. Concern or Complaint?

A **concern** may be regarded as an expression of worry or doubt about an issue for which reassurance or clarification is sought.

A **complaint** is an expression of dissatisfaction about an action taken, or a lack of action, by the school.

It is in everyone's interests that concerns and complaints are resolved at the earliest possible stage.

The school therefore encourages parents and carers to raise concerns promptly with the appropriate member of staff.

However, a complainant has the right to make a formal complaint where they wish to do so.

4. Who Should I Speak To?

For most day-to-day concerns relating to a pupil, parents and carers should initially speak to the class teacher.

Where appropriate, the matter may then be referred to a member of the Senior Leadership Team.

Complaints about particular individuals should be directed as follows:

Complaint concerning	**Complaint should be addressed to**
General classroom/school matter	Class Teacher initially
Member of staff	Headteacher
Headteacher	Chair of Governors
Individual governor	Chair of Governors
Chair of Governors	Vice-Chair of Governors
Chair and Vice-Chair jointly	An appropriately impartial governor
Governing Body collectively	Clerk/Governance Professional, who will arrange appropriate consideration

Complaints intended for the Chair, Vice-Chair or Governing Body should be sent via the school office, clearly marked as private and confidential where appropriate.

Complainants should not approach individual governors informally about a complaint. This may compromise a governor's ability to participate impartially at a later stage.

5. Matters Outside this Complaints Procedure

Some matters are subject to separate statutory or other procedures and will not be considered under this policy.

These include, where applicable:

- school admissions and admission appeals;

- statutory assessment of SEND and decisions relating to EHCPs;
- child protection investigations;
- suspensions and permanent exclusions;
- staff grievances;
- staff disciplinary matters;
- whistleblowing;
- complaints about services provided by external organisations using school premises;
- Freedom of Information requests;
- data protection complaints; and
- matters for which another statutory appeals process exists.

Complaints about the application of the school's Behaviour Policy, as opposed to a statutory suspension or permanent exclusion decision, may be considered through this complaints procedure.

Where a complaint falls outside this procedure, the school will seek to direct the complainant to the appropriate procedure or organisation.

6. Safeguarding Complaints

Complaints involving child protection or safeguarding matters will be managed in accordance with the school's Child Protection and Safeguarding Policy and relevant statutory procedures.

Where a complaint contains both safeguarding and non-safeguarding elements, the school may need to consider the safeguarding issues separately or delay aspects of the complaints process while safeguarding procedures are followed.

The safety and welfare of children will always take priority.

7. Complaints About Staff

A complaint about a member of staff may result in consideration under the school's internal staffing, disciplinary, safeguarding or low-level concerns procedures.

The complainant will normally be informed that the matter has been addressed, but the school will not disclose confidential employment information or details of any disciplinary action taken against an employee.

The complaints procedure cannot be used to require the school to disclose confidential personnel information.

8. Timescale for Making a Complaint

Complaints should normally be raised within **three months of the incident**, or, where a series of associated incidents has occurred, within three months of the most recent incident.

The school may consider complaints made outside this period where there are exceptional circumstances.

The school will consider the circumstances of each case fairly and reasonably.

9. Accessibility and Reasonable Adjustments

Ashton Primary School will consider reasonable adjustments to enable people to access this complaints procedure.

This may include:

- providing information in an alternative format;
- helping a complainant to put their complaint in writing;
- allowing an advocate or supporter to assist them;
- arranging an accessible meeting location; or
- making other reasonable adjustments appropriate to the individual's needs.

A complaint may be submitted on a person's behalf with their knowledge and consent.

10. Stage 1 – Informal Resolution

The school hopes that the majority of concerns can be resolved quickly and informally.

A concern may be addressed through:

- a conversation with the class teacher;
- a telephone call;
- Class Dojo where appropriate;
- email;
- a meeting; or
- discussion with an appropriate senior leader.

The purpose of this stage is to understand the concern and seek an appropriate resolution.

Parents should be aware that the beginning and end of the school day are particularly busy periods. A member of staff may therefore arrange a telephone call or meeting rather than attempting to resolve a complex matter at the classroom door.

Where informal resolution is unsuccessful, the complainant may proceed to Stage 2.

A particularly serious or complex complaint may proceed directly to the formal stage where appropriate.

11. Stage 2 – Formal Complaint

A formal complaint should normally be made **in writing to the Headteacher**.

The complaint should explain:

- what has happened;
- the nature of the complaint;
- relevant dates or events;
- what action has already been taken to resolve the matter; and
- what the complainant believes might resolve the complaint.

Where the complaint concerns the Headteacher, it should be addressed to the **Chair of Governors**, via the school office.

The school will acknowledge receipt of the formal complaint and identify an appropriate person to investigate it.

12. Formal Investigation

The investigator will establish the facts of the complaint fairly and objectively.

Depending upon the nature of the complaint, this may involve:

- meeting or speaking with the complainant;
- speaking with members of staff;
- speaking with other relevant individuals;
- considering written records;
- reviewing relevant school policies;
- considering other appropriate evidence; and
- seeking professional advice where necessary.

Anyone who is the subject of a complaint will normally be informed of the substance of the complaint and given an appropriate opportunity to respond.

The investigator should not have a conflict of interest or previous involvement that would reasonably call their impartiality into question.

13. Outcome of a Formal Complaint

Following the investigation, the complainant will receive a written response.

Where appropriate, the response will:

- summarise the issues considered;
- explain the investigation undertaken;
- provide the findings;
- state whether the complaint is upheld, partially upheld or not upheld;
- identify any appropriate actions or recommendations;
- explain any learning or changes arising from the complaint where this can appropriately be disclosed; and
- explain how the complainant can progress to Stage 3 if they remain dissatisfied.

The school may be unable to disclose certain information because of safeguarding, confidentiality, employment or data protection requirements.

14. Timescales

The school will seek to deal with complaints as promptly as reasonably possible.

As a general expectation, the school will aim to complete each formal stage within 20 school days.

Some complaints may require longer because of their complexity, staff absence, the involvement of external agencies or other exceptional circumstances.

Where a timescale cannot be met, the complainant will be informed of the reason for the delay and provided with a revised timescale.

For the purposes of this policy, school days do not include weekends, school holidays or INSET days.

15. Stage 3 – Governing Body Complaints Review Panel

If the complainant remains dissatisfied following Stage 2, they may request consideration by a Complaints Review Panel.

The request should normally be submitted in writing to the Clerk/Governance Professional within 20 school days of receiving the Stage 2 outcome.

The request should explain:

- which aspects of the complaint remain unresolved;
- why the complainant remains dissatisfied; and

- what outcome they are seeking.

The panel represents the final stage of Ashton Primary School's complaints procedure.

16. Composition of the Review Panel

The panel will normally consist of three governors who have had no prior involvement in the complaint.

Where it is not possible to constitute a sufficiently impartial panel from the Governing Body, the school may seek appropriately independent governors from another school or governing body.

The panel must be impartial and independent of the matters being considered.

17. Arrangements for the Panel

The Clerk/Governance Professional will arrange the panel and provide reasonable notice to those attending.

Relevant documentation will normally be circulated to participants at least **five school days** before the meeting.

The meeting will be held in private.

The complainant may be accompanied by a relative, friend or supporter.

Legal representation is not normally necessary, although there may be exceptional circumstances where it is appropriate.

18. Recording Meetings

Electronic recordings of complaint meetings or panel hearings are not normally permitted.

Where a complainant requires a recording as a reasonable adjustment because of a disability or additional need, this should be discussed with the school in advance.

Covert recordings will not normally be accepted as evidence.

Any decision to permit recording will be considered on an individual basis.

19. Role of the Complaints Review Panel

The panel will consider the complaint afresh and will review the evidence available to it.

It may:

- uphold the complaint in whole or in part;
- dismiss the complaint in whole or in part;
- recommend appropriate action to resolve the complaint; and

- recommend changes to school systems or procedures to prevent similar issues arising.

The panel is not a disciplinary body and cannot determine staff disciplinary sanctions.

The complainant and relevant school representatives will be informed in writing of the panel's findings and recommendations.

This concludes the school's internal complaints procedure.

20. New Complaints Raised During the Process

The Review Panel will not normally consider entirely new complaints that were not included within the original complaint.

New and unrelated complaints should normally begin at the appropriate stage of the complaints procedure.

However, additional evidence directly relevant to an existing complaint may be considered where it is fair and appropriate to do so.

21. Anonymous Complaints

The school will take concerns raised anonymously seriously.

However, anonymous complaints will normally only be investigated where there is sufficient information to do so and where the nature of the allegation justifies investigation.

The Headteacher or Chair of Governors, as appropriate, will determine what action should be taken.

Safeguarding concerns will always be considered in accordance with the school's safeguarding procedures regardless of whether the person raising the concern identifies themselves.

22. Expectations of Complainants

To help the school deal with complaints effectively, complainants are expected to:

- explain their concern clearly;
- provide relevant information as early as possible;
- cooperate with reasonable requests for information;
- respond to requests for meetings or clarification;
- explain what they believe would resolve the complaint;
- treat staff, governors and others involved with respect;
- respect confidentiality; and
- allow the school a reasonable opportunity to investigate and respond.

The school asks complainants to avoid publishing details of an ongoing complaint on social media, particularly where this could identify pupils, staff or other families or compromise confidentiality.

23. Unreasonable, Persistent or Serial Complaints

Ashton Primary School is committed to dealing fairly with all complaints, including those that are complex or critical of the school.

A complainant will not be regarded as unreasonable simply because they:

- make a complaint;
- disagree with the school's decision;
- ask challenging questions;
- request further explanation; or
- pursue their complaint through the published procedure.

However, there are circumstances where the manner or frequency of contact may become unreasonable.

Examples may include:

- repeatedly raising substantially the same complaint after the procedure has been exhausted;
- refusing to identify clearly what remains unresolved;
- making excessive demands on staff while a complaint is being investigated;
- sending an excessive volume of repetitive correspondence;
- making unjustified complaints about staff dealing with the complaint;
- changing the basis of a complaint repeatedly without good reason;
- refusing to accept that certain matters are outside the school's complaints procedure;
- using abusive, offensive, discriminatory or threatening language;
- harassing staff or governors; or
- attempting to use the complaints procedure primarily to cause disruption.

The school will distinguish between persistent communication and unreasonable behaviour.

24. Managing Unreasonable Communication

Where communication becomes unreasonable, the school may establish proportionate arrangements for future contact.

These might include:

- identifying a single point of contact;
- requiring communication to be made in writing;
- limiting communication to specified times;
- declining to respond to correspondence that raises no new matters; or
- confirming that the complaints procedure has been exhausted.

Any restrictions will be proportionate, kept under review and communicated clearly to the complainant.

The school will seek appropriate governance or legal advice before imposing significant restrictions.

Safeguarding concerns or genuinely new complaints will continue to be considered appropriately.

25. Duplicate Complaints

Where the school receives a complaint about substantially the same issue from another person after the school's procedure has been completed, the school may explain that the matter has already been considered and that the internal procedure is complete.

If the new complainant raises materially different issues or new information requiring consideration, these will be considered appropriately.

26. Social Media

The school recognises that individuals have the right to express opinions.

However, complaints are most effectively resolved by communicating directly with the school through the appropriate procedure.

Social media must not be used to threaten, harass, abuse or unlawfully defame members of staff, governors, pupils or families.

Parents and carers must also take particular care not to publish confidential information or information that identifies other people's children.

Where social media activity raises safeguarding, harassment or other serious concerns, the school may take appropriate action.

27. Complaint Records and Confidentiality

The school will maintain appropriate records of formal complaints and their outcomes.

Complaint records will be handled confidentially and retained in accordance with the school's records-management and data-protection arrangements.

Information will only be shared with those who need it for the purpose of considering or managing the complaint, except where disclosure is required by law or requested by an appropriate regulatory or inspection body.

The Governing Body may receive anonymised information about the nature and frequency of complaints to support school improvement.

28. Learning from Complaints

Complaints provide an opportunity for the school to identify areas where practice can be strengthened.

Senior leaders and governors may consider themes arising from complaints to identify:

- changes to policies or procedures;
- staff training requirements;
- communication improvements;
- recurring issues; and
- other opportunities to improve school provision.

29. Withdrawal of a Complaint

A complainant may withdraw their complaint at any stage.

The school may ask for withdrawal to be confirmed in writing.

In some circumstances, particularly where safeguarding or serious conduct concerns have been identified, the school may need to consider the underlying matter even where the complaint itself has been withdrawn.

30. Complaints to the Department for Education

Once the school's complaints procedure has been completed, a complainant who believes that the school has not handled their complaint correctly may contact the **Department for Education (DfE)**.

The DfE will not normally reinvestigate the substance of the complaint or substitute its own decision for that of the school. Its role includes considering whether a maintained school has followed the relevant procedure and complied with its duties under education law.

The DfE may also consider a complaint before the school's procedure has been completed in limited circumstances, including where a child may be at risk of harm, a child is missing

education, or a complainant is being prevented from progressing through the school's published procedure.

Complain about a school to the Department for Education

31. Monitoring and Review

The Governing Body has responsibility for establishing the school's complaints procedure.

The Headteacher and Governing Body will monitor the operation of this policy and consider whether any changes are required.

The policy will normally be reviewed annually, or sooner where there are changes to legislation, DfE guidance or school procedures.