Sheriffhales Primary School and Preschool

Complaints Policy

Approved by:	Helen Bibby – Chair of Governors
Last reviewed on:	January 2026
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Updated October 26

Introduction

- Governing bodies are required by law to have a procedure in place to deal with complaints relating to aspects of the school or the provision of facilities or certain services at the school. The law requires that this procedure must be publicised.
- The vast majority of complaints and concerns can be resolved informally.
- A complaint can be brought by a parent of a registered child at the school or any person who has been provided with a service or a facility at the school. The procedure refers to this person as a complainant.
- The complainant must feel able to raise concerns and complaints with members of staff without formality, either in person, by telephone or in writing.
- At first it may be unclear whether a complainant is asking a question or expressing an opinion rather than making an education complaint. A complainant may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.
- A concern or unresolved problem becomes a complaint only when the complainant asserts that a school has acted wrongly in some significant decision, action or failure to take action.
- Even when a complaint has been made it can be resolved or withdrawn at any stage.
- Schools may have a nominated member of staff with responsibility for the operation and management of the school complaints procedure. This member of staff, however, may not necessarily be the Headteacher.

Special Circumstances

- Any complaint or other notice that suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual interference or neglect may be referred without further notice to Children's Social Care and/or to the social services authority for the area in which the child lives. If a social services authority decides to investigate a situation this may postpone or supersede investigation by the head teacher or governing body.

Other Solutions to Complaints

- Where a matter can be resolved through a legal appeal it will not be considered as a formal complaint. The key areas are: admissions decisions; certain decisions relating to formal assessment of special educational needs; and decisions to permanently exclude a child.

Dealing with concerns informally

- The complainant should be given an opportunity to discuss their concern with an appropriate member of staff. An appointment may need to be made. On major issues, the Headteacher may be the appropriate member of staff at this stage.
- The complainant may bring a friend to any discussion.
- The member of staff dealing with the concern should make sure that the complainant is clear what action (if any) or monitoring of the situation has been agreed.
- This stage should be completed speedily and if necessary, concluded in writing with appropriate detail.

- Where no satisfactory solution has been found, the complainant should be informed that s/he will need to consider whether to make a formal complaint in writing to the Headteacher. To assist in this process the complaint form attached should be completed, if not, the questions on it need to be addressed in the letter
- Any AI generated complaints raised and sent via email will not be actioned until a face to face meeting has taken place to discuss the content rigorously.

Stage 1 – Referral to the Headteacher for investigation

1.1 The Headteacher should acknowledge the complaint in writing. In some cases, the Headteacher will have already been involved in looking at the matter; in others it will be his/her first involvement.

1.2 The Headteacher should consider providing an opportunity to meet with the complainant to supplement any information previously provided.

1.3 If the complaint is against a member of staff the Headteacher should talk to the staff member against whom the complaint has been made.

1.4 If necessary, the Headteacher should interview witnesses and take statements from those involved.

1.5 The Headteacher should keep reasonable written records of meetings, telephone conversations and other documentation.

1.6 Once all the relevant facts have been established, the Headteacher should produce a written response to the complainant. The Headteacher may wish to meet the complainant to discuss/resolve the matter before confirming the outcome in writing.

1.7 The written response should include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.

1.8 Stage 1 should be completed in 15 school days. However, it is recognised that where the case is complex, it may prove difficult to meet this timetable. In such cases, the Headteacher should write to the complainant giving a revised target date.

1.9 Schools will not pay financial compensation as a response to complaints, though may spend money on a relevant educational purpose (e.g. paying a fee for a repeat examination).

1.10 The formal stage 1 response should also advise the complainant that if s/he is not satisfied with the response and wishes to take the matter further, s/he should write to the Chair of the Governing Body within 15 school days of receiving the outcome letter. The outcome letter should set out the name of the Chair of the Governing Body and the address to which the complainant can send the letter.

1.11 **Complaints against the Headteacher** - If the complaint is wholly or mainly about the Headteacher, the Governing Body should consider the complaint in accordance with Stage 2 of the procedure described below. However, before Stage 2 is instigated the Chair of the Governing Body will invite the Headteacher to respond to the complaint in writing within ten school days. The Chair will send a copy of the Headteacher's response to the complainant who will be asked to indicate within five school days of receipt of the response whether s/he is satisfied with the response. If the complainant is not satisfied with the response stage 2 should commence as described in paragraph 2.1 below.

Stage 2 – Consideration by the Governing Body

2.1 If the complainant decides to take the matter further, the Chair of the Governing Body should write to the complainant to acknowledge the complaint within five school days of receipt of the complaint. A copy of the acknowledgement and the complaints form should be sent to the Headteacher and the Clerk to the Governing Body. (A standard letter is attached to this document which the Chair may wish to use).

2.2 Investigating the complaint – If the complaint has been investigated at Stage 1, the result of the investigation must be made available to the Clerk/Chair by the Headteacher. However, where the complaint is against the Headteacher and the complaint is referred to Stage 2, the Chair of the Governing Body must decide how the complaint should be investigated. Where the facts of the complaint are clearly established, it is unlikely for the Chair of the Governing Body to order an investigation. The matter may instead be escalated directly to the Complaints Appeal Panel.

2.3 Governing bodies are advised to establish a Complaints Appeal Panel (CAP) drawing on three governors with no prior, direct involvement with the complaint. In deciding the make-up of the CAP, where possible the governing body will try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

2.4 The Headteacher should not serve on the CAP. If the Chair of the governing body has had any prior involvement in the complaint then the Chair must not sit on the CAP.

2.5 The CAP should consider the complaint on the basis of the written evidence and set up a hearing to hear both parties. The CAP should reconsider the issues raised in the original complaint and not confine themselves to consideration of procedural issues.

2.6 The Chair of the CAP should take a decision at the beginning of Stage 2 on whether to seek the services of a Clerk to:

- Deal with the administration of the procedure;
- Provide independent advice on procedure and evidence;
- Ensure that the relevant facts are established;
- Minute the meeting; and
- Draft the decision letter.

2.7 The Clerk/Chair of the CAP should write to the complainant to explain how the review will be conducted. The letter should be copied to the Headteacher.

2.8 The Clerk/Chair of the CAP should confirm the date of the meeting with the other governor(s).

2.9 The complainant and Headteacher should be invited to attend the meeting. The date and time of the meeting should be convenient to the complainant and Headteacher, within reason. The notification should inform the complainant of his/her right to be accompanied to the meeting by a friend/representative. It should also explain how the meeting will be conducted and of the complainant's right to submit further written evidence to the committee.

2.10 The Headteacher should also be invited to prepare a written report for the CAP in response to the complaint.

2.11 All relevant correspondence regarding the complaint should be circulated to the CAP; the complainant and the Headteacher in advance of the meeting.

2.12 If the Headteacher and/or the complainant wish to call witnesses, the agreement of the Chair of the CAP should be obtained in advance of the meeting.

2.13 It is the responsibility of the Chair of the CAP to ensure that the meeting is properly conducted. However, the proceedings should be as informal as possible.

2.14 The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, at the end of the meeting the CAP will need to issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others.

2.15 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to respond to the new evidence. Late evidence of witnesses should not be accepted unless there is a good reason for the lateness.

2.16 The meeting should allow for: -

- The complainant to explain his or her complaint and the Headteacher to explain the reasons for his or her decision;
- The Headteacher to question the complainant about the complaint and the complainant to question the Headteacher;
- The CAP to have an opportunity to question both the complainant and the Headteacher;
- Any party to have the right to bring witnesses (subject to the approval of the Chair of CAP) and all parties having the right to question all the witnesses; and
- A final statement by the Headteacher and complainant.

2.17 The Chair of the CAP should explain to the complainant and the Headteacher that the CAP will consider its decision, and a written response will be sent to both parties as soon as possible. The complainant, Headteacher and any witnesses will then leave.

2.18 The CAP will consider the complaint and all the evidence presented and reach a unanimous, or at least a majority, decision on the complaint. Where appropriate the CAP can decide on the action to be taken to resolve the complaint and/or suggest recommended changes to the school's system or procedures to ensure that problems of a similar nature do not happen again.

2.19 As in Section 1.8 above, the CAP will not pay financial compensation as a response to a complaint, though may spend money on an appropriate educational purpose.

2.20 The Clerk/Chair of CAP will send a written statement outlining the decision with reasons to both the complainant and the Headteacher.

2.21 Stage 2 should be completed in 15 school days. However, it is recognised that this timetable is likely to prove impossible for complaints which are complex. In such cases the chair of the complaints committee should write to the complainant and Headteacher giving a revised target date.

Role of the Secretary of State, Department for Education

If the complainant is unhappy with the way in which a school has dealt with the complaint, they may be able to approach the Secretary of State, Department for Education to intervene.

For the Secretary of State to intervene following a complaint, he needs to be sure that either

- The school has acted or is proposing to act unreasonably in the exercise or performance of its functions imposed by or under the Education Act 1996; or
- The school has failed to discharge any duty imposed by or for the purposes of the Education Act 1996.

Guidance on making a submission about a school complaint to the Department for Education can be found on Department for Education website at the following link: http://www.education.gov.uk/schools/leadership/schoolperformance/b00212240/making-complaint-school

Complaints about external provision

If a parent / carer is dissatisfied with the After School Club provision from an external supplier, they should refer to the Complaints Policy of that provider. The school requires that providers have a Complaints Policy which is readily accessible to users.

Vexatious Complaints

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 can inform the complainant in writing that the procedure has been exhausted and that the matter is now closed. The Vexatious Complaints Policy may be actioned.

Operational Decisions

The purpose of this appendix is to clarify the distinction between formal complaints and operational decisions made by the school's leadership and by extension, teaching staff.

1. **Operational decisions** relate to the day-to-day management and professional judgement exercised by the headteacher and school staff. These decisions are made to ensure the smooth running of the school and are not subject to parental challenge through the formal complaints process. Examples include, but are not limited to:
   - Allocation of teacher and support staff to classes, groups or pupils
   - Pupil groupings and seating arrangements
   - Curriculum planning and lesson content within the framework of the National Curriculum
   - Timetabling and deployment of resources
   - Decisions about extra-curricular activities, school trips, etc
   - Behaviour management strategies in line with the school's Behaviour Policy
   - Management of minor incidents and pastoral care decisions
   - Health and safety arrangements, including site access and supervision
   - Uniform as set out in the uniform guidance
   - Attendance decisions as set out statutory requirements and guidance
   - Pursual of SEN decisions not sanctioned by the headteacher and Sendco
2. **Role of professional judgement**: the headteacher and staff are trained professionals who are entrusted with making decisions in the best interests of pupils and the school community. These decisions are informed by educational expertise, safeguarding responsibilities and operational neds. While parents and carers are valued partners in their children's education,

disagreement with professional judgment does not constitute grounds for a complaint.

3. **Right to raise concerns informally** – parents who have questions or concerns about an operational matter are encouraged to raise these informally with the relevant staff member teaching their child in the first instance, or following that, with the headteacher. Such discussions can help clarify decisions and build mutual understanding. However, these do not fall within the remit of the formal complaints procedure unless a specific policy has been breached or maladministration is evident.
4. **Scope of the complaints policy** – this Complaints Policy is designed to address specific concerns where a parent or carer believes that:
   - The school has failed to carry out a statutory duty
   - A school policy has not been followed
   - There has been unfair or discriminatory treatment
   - A significant safeguarding concern has been mishandled

Operational decisions not falling into these categories will not normally be investigated under this policy.

Parents are advised that the school's policies are part of the school culture which parents agree to when they place their child in the school. Parents are therefore not able to use the complaints policy in order to complain about those policies.

Agreed by Governors December 2023
Amended by headteacher April 2025
Amended by the headteacher June 2025
Amended by the headteacher Jan 2026

Review date: December 2027

School Complaint Form for Stage 1 complaints
If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Headteacher. (If your complaint is against the Headteacher you will need to complete the form on page 9)

Your Name:_____

Address:_____

Post Code_____

Telephone Number (Home):_____

Telephone Number (Day):_____

Telephone Number (Mobile):_____

Name of Child_____

Date of Birth of Child_____

What is your complaint about and what would you like the Headteacher to do? (Continue on a separate sheet as necessary)
When did you discuss your concern/complaint with the appropriate member of staff? (Continue on a separate sheet as necessary)
What was the result of the discussion? (Continue on a separate sheet as necessary)
What would you like the outcome of the complaint to be?

(Continue on a separate sheet as necessary)

Signed:_____Date_____

School Complaint Form (for Stage 2 complaints)
If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Chair of the Governing Body, via the school office.

Your Name:_____

Address:_____

Post Code_____

Telephone Number (Home):_____

Telephone Number (Day):_____

Telephone Number (Mobile):_____

Name of Child_____

Date of Birth of Child_____

What is your complaint about and what would you like the Governors to do? (Continue on a separate sheet as necessary)
When did you discuss your concern/complaint with the Head teacher? (Continue on a separate sheet as necessary)
What was the result of the discussion? (Continue on a separate sheet as necessary)
What would you like the outcome of the complaint hearing to be?

(Continue on a separate sheet as necessary)

Signed:_____Date_____

Example letter

An example of a letter that the Chair of the Governing Body may wish to send to the complainant upon receipt of a complaint at Stage 2 for consideration by the Governing Body

Dear

Complaint re

Thank you for your letter dated…… setting out the reasons why you are not satisfied with the Headteacher's response to your complaint about ……

I write to let you know that I will be arranging for a Complaints Appeal Panel (CAP) to consider your complaint in accordance with Stage 2 of the attached complaints procedure.

As explained in the procedure, the Clerk/Chair of the CAP will let you know in writing how the CAP intends to consider your complaint.

{or in the case of complaints against the Headteacher

I have received your complaint against the Headteacher of ……School.
I write to let you know that I have forwarded a copy of your complaint to the Headteacher with a request that s/he respond within ten school days to the issues raised in the complaint.

A copy of the Headteacher's response will be sent to you as soon as possible.

If you are not satisfied with the Headteacher's response, I will arrange for a Complaints Appeal Panel to consider your complaint in accordance with Stage 2 of the attached complaints procedure.

As explained in the procedure, the Clerk/Chair of the Complaints Appeal Panel will let you know in writing how the complaint will proceed.

Yours sincerely

Chair of the Governing Body

Cc The Headteacher
The Clerk to the Governing Body

Enc. Complaints Policy & Procedures