



## COMPLAINTS PROCEDURE

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## INTRODUCTION

From 1 September 2003, Governing Bodies of all maintained schools in England are required, under [Section 29 of the Education Act 2002](#), to have in place a procedure for dealing with complaints relating to the school and to any community facilities or services that the school provides. The law also requires that the procedure is publicised.

Lady Bankes Primary School is committed to resolving concerns and complaints promptly, fairly and transparently. This procedure applies to any person, including members of the public, who wishes to raise a complaint about the school's provision, unless the matter falls under separate statutory processes (such as admissions, exclusions or safeguarding), in which case the relevant statutory procedure will apply.

Teachers are best placed to resolve day-to-day matters quickly because they work directly with pupils and understand the context of classroom routines, learning needs and relationships. Addressing concerns at this early stage supports swift resolution and prevents issues from escalating unnecessarily. For this reason, concerns should be raised with the class teacher, via [office@ladybankes.school](mailto:office@ladybankes.school), so that they can respond promptly and informally before the matter becomes a formal complaint.

Where a concern cannot be resolved informally, or the individual remains dissatisfied, it may progress to a formal complaint under this procedure.

Formal complaints will follow a three-stage process:

1. Stage One: Review by the Complaints Coordinator, with investigation delegated where appropriate.
2. Stage Two: Consideration by the Headteacher.
3. Stage Three: Consideration by the Governing Body, which may involve either an investigation and written response by the Chair of Governors (or a delegated governor), or, if requested or deemed appropriate, a Complaints Appeal Panel. The detailed panel procedure is provided in the Appendix.

This procedure aims to ensure that complaints are handled swiftly, consistently and in a manner that supports school improvement.

## SCOPE

This procedure covers all formal complaints relating to Lady Bankes Primary School and to any community facilities or services that the school provides. It applies to any person who wishes to raise a complaint, unless the matter falls under separate statutory procedures (such as admissions, exclusions, safeguarding or staff conduct), in which case the relevant statutory process will apply.

The school distinguishes between concerns and complaints. Concerns are normally managed informally and should be raised with the class teacher, via [office@ladybankes.school](mailto:office@ladybankes.school), so that they can be addressed promptly and proportionately. Where a concern cannot be resolved informally, or the individual remains dissatisfied, it may progress to a formal complaint under this procedure.

If other bodies are investigating aspects of the complaint (for example, the police, local authority safeguarding teams or tribunals), this may impact the school's ability to adhere to the timescales within this procedure or may result in the procedure being suspended until those investigations are complete.

If a complainant commences legal action against the school in relation to a complaint, the school will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Complaints should normally be raised within three months of the incident, or within three months of the last in a series of related incidents. Complaints received outside this timeframe may be considered where exceptional circumstances apply.

## GENERAL PRINCIPLES OF COMPLAINTS

Lady Bankes Primary School aims to resolve concerns and complaints promptly, fairly and at the earliest possible stage. The school distinguishes between concerns and complaints, as defined in the policy: *"A concern may be defined as an expression of worry or doubt... A complaint may be defined as an expression of dissatisfaction however made, about actions taken or a lack of action."*

### **Concerns**

Concerns should be raised informally with the class teacher via [office@ladybankes.school](mailto:office@ladybankes.school). Most issues can be resolved quickly through discussion, clarification or reassurance. Addressing concerns early helps prevent escalation.

### **Complaints**

A complaint is managed through the formal procedure when:

- informal resolution has not been successful, or
- the individual remains dissatisfied and wishes to take the matter further.

Complaints will be handled in a way that is:

- impartial and non-adversarial,
- accessible and clearly communicated,
- timely, with established response deadlines,
- confidential,
- focused on establishing facts, and
- aimed at resolving the issue and supporting school improvement.

### **Investigating Complaints**

Investigations will be conducted objectively and may include:

- establishing what has happened and who was involved,
- clarifying the nature of the complaint and what remains unresolved,
- meeting or contacting the complainant for further information,
- interviewing staff or witnesses,
- keeping a clear written record of findings.

*"The person investigating the complaint will make sure that they establish what has happened... clarify the nature of the complaint... interview those involved... and keep notes."*

### **Resolving Complaints**

Resolution may include:

- an apology,
- an explanation,
- acknowledgement that the situation could have been handled differently,
- assurance that the issue will not recur,
- steps taken to prevent similar issues in future,
- review of relevant policies or procedures.

The school encourages complainants to state what outcome they feel would resolve the matter.

### **Vexatious Complaints**

If a complainant has exhausted all stages of the procedure and continues to raise the same issue or attempts to reopen a matter that has already been fully addressed, the Chair of Governors may write to confirm that the procedure has been completed and the matter is now closed. The school

will not engage further on repeated or vexatious complaints.

### **Timeframes**

Complaints should normally be raised within three months of the incident, or within three months of the last in a series of related incidents. Complaints outside this timeframe may be considered where exceptional circumstances apply.

### **Suspension of Procedure**

The complaints process may be paused if:

- external agencies (e.g., police, safeguarding teams, tribunals) are investigating related matters, or
- the complainant initiates legal action.

### **Anonymous or Withdrawn Complaints**

Anonymous complaints will only be investigated at the Headteacher's or Chair of Governors' discretion. Complaints may be withdrawn at any time but must be confirmed in writing.

## **MANAGING AND RECORDING COMPLAINTS**

### **Recording Complaints**

The school will keep a clear record of the progress and outcome of all formal complaints. Complaints may be made in person, by telephone or in writing, including by email. After any meeting or telephone discussion, the staff member handling the complaint will ensure that both the complainant and the school have a shared understanding of what was discussed and agreed.

A brief written note of meetings, telephone calls and any written responses will be added to the complaint record.

### **Governing Body Review**

The Governing Body will monitor the number, nature and outcomes of complaints to ensure the effectiveness of the procedure and to identify any themes that may support school improvement. Information shared with the Governing Body will not name individuals.

Listening to and resolving complaints helps the school identify underlying issues and improve practice.

### **Publicising the Procedure**

The school's Complaints Procedure is published on the school website in the School Policies section, in line with statutory requirements.

## COMPLAINTS PROCEDURE

### Stage One: Complaint Heard by Complaints Coordinator

It is in everyone's interest that complaints are resolved at the earliest possible stage. The first contact between the complainant and the school often determines whether the matter escalates, so the school aims to respond promptly, respectfully and constructively.

Parents and members of the public should never feel that raising a complaint will be taken amiss or will reflect adversely on a child. The school treats all complaints as opportunities to improve practice.

Where a complainant indicates that they would have difficulty discussing a matter with a particular member of staff, the school will respect this and arrange for the concern or complaint to be directed to an alternative staff member.

If the complaint concerns the Headteacher, it will be referred to the Chair of Governors.

#### **Role of the Complaints Coordinator**

At Stage One, the complaint will be reviewed by the Complaints Coordinator, who may delegate the investigation to an appropriate staff member. Delegation relates only to fact-finding; the Coordinator retains oversight of the process and ensures consistency.

The Coordinator will:

- acknowledge the complaint within **5 working days**,
- ensure the complainant receives a copy of the school's Complaints Procedure,
- carry out or oversee the investigation, which may include meeting the complainant,
- ensure the investigation is impartial, objective and clearly recorded.

#### **Outcome of Stage One**

A written response will be provided within **10 working days** of the acknowledgement. The response will:

- summarise the complaint,
- outline the investigation undertaken,
- state the decision reached,
- provide reasons for the decision,
- confirm any actions the school will take.

Possible outcomes include:

- insufficient evidence to reach a conclusion,
- concern not substantiated,
- concern substantiated in part or in full,
- confirmation that appropriate procedures are being followed (e.g., confidential staff processes).

#### **Progressing to Stage Two**

If the complainant remains dissatisfied, they may request that the complaint progresses to Stage Two. This request must be made in writing within **10 working days** of receiving the Stage One outcome and must explain why they remain dissatisfied.

If no request is received within this timeframe, the complaint will be considered resolved and closed.

## Stage Two: Complaint Heard by Headteacher

If the complainant remains dissatisfied with the outcome at Stage One, they may request that the complaint progresses to Stage Two. At this stage, the complaint will be considered by the Headteacher.

The Headteacher may delegate the task of gathering any additional information to an appropriate staff member, but the decision on the outcome and any actions to be taken will always rest with the Headteacher.

### Process and Timelines

Stage Two follows the same process and timescales as Stage One:

- Acknowledgement within **5 working days** of receiving the request to escalate.
- Written response within **10 working days** of the acknowledgement.
- Stage Two is the Headteacher's final internal review before governors.

The Headteacher's written response will:

- summarise the complaint and the Stage One outcome,
- outline any further investigation undertaken,
- state the decision reached and the reasons for it,
- confirm any actions the school will take,
- explain what to do if the complainant remains dissatisfied.

### Progressing to Stage Three

If the complainant remains dissatisfied after receiving the Stage Two outcome, they may request that the complaint progresses to Stage Three. This request must:

- be made in writing,
- be submitted within 10 working days of receiving the Stage Two response,
- explain why the complainant remains dissatisfied.

If no request is received within this timeframe, the complaint will be considered resolved and closed.

## Stage Three: Complaint Heard by Governing Body

If the complainant remains dissatisfied after receiving the Stage Two outcome, they may request that the complaint progresses to Stage Three. This request must:

- be made in writing,
- be submitted within 10 working days of receiving the Stage Two response,
- explain why the complainant remains dissatisfied.

Upon receiving a Stage Three request, the Chair of Governors (or a delegated governor) will determine the most appropriate route for considering the complaint. The Governing Body may:

- Conduct a Governor-Led Investigation: The Chair of Governors, or a delegated governor, may review all documentation, seek clarification where required, and issue a written Stage Three response.
- Convene a Complaints Appeal Panel

A Complaints Appeal Panel may be convened if:

- the complainant requests a panel, or
- the Chair of Governors considers a panel appropriate.

The detailed procedure for a Complaints Appeal Panel is provided in Appendix A: Complaints Appeal Panel Procedure.

### Timelines for Stage Three

For governor-led investigation:

- Acknowledgement within **5 working days** of receiving the request to escalate.
- Written response within **10 working days** of the acknowledgement.

These timelines mirror Stage One and Stage Two.

If a panel is convened, the timescales and requirements follow those already set out within Appendix A.

### Outcome of Stage Three

The Stage Three response will confirm:

- the decision reached,
- the reasons for the decision,
- any actions the school will take,
- that Stage Three is the final stage of the school's complaints procedure,
- how the complainant may contact the Department for Education if they believe the school has acted unlawfully or not followed its published procedure.

This is the final stage of the school's complaints procedure and no further escalation is available. The decision is final and the matter is considered resolved and closed.

## Complaint to the Department for Education for Maintained Schools

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage Three.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at:

[www.education.gov.uk/contactus](http://www.education.gov.uk/contactus),

by telephone on: 0370 000 2288

or by writing to: Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.

## Appendix A: Complaints Appeal Panel Procedure

This appendix sets out the procedure for convening and conducting a Complaints Appeal Panel. A panel is used at Stage Three where the Chair of Governors, a delegated governor, or the complainant requests that the complaint is considered by governors.

The panel may:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on appropriate action to resolve the complaint;
- recommend changes to school systems or procedures to prevent recurrence.

### Panel Principles

- The hearing must be independent and impartial. No governor may sit on the panel if they have had prior involvement in the complaint or related circumstances.
- The panel should reflect a cross-section of governor categories and be sensitive to issues of disability, race, gender and religious affiliation.
- The hearing is held privately and aims to resolve the complaint or, where resolution is not possible, to establish facts and reassure the complainant that their concerns have been taken seriously.
- The panel should recognise that complainants may feel anxious or emotional. The Chair will ensure the setting is welcoming, respectful and non-adversarial.
- Where the complainant is a child, the panel must take particular care to ensure the child feels safe and their views are considered. Parents may advise which parts of the hearing, if any, the child should attend.
- Governors sitting on the panel must be familiar with the school's complaints procedure.

## Roles and Responsibilities

### The Role of the Clerk to the Governing Body

The Clerk will:

- arrange the date, time and venue of the hearing and ensure accessibility;
- collate and circulate all written materials in advance;
- welcome parties on arrival;
- record the proceedings;
- notify all parties of the panel's decision.

### The Role of the Chair of the Panel

The Chair will:

- explain the remit and procedure;
- ensure each party can present their case without interruption;
- establish key findings of fact;
- maintain an informal, respectful atmosphere;
- ensure the panel acts independently and without vested interest;
- allow both parties to ask and answer questions;
- ensure all written material is shared with both parties;
- pause or adjourn the hearing if new evidence arises.

### Conduct of the Hearing

The hearing will proceed as follows:

- The Chair welcomes the complainant, introduces the panel and explains the procedure.
- The complainant presents their complaint.
- The panel may question the complainant.
- The Headteacher may ask questions of the complainant.
- The Headteacher presents the school's response, with staff input if appropriate.
- The panel may question the Headteacher and staff.
- The complainant may ask questions of the Headteacher and staff.
- Either party may call witnesses (subject to the Chair's approval).
- Both parties may question any witnesses.
- The Headteacher makes a final statement.
- The complainant makes a final statement.
- All parties leave while the panel considers the evidence.

If previously undisclosed evidence or witnesses are introduced, the Chair may adjourn the hearing to allow both parties time to respond.

#### **Panel Decision and Notification**

The panel will consider all evidence presented, reach a decision, and determine any actions required. The Clerk will send the panel's written decision to both parties within **10 working days** of the hearing.

The decision of the Complaints Appeal Panel is final within the school's procedure. The complainant will be informed of how to contact the Department for Education if they believe the school has not followed its published procedure or has acted unlawfully.

## Appendix B: Checklist for a Complaints Appeal Panel Hearing

This checklist supports governors and clerks in ensuring that all procedural requirements for a Complaints Appeal Panel have been met.

### Before the Hearing

- Stage One and Stage Two have been completed.
- A valid Stage Three request has been received in writing.
- The Chair of Governors has agreed that a panel will be convened.
- Panel members have been selected:
  - three governors,
  - no prior involvement in the complaint,
  - appropriate mix of governor categories,
  - sensitivity to diversity considerations.
- Clerk appointed and briefed.
- Date, time and venue arranged (within required timescales).
- All parties given 10 working days' notice of the hearing.
- All written materials collated and circulated in advance.
- Arrangements made to ensure accessibility and a non-adversarial setting.
- Consideration given to child involvement (if relevant).

### During the Hearing

- Chair explains the remit and procedure.
- Complainant presents their case.
- Panel and Headteacher ask questions appropriately.
- Headteacher presents the school's response (with staff input if needed).
- Complainant may ask questions of the Headteacher.
- Witnesses called only with Chair's approval.
- Both parties may question witnesses.
- Chair ensures respectful, fair, and impartial conduct.
- New evidence triggers adjournment if required for natural justice.
- Both parties make final statements.
- All parties leave while the panel deliberates.

### After the Hearing

- Panel reaches a decision and agrees any actions or recommendations.
- Clerk prepares and sends the written decision within 10 working days.
- Decision letter confirms:
  - the panel's findings and reasons,
  - any actions to be taken,
  - that this is the final stage of the school's procedure,
  - how to contact the Department for Education if required.
- All records stored securely.

## Appendix C: Scope of other Policies & Procedures

Some complaints fall under separate statutory or established procedures and are **not** dealt with under this Complaints Procedure. In these cases, the relevant policy or process must be followed.

The following matters are handled through other policies or procedures:

- Admissions – handled under the school’s Admissions Policy and statutory appeals process.
- Exclusions – managed through the statutory exclusions framework.
- Child Protection / Safeguarding – concerns must be referred to the Designated Safeguarding Lead and follow safeguarding procedures.
- Staff Conduct or Capability – addressed through the school’s HR policies; complainants cannot be informed of confidential outcomes.
- Staff Grievances – managed under the school’s Grievance Procedure.
- Whistleblowing – handled under the Whistleblowing Policy.
- Data Protection / Freedom of Information – managed under GDPR and FOI procedures.
- Complaints about services provided by other organisations using school premises – referred directly to the provider.

Where a complaint is raised about a matter covered by another statutory process, the complainant will be informed which procedure applies.

If a complaint includes multiple issues that fall under different procedures, the school will explain clearly which parts will be handled under this Complaints Procedure and which parts must follow alternative processes.