

Billingham South Community Primary School



Complaints Policy and Procedures

September 2026

Date for Review

September 2028

Complaints Policy

Statement of Intent

At Billingham South Community Primary School, we are committed to providing a safe, inclusive and high-quality education for every child. We value positive relationships with our pupils, parents, carers and the wider community and recognise that concerns and complaints, when handled effectively, can help us improve the quality of education and the services we provide.

We encourage parents and carers to raise concerns at the earliest opportunity so that issues can be resolved quickly, fairly and informally wherever possible. Most concerns can be addressed through open discussion with the appropriate member of staff.

Where concerns cannot be resolved informally, this policy provides a clear, transparent and fair procedure for making a formal complaint. All complaints will be handled respectfully, impartially and in accordance with the principles of natural justice.

No individual will suffer discrimination or disadvantage because they have raised a genuine concern or complaint.

PART 1

1. Purpose

The purpose of this policy is to:

- provide a clear and transparent complaints procedure;
- ensure complaints are dealt with fairly, consistently and promptly;
- encourage the early resolution of concerns;
- ensure all complainants are treated with dignity and respect;
- improve school practice through learning from complaints;
- meet the expectations of the Department for Education's guidance on school complaints.

2. Legal Framework

This policy has been written with regard to:

- Education Act 2002
- Education Act 1996
- School Standards and Framework Act 1998
- Equality Act 2010
- Data Protection Act 2018
- UK General Data Protection Regulation (UK GDPR)
- Human Rights Act 1998
- Department for Education – Best Practice Advice for School Complaints Procedures

This policy should be read alongside the school's:

- Safeguarding and Child Protection Policy
- Behaviour Policy
- SEND Policy
- Admissions Policy
- Data Protection Policy
- Freedom of Information Policy
- Whistleblowing Policy
- Staff Grievance Procedures

3. Scope

This policy applies to complaints made by:

- parents and carers;
- members of the public;
- visitors to the school;
- other individuals directly affected by the school's actions.

The procedure is intended to deal with concerns relating to:

- the education provided by the school;
- communication with parents and carers;
- the school's policies or procedures;
- the behaviour of staff (where appropriate);
- the use of school facilities;
- actions or decisions taken by the school.

Complaints not covered by this policy

Some matters have separate statutory procedures and therefore cannot be considered under this complaints procedure.

These include:

- admissions appeals;
- exclusions;
- Special Educational Needs and Disability (SEND) Tribunal appeals;
- safeguarding concerns;
- allegations against staff;
- whistleblowing;
- staff grievances and disciplinary matters;
- Freedom of Information requests;
- Subject Access Requests;
- complaints about services provided by third-party organisations using the school premises.

Where a complaint falls outside this policy, the complainant will be directed to the appropriate procedure.

4. Guiding Principles

Billingham South Community Primary School aims to ensure every complaint is handled:

Fairly

Every complaint will be considered objectively and without prejudice.

Promptly

Complaints will be acknowledged and investigated within published timescales wherever reasonably possible.

Respectfully

All parties will be treated with courtesy and dignity throughout the process.

Confidentially

Information relating to complaints will only be shared with those who need to know.

Impartially

Anyone investigating or reviewing a complaint will have had no previous involvement wherever possible.

Transparently

The complainant will be informed of the outcome, reasons for decisions and any actions the school intends to take.

5. Principles of Good Complaint Handling

The school believes that effective complaint handling should:

- encourage concerns to be raised early;
- resolve issues at the lowest appropriate level;
- focus on finding solutions rather than assigning blame;
- be proportionate to the issues raised;
- seek opportunities to improve school practice;
- maintain positive relationships wherever possible.

The school also expects all parties involved in the complaints process to communicate respectfully. Abusive, threatening or discriminatory behaviour towards staff, governors or other members of the school community will not be tolerated.

6. Equality and Accessibility

Billingham South Community Primary School is committed to ensuring that everyone has equal access to the complaints procedure.

Reasonable adjustments will be made where required, including:

- providing information in alternative formats;

- arranging interpreters where appropriate;
- allowing additional support for individuals with disabilities;
- considering individual communication needs.

The school will make every reasonable effort to remove barriers that may prevent a complainant from accessing the procedure.

7. Confidentiality

Complaints will be handled with discretion and confidentiality.

Information relating to a complaint will only be shared with individuals directly involved in investigating or resolving the complaint.

Records will be maintained securely in accordance with the Data Protection Act 2018 and the UK GDPR.

Staff and governors involved in complaints are expected to maintain confidentiality throughout the process.

8. Expectations of Complainants

The school expects complainants to:

- explain their concerns clearly;
- provide accurate information;
- cooperate with any investigation;
- treat staff with courtesy and respect;
- recognise that investigations require time to complete.

The school will not tolerate aggressive, abusive or threatening behaviour towards staff or governors.

PART 2 – COMPLAINTS PROCEDURE

9. Resolving Concerns Informally

At Billingham South Community Primary School, we encourage parents, carers and members of the community to raise concerns as soon as they arise. In most cases, concerns can be resolved quickly and informally through discussion with the appropriate member of staff.

Concerns should normally be raised within **three months** of the incident occurring, or within three months of the complainant becoming aware of the matter.

The member of staff receiving the concern will:

- listen carefully and respectfully;
- seek to understand the concern fully;
- explain any relevant information or school procedures;

- investigate where necessary;
- seek to resolve the issue promptly.

Many concerns can be resolved at this stage without the need for a formal complaint.

If the concern cannot be resolved informally, the complainant may progress to Stage 1 of the formal complaints procedure.

10. Formal Complaints Procedure

The school operates a four-stage complaints procedure.

Stage	Who Deals With It	Typical Timescale
Informal Concern	Class Teacher / Relevant Staff Member	Up to 10 school days
Stage 1	Headteacher	Acknowledge within 5 school days, respond within 20 school days
Stage 2	Chair of Governors (where appropriate)	Acknowledge within 5 school days, respond within 20 school days
Stage 3	Governing Body Complaints Panel	Hearing within 20 school days where possible
Stage 4	Department for Education (where applicable)	Outside school's procedure

The school aims to resolve complaints at the earliest possible stage.

Where timescales cannot be met due to school holidays, staff absence or the complexity of the complaint, the complainant will be informed of the reason for the delay and provided with a revised timescale.

Stage 1 – Formal Complaint to the Headteacher

If the concern remains unresolved following informal discussions, the complainant should submit a formal complaint.

This should normally be made:

- in writing using the school's Complaint Form (Appendix A);
- by email to the school office; or
- by letter addressed to the Headteacher.

The complaint should include:

- the nature of the complaint;
- relevant dates and times;
- who has already been spoken to;
- any supporting evidence;
- what outcome the complainant is seeking.

Upon receipt of the complaint, the Headteacher will:

- acknowledge receipt within **five school days**;
- consider whether further clarification is required;
- investigate the complaint fairly and impartially;
- speak to relevant staff and witnesses where appropriate;
- review any documentation or evidence;
- keep appropriate records throughout the investigation.

Following the investigation, the Headteacher will provide a written response, normally within **20 school days**.

The response will include:

- a summary of the complaint;
- the investigation undertaken;
- the findings;
- the decision;
- any actions the school intends to take;
- information about how to request a review if dissatisfied.

Possible outcomes include:

- complaint upheld;
- complaint partially upheld;
- complaint not upheld;
- recommendations for improvements;
- apology where appropriate;
- explanation of school procedures.

Stage 2 – Review by the Chair of Governors

If the complainant remains dissatisfied with the Headteacher's decision, they may request a review by the Chair of Governors.

This request should:

- be submitted within **10 school days** of receiving the Stage 1 outcome;
- explain why the complainant remains dissatisfied;
- identify any aspects they believe have not been properly considered.

The Chair of Governors will:

- acknowledge receipt within **five school days**;
- review all documentation;
- determine whether further enquiries are required;
- meet with the complainant if appropriate;
- seek clarification from the Headteacher where necessary.

The Chair of Governors will provide a written response within **20 school days**, wherever reasonably practicable.

The response will explain:

- whether the complaint is upheld;
- the reasons for the decision;
- any actions to be taken;
- the complainant's right to request a Complaints Panel hearing.

Stage 3 – Governing Body Complaints Panel

If the complainant remains dissatisfied following Stage 2, they may request that the complaint is considered by a Complaints Panel.

The request must:

- be made in writing;
- be received within **10 school days** of the Stage 2 outcome;
- clearly explain why the complainant remains dissatisfied.

The Complaints Panel represents the final stage of the school's complaints procedure.

Composition of the Panel

The panel will normally consist of:

- three impartial governors who have had no prior involvement in the complaint; and
- a Clerk to the Governing Body.

Where possible, governors will have no conflict of interest.

Before the Hearing

The Clerk will:

- acknowledge the request;
- arrange a suitable date;
- circulate all relevant papers;
- explain the hearing process to both parties.

Both parties will normally receive all documentation at least **five school days** before the hearing.

Each party may submit additional evidence before the agreed deadline.

Late evidence may only be accepted at the discretion of the Chair.

Attending the Hearing

The complainant may:

- attend in person;
- be accompanied by a friend, relative or advocate;

- present written evidence;
- call relevant witnesses (subject to prior agreement).

The Headteacher (or investigating officer) will also attend to present the school's response. Witnesses will normally attend only for the part of the meeting relating to their evidence. The hearing is not intended to be adversarial but to establish the facts and determine whether the complaint has been handled appropriately.

Panel Decisions

Following the hearing, the panel may:

- uphold the complaint in full;
- uphold part of the complaint;
- dismiss the complaint;
- recommend actions for the school;
- recommend changes to policies or procedures;
- make recommendations to the Governing Body.

The panel will not:

- discipline members of staff;
- overturn lawful professional decisions simply because another decision may also have been reasonable;
- award financial compensation.

Notification of the Decision

The panel's decision will normally be communicated in writing within **five school days** of the hearing.

The decision letter will include:

- the panel's findings;
- reasons for the decision;
- any recommendations;
- confirmation that this concludes the school's complaints procedure.

Stage 4 – Complaints Beyond the School

Once all stages of the school's complaints procedure have been completed, the complainant may contact the **Department for Education** if they believe:

- the school has not followed its published complaints procedure;
- the school has acted unlawfully or unreasonably;
- the complaint has not been handled fairly.

The Department for Education will **not normally reinvestigate the substance of the complaint** or overturn decisions made by the school. Its role is to consider whether the school has followed the correct procedures.

PART 3 – SPECIAL COMPLAINTS, CONFIDENTIALITY AND UNREASONABLE ADJUSTMENTS

11. Complaints About Members of Staff

Where a complaint relates to the conduct or actions of a member of staff, the complaint should normally be made to the Headteacher.

The Headteacher will determine the most appropriate way of investigating the complaint, taking into account:

- the nature of the complaint;
- the seriousness of the allegations;
- whether the complaint concerns professional conduct;
- whether separate school procedures apply.

Where appropriate, the member of staff concerned will be informed of the complaint and given the opportunity to respond.

The complainant will be informed of the outcome of the investigation where appropriate. However, where a complaint concerns an individual member of staff, the school must respect confidentiality and employment law. As a result, specific details relating to disciplinary action or personnel matters cannot be shared.

Where a complaint includes allegations that may meet safeguarding thresholds, the school will follow its Child Protection and Safeguarding Policy and statutory guidance, including *Keeping Children Safe in Education*. In these circumstances, the complaints procedure may be suspended whilst safeguarding procedures are undertaken.

12. Complaints About the Headteacher

Where a complaint concerns the Headteacher, it should be submitted directly to the Chair of Governors via the Clerk to the Governing Body.

The Chair of Governors will:

- acknowledge receipt of the complaint;
- determine whether the complaint falls within this procedure;
- investigate the complaint or appoint an appropriate investigator;
- provide a written outcome within the published timescales wherever reasonably practicable.

If the complainant remains dissatisfied following the Chair's investigation, they may request that the matter is considered by the Governing Body Complaints Panel.

The Headteacher will not take part in determining the outcome of a complaint about themselves.

13. Complaints About the Chair of Governors or the Governing Body

Where the complaint concerns the Chair of Governors, the complaint should be addressed to the Clerk to the Governing Body.

The Clerk will arrange for the complaint to be considered by an independent governor or an appropriately constituted Complaints Panel.

Where the complaint concerns the entire Governing Body, the Clerk will seek advice from the Local Authority or another appropriate independent adviser regarding the most suitable arrangements for considering the complaint.

Governors who are the subject of a complaint will take no part in considering the outcome.

14. Complaints About Individual Governors

Complaints regarding the conduct of an individual governor should be made in writing to the Chair of Governors.

If the complaint concerns the Chair, it should be submitted directly to the Clerk to the Governing Body.

The complaint will be considered in accordance with this policy and the school's governance procedures.

15. Complaints Relating to Services Provided by Third Parties

Where services are provided on school premises by another organisation, such as childcare providers, clubs or external agencies, complaints should normally be directed to the organisation responsible for providing that service.

The school will assist complainants in identifying the appropriate organisation where necessary.

16. Anonymous Complaints

The Governing Body will not normally investigate anonymous complaints because there is insufficient information to enable a proper investigation or response.

However, the Headteacher or Chair of Governors may decide to investigate an anonymous complaint where:

- there are safeguarding concerns;
- the complaint raises serious issues regarding health and safety;
- there is evidence of potential unlawful activity;
- it is considered to be in the public interest.

17. Withdrawal of a Complaint

A complainant may withdraw their complaint at any stage of the process.

Withdrawal should preferably be confirmed in writing.

Where a complaint is withdrawn, the school will decide whether any issues identified during the investigation require further action to improve practice or safeguard pupils.

18. Managing Serial, Persistent or Unreasonable Complaints

The Governing Body recognises that the vast majority of complaints are made reasonably and in good faith.

Occasionally, however, a complainant may pursue a complaint in a manner that places unreasonable demands on the school or its staff.

Examples may include:

- repeatedly raising substantially the same issues after the complaints procedure has been completed;
- refusing to accept the outcome of a properly conducted investigation;
- making excessive demands on staff time;
- sending an excessive volume of correspondence;
- refusing to identify the specific issues to be investigated;
- using abusive, offensive or threatening language;
- making malicious or unfounded allegations against staff.

The school will not automatically treat a complainant as unreasonable simply because they are persistent or because they disagree with the school's findings.

Each case will be considered individually.

Where behaviour becomes unreasonable, the Headteacher or Chair of Governors may:

- limit communication to one named member of staff;
- require communication to be in writing only;
- decline to respond to correspondence that raises no new issues;
- end meetings where behaviour becomes abusive or threatening;
- notify the complainant that the complaints procedure has been exhausted.

Before any restrictions are applied, the complainant will normally be informed in writing of the reasons for the proposed action and given an opportunity to modify their behaviour. Any restrictions will be reviewed periodically.

19. Unacceptable Behaviour

Billingham South Community Primary School is committed to maintaining a safe working environment for staff, governors and visitors.

The school will not tolerate:

- abusive language;
- discriminatory behaviour;
- threatening behaviour;
- intimidation;
- harassment;
- physical aggression;
- malicious social media activity directed at staff;
- recording meetings without prior agreement.

Where behaviour places staff or others at risk, the school reserves the right to:

- end meetings immediately;
- request that the individual leaves the premises;
- report incidents to the police where appropriate;
- restrict future communication in accordance with this policy.

These actions will not affect the school's duty to consider the substance of a complaint fairly.

20. Confidentiality

All complaints will be handled sensitively and in accordance with data protection legislation.

Information relating to a complaint will only be shared with those individuals who need access to it in order to investigate or resolve the matter.

Governors, staff and witnesses are expected to maintain confidentiality throughout the complaints process.

Information relating to complaints will not normally be shared with other parents or members of the public.

21. Data Protection

Complaint records will be processed in accordance with:

- UK General Data Protection Regulation (UK GDPR);
- Data Protection Act 2018;
- the school's Data Protection Policy.

Personal information will only be retained for as long as necessary and in accordance with the school's Records Retention Schedule.

Individuals have rights regarding their personal data; however, these rights may be subject to exemptions where disclosure would affect the rights of others or prejudice an investigation.

22. Equality and Reasonable Adjustments

The school is committed to ensuring that no complainant is disadvantaged when accessing this procedure.

Reasonable adjustments may include:

- providing documentation in accessible formats;
- allowing additional time where appropriate;
- arranging interpreters or translation services;
- adapting meetings to meet individual needs;
- permitting a representative or advocate to attend meetings.

The school will comply with its duties under the Equality Act 2010.

23. Record Keeping

The Headteacher and Governing Body will ensure that accurate records are maintained of all formal complaints.

Records will include:

- the complaint;
- correspondence;
- notes of meetings;
- evidence considered;
- decisions reached;
- actions taken;
- lessons learned.

Complaint records will be stored securely and accessed only by authorised individuals.

Information arising from complaints may be anonymised and used to improve school policies, procedures and practice.

PART 4 – ROLES, MONITORING AND APPENDICES

24. Roles and Responsibilities

Governing Body

The Governing Body is responsible for ensuring that:

- there is an effective complaints procedure in place;
- the procedure complies with statutory requirements and current Department for Education guidance;
- complaints are handled fairly, consistently and impartially;
- governors serving on Complaints Panels have had no previous involvement in the complaint;

- lessons learned from complaints contribute to school improvement.

The Governing Body will not become involved in individual complaints until the appropriate stage of the complaints procedure has been reached.

Headteacher

The Headteacher is responsible for:

- promoting an open culture where concerns can be raised informally;
- investigating Stage 1 complaints promptly and fairly;
- ensuring complainants receive timely responses;
- maintaining accurate complaint records;
- identifying themes arising from complaints;
- reporting anonymised complaint information to governors where appropriate;
- ensuring actions arising from complaints are implemented.

Chair of Governors

The Chair of Governors is responsible for:

- considering complaints about the Headteacher;
- reviewing complaints where appropriate under Stage 2;
- ensuring Complaints Panels are properly constituted;
- supporting the effective operation of the complaints procedure.

Where the Chair has had previous involvement in a complaint, another governor will undertake these responsibilities.

Clerk to the Governing Body

The Clerk will:

- arrange Complaints Panel hearings;
- circulate documentation;
- advise governors on procedure;
- take an accurate record of hearings;
- issue decision letters on behalf of the panel where required;
- securely retain complaint documentation.

Complaints Panel

The Complaints Panel will:

- consider all evidence presented;
- determine whether procedures have been followed correctly;
- decide whether the complaint should be upheld in full, upheld in part or not upheld;
- recommend actions where appropriate;

- ensure decisions are fair, impartial and evidence based.

Complainants

Complainants are expected to:

- explain concerns clearly;
- provide relevant evidence;
- cooperate during investigations;
- communicate respectfully;
- recognise that investigations require sufficient time.

25. Monitoring and Review

The Governing Body will monitor:

- the number of formal complaints received;
- themes arising from complaints;
- compliance with published timescales;
- recommendations arising from Complaints Panels;
- improvements made as a result of complaints.

Complaint information reported to governors will not identify individual pupils, families or members of staff.

This policy will be reviewed annually or sooner where:

- legislation changes;
- Department for Education guidance changes;
- learning from complaints indicates amendments are required.