

Skirlaugh CE Primary School

“Whatever you do, work at it with all your heart”

Be Brave ~ Be Kind ~ Be Your Best



Complaints Policy

Approved by Governors	Spring 2026
Last Renewal Date	Spring 2026
Next Renewal Date	Spring 2029

Complaints Policy

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Skirlaugh CE Primary about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The difference between a concern and a complaint

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Skirlaugh CE Primary takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Skirlaugh CE Primary will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the Headteacher) should be made in the first instance, to the headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Skirlaugh CE Primary other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with East Riding of Yorkshire Council.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding, tony.marsh@eastriding.gcsx.gov.uk or the Early Help and Safeguarding Hub (EHaSH), childrens.socialcare@eastriding.gcsx.gov.uk
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure, see Behaviour Policy, Promoting Positive Relationships on school website www.skirlaughprimary.com</i>

Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus
Complaints about a data protection breach.	Complaints of this nature will be dealt with in line with the school's GDPR policy which can be found on the website.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

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

Resolving complaints

At each stage in the procedure, Skirlaugh CE Primary wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that we will try to ensure the event complained of will not recur;
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made;
- an undertaking to review school policies in light of the complaint;
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

COMPLAINTS PROCEDURE

Stage 1 (Informal) Complaint considered by a member of staff

Most concerns can be quickly resolved by the member of staff involved. This can often be achieved by the complainant contacting the member of staff directly. Where possible, the concerns should be put in writing and provided to the member of staff so that he/she is able to look into the matter.

If the complainant does not feel able to take up the issue with member of staff, the complainant can ask the headteacher to appoint another member of staff to deal with the complaint.

If the member of staff feels that they are too compromised to deal with a complaint, the headteacher may appoint another member of staff to deal with the matter.

If the complaint is about the headteacher or a governor, the matter should be referred to the Chair of Governors.

If needed, the member of staff will contact the complainant or arrange to meet with them to ensure that the nature of the complaint is fully understood and to determine what the complainant feels needs to be done to resolve the issue. There may be a need for the member of staff to undertake an investigation and interview others to establish the facts, but he/she will try to deal with the complaint and seek to resolve the issue in an informal manner.

This stage should normally be concluded within ten school days of the details of the complaint being agreed. If a longer period is required, the complainant should be informed of the reasons for this and provided with a revised timescale.

Stage 2 (Formal) Complaint considered by the headteacher

If the complainant is dissatisfied with the informal resolution, they should write to the headteacher with the details of their complaint. If needed, the headteacher will contact the complainant or arrange to meet with them to ensure that the nature of the complaint is fully understood and to determine what the complainant feels needs to be done to resolve the issue.

The headteacher will gather factual evidence and information. This may involve interviewing those involved in order to be able to fully respond to the complainant. The headteacher will keep appropriate records and inform the complainant of the outcome of the investigation.

Feedback to the complainant may be given verbally in a meeting, but a formal response in writing will also be provided.

Stage 2 should normally be concluded within ten school days of the detail of the complaint being agreed. If a longer period is required, the complainant should be informed of the reasons for this and provided with a revised timescale.

Stage 3 Complaint considered by Chair of Governors

In a small number of cases, the matter may not be resolved even with the involvement of the headteacher. When this happens, or the complaint is about the headteacher, the complainant should write to the Chair of the Governing Body detailing why they are not happy with the decision and send it to him/her through the school.

If the matter is not discussed with the Headteacher, it is not normally possible to proceed further with the official complaints procedure. In this circumstance, the complaint should be submitted to the Chair of Governors in writing stating the reasons why it has not been discussed with the headteacher. If the complaint is about the headteacher, he/she will need to be informed of the complaint in order for the matter to be investigated.

The Chair of Governors will then review the decision of the headteacher. This may also require the Chair of Governors to contact the complainant to clarify why they are not satisfied with the decision of the headteacher. The Chair of Governors may ask for further information or ask someone to undertake additional investigations in which case a written report may be provided to the Chair of Governors

Feedback to the complainant may take place in a meeting, but a formal response in writing will also be given.

Stage 3 should normally be concluded within ten school days of the matter being referred to the Chair of Governors. If a longer period is required, the complainant should be informed of the reasons for this and provided with a revised timescale.

Complaints about a Governor or Chair of Governors

If a complaint is received about a governor, it should be considered by the Chair of Governors as a stage 3 complaint.

If the complaint is about the Chair of Governors, it should be considered by the Vice Chair of Governors or another governor who has not been involved in the complaint.

If there are no independent governors, the Governing Body may ask another Governing Body or an independent person to conduct the stage 3 investigation.

Stage 4 Complaint heard by Governing Body Complaints Appeal Panel

If the complaint cannot be resolved by the involvement of the Chair of Governors, the complainant should write to the Clerk of the Governing Body giving the details of their complaint and why they are not happy with the decision of the Chair of Governors.

The Complaints Committee will be convened and review the decision of the Chair of Governors. The panel will not include any governor, including the Chair of Governors, who has had previous involvement in the case.

The panel will be convened within 15 school days of receipt of notification from the complainant and at a time that is convenient to all parties. If the meeting cannot be convened in this period, the complainant should be informed of the reasons for this and provided with a revised timescale. Where appropriate, witnesses may be invited to attend the meeting but will only be present for the part of the hearing in which they give evidence.

At the panel meeting, the complainant will be given the opportunity to state their case as to why he/she is not satisfied with the outcome of the complaint. The panel will be provided with all the information that has been collated as part of the investigation. The headteacher or chair of governors, as appropriate, will also be able to explain the school's actions and the reasons for the decision about the complaint.

The panel will consider the issue in private and can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's policies, systems or procedures to ensure that problems of a similar nature do not recur.

If the Complaints Committee agrees that the outcome could lead to disciplinary action being taken against an employee of the school, the matter will be passed to the Disciplinary Committee. In this case, it is not the responsibility of the Complaints Appeal Panel to make a judgment about whether the employee is culpable, only that there is a case to answer. The complainant will be informed that the matter has been passed to the Disciplinary Committee for further consideration. At this point, the Disciplinary Procedure adopted by the Governing Body will be followed.

If it is not possible for the Governor's Complaints Committee to consider the matter e.g. because there are no governors available who are independent of the issue that is being considered, the Governing Body will consider asking another Governing Body, or appoint independent people, to hear the complaint appeal.

The panel will inform the complainant in writing of their decision, together with reasons, within five working days of the panel being convened.

Should the complainant still not be satisfied with the outcome, he/she can refer the matter to the Secretary of State for Education at:

The School Complaints Unit (SCU)

Department for Education

2nd Floor, Piccadilly Gate

Manchester

M1 2WD

or online at www.education.gov.uk/help/contactus

Further information can be obtained from the School Complaints Unit National Helpline on 0370 000 2288.

The School Complaints Unit will not re-investigate the substance of the complaint but will examine if the complaints policy and other relevant policies were followed in accordance with the provisions set out and that they adhere to education legislation.

Complaint Form

Please complete and return to the Headteacher / Chair of the Governing Body / Clerk to the Governing Body (as appropriate) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.
What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature: Date:
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Date:

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible;
- co-operate with the school in seeking a solution to the complaint;
- respond promptly to requests for information or meetings or in agreeing the details of the complaint;
- ask for assistance as needed;
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - o sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
 - o interviewing staff and children/young people and other people relevant to the complaint;
 - o consideration of records and other relevant information;
 - o analysing information;
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning;
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting;
- ensure that any papers produced during the investigation are kept securely pending any appeal;
- be mindful of the timescales to respond;
- prepare a comprehensive report for the Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (this could be the Headteacher / chair of governors or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - o sharing third party information;
 - o additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person.
- keep records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the

Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR);

- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible;
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale;
- record the proceedings;
- circulate the minutes of the meeting;
- notify all parties of the committee's decision.

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting;
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy;
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person;
- the remit of the committee is explained to the complainant;
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting;

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself;
- the issues are addressed;
- key findings of fact are made;
- the committee is open-minded and acts independently;
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- the meeting is minuted;
- they liaise with the Clerk.

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so.
No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it;
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.
We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting
Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting.

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.