Endon Hall Primary & Nursery School

'Inspire today to achieve tomorrow'

Concerns & Complaints Policy

Policy in place: Jan 2013 **Policy last updated:** July 2025; July 2026 **Next review:** July 2027

Contents

Statement of intent

1. Legal framework
2. Definitions
3. Raising a concern or Making a complaint
4. Roles and responsibilities
5. Concern/Complaints procedure
6. Interviewing witnesses
7. Recording a complaint
8. Complaints not covered by this procedure
9. Exceptional circumstances
10. Managing serial and unreasonable/vexatious complaints
11. Complaints campaigns
12. Barring from the premises
13. Role of the DfE
14. Handling data protection complaints
15. Transferring data
16. Availability
17. Monitoring and review

Statement of Intent

Endon Hall Primary & Nursery School aims to resolve all concerns or complaints at the earliest possible stage and, where possible, informally and is dedicated to continuing to provide the highest quality of education possible throughout the procedure.

This policy has been created to deal with a concern or complaint made by any person relating to any aspects of the school or the provision of facilities or services.

This policy outlines the procedure to follow. Once a concern or complaint has been made, it can be resolved or withdrawn at any stage.

The school will consider all concerns or complaints, providing they are not anonymous, and ensure that the procedure is:

- Easily accessible and publicised on its website
- Simple to understand and put into practice
- Impartial, non-adversarial and fair to all parties
- Respectful of confidentiality duties
- Continuously under improvement, using information gathered during the procedure to inform review
- Used to address all issues to provide appropriate and effective redress where necessary

1. Legal Framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Freedom of Information Act 2000
- Education Act 2002
- The Education (Pupil Information) (England) Regulations 2005
- Equality Act 2010
- Immigration Act 2016
- The School Information (England) (Amendment) Regulations 2016
- UK General Data Protection Regulation (GDPR)
- Data Protection Act 2018

This policy has also due regard to guidance including, but not limited to, the following:

- HM Government 'Code of Practice on the English language requirement for public sector workers'
- DfE 'Best practice guidance for school complaints procedures'
- ICO 'How to deal with data protection complaints'

This policy operates in conjunction with the following school policies:

- Records Management Policy
- Data Protection Policy
- Child Protection & Safeguarding Policy
- Grievance Policy
- Behaviour Policy
- Suspension & Exclusion Policy
- Whistleblowing Policy

2. Definitions

For the purposes of this policy:

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

The school will resolve concerns through day-to-day communication as far as possible.

A '**complaint'** may be generally recognised as an expression or statement of dissatisfaction about actions taken or a lack of action.

The school intends to resolve concerns or complaints informally where possible, at the earliest possible stage. However, there may be occasions when the person raising the concern/complainant would like to raise their concern or complaint formally. This policy outlines the procedures accordingly.

A "**grievance**" is an issue raised by a member of staff where they feel the school has not implemented a policy or process fairly or properly. Grievances will be dealt with in line with the school's Grievance Policy.

The definition of "**unreasonable complaints**" is outlined in the 'Managing serial and unreasonable complaints' section of this policy.

For the purpose of this policy, "**duplicate complaints**" are identical complaints e.g. complaints regarding the same matter received from a complainant's spouse, partner, grandparent or child. These complaints will not be addressed again, unless new details are provided. The individual making the second complaint will be informed that the complaint has been dealt with on a local level and if they are dissatisfied with the result, they can appeal to the DfE.

3. Raising a concern or Making a complaint

We intend to address concerns or complaints as quickly as possible. To achieve this, realistic and reasonable time limits are set, and stated within this procedure. In the case of any timescales changing, all parties involved will be informed of the changes, and the reason for them, in a timely manner.

Concerns or complaints should be made using the appropriate channels of communication. When receiving a concern or complaint, we will first aim to clarify:

- The exact nature of the concern or complaint (to ensure an accurate resolution)
- What the person raising the concern/the complainant feels would put things right

Concerns or complaints are expected to be made as soon as possible after an incident arises, to address the issue in an appropriate timescale. Complaints must be raised within **three-months** of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Complaints made outside of this time frame will be considered in exceptional circumstances. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.

Once a concern or complaint has been responded to, the school expects the person raising the concern/complainant to respond within a period of **one calendar month**, unless there are extenuating circumstances that prevent this. After this date, the school will determine that the matter is closed.

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

Complaints should be made using the appropriate channels of communication. All complaints will be considered, whether they are made in person, by telephone, in writing, electronically via email, or via a third party (such as the Citizen's Advice Bureau), providing they are not anonymous.

4. Roles and Responsibilities

The person raising the concern/complainant will:

- Cooperate with the school in seeking a solution to the concern/complaint
- Express the concern/complaint in full at the earliest possible opportunity
- Promptly respond to any requests for information or meetings
- Ask for assistance as needed
- Treat any person(s) involved in the concern/complaint with respect

The Headteacher or, where the concern/complaint is regarding the Headteacher, the Chair of Governors, will be responsible for:

- Providing a sensitive and thorough process for the person raising the concern/complainant, to establish what has happened and who is involved
- Considering all records, evidence and relevant information provided
- Investigating the concern/complaint, including interviewing relevant parties if required
- Analysing all information in a comprehensive and fair manner
- Liaising with the person raising the concern/complainant and those investigating, to clarify an appropriate resolution to the problem
- Identifying and recommending solutions and courses of actions to take
- Being mindful of timescales and ensuring all parties involved are aware of these timescales
- Responding to the person raising the concern/complainant in a clear and understandable manner

5. Concern/Complaints procedure

5a. Overview

There are four stages to the procedure, which are set out in detail below. Each stage follows on from the previous stage:

- Stage One: Raising a Concern
- Stage Two: Making a Complaint
- Stage Three: Complaint Appeals
- Final Stage: Appeal to the Secretary of State

Concerns or complaints may be made regarding a low level matter (see section 5b), a staff member (see section 5c), the Headteacher (see section 5d), or the Governing Board (see section 5e).

The process for raising a concern or complaint is slightly different depending on who the concern/complaint relates to, as set out below. The order of the four stages of the procedure remain the same.

5b. Concern raised with a relevant member of staff

Many concerns can be resolved by a simple clarification or the provision of information. A low level concern regarding a school matter can often be raised, looked into and responded to by a relevant member of staff.

For matters of this nature, the person raising the concern should speak directly to the relevant member of staff, in person at drop off or pick up times (where possible), or via a phone call to the school office. A brief summary of the concern will be required. The relevant member of staff will then respond, in person at drop off or pick up times (where possible) or via a phone call, as soon as possible. Timeframes will take into account teaching timetables and directed time.

5c. Concerns or complaints regarding a staff member

Any concern or complaint regarding a member of staff will initially be dealt with by the Headteacher, who will clarify the exact nature of the concern, discuss it with the staff member/s in question and feed back to the person raising the concern/complaint. Where necessary, the Headteacher will conduct interviews with any relevant parties.

If the person raising the concern is dissatisfied with the outcome, then they may wish to proceed to Stage Two of the policy (a complaint). A complaint about a member of staff will also be initially addressed by the Headteacher.

Where a staff member has any concerns about their mental health and wellbeing as a result of a complaint made against them, they will be able raise this with the Headteacher. The Headteacher, however, will remain impartial on the matter at this stage and both parties will avoid discussing the complaint directly in these circumstances.

5d. Concerns or complaints regarding the Headteacher

Concerns regarding the Headteacher should be made in writing and marked in confidence 'for the attention of the Chair of Governors' via the school's postal address, in person at the school office, or via e-mail to office@endonhall.staffs.sch.uk.

The concern will initially be dealt with by the Chair of Governors, who will acknowledge receipt of the concern/complaint within 3 school days (term time) and arrange a further discussion/meeting with the person raising the concern/complainant within 15 school days (term time) to clarify the exact nature of the concern, before determining any next steps and timescales for resolving the concern.

If the person raising the concern is dissatisfied with the outcome, then they may wish to proceed to Stage Two of the policy (a complaint). A complaint about the Headteacher should be made in writing and will also be initially addressed by the Chair of Governors. The letter should clearly state that it relates to a complaint. A complaint should only be made if the concern process (Stage One) has not led to a satisfactory outcome.

5e. Concerns or complaints regarding Governors/the Governing Board

Concerns or complaints may be made regarding:

- The Chair of Governors
- The Vice Chair of Governors
- Any other member of the Governing Board
- The Governing Board as a whole

Concerns or complaints about the Governing Board (whether relating to an individual Governor or to the Governing Board as a whole) should be made to the Clerk to the Governing Board, in writing and marked 'for the attention of the Clerk to the Governing Board' via the school's postal address, in person at the school office, or via e-mail to office@endonhall.staffs.sch.uk.

The Clerk will then determine the most appropriate course of action, depending on the nature of the concern/complaint. This action may involve sourcing an independent investigator to initially deal with the concern/complaint and then getting the concern/complaint to be heard by co-opted governors from another school. The Clerk to Governors may seek advice from the Local Authority (LA).

Under some circumstances, it may be necessary to deviate from the concerns/complaints procedure. Any deviation will be documented, along with the reasons for this.

Information about a concern or complaint will not be disclosed to a third party without written consent from the person raising the concern/complainant.

5f. The four stage procedure

Stage One: Raising a Concern

Many concerns can be resolved by simple clarification or provision of information and it is anticipated that most concerns will be resolved at this stage. It is normally appropriate to communicate your concern directly to the relevant member of staff. In the first instance this should be by telephone or in person, as we have found that this is the most effective way to resolve things. Please contact the school office to arrange a mutually convenient time for a telephone conversation to be held. Details of what you wish to discuss will be required in advance. The member of staff receiving the concern will discuss it with the Headteacher.

Concerns raised via e-mail/in writing will be acknowledged within **3 working days (term time)** and directed to/discussed with the relevant member/s of staff. Following this, if required, a further discussion/meeting will be arranged **within 5 working days (term time)** to clarify the exact nature of the concern.

At this stage, the person raising the concern will be asked what they think might resolve the issue – any acknowledgement that the school could have handled the situation better is not an admission of unlawful or negligent action.

Within 15 working days (term time) of the concern being clarified, an outcome/resolution will be provided (either verbally or in writing).

Brief notes of conversations, meetings and/or telephone calls will be made, to support the process.

If an appropriate resolution cannot be sought at this stage or if the person raising the concern is dissatisfied with the outcome/resolution following the initial discussions, they may wish to proceed to Stage Two of the procedure.

Where a concern is made initially to a governor, the person raising the concern will be referred to the appropriate person. The governor in question will not act alone on a concern outside the procedure; if they do, they will not be involved if the concern is subject to a hearing at a later stage of the procedure.

Stage Two: Making a Complaint

If a concern has already been communicated to a relevant member of staff, but the person raising the concern is dissatisfied with the outcome/resolution, it may be appropriate to raise a complaint directly with the appropriate person, in writing, as set out in sections 5b, 5c, 5d and 5e (above). Each section states who will be responsible for ensuring that the complaint is investigated appropriately, based on who the complaint is related to, and how to contact them.

Complaints made in writing, will be acknowledged within **3 working days** (during term time). Following this, if required, a further discussion/meeting will be arranged within **5 working days** (term time) to clarify the exact nature of the complaint.

Where reasonable attempts are made to accommodate complainants for meetings and these are refused or the complainant is unable to attend, the meeting will be convened in their absence and a conclusion will be reached in the interests of drawing the complaint to a close.

At this stage, the person making the complaint will be asked what they think might resolve the issue – any acknowledgement that the school could have handled the situation better is not an admission of unlawful or negligent action.

Within 15 working days (term time) of the complaint being clarified either:

- the Headteacher will investigate the complaint and an outcome/resolution will be provided (in writing)

Or:

- an investigation will be carried out by a panel comprising members of the Governing Board, following which a response will be provided (in writing)

Or:

- if the complaint is about the Governing Board, the Clerk will determine the course of action required to investigate following which a response will be provided (in writing).

The complainant will be advised of any escalation options and provided with details of this process. The complainant will also be provided with a summary of the meeting (within 15 term time working days), subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR.

Investigative complaint panels

In certain circumstances, a panel may be required to investigate. In these circumstances, those investigating will:

- Ensure that all parties involved are fully updated throughout each stage of the procedure
- Guarantee that all parties involved in the procedure are aware of any relevant legislation, including the Equality Act 2010, UK GDPR, Data Protection Act 2018 and Freedom of Information Act 2000
- Keep up-to-date records throughout the procedure – these records will be kept securely and retained in line with the school's Records Management Policy
- Set the date, time and venue of all meetings, ensuring that this is appropriate, convenient and accessible to all parties involved
- Liaise with all parties involved to ensure the procedure runs smoothly
- Greet all parties as they arrive at the meeting
- Explain the remit of the panel to the person raising the concern/complainant
- Conduct the meeting in an informal manner, ensuring that everyone is treated with respect and courtesy
- Ensure that the room's layout and setting is informal and non-adversarial, while still setting the appropriate tone
- Ensure that summaries of meetings are taken and note that this is the only method of recording to be used
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure
- Give both the person raising the concern/complainant and the school the opportunity to state their case and seek clarity without undue interruption
- Help to put at ease and/or console individuals if required, including providing the necessary support for any children involved
- Provide copies of any written material or evidence to everyone in attendance at the meeting, ensuring that everyone has seen the necessary material
- Ensure that all issues are covered and that any outcomes reached are based on facts and evidence
- Organise a short adjournment of the meeting if required
- Ensure that the summary of the panel meeting is circulated to all parties afterwards (within 15 working days)
- Ensure, where the person raising the concern/complainant is dissatisfied with the response, that they are aware of how to escalate it to the next stage and are provided the opportunity to complete the procedure in full
- Be aware of issues with regard to sharing third party information
- Respond to any requests for assistance or additional support made by the person raising the concern/complainant

All those investigating will be aware that:

- The panel is independent and impartial
- No individual with prior involvement in the concern/complaint, or the circumstances surrounding it, is permitted to sit on the panel
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain a harmonious reconciliation between the parties involved
- Reconciliation between the school and the person raising the concern/complainant is not always achievable, and it may only be possible to establish facts and make recommendations to reassure the person raising the concern/complainant that their case has been taken seriously
- The panel can:
  - Dismiss or uphold the concern/complaint, in whole or in part
  - Decide on appropriate action to be taken
  - Recommend changes that the school can make to prevent reoccurrence of the problem
- The person raising the concern/complainant may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible
- When a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child's view is represented equally

Stage Three: Complaint Appeals

If the complainant is not satisfied with the process that has been followed, an appeal request should be made in writing to the Chair of Governors **within 10 school days (term time).** This can be done via the office@endonhall.staffs.sch.uk e-mail address, or the school's postal address, marked for the attention of the Chair of Governors.

Where there are communication difficulties, the complaint may be made in person or via telephone.

Written acknowledgement of the complaint appeal will be made **within 3 school days (term time).** This will inform the complainant that the appeal will be heard **within 20 school days.**

The Chair of Governors, or another nominated governor, will convene an appeal panel comprising of three members of the Governing Board. If the whole Governing Board is aware of the substance of the complaint being appealed, an independent panel will be arranged to hear the complaint.

If the complainant believes there is likely to be bias in the proceedings, they reserve the right to request an independent panel – complainants should provide evidence to support their request. Where the appearance of bias is sufficient to taint the decision reached, the Governing Board will likely grant the request.

Neither the school nor the complainant should bring legal representation to any appeal proceedings. However, there are occasions where legal representation may be appropriate e.g. where a school employee is a witness in a complaint, they may be entitled to bring union or legal representation.

To appoint a governor from another school onto an independent complaints panel, the Governing Board does not have to enter into, or already be in, a formal arrangement under the School Governance (Collaboration) (England) Regulations 2003.

Where an independent panel is arranged on an ad-hoc, informal basis, governors who are suitability skilled and who can demonstrate their independence will be sourced. Governors from any category of governor or associate members of another Governing Board can be approached to take part in an independent panel.

A formal collaborative arrangement will be made with another maintained school where the school wishes to appoint a standing committee to hear all the complaints received under the complaints committee's tenure.

Where appropriate, the Clerk to Governors will ask for support from their network or governor services team at the Local Authority.

5 school days' notice (term time) will be given to all parties attending the appeal, including the complainant.

Prior to the hearing, the Chair of Governors will have written to the complainant informing them of how the review will be conducted. The Headteacher will also have a copy of this letter.

At the hearing, all participants will be given the opportunity to put their case across and discuss any issues.

The appeal panel will consider issues raised in the original complaint and any issues which have been highlighted during the complaints procedure.

The meeting will allow for:

- The complainant to be present and accompanied at the hearing if they wish.
- The complainant to explain their complaint and the Headteacher to explain the reasons for their decision.
- The complainant to question the Headteacher, and vice versa, about the complaint.
- Any evidence, including witnesses who have been prior approved by the chair of the appeal, to be questioned.
- Members of the appeal panel to question both the complainant and the Headteacher.
- Final statements to be made by both parties involved.

The complainant and the person complained about, where relevant, will receive a written response, via email or otherwise, explaining the panel's findings and recommendations **within 15 school days** (term time). This response will also explain whether there are any further rights of appeal and to whom they need to be addressed. Where relevant, the person complained about will receive a summary of the panel's findings and recommendations. They will also receive a summary of the meeting, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR.

Stage 4: Final stage Appeal

If a complainant has completed the school's process and remains dissatisfied, they have the right to refer their complaint to the Secretary of State using the online form or in writing to:

Ministerial and Public Communications Division - Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

There are exceptional circumstances to when the complaints procedure applies. These are outlined in the 'Exceptional circumstances' section of this policy.

The Secretary of State has a duty to consider all complaints raised but will only intervene where the Governing Board has acted unlawfully or unreasonably and where it is expedient or practical to do so. In this case, the word "unreasonably" is used in a strict sense and means acting in a way that no reasonable school or Governing Board could act in the circumstances.

6. Interviewing witnesses

When interviewing pupils to gather information regarding a complaint, the interview should be conducted in the presence of another member of staff or, in the case of serious complaints e.g. where the possibility of criminal investigation exists, in the presence of their parents/carers and/or the Police.

The school will ensure that any interviews conducted do not prejudice a police or Local Authority Designated Officer's (LADO) investigation.

The school will understand the importance of ensuring a friendly and relaxed area which is free from intimidation. All pupils interviewed will be made fully aware of what the interview relates to and their right to have someone with them. Staff are allowed a colleague and/or trade union representative to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.

The interviewer will not express opinions in words or attitude, so as to not influence the interviewee.

The interviewee will sign a copy of the transcription of the interview.

7. Recording a complaint

A written record will be kept of any complaint made, whether made via phone, in person or in writing, detailing:

- The main issues raised, the findings and any recommendations.
- Whether the complaint was resolved following an informal route, formal route or panel hearing.
- Actions taken by the school as a result of the complaint (regardless of whether the complaint was upheld).

Recording devices **will not** be used, except for the purposes of reasonable adjustments. The school will consult with the Local Authority before using recording devices.

The school will not accept, as evidence, any recordings that were obtained covertly and without the informed consent of all parties being recorded.

Details of a complaint made will not be shared with the entire Governing Board. The exception to this is when a complaint is made against the whole Governing Board and they need to be aware of the allegations made against them, to respond to any independent investigation. Complainants have a right to access copies of these records under the UK GDPR and the Freedom of Information Act 2000.

The school will hold all records of complaints centrally. Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection requests to access them.

As data controllers, the school will ensure in all cases that they comply with their obligations and responsibilities as outlined in the Freedom of Information Act 2000, the Data Protection Act 2018 and the UK GDPR.

8. Complaints not covered by this procedure

There are a variety of areas where the complaints procedure does not apply because of other separate statutory procedures being in place. The school will deal with complaints regarding these topics in line with the procedures outlines below.

The following complaints should be directed to the LA:

- Statutory assessments of SEND
- School reorganisation proposals
- Admissions to schools

Complaints about child protection matters will be managed in line with the school's Child Protection & Safeguarding Policy and in accordance with relevant statutory guidance. Any child protection complaints should be directed to the LADO or the multi-agency safeguarding hub (MASH).

Complaints concerning admissions will be directed to the appropriate admissions authority.

Complaints regarding exclusions will be dealt with in accordance with procedures outlined in the school's Suspension and Exclusion Policy.

The school has an internal whistleblowing procedure for all employees, including contractors and temporary staff outlined in the Whistleblowing Policy. Any whistleblowers not wishing to raise the issue with their employer will direct their complaint to the DfE as 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.

Volunteers who have concerns about the school or a member of staff should make their complaint in line with this policy. Volunteers may also be able to complain to the LA or DfE, depending on what the complaint is about.

Staff grievances will be dealt with in line with the school's Grievance Policy. In these cases, complainants will not be informed of the outcome of any investigations; however, they will be notified that the matter is being addressed.

Complaints about staff conduct 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 the complaint; however, the complainant will be notified that a matter is being addressed.

This complaints procedure is not to be used when addressing any complaints made about services provided by a third party who may use the school premises or facilities. The Headteacher will ensure all third-party suppliers have their own complaints procedures in place, and all complaints concerning this should be directed to the service provider.

Complaints about the content of National Curriculum should be made to the DfE. Complaints about how the school delivers the curriculum, including RE and RSHE, will be dealt with using this complaints procedure.

Any complaints about the content of the daily act of collective worship are dealt with by either:

- The LA
- The local Standard Advisory Council on Religious Education
- Another relevant body e.g. the diocese

Complaints from parents/carers who are dissatisfied with the handling of a request to withdraw their child from RE or collective worship will be managed in line with this complaints procedure.

Requests for information and issues with the school's process for dealing with FOI requests, will be dealt with in accordance with the Freedom of Information Policy.

9. Exceptional circumstances

The DfE expects complainants to have completed the school's complaints procedure before directing a complaint to them.

The exceptions to this include when:

- Pupils are at risk of harm
- Pupils are missing education
- A complainant is being prevented from having their complaint progress through the school's complaints procedure
- The DfE has evidence that the school is proposing to act or is acting unlawfully or unreasonably

If a social services authority decides to investigate a situation, the Headteacher or Governing Board may postpone the complaints procedure.

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 SEND, and decisions to permanently exclude a child.

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

10. Managing serial and unreasonable complaints

The school is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The school will not normally limit the contact complainants have with it; however, the school will not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

A complaint may be regarded as unreasonable when the person making the complaint:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to cooperate with the complaints investigation process while still wishing their complaint to be resolved
- Refuses to accept that certain issues are not within the scope of a complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced
- Changes the basis of the complaint as the investigation proceeds
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- Refuses to accept the findings of the investigation into that complaint where the school's complaints procedure has been fully and properly implemented and completed including referral to the DfE
- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums

Complainants should limit the number of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

Serial or persistent complaints will only be marked as 'serial' once the complainant has completed the complaints procedure. It is the complaint that will be marked as 'serial', meaning the complainant can complain about a separate issue if necessary. A complaint will not be marked as serial where a complainant has exercised their right to refer their complaint to their MP.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, the school may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

A decision to stop responding will only be considered in circumstances where the following statements are true:

- Every reasonable step has been taken to address the complainant's concerns
- The complainant has been given a clear statement of the school's position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time

If the above criteria are met, in making a decision to stop responding the school will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about staff or threats towards them, and if the school believes their intent is to disrupt or inconvenience the school.

The school will not stop responding to a complainant on the basis that they are difficult to deal with or they ask complex questions.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the premises.

11. Complaints campaigns

For the purposes of this policy, "**complaints campaigns**" are where the school receives large volumes of complaints that are all based on the same subject.

Where the school becomes the subject of a complaints campaign from complainants who are not connected with the school, a standard, single response will be published on the school's website. If the school receives a large number of complaints about the same subject from complainants who are connected to the school e.g. parents, each complainant will receive an individual response.

If complainants remain dissatisfied with the school's response, they will be directed to the DfE.

12. Barring from the premises

The school premises is private property and therefore any individual may be barred from entering the premises.

If an individual's behaviour is cause for concern, the Headteacher or Chair of Governors will ask the individual to leave the premises.

The Headteacher will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and why, subject to any representations that the individual may wish to make.

The individual involved will be given the opportunity to formally express their views regarding the decision to bar them. This decision to bar will be reviewed by the Chair of Governors or a committee of the Governing Board, taking into account any discussions following the incident. If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place, and when the decision will be reviewed.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including via e-mail, to the Headteacher or Chair of Governors (via the school office).

Once the school's complaints procedure is completed, the only remaining avenue of appeal is through the Courts.

13. Role of the DfE

If a complainant remains dissatisfied once the complaint procedure has been completed, they have the right to refer their complaint to the Secretary of State.

If a complainant wishes to escalate a complaint of bias, the DfE will require evidence to be submitted with the complaint. The Secretary of State will only intervene when they believe that the Governing Board has acted unlawfully or unreasonably.

They will not overturn a school's decision about a complaint except in exceptional circumstances, such as the school acting unlawfully.

When making a final decision about a complaint, the school reserves the right to seek advice from the DfE on whether they are acting reasonably and lawfully; however, they will not be able to advise on how to resolve the complaint.

14. Handling data protection complaints

The school will maintain a clear and accessible process for managing data protection complaints in line with legal requirements and good practice.

Data protection complaints will consist of any concern that personal data has been managed in breach of data protection law e.g. rights requests, data security, collection, use, retention or accuracy of data.

Complainants will not be required to use legal terminology. Where unclear, the school will seek clarification. Complaints that relate primarily to service issues but include a data rights request will not automatically be treated as data protection complaints.

The school will provide accessible ways for individuals to submit complaints e.g. email, form, telephone, post, in person, and will accept complaints made via any channel, including social media, while requesting a secure contact method where necessary.

The school will inform individuals of their right to complain at the point of data collection and within relevant responses e.g. subject access requests, using clear and age-appropriate language.

Initial handling and acknowledgement

The school will:

- Acknowledge receipt of a data protection complaint within 30 calendar days from the day after receipt.
- Make arrangements to meet this timescale during periods of staff absence.
- Confirm receipt and next steps using the complainant's preferred or original contact method where appropriate.
- Verify the identity of the complainant where necessary and request only proportionate evidence.
- Verify authority where a complaint is made on behalf of another individual before proceeding.

Investigation

The school will:

- Begin investigating without undue delay.
- Make appropriate and proportionate enquiries, including reviewing records, speaking to relevant staff and assessing compliance with policies and law.
- Seek further information from the complainant where needed and clarify desired outcomes.
- Take into account the complexity, scale and potential harm when determining timescales.
- Keep the complainant informed of the investigation progress and any delays.

Children and additional considerations

The school recognises that children have the same data protection rights as adults and will:

- Communicate in clear, age-appropriate language.
- Assess their understanding, where required.
- Provide mechanisms for children to raise concerns, including urgency indicators.
- Prioritise safeguarding concerns and act promptly where risk is indicated.

Outcome

The school will:

- Provide a clear outcome without undue delay, explaining findings, decisions and any actions taken.
- Respond to each aspect of the complaint and provide supporting information where appropriate.
- Inform the complainant of their right to raise concerns with the ICO.
- Consider offering a review where appropriate, noting individuals may contact the ICO at any time.

Record keeping and learning

The school will:

- Keep records of complaints, including receipt, acknowledgement, investigation, outcome and actions taken.
- Ensure records are accurate, organised and retained only as long as necessary.
- Monitor trends and use outcomes to improve practices and compliance.

Responsibilities and governance

The school will:

- Ensure staff are trained to recognise and appropriately escalate data protection complaints.
- Integrate data protection complaints into existing complaints procedures where appropriate, ensuring no undue delay.
- Ensure appropriate arrangements are in place where acting as a joint controller or working with processors, with clear responsibilities for managing complaints.

Regulatory context

The school will comply with its obligation to provide a complaints process, respond without undue delay, and acknowledge complaints within 30 days. Where a complainant contacts the ICO, the school will cooperate as required.

15. Transferring data

The school will hold records of complaints separate to pupil records while a complaint is ongoing, so that access to these records can be maintained.

Information that the school retains relating to a complaint will be stored securely and in line with the school's Records Management Policy.

16. Availability

A copy of this policy will be published on the school website in accordance with the School Information (England) (Amendment) Regulations 2016.

17. Monitoring and review

This procedure will be reviewed annually, taking into account any legislative changes and the latest guidance issued by the DfE. The next scheduled review date for this policy is **July 2027**.

Responsibility for reviewing the procedure belongs to the Governing Board. All projected review dates will be adhered to.

Information gathered through reviewing the complaints procedure will be used to continuously improve and develop the process. The monitoring and reviewing of complaints will be used to help evaluate the school's performance.