



KINETON GREEN PRIMARY SCHOOL

COMPLAINTS POLICY

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Introduction

Kineton Green Primary School endeavours to provide the best possible education for all its pupils. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised the school intends for these to be dealt with

- fairly
- openly
- promptly
- without prejudice.

In order to do so, the governing body has approved the following policy and procedure that explains what you should do if you wish to make a complaint about the school.

This policy should be used in conjunction with the DfE the Best Practice guidance for school complaints procedures which was updated in January 2021. If you are raising a concern relating to an issue about information, this policy will be used in conjunction with the school's Freedom of Information policy (particularly Section 4) which is on the school website.

1. Who can make a complaint?

This Complaints Policy 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 Kineton Green Primary school about any provision of facilities or services that we provide, unless complaints are dealt with under separate statutory procedures (see Section 10 – Scope of this Complaints Policy).

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 Policy. Kineton Green Primary school takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Kineton Green Primary school will attempt to resolve the issue internally, through the stages outlined within this Complaints Policy.

2. How to raise a concern or make a complaint

A concern or complaint can be made in person, by telephone or in writing to the relevant person and 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, Headteacher or other senior member of staff. 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.

The process for handling formal complaints depends on who the complaint is about.

- Complaints against school staff (except the Headteacher) should be made in the first instance to the Headteacher either in person or in writing (preferably on the Complaint Form enclosed in an envelope marked Private and Confidential). The Headteacher will complete all the actions at Stage 1 of this policy. See Section 14.
- Complaints that involve or are about the Headteacher must be made in writing to the Chair of Governors (preferably on the Complaint Form in an envelope marked Private and Confidential or email) and sent to the Clerk to the Governing Body (details available from the school office). The Chair of Governors will complete all the actions at Stage 1 of this policy. See Section 15.
- Complaints about any member or members of the governing body, including the Chair or Vice Chair of Governors must be made in writing (preferably on the Complaint Form in an envelope marked Private and Confidential or email) and sent to the Clerk to the Governing Body (details available from the school office). A suitably skilled governor will be appointed by the Clerk to the Governing Body to complete all the actions at Stage 1 of the policy. See Sections 16 or 17.

For ease of use, a template Complaint Form is included in Section 19. If you require help in completing the form, please contact the Clerk to the Governing Body (details available from 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.

3. 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.

4. Duplicate complaints

If we receive a complaint about the same subject after closing a complaint at the end of the complaints process from:

- a spouse
- a partner
- a grandparent
- a child
- any other person connected to the complainant

we will inform the new complainant that the school has already considered that complaint, that the local process is complete and advise the new complainant to contact the Local Authority if they are dissatisfied with the school's handling of the original complaint.

We will take care not to overlook any new aspects to the complaint that we may not have previously considered and will ensure these are investigated and dealt with to the full extent of the Complaints Policy and its process.

5. Complaint campaigns

Occasionally, the school may become the focus of a campaign and receive large volumes of complaints:

- all based on the same subject.
- from complainants unconnected with the school

and we will use a separate procedure in the Complaints Policy to handle complaints of this nature (see Appendix 1 – Policy for Managing Serial and Unreasonable Complaints)

6. Third parties

We ensure that any third-party providers have their own complaints procedures in place if they are using school premises or facilities to offer:

- community facilities
- services

7. Parental Responsibility

Complaint issues to do with the acknowledgement and application of parental responsibility will be dealt with using the DfE guidance of September 2018 - [Understanding and dealing with issues relating to parental responsibility](#). Parents should make it clear if they wish the school to initiate the Complaints policy and procedure.

8. Time scales

The complainant 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.

A timeline has been added at Appendix 2 to assist all parties and provide an audit trail.

9. 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.

10. Scope of this Complaints Policy

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

Exceptions	Who to contact
Admissions - to schools (except nurseries which are now the school's	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the Local Authority

responsibility) Statutory assessments of Special Educational Needs School re-organisation proposals	
Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). Solihull LADO http://solihullscb.proceduresonline.com/chapters/p_lado_contacts.html !</p>
Exclusion of children from school*	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy (see our website) can be made through the school's complaints procedure.</i></p>
Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>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 depending on the substance of your complaint.</p>
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>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.</p>
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 directly.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

Withdrawal from the curriculum	<p>Parents and carers can withdraw their child from any aspect of RE, including the daily act of collective worship (DACW). They do not have to explain why.</p> <p>If parents or carers are not satisfied with the handling of a request to withdraw their child from RE or the DACW, schools should advise them to follow their complaints procedure.</p> <p>The right of withdrawal does not apply to other areas of the curriculum where religious matters may be spontaneously raised by pupils or arise in other subjects such as history or citizenship.</p>
Collective worship	<p>Complainants who are dissatisfied with the content of the DACW should be signposted to:</p> <ul style="list-style-type: none"> • the local authority • the local Standing Advisory Council on Religious Education • any other relevant body
Requests for Information	<p>Complaints of this nature would be covered by the School Data Protection Policy available on the school website.</p>

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 Kineton Green Primary school in relation to their complaint, we will consider whether to suspend the Complaints Policy and its procedure in relation to their complaint until those legal proceedings have concluded.

11. Resolving complaints

At each stage in the procedure, Kineton Green Primary school 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.

12. Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing to the person who is investigating the complaint.

13. Confidentiality

Confidentiality should be maintained at all times by everyone involved as far as it is possible. All complaints will be treated in confidence and every effort made not to reveal the complainant's identity if it would adversely affect the complainant. However, whilst making all reasonable effort to maintain the confidentiality of the matter as a whole, at a certain stage in the investigation it may be necessary to make the origin of the complaint known to the person or persons to whom the complaint relates or those person or persons whose actions form part of an investigation. Also, complainants should be aware that their identity may be revealed by inference. When and if confidentiality is no longer possible, the complainant will be informed.

The governing body of Kineton Green Primary School requests that complaints are not discussed publicly, including via social media.

Written records taken and used throughout the complaints process, including correspondence, notes of meetings, telephone calls etc., will be kept securely and in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

The governing body monitors the policy and its associated procedure. The Headteacher and Clerk to the Governors log all complaints and record how they are resolved. The governing body review this log on an annual basis.

14. Complaints about staff except the Headteacher

Stage 1

Formal complaints must be made to the Headteacher. This may be done in person, in writing (preferably on the Complaint Form in an envelope marked Private and Confidential or email) or by telephone.

The Headteacher will:

- record the date the complaint is received.
- acknowledge receipt of the complaint in writing (either by letter or email) within 5 school-working days and include a copy of the school's Complaints policy.
- notify the subject of the complaint and include a copy of the complaint and the school's Complaints policy.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team (please see Appendix 3) but not the decision to be taken.

During the investigation, the Headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide the complainant with a formal written response within 10 school-working days of the date of receipt of the complaint and notify the

subject of the complaint of the result.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Kington Green Primary school will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints panel, which will be formed of the first three, impartial, governors available (please see Appendix 3).

A request to escalate to Stage 2 must be made in writing (either by letter in an envelope marked Private and Confidential or email) to the Clerk to the Governing Body (details available from the school office), within 10 school-working days of receipt of the Stage 1 response.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will:

- record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school-working days.
- write to the complainant to inform them of the date of the meeting.
- write to the subject of the complaint to inform them of the date of the meeting.
- aim to convene a meeting within 20 school-working days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant and subject of the complaint informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints panel will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints panel. If there are fewer than three governors from Kington Green Primary school available, the Clerk will source any additional, independent governors through another local school in order to make up the panel. Alternatively, an entirely independent panel may be convened to hear the complaint at Stage 2.

The panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant and/or the subject of the complaint is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel meeting.

Representatives from the media are not permitted to attend.

At least 10 school-working days before the meeting, the Clerk will:

- confirm and notify the complainant and subject of the complaint of the date, time and venue of the meeting, ensuring that, if they are invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- request copies of any further written material to be submitted to the panel at least 5 school-working days before the meeting.
- inform the complainant the panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint and any such information in the additional written material will be redacted. New complaints must be dealt with from Stage 1 of the procedure.

Any written material will be circulated to all parties 5 school-working days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The meeting will be held in private.

Audio or video evidence – Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The panel will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part.
- dismiss the complaint.

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint.
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the panel will provide the complainant, the subject of the complaint and Kineton Green Primary school with a full explanation of their decision and the reason(s) for it, in writing, within 10 school-working days of the Stage 2 panel meeting.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Kineton Green Primary school.

15. Complaints about the Headteacher

Stage 1

Formal complaints that involve or are about the Headteacher must be made in writing to the Chair of Governors (preferably on the Complaint Form in an envelope marked Private and Confidential or

email) and sent to the Clerk to the Governing Body (details available from the school office). The Chair of Governors will complete all the actions at Stage 1 of this policy and will instruct the Clerk to the Governing Body to:

- record the date the complaint is received.
- acknowledge receipt of the complaint in writing (either by letter or email) within 5 school-working days and include a copy of the school's Complaints policy.
- notify the subject of the complaint and include a copy of the school's Complaints Policy.

The Chair (or appointed governor if appropriate – please see Appendix 3) will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Chair can consider whether a face-to-face meeting is the most appropriate way of doing this.

During the investigation, the Chair will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Chair will provide a formal written response within 10 school-working days of the date of receipt of the complaint, for the Clerk to notify the complainant and the subject of the complaint of the result.

If the Chair is unable to meet this deadline, the Clerk will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Kineton Green Primary school will take to resolve the complaint.

The Clerk will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2.

Stage 2 will be heard by a panel of suitably skilled independent, co-opted governors (please see Appendix 3).

A request to escalate to Stage 2 must be made in writing (either by letter in an envelope marked Private and Confidential or email) to the Clerk to the Governing Body (details available from the school office), within 10 school-working days of receipt of the Stage 1 response.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school-working days.

The Clerk will write to the complainant and the subject of the complaint to inform them of the date of the meeting. They will aim to convene a meeting within 20 school-working days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints panel will consist of at least three governors independent of Kineton Green Primary school (please see Appendix 3) with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints panel.

The panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant and/or subject of the complaint is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel meeting.

Representatives from the media are not permitted to attend.

At least 10 school-working days before the meeting, the Clerk will:

- confirm and notify the complainant and subject of the complaint of the date, time and venue of the meeting, ensuring that, if they are invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- request copies of any further written material to be submitted to the panel at least 5 school-working days before the meeting.
- inform the complainant the panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint and any such information in the additional written material will be redacted. New complaints must be dealt with from Stage 1 of the procedure.

Any written material will be circulated to all parties 5 school-working days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The meeting will be held in private.

Audio or video evidence – Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The panel will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part.
- dismiss the complaint.

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint.

- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the panel will provide the complainant, the subject of the complaint and Kineton Green Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 10 school-working days of the Stage 2 panel meeting.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Kineton Green Primary school.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the independent panel recommend Kineton Green Primary school should take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

16. Complaints about a member of the Governing Body

Stage 1

Formal complaints about a member of the governing body (including the Chair or Vice-Chair), must be sent in writing (preferably on the Complaint Form in an envelope marked Private and Confidential or email) to the Clerk to the Governing Body (details available from the school office).

The Clerk will:

- record the date the complaint is received.
- acknowledge receipt of the complaint in writing (either by letter or email) within 5 school-working days and include a copy of the school's Complaints policy.
- notify the subject of the complaint and include a copy of the school's Complaints Policy.

Within this response, the Clerk will appoint a suitably skilled Governor (please see Appendix 3) to investigate the complaint to complete all the actions at Stage 1. The Governor will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Governor can consider whether a face-to-face meeting is the most appropriate way of doing this.

During the investigation, the Governor will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Governor will provide a formal written response within 10 school-working days of the date of receipt of the complaint, for the Clerk to notify the complainant and the subject of the complaint of the result.

If the Governor is unable to meet this deadline, the Clerk will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Kineton Green Primary school will take to resolve the complaint.

The Clerk will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2.

Stage 2 will be heard by a panel of suitably skilled independent, co-opted governors (please see Appendix 3).

A request to escalate to Stage 2 must be made in writing (either by letter in an envelope marked Private and Confidential or email) to the Clerk to the Governing Body (details available from the school office), within 10 school-working days of receipt of the Stage 1 response.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school-working days.

The Clerk will write to the complainant and the subject of the complaint to inform them of the date of the meeting. They will aim to convene a meeting within 20 school-working days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints panel will consist of at least three governors independent of Kineton Green Primary school with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints panel.

The panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant and/or subject of the complaint is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel meeting.

Representatives from the media are not permitted to attend.

At least 10 school-working days before the meeting, the Clerk will:

- confirm and notify the complainant and subject of the complaint of the date, time and venue of the meeting, ensuring that, if they are invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- request copies of any further written material to be submitted to the panel at least 5 school-working days before the meeting.

- inform the complainant the panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint and any such information in the additional written material will be redacted. New complaints must be dealt with from Stage 1 of the procedure.

Any written material will be circulated to all parties 5 school-working days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The meeting will be held in private.

Audio or video evidence – Electronic recordings of meetings or conversations are not normally permitted unless a complainant’s own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The panel will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part.
- dismiss the complaint.

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint.
- where appropriate, recommend changes to the school’s systems or procedures to prevent similar issues in the future.

The Chair of the panel will provide the complainant, the subject of the complaint and Kineton Green Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 10 school-working days of the Stage 2 panel meeting.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Kineton Green Primary school.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the independent panel recommend Kineton Green Primary school should take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

17. Complaints about more than one member of the Governing Body

Stage 1

Formal complaints about more than one member of the governing body, specifically:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

must be sent in writing (preferably on the Complaint Form in an envelope marked Private and Confidential or email) to the Clerk to the Governing Body (details available from the school office).

All the actions at Stage 1 will be considered by a suitably skilled independent investigator appointed by the Clerk (please see Appendix 3). At the conclusion of their investigation, the independent investigator will provide a formal written response.

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2.

Stage 2 will be heard by a panel of suitably skilled independent, co-opted governors as detailed above in the processes for the Headteacher/ a member of the Governing Body.

18. Next Steps

This is now the final stage of the Complaints Policy and complaints procedure. For the majority of complaints there is no right of appeal to the Local Authority (LA) beyond the school's governing body. Parents may contact Solihull MBC on 0121 704 8536 for further advice but there is no right of a further stage of formal investigation by the LA. This however does not preclude the complainant's right to contact the Department of Education if they are dissatisfied with the way their complaint has been handled by Kineton Green Primary School by contacting them online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

19. Complaint Form

Please complete and return to either the Headteacher or the Clerk to the governors (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:

I have read and understood the Complaints Policy including Section 13 about confidentiality (please tick to acknowledge).

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

20. 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.

Headteacher (or Governor or Investigator)

The Headteacher's (or Governor's or 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:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved.
 - interviewing staff and children/young people and other people relevant to the complaint.
 - consideration of records and other relevant information.
 - analysing information.
- Clarifying what the complainant feels would put things right.

The Headteacher (or Governor or 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 that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Headteacher (or Governor or Investigator) will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Clerk to the Governing Body

The Clerk will act as the Complaints Co-ordinator, is the contact point for the complainant and the investigating governor or governing body's complaints panel and should:

- ensure that the complainant is fully updated at each stage of the procedure.
- liaise with staff members, Headteacher, Chair of Governors, LAs (if appropriate) to ensure the smooth running of the complaints procedure.
- 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).
- be aware of issues regarding:
 - sharing third party information
 - 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.
- 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.
- once approved by the investigator (Headteacher, Governor, or Panel Chair) circulate the approved minutes of the meeting to the panel members and make them available to the complainant and the subject of the complaint.
- notify all parties of the governor's / panel's recommendations/decisions.

Panel Chair

The panel's Chair, who is nominated in advance of the complaint meeting, should ensure that:

- 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 panel 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 Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (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 subject of the complaint 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 panel is open-minded and acts independently.
- no member of the panel 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.

Panel Member

Panel 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 panel 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, subject of the complaint 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 panel 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 panel 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 panel 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 panel considers is not in the child/young person's best interests.

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

Kineton Green School policy for managing serial and unreasonable complaints, and unreasonable behaviour

Kineton Green Primary school is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Managing Unreasonable behaviour.

Kineton Green Primary school defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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 co-operate with the complaints investigation process.
- refuses to accept that certain issues are not within the scope of the Complaints Policy.
- insists on the complaint being dealt with in ways which are incompatible with the Complaints Policy or with good practice.
- introduces trivial or irrelevant information which they expect to be taken into account and commented on.
- 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 Policy has been fully and properly implemented and completed including referral to the Department for Education.
- seeks an unrealistic outcome.
- makes excessive demands on school time by frequent, lengthy and complicated 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 try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, telephone, or email), 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.

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

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Kineton Green Primary school (see Section 5 – Barring from School Premises).

1. Managing serial and persistent complaints

We will do our best to be helpful to people who contact us with a:

- complaint or concern
- request for information

However, there will be occasions when, despite all stages of the Complaints Policy having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue, we will inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts us again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and we may choose not to respond. However, we will not mark a complaint as 'serial' before the complainant has completed the procedure, unless our published serial complaint criteria applies.

Under no circumstances will a complainant be marked as 'serial' for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

We may receive complaints we consider to be vexatious. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious.
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
- insistence upon pursuing meritorious complaints in an unreasonable manner.
- complaints which are designed to cause disruption or annoyance.
- demands for redress that lack any serious purpose or value.

We will not refuse to accept further correspondence or complaints from an individual we have had repeat or excessive contact with. The application of a 'serial or persistent' marking will be against the subject or complaint itself rather than the complainant.

2. When to stop responding

The decision to stop responding will never be taken lightly, and will only happen when we are able to say yes to all of the following:

- we have taken every reasonable step to address the complainant's concerns.
- the complainant has been given a clear statement of our position and their options.
- the complainant contacts us repeatedly, making substantially the same points each time.

The case to stop responding is stronger if we agree with one or more of these statements:

- their letters, emails, or telephone calls are often or always abusive or aggressive.
- they make insulting personal comments about or threats towards staff.
- we have reason to believe the individual is contacting us with the intention of causing disruption or inconvenience.

We will not stop responding just because an individual is difficult to deal with or asks complex questions.

3. Communication strategy for persistent correspondents

If an individual's behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, we can implement a tailored communication strategy. For example, we can:

- restrict the individual to a single point of contact via an email address.
- limit the number of times they can make contact, such as a fixed number of contacts per term.

However, regardless of the application of any communication strategy, we must provide parents and carers with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005, within the statutory time frame.

Different procedures apply to freedom of information (Freedom of Information Act 2000) and data protection (Data Protection Act 2018 and the General Data Protection Regulations) correspondence and we will seek advice from our FOI and DP advisor about those or approach the Information Commissioner's Office for further advice.

If an individual persists to the point that may constitute harassment, we will seek legal advice which may result in injunctions and other court orders issued to individuals preventing them from contacting schools direct.

If we decide that it is appropriate to stop responding, we will inform the individual.

4. Barring from school premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. We will therefore need to act to ensure they remain a safe place for pupils, staff and other members of our community.

If an individual's behaviour is a cause for concern, we can ask them to leave the school premises. In some cases, individuals can be barred from entering school premises. We will always give the individual the opportunity to formally express their views on a decision to bar.

The Headteacher's decision to bar will then be periodically reviewed by either:

- the Chair of Governors
- a committee of governors

who will notify the outcome of the review to the parent within a reasonable timeframe following the meeting at which the matter was discussed.

We will take into account any representations made by the individual and decide whether to either confirm or lift the bar. If the decision is confirmed, the individual will be notified in writing, explaining:

- how long the bar will be in place.
- when the decision will be reviewed.

Once the school's appeal process has been completed, individuals who remain barred may be able to apply to the Courts for a review of the school's decision. Individuals wishing to exercise this option should seek independent legal advice.

<https://www.gov.uk/government/publications/controlling-access-to-school-premises> provides more guidance on access to school premises.

Appendix 2 – Timeline

DEADLINE (school working days)	NAMES	ROLE	DEADLINE DATE	ACTUAL DATE	ACTION
Pre Stage 1		Staff/governor			Receive and discuss informal concern or complaint.
STAGE 1					
Day 1		Investigator			Complaint received if not resolved informally.
Day 5		Investigator			Deadline to acknowledge receipt of complaint
					Inform and explain to complainant if complaint cannot be taken further.
Day 5		Investigator			Notify subject of complaint plus details of Complaint
Day 10		Investigator			Deadline to provide formal written response to complaint. Outcome: Upheld because: Not Upheld because:

DEADLINE (school working days)	NAMES	ROLE	DEADLINE DATE	ACTUAL DATE	ACTION
Day 11		Investigator			Notify subject of the complaint
Day 20		Complainant			Deadline for complainant to request Stage 2
STAGE 2 – before meeting					
Day 1	CLERK	Point of contact			Stage 2 request received
Day 1	CLERK	Point of contact			Notify subject of the complaint 2
Day 5	CLERK	Point of contact			Deadline to acknowledge receipt of complaint
Day 20	CLERK	Point of contact Panel chair Panel member Panel member			Deadline to convene a meeting of the complaints panel. Appointment of panel members.
STAGE 2 – meeting date set					
10 days prior to agreed meeting date	CLERK	Point of contact			Deadline to confirm and notify all parties of venue, date and time of meeting
5 days prior to agreed meeting date		Complainant School Subject of complaint			Deadline to provide Clerk with additional written material
5 days prior to agreed meeting date	CLERK	Point of contact			Deadline for Clerk to circulate additional material to all parties

DEADLINE (school working days)	NAMES	ROLE	DEADLINE DATE	ACTUAL DATE	ACTION
10 days post agreed meeting date		Panel Chair			<p>Deadline for the panel to provide complainant and School with response.</p> <p>Outcome:</p> <p>Upheld because:</p> <p>Not Upheld because:</p>
10 days post agreed meeting date		Panel chair			Notify subject of the complaint

Next steps

This is now the final stage of the Complaints Policy and complaints procedure. For the majority of complaints there is no right of appeal to the Local Authority (LA) beyond the school's governing body. Parents may contact Solihull MBC on 0121 704 8536 for further advice but there is no right of a further stage of formal investigation by the LA. This however does not preclude the complainant's right to contact the Department of Education if they are dissatisfied with the way their complaint has been handled by Kineton Green Primary School by contacting them online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Appendix 3 – Checklist for appointing a suitably qualified governor/investigator

The effective management of the complaints handling process is important for all participants and an essential element to ensure this happens is the appointment of a suitably qualified person to undertake the investigation. The following list is not exhaustive but includes the essential considerations:

1. They must declare they have no conflict of interest.
2. They must be confident they will have the time available to commit to the process, which may be lengthy, and will be able to meet the timescales.
3. They must have attended a training session on how to handle complaints within the previous 3 years.
4. They must be aware of the relevant school policies, such as the School Complaints Policy and the school's Data Protection and FOI policies.
5. They must be aware of the advice and support available at SMBC, such as Schools' Governor Services, School Information Officer and the Corporate Governance Officer.