

Waltham Leas Primary Academy



Complaints Policy

Approved by:

Date:

Last reviewed on:

July 2026

Next review due by:

Sept 2027

Introduction and Overview

This Policy is designed to set out how complaints are to be submitted and handled by the Academies within the Athena Alliance. It has been tailored to meet the standards set out in the Education (Independent School Standards) (England) Regulations 2010 Schedule 1, Part 7.

The following member of staff has the responsibility for implementing this Policy at Waltham Leas Primary Academy:

- Jane Thompson (Headteacher)

A “complaint” is defined as ‘*an expression of dissatisfaction however made, about actions taken or a lack of action*’. This is distinguished from a “concern” which is defined as ‘*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*’. A concern or unresolved problem becomes a complaint only when the complainant asserts that a school has acted wrongly in some significant decision, action or failure to take action.

A complaint can be brought by any parent of a registered child at the School in receipt of education, any person who has been provided with a service or a facility at the School, or any third party who may have cause to complain about the School. The procedure refers to the person who brings a complaint as a complainant.

The complaints procedure consists of the following three stages:

1. Informal Resolution
2. Formal Complaint and Investigation
3. Panel Hearing

Each stage of the process is defined in more detail within the sections below.

General considerations

The vast majority of complaints and concerns can be resolved informally.

The complainant must feel able to raise concerns and complaints with members of staff without formality, either in person, by telephone, email or in writing.

At first it may be unclear whether a complainant is asking a question or expressing an opinion rather than making a complaint. A complainant may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

Even when a complaint has been made it can be resolved or withdrawn at any stage.

All hearings and meetings, plus the findings of any investigations undertaken under this Complaints procedure must be noted down in writing and kept together. All correspondence, statements and records are to be kept confidential except where otherwise provided by statute.

Special Circumstances

Any complaint or other notice that suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual interference or neglect may be referred without further notice to Children’s Social Care and/or to the social services authority for the area in which the child lives. If a social services authority decides to investigate a situation this may postpone or supersede investigation by the head teacher or governing body.

Other Solutions to Complaints

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 statutory assessment of special educational needs and decisions to permanently exclude a child.

In addition, school reorganisation proposals, child protection investigations, whistleblowing, staff grievance & disciplinary issues and complaints provided by other providers who may use school premises or facilities fall outside the scope of this procedure. In the majority of cases, these issues are covered by separate policies.

Stage 1 – Informal Resolution

- 1.1 The complainant should be given an opportunity to discuss their concern with the appropriate member of staff. An appointment may need to be made for them to do so.
- 1.2 The complainant should be able to bring a friend to any discussion.
- 1.3 The member of staff dealing with the concern should make sure that the complainant is clear what action (if any) or monitoring of the situation has been agreed.
- 1.4 This stage should be completed speedily and concluded in writing with appropriate detail.
- 1.5 Where no satisfactory solution has been found, the complainant should be informed that s/he will need to consider whether to make a formal complaint in writing to the Headteacher to engage Stage 2. To assist in this process a complaint form should be provided (see Annex A).

Stage 2 – Formal Complaint and Investigation

- 2.1 If the complaint is escalated, the Headteacher should acknowledge the complaint in writing. In some cases, the Headteacher will have already been involved in looking at the matter; in others it will be his/her first involvement.
- 2.2 The Headteacher should consider providing an opportunity to meet with the complainant to supplement any information previously provided.
- 2.3 If the complaint is against a member of staff, the Headteacher should talk to the staff member against whom the complaint has been made.
- 2.4 If necessary, the Headteacher should interview witnesses and take statements from those involved.
- 2.5 The Headteacher should keep reasonable written records of meetings, telephone conversations and other documentation.
- 2.6 Once all the relevant facts have been established, the Headteacher should produce a written response to the complainant. The Headteacher may wish to meet the complainant to discuss/resolve the matter before confirming the outcome in writing.
- 2.7 The written response should include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.

- 2.8 Stage 2 should, where possible, be completed in 15 school days. However, it is recognised that where the case is complex, it may prove difficult to meet this timetable. In such cases, the Headteacher should write to the complainant giving a revised target date.
- 2.9 Schools will not pay financial compensation as a response to complaints.
- 2.10 The formal Stage 2 response should also advise the complainant that if s/he is not satisfied with the response and wishes to take the matter further, s/he should write to the Chair of the Governing Body within 15 school days of receiving the outcome letter. The outcome letter should set out the name of the Chair of the Governing Body and the address to which the complainant can send the letter.

Stage 3 – Consideration by the Governing Body

- 3.1 If the complainant decides to take the matter further, the Chair of the Governing Body should write to the complainant to acknowledge the complaint within five school days of receipt of the complaint. A copy of the acknowledgement and the complaints form should be sent to the Headteacher and the Clerk to the Governing Body. (A standard letter is attached to this document at Annex B which the Chair may wish to use).
- 3.2 Investigating the complaint – If the complaint has been investigated at Stage 2, the result of the investigation must be made available to the Clerk/Chair by the Headteacher. However, where the complaint is against the Headteacher and the complaint is referred to Stage 3, the Chair of the Governing Body must decide how the complaint should be investigated. Where the facts of the complaint are clearly established, it is unlikely for the Chair of the Governing Body to order an investigation. The matter may instead be escalated directly to the Complaints Appeal Panel.
- 3.3 Governing bodies are advised to establish a Complaints Appeal Panel (CAP) often drawing on governors. A CAP member should have no prior, direct involvement with the complaint. The CAP should be made up of three individuals, and at least one member of the CAP must be independent from the School and the governing body. In deciding the make-up of the CAP, where possible the governing body will try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- 3.4 Where all (or a majority of governors) are aware of the substance of a complaint before the final stage has been completed, the Governing Body may choose to arrange for the panel hearing the complaint to be made up entirely (or include a number) of independent panel members. In this case, independent panel members may be drawn from another school's Governing Body.
- 3.5 The Headteacher should not serve on the CAP. If the Chair of the governing body has had any prior involvement in the complaint, then the Chair must not sit on the CAP.
- 3.6 The CAP should consider the complaint on the basis of the written evidence and set up a hearing to hear both parties. The CAP should reconsider the issues raised in the original complaint and not confine themselves to consideration of procedural issues.
- 3.7 The Chair of the CAP should take a decision at the beginning of Stage 3 on whether to seek the services of a Clerk to:
- a. Deal with the administration of the procedure;
 - b. Provide independent advice on procedure and evidence;
 - c. Ensure that the relevant facts are established;
 - d. Minute the meeting; and
 - e. Draft the decision letter.

- 3.8 The Clerk/Chair of the CAP should write to the complainant to explain how the review will be conducted. The letter should be copied to the Headteacher.
- 3.9 The Clerk/Chair of the CAP should confirm the date of the meeting with the other governor(s).
- 3.10 The complainant and Headteacher should be invited to attend the meeting. The date and time of the meeting should be convenient to the complainant and Headteacher, within reason. The notification should inform the complainant of his/her right to be accompanied to the meeting by a friend/representative. It should also explain how the meeting will be conducted and of the complainant's right to submit further written evidence to the committee.
- 3.11 The Headteacher should also be invited to prepare a written report for the CAP in response to the complaint.
- 3.12 All relevant correspondence regarding the complaint should be circulated to the CAP; the complainant and the Headteacher in advance of the meeting.
- 3.13 If the Headteacher and/or the complainant wish to call witnesses, the agreement of the Chair of the CAP should be obtained in advance of the meeting.
- 3.14 It is the responsibility of the Chair of the CAP to ensure that the meeting is properly conducted. However, the proceedings should be as informal as possible.
- 3.15 The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, at the end of the meeting the CAP will need to issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others.
- 3.16 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to respond to the new evidence. Late evidence of witnesses should not be accepted unless there is a good reason for the lateness.
- 3.17 The meeting should allow for:
- a. The complainant to explain his or her complaint and the Headteacher to explain the reasons for his or her decision;
 - b. The Headteacher to question the complainant about the complaint and the complainant to question the Headteacher;
 - c. The CAP to have an opportunity to question both the complainant and the Headteacher;
 - d. Any party to have the right to bring witnesses (subject to the approval of the Chair of CAP) and all parties having the right to question all the witnesses; and
 - e. A final statement by the Headteacher and complainant.
- 3.18 The Chair of the CAP should explain to the complainant and the Headteacher that the CAP will consider its decision, and a written response will be sent to both parties as soon as possible. The complainant, Headteacher and any witnesses will then leave.
- 3.19 The CAP will consider the complaint and all the evidence presented and reach a unanimous, or at least a majority, decision on the complaint. Where appropriate the CAP can decide on the action to be taken to resolve the complaint and/or suggest recommended changes to the school's system or procedures to ensure that problems of a similar nature do not happen again.
- 3.20 As in Section 2.9 above, the CAP will not pay financial compensation as a response to a complaint.

3.21 The Clerk/Chair of CAP will send a written statement outlining the decision with reasons to both the complainant and the Headteacher.

3.22 Stage 3 should, where possible, be completed in 15 school days. However, it is recognised that this timetable may prove challenging where complaints are complex. In such cases, the CAP chair should write to the complainant and Headteacher giving a revised target date.

Complaints against the Headteacher

If the complaint is wholly or mainly about the Headteacher, the Governing Body should consider the complaint in accordance with Stage 3 of the procedure described below. However, before Stage 3 is instigated the Chair of the Governing Body will invite the Headteacher to respond to the complaint in writing within ten school days.

The Chair will send a copy of the Headteacher's response to the complainant who will be asked to indicate within five school days of receipt of the response whether s/he is satisfied with the response. If the complainant is not satisfied with the response stage 3 should commence as described in paragraph 3.1 onwards.

Vexatious, Serial & Persistent or Unreasonable Complaints

The Academy 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 the 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.

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.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. 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.

Where the complainant remains dissatisfied, despite all stages of the procedure having been followed and the complainant tries to reopen the same issue, the Chair of the Governing Body can inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.

Annex A - School Complaint Form (for Stage 2 complaints)

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Headteacher. {If your complaint is against the Headteacher you will need to send the form to the Chair of the Governing Body}

Name	
Address	
Postcode	
Telephone (Home)	

Telephone (Mobile)	
Child's Name	
Child's date of birth	
What is your complaint?	
What action would you like the Headteacher to take?	
When did you discuss your complaint with the appropriate member of staff?	
What was the result of the discussion?	

Continue on a separate sheet as necessary

Signed: Date:

Annex B - Example stage 3 acknowledgement letter from Chair of Governors

An example of a letter that the Chair of the Governing Body may wish to send to the complainant upon receipt of a complaint at Stage 3 for consideration by the Governing Body

Dear

Complaint re

Thank you for your letter dated..... setting out the reasons why you are not satisfied with the Headteacher's response to your complaint about

I write to let you know that I will be arranging for a Complaints Appeal Panel (CAP) to consider your complaint in accordance with Stage 3 of the attached complaints procedure.

As explained in the procedure, the Clerk/Chair of the CAP will let you know in writing how the CAP intends to consider your complaint.

(or in the case of complaints against the Headteacher)

I have received your complaint against the Headteacher ofSchool.

I write to let you know that I have forwarded a copy of your complaint to the Headteacher with a request that s/he respond within ten school days to the issues raised in the complaint.

A copy of the Headteacher's response will be sent to you as soon as possible.

If you are not satisfied with the Headteacher's response, I will arrange for a Complaints Appeal Panel (CAP) to consider your complaint in accordance with Stage 3 of the attached complaints procedure.

As explained in the procedure, the Clerk/Chair of the Complaints Appeal Panel will let you know in writing how the complaint will proceed.

Yours sincerely

Chair of the Governing Body

Cc The Headteacher
The Clerk to the Governing Body

Enc. Complaints Procedure