



School Complaints

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Chair of Governors: Mrs L Glasper

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Stanley Crook Primary School School Complaints Policy

Introduction

Stanley Crook Primary School is committed to working in partnership with parents, carers and members of the community. We recognise that concerns and complaints will occasionally arise and view these as opportunities to improve our provision and strengthen relationships.

This policy has been developed with reference to the Department for Education's *Best Practice Guidance for School Complaints Procedures* and relevant legislation including Section 29 of the Education Act 2002.

The school aims to deal with complaints fairly, openly, proportionately and as quickly as possible.

Equality and Accessibility

The school will make reasonable adjustments for complainants where required under the Equality Act 2010.

This may include:

- providing information in alternative formats;
- arranging interpretation or translation services;
- allowing assistance with completing complaint forms;
- arranging meetings in accessible locations; and
- adapting communication methods where appropriate.

The school will ensure that no individual is disadvantaged when accessing the complaints process.

Complaints that Raise Safeguarding Concerns

Any complaint that indicates a child may be suffering, or is likely to suffer, significant harm will immediately be referred to the Designated Safeguarding Lead (DSL).

The complaint will be managed in accordance with the school's Safeguarding and Child Protection Policy and Durham Safeguarding Children Partnership procedures.

The complaints process may be suspended whilst safeguarding concerns are investigated where appropriate.

Complainants will be informed that child protection matters cannot always be managed through the standard complaints procedure and may require involvement from statutory agencies.

The difference between a concern and a complaint

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

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

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

However, there will be occasions when complainants want to raise their concerns formally. In those cases, your complaints procedure should be followed.

Who can make a complaint?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions).

Complaints can be made about the Headteacher, individual members of the Governing Body or the whole Governing Body.

There are certain complaints which fall outside the remit of the Governing Body's complaints procedure and include:

- Matters that are the responsibility of the Local Authority
- Conduct of staff at the school (staff grievances and disciplinary procedures)
- Content of an EHCP of Special Educational Needs
- Pupil admissions
- Pupil exclusions
- Child Protection/Safeguarding

Purpose of a Complaints Procedure

This procedure aims to reassure anyone with an interest in the school that:

- Where possible, complaints will be dealt with informally and at the lowest possible level in school in order to reach a resolution promptly;
- Any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution; and
- The school recognises that a willingness to listen to questions and criticism and to respond positively, can lead to improvements in school practices as well as provision.

This Complaints Procedure will:

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to understand and use
- be impartial
- be non-adversarial

- allow swift handling with established time-limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality wherever possible
- address all the points at issue and provide an effective response and appropriate redress, where necessary

Investigating Complaints

It is suggested that at each stage, the person investigating the complaint makes sure that they:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview

Resolving Complaints

At each stage in the procedure schools will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- It would be useful if complainants were encouraged to state what actions/outcome they feel might resolve the problem at any stage
- An admission that the school could have handled the situation better is not the same as an admission of negligence
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Recording, Confidentiality and Data Protection

The school will maintain records of complaints, investigations and outcomes in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, the school's Data Protection Policy and Records Retention Schedule.

Complaint records will be kept confidential except where disclosure is:

- necessary to investigate the complaint;
- required as part of safeguarding duties;
- necessary to comply with legal obligations; or
- required by a regulatory or inspection body.

Records will be retained only for as long as necessary in accordance with statutory and school requirements.

Monitoring the Policy

The Governing Body should review their Complaints Policy regularly and monitor the number and range of complaints received, how these were dealt with and any action taken. The monitoring and review of complaints can be a useful tool in evaluating the school's performance.

Anonymous Complaints

Anonymous complaints will not normally be investigated.

However, the Headteacher or Chair of Governors (where appropriate) will determine whether the complaint warrants investigation due to:

- the seriousness of the allegation;
- any safeguarding implications;
- the credibility of the information provided; or
- potential risks to pupils, staff or the wider school community.

Complaints About the Headteacher

Where a complaint concerns the Headteacher, the complaint should be referred directly to the Chair of Governors.

The Chair of Governors will determine the appropriate course of action and may seek advice from Durham County Council Governor Support Services where required.

Any Governor involved in the investigation of a complaint will not subsequently sit on a complaints appeal panel considering the same matter.

Complaints about a Governor / Governing Body

Where a complaint concerns an individual Governor (other than the Chair of Governors), it should be referred to the Chair of Governors.

Where a complaint concerns the Chair of Governors or the whole Governing Body, it should be referred to the Clerk to the Governing Body.

Advice may be sought from Durham County Council Governor Support Services where appropriate.

Managing Persistent or Unreasonable Complaints

The school is committed to dealing with all complaints fairly and impartially.

Occasionally, a complainant may continue to pursue a complaint after all stages of the procedure have been exhausted.

A complaint may be considered persistent or unreasonable where the complainant:

- repeatedly raises substantially the same issue after it has been fully investigated;
- refuses to accept the findings of an investigation where the complaints procedure has been properly followed;
- seeks to prolong communication unnecessarily; or
- behaves in a manner that places unreasonable demands on school resources.

Where the school decides that further correspondence will not be considered, the complainant will be informed in writing of the reasons for this decision.

This does not prevent a complainant from raising a new complaint about a separate matter.

Complaints from Parents of Pupils with SEND

The school is committed to working closely with parents and carers of pupils with Special Educational Needs and Disabilities (SEND).

Concerns regarding SEND provision should initially be raised with:

1. The Class Teacher
2. The SENCO
3. The Headteacher

Where concerns remain unresolved, the matter may proceed through the school's complaints procedure.

Complaints regarding the provision made by the school for a child with SEND may be considered through this complaints procedure.

However, concerns relating to:

- the content of an Education, Health and Care Plan (EHCP);
- decisions made by Durham County Council regarding statutory assessment;
- named placement within an EHCP;

must be pursued through the statutory SEND appeals process and Durham County Council procedures.

Third parties

All third party providers employ their own complaints procedures for when they are using school premises or facilities to offer:

- community facilities
- services

For further information on these separate policies, please contact the school office.

Time Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

The time limits are set using school working days i.e. excluding school holidays.

At each stage, clarification will be made regarding who exactly who will be involved, what will happen, and how long it will take. There may, on occasion, be the need for some flexibility, for example, the possibility of further meetings between the complainant and the person investigating the complaint.

There is a time limit of three months from the date of the incident/ concern to lodging a formal complaint. However, school will consider extending this timeframe in the case of exceptional circumstances.

Informal resolutions

School will always endeavor to attempt to work with complainants in an attempt to secure an informal resolution, before making a formal complaint, if it's appropriate to do so.

If the complainant wishes to raise a formal complaint, school will not attempt to prevent this by insisting on informal resolution first.

Legal representation

In the event that a complaint progresses to a committee of members of the school governors, it is recommended that neither the complainant nor the school bring legal representation. These committees are not a form of legal proceedings. The aim of the governors committee should be:

- reconciliation
- to put right things that may have gone wrong

School recognises there are occasions where legal representation may be appropriate.

Example

If a school employee is a witness in a complaint, they may be entitled to bring union or legal representation.

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

Complaints Policy

Stage 1 Informal Resolution – Complaint heard by staff member

It is in everyone's best interest that complaints are resolved at the earliest possible stage and as quickly as possible. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. Therefore, if staff and Governors are aware of the policy they will know what to do should they receive a complaint.

If the member of staff involved feels too compromised to deal with a complaint, the complaint could be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial. Where the complaint concerns the Headteacher the complainant is referred to the Chair of Governors.

Where the first approach is made to a Governor, the complainant should be referred to the appropriate person and advised of the policy. Governors should not act unilaterally on an individual complaint given that they may be required to sit on a panel at a later stage of the procedure.

The Headteacher's influence may already have shaped the way complaints are handled in the school and resolved the complaint at this stage. If the informal process has been exhausted and no satisfactory solution has been found the complainant should be advised that their complaint could progress to Stage 2 of the policy.

If the complainant is not satisfied with the response they should request that their concerns be referred to the Headteacher (if they have not already dealt with the issue). The complainant should be invited to put the complaint in writing to the Headteacher (or Chair of Governors if the complaint is against the Headteacher) using the form attached at Appendix 2. The form should be sent to the Headteacher or Chair of Governors, as appropriate, as soon as possible. The Chair of Governors can be contacted via the school. The Headteacher will seek any necessary clarification of the concerns including interviewing the complainant where this would be helpful. The Headteacher will advise the complainant of the outcome of their consideration. Other than in exceptional circumstances the Headteacher should provide a response to the complainant within 10 school days of them requesting the involvement of the Headteacher.

Stage 2 – Complaint heard by Headteacher or Chair of Governors

Where the Headteacher has addressed the complaint at Stage 1 the matter should progress to Stage 3 and be heard by a Committee of the Governing Body. Where another staff member has addressed the complaint at Stage 1, the Headteacher will hear this stage.

The Headteacher should acknowledge the written complaint upon receipt and provide an opportunity to meet the complainant to discuss the complaint. At this point the Headteacher may still seek to resolve the complaint informally.

The Headteacher will investigate the complaint and a written response will normally be made within 20 school days of receipt of the complaint. If this is not possible, an extension can be agreed.

The written response will include reasons for the conclusions reached by the Headteacher, what action, if any, the school proposes to take to resolve the matter and advise the complainant of the right to request a meeting with Governors if they remain dissatisfied with the outcome.

The complainant will have 10 school days from receipt of the outcome letter in which to request an Appeal.

Stage 3 – Review by Complaints Panel

Where a complainant remains dissatisfied following the Headteacher's response, they may request consideration by a Complaints Panel of governors.

The request should normally be made within 10 school days of receipt of the Stage 2 response. The Clerk will seek to arrange a meeting of the appropriate Committee of the school's Governing Body within 20 school days.

The panel will:

- Consist of governors who have had no previous involvement in the complaint;
- Review the handling of the complaint;
- Consider whether the procedure was followed correctly;
- Determine whether the complaint was investigated fairly and reasonably;
- Reach findings based on the evidence available.

The panel may:

- Uphold the complaint in full;
- Uphold part of the complaint;
- Dismiss the complaint;
- Recommend actions to improve school practice.

A written outcome will normally be provided within 5 school days of the hearing.

The panel's decision is final within the school's procedure.

Further Recourse

If the complainant believes that:

- The school has acted unlawfully;
- The school has failed to comply with education legislation;
- The school has not substantially followed its complaints procedure;

they may refer the matter to the Department for Education.

The Department for Education will not reinvestigate the complaint or overturn decisions made by the school but may consider whether the school has acted reasonably and complied with legal requirements.

Information about making a complaint to the Department for Education can be obtained from the Department for Education website.

Where complaints relate to other statutory processes, such as admissions, exclusions, special educational needs or safeguarding, separate appeal routes may apply.

Monitoring and Review

The Governing Board will:

- Monitor trends and themes arising from complaints;
- Review the effectiveness of the complaints procedure at least annually or sooner where legislation, safeguarding guidance or DfE complaints guidance changes.
- Ensure lessons learned are incorporated into school improvement planning;
- Ensure the procedure remains compliant with current legislation and DfE guidance.

The Headteacher will provide anonymised reports to governors where appropriate to support strategic oversight and quality assurance.

Appendix 1: School Complaints Procedure Summary

Stage	Who Deals With It?	Action	Timescale
Informal Concern	Class Teacher, Member of Staff or Appropriate Line Manager	Concern discussed and resolved informally wherever possible.	As soon as possible, normally within 5 school days .
Stage 1: Complaint heard by staff member	Class teacher or staff member	Complaint heard by staff member.	Response normally within 10 school days .
Stage 2: Formal Complaint	Headteacher	Written complaint submitted and investigated. Written outcome provided to complainant.	Acknowledgement within 5 school days . Investigation and response normally within 20 school days .
Complaint about the Headteacher	Chair of Governors	Complaint investigated by the Chair of Governors or nominated governor.	Normally within 20 school days .
Complaint about the Governing Board	Clerk to Governors Chair of Governors	Complaint considered under the Governing Board complaints process.	Normally within 20 school days .
Stage 3: Complaints Panel Review	Complaints Panel of Governors	Review of how the complaint was handled and whether procedures were followed appropriately.	Request submitted within 10 school days of Stage 2 response. Outcome normally issued within 5 school days of the hearing.
Completion of School Procedure	Complaints Panel	School complaints procedure concludes.	After written panel decision issued.
Further Recourse	Department for Education	Complainant may refer concerns regarding maladministration or failure to follow procedure. The DfE will not reinvestigate the complaint itself.	Following completion of the school's complaints procedure.

Appendix 2

School Complaints Form

Stanley Crook Primary School

Please complete and return this form to the Headteacher (or Chair of Governors where appropriate). The school will acknowledge receipt of your complaint and explain the next steps in the process.

Section 1: Your Details

Full Name:
Address:
Postcode:
Telephone Number:
Email Address:
Preferred Method of Contact: ☐ Telephone ☐ Email ☐ Letter
Relationship to the School: ☐ Parent/Carer ☐ Pupil ☐ Member of Staff ☐ Governor ☐ Member of the Public ☐ Other

If completing this form on behalf of someone else, please provide:

Name of Person Represented:
Relationship to Them:

Section 2: Details of Your Complaint

Date of incident:

Date you became aware of the issue:

What is your complaint about?

Please tick all that apply.

☐ Teaching and Learning

- ☐ Behaviour
- ☐ Bullying
- ☐ SEND Provision
- ☐ Safeguarding
- ☐ Communication
- ☐ School Procedures
- ☐ Health and Safety
- ☐ Staff Conduct
- ☐ Other (please specify)

Have you already discussed your concern with a member of staff?

- ☐ Yes
- ☐ No

If yes, please provide details:

Name of Staff Member:
Date(s) of Discussion:
Outcome:

Section 3: Complaint Details

Please describe your complaint as fully as possible.

Include:

- What happened
- Who was involved
- When it happened
- Where it happened
- Any action already taken

(Continue on a separate sheet if necessary)

Section 4: Evidence

Please list any documents or evidence attached.

Document/Evidence Attached

Section 5: Witnesses

Please provide the names of any individuals who may have relevant information.

Name	Relationship to Complainant

Section 6: Desired Outcome

Please tell us what action or outcome you are seeking.

Section 7: Equality and Accessibility

Do you require any reasonable adjustments to help you participate in the complaints procedure?

☐ No

☐ Yes

If yes, please provide details.

Examples may include:

- Large print documents
- Translation services
- Interpreter support
- Alternative meeting arrangements
- Assistance completing paperwork

Section 8: Declaration

I confirm that:

- The information provided on this form is accurate to the best of my knowledge.
- I understand that complaint records will be handled in accordance with the school's Data Protection Policy and applicable data protection legislation.
- I understand that abusive, threatening or unreasonable behaviour towards school staff will not be tolerated.

-

Signature:

Date:

For School Use Only

Date Received:

Complaint Reference Number:

Received By:

Stage of Procedure:

Acknowledgement Sent:

Investigating Officer:

Outcome Date:

Appendix 3: Stage 3 Complaints Panel Hearing Procedure

Step	Action	Responsibility
1	Complaint review request received within 10 school days of Stage 2 outcome.	Complainant
2	Hearing arranged within 20 school days of receiving the appeal request.	Clerk to Governors
3	All supporting documentation circulated to panel members and parties in advance of the hearing.	Clerk to Governors
4	Chair welcomes all parties and explains the purpose of the hearing.	Chair of Panel
5	Complainant presents reasons for requesting the review.	Complainant
6	Panel members ask questions of the complainant.	Panel
7	Headteacher (or investigating officer) presents findings from Stage 2 investigation.	Headteacher/Investigator
8	Panel members ask questions of the Headteacher/investigator.	Panel
9	Both parties are given the opportunity to make a final statement.	Chair
10	All parties withdraw while the panel deliberates.	Chair
11	Panel reaches a decision and determines any recommendations.	Panel
12	Written outcome communicated to all parties, normally within 5 school days.	Chair/Clerk

Possible Outcomes

Outcome	Description
Complaint upheld	All aspects of the complaint are upheld.
Complaint partially upheld	Some elements are upheld and others are not.
Complaint not upheld	The panel does not find sufficient evidence to uphold the complaint.
Recommendations made	The panel identifies improvements to school procedures or practice.

Principles of the Hearing

The panel will:

- Act impartially and independently.
- Consider all evidence presented.
- Ensure all parties are treated fairly and respectfully.
- Focus on whether the complaint was investigated appropriately and whether the outcome was reasonable.
- Not normally reinvestigate the complaint in full.
- Maintain confidentiality throughout the process.

Appendix 4: Complaints Procedure Flowchart

Step	Process
1	Concern raised with class teacher or relevant member of staff
↓	
2	Informal resolution sought
↓	If resolved, procedure ends
↓	If unresolved
3	Formal complaint submitted to Headteacher
↓	
4	Headteacher investigates and provides written response
↓	If resolved, procedure ends
↓	If complainant remains dissatisfied
5	Request for Complaints Panel Review submitted within 10 school days
↓	
6	Governor Complaints Panel Hearing within 20 school days
↓	
7	Written outcome issued
↓	
8	School complaints procedure completed
↓	
9	Matter may be referred to the Department for Education if concerns relate to procedure or legal compliance