

# **Amotherby CP School**



## **Complaints Policy July 2025**

## Who can make a complaint?

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

## The difference between a concern and a complaint

- A **concern** may be defined as *an expression of worry or doubt over an issue considered to be important for which reassurances are sought.*
- A **complaint** may be defined as *an expression of dissatisfaction however made, about actions taken or a lack of action.*

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally without the need to use the formal stages of the complaints procedure.

Amotherby CP School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the headteacher will refer you to another staff member. The ability to consider the concern objectively and impartially is more important than seniority.

However, we understand there are occasions when people would like to raise their concerns formally. In such cases, Amotherby CP School will attempt to resolve issues internally through the stages outlined within this complaints procedure.

## How to raise a concern or make a complaint

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

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

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

- Complaints about school staff (except the headteacher) should be made in the first instance to the headteacher via the school office, marked **Private and Confidential**.

- Complaints that involve or are about the headteacher should be addressed to Mr. Stewart Morris (**Chair of Governors**), via the school office, marked **Private and Confidential**.
- Complaints about the Chair of Governors, any individual governor, or the whole governing body should be addressed to the Clerk to the Governing Body, via the school office, marked **Private and Confidential**.

For ease of use, a template complaint form is included at the end of this procedure. If you require help completing the form, please contact the school office.

In accordance with equality law, we will consider making reasonable adjustments if required.

## Anonymous complaints

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

## Timescales

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

## Complaints received outside of term time

Complaints made outside of term time will be treated as having been received on the first school day after the holiday period.

## Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by **Anotherby CP School**, other than complaints that are dealt with under other statutory procedures, including those listed below:

Exception	Who to Contact
Admissions to schools, statutory assessments of Special Educational Needs, school reorganisation proposals	Local Authority
Matters likely to require a Child Protection Investigation	Handled under our safeguarding and child protection policy. Contact the LADO or MASH.
Exclusion of children from school Whistleblowing	Refer to government guidance on exclusions. See our whistleblowing policy or contact the DfE.

<b>Exception</b>	<b>Who to Contact</b>
Staff grievances	Dealt with under the school's internal grievance procedures.
Staff conduct	Dealt with under staff disciplinary procedures.
Services provided by other providers using school premises	Contact the provider directly.
National Curriculum – content	Contact the Department for Education.

Where other bodies are investigating aspects of a complaint, this may impact our ability to adhere to timescales or may result in suspension of the complaint procedure.

If a complainant commences legal action, we will consider whether to suspend the complaints procedure until legal proceedings are complete.

## **Resolving complaints**

At each stage in the procedure, Amotherby CP School seeks to resolve the complaint. We may offer:

- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that the event complained of will not recur
- An explanation of the steps taken to ensure it will not happen again
- An undertaking to review school policies
- An apology

## **Withdrawal of a Complaint**

If a complainant wishes to withdraw their complaint, we will ask for this in writing.

### **Stage 1**

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

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

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 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 a formal written response within 20 school days of the date of receipt of the complaint.

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 Amotherby 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.

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

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

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

## **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 committee, which will be formed of the first three impartial governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 5 school days of receipt of the Stage 1 response.

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 days.

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

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school 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 committee 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 Committee. If there are fewer than three governors from Amotherby School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee 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 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 committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is 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 committee at least 3 school days before the meeting.

Any written material will be circulated to all parties at least 2 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. 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 committee will consider the complaint and all the evidence presented. The committee can:

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

If the complaint is upheld in whole or in part, the committee 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 Committee will provide the complainant and Amotherby School with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

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 Amotherby School. If the complaint is:

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

Stage 2 will be heard by a committee of independent governors.

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 Amotherby School will take to resolve the complaint.

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

#### Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Amotherby School. They will consider whether Amotherby School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://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.

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