



Brandwood Community School

School Complaints Policy

Approved by the Personnel & Finance Governor Committee – February 2026
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This policy has been developed by the Bolton Governor Services Team with reference to Department for Education guidance - *'Best Practice Advice for School Complaints Procedures 2016'*. A copy of this guidance may be downloaded from the www.gov.uk website.

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1. Complaints Policy Introduction

Brandwood Community School has a complaints procedure which ensures that we respond to complaints as quickly and effectively as possible. The procedure will set out exactly what will happen with a complaint and how long the process will take.

The procedure will be used to deal with complaints relating to the school and any community facilities or services that the school provides. The school values all comments about the school and will endeavour to address the complainants concerns or complaints at the earliest stage possible.

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 generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

The formal procedures will only need to be invoked when initial attempts to resolve the complaint are unsuccessful and the person raising the complaint remains dissatisfied and wishes the matter to be heard by an impartial committee of the Governing Board.

In the first instance complainants will be directed to a member of staff who will refer the complaint to the most appropriate person. The school reserves the right not to speak to parents or carers who are abusive or aggressive and will request the parent or carer contacts the school once calm. If the complaint concerns the Head Teacher the complainant should contact the Chair of Governors in writing via the school. If the complaint is about the Chair of Governors or any individual Governor, the complainant should write to the Clerk to the Governors who will convene the Complaints Committee appointed from the Governing Board, and stage four of this procedure will apply. In this instance, the Vice-Chair of Governors may choose to present the evidence for the school. The Clerk may refer to the Local Authority or Governor Services for advice and support on any investigation.

When making a complaint it is important that the complainant identifies their desired outcome, that is what actions they feel might resolve the problem at any stage. Learners, parents or carers can make a complaint to the school about most aspects of its function.

There are some instances whereby the same complaint could be made by a number of persons dependent on the context of the complainant, in this case it is still expected that each complainant would raise their personal views on this issue on an individual basis.

Members of the general public may make complaints to the school if the school is directly responsible for the issue being complained about, for example behaviour of learners during break-times, health and safety issues of premises and behaviour of staff. These complaints will not fall within the jurisdiction of the Secretary of State or Ofsted, therefore only the Head Teacher and the Governing Board will consider them.

2. Complaints not in Scope of this Policy

Complaints not in scope of this procedure due to separate statutory procedures are:

Exceptions	Contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Bolton Council Pupil & Student Services: 01204 332137</p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection & 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). Bolton LADO: 01204 337474 & Bolton Referral and Assessment Team, part of the Multi-Agency Screening and Safeguarding Service: 01204 331500</p>
<ul style="list-style-type: none"> • 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 can be made through the school's complaints procedure.</i></p> <p>https://www.brandwoodprimaryschool.com/docs/Behaviour_Management_Policy_2019.pdf</p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle blowers in education who do not want to raise matters directly with their employer. Referrals can be made at: www.education.gov.uk/contactus.</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 directly to the LA or the Department for Education (see link above & below), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the school internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school 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>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.</p>
<ul style="list-style-type: none"> • National Curriculum content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

3. Governing Board Review

The Governing Board will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints will not be shared with the whole Governing Board, except in very general terms, in case a Complaints Committee is required to be formed. Complaints information shared with the whole Governing Board will not normally name individuals.

If the whole Governing Board is aware of the substance of a complaint before the final stage has been completed, the school will arrange for an independent panel to hear the complaint. The Governing Board may make a formal approach to another school, to ask for help or the LA Governor Services team. Guidance should be sought on the matter before a formal approach is made.

As well as addressing the complaint of an individual, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, any underlying issues that are identified will be addressed. The monitoring and review of complaints by the school and the Governing Board is seen as a useful tool in evaluating school performance and will be shared with the Senior Leadership Team for services to be improved.

4. Timeframes & Timeliness

Realistic timeframes for all aspects of the process are included within this procedure and should be adhered to at all stages. Where further investigation is required, new timeframes may be considered; however, details of these including an explanation will be provided to the complainant.

Complaints should be made as soon as possible after an incident arises and before three months have lapsed. After three months, the school will consider on an individual basis whether to consider exceptions to this.

5. Recording & Co-ordination of Complaints

Where possible, complainants will be requested to submit their complaint in writing by completing the enclosed '*School Complaints Form*' (**Appendix 1**). The school is mindful of their obligations under the Equality Act 2010 and requests for alternative methods of communication will be considered where appropriate. Suitable records of such communication will be required.

In order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls will be kept, on CPOMS (Child Protection Online Monitoring System), and a copy of any written response added to the record. Minutes of the Stage 2 Complaints Committee meeting must be taken.

The school will record the progress of the complaint and the final outcome on the CPOMS system. The Head Teacher and Assistant Head Teacher will be responsible for these records and hold them centrally. Complainants have a right to copies of these records under the Freedom of Information Acts.

The role of the Senior Leadership Team would include:

- Ensuring that the complainant is fully updated at each stage of the procedure;
- Ensure that all people involved in the complaints procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- Liaise with staff members, Head Teacher (if not undertaking the role), Chair of Governors and Clerk to ensure the smooth running of the complaints procedure;
- Keep records;
- Be aware of issues such as sharing third party information and additional support that may be needed by complainants, including interpretation support.

6. Investigating Complaints

The Investigator is the person(s) involved in Stage 1 of the procedure. At each stage, the person investigating the complaint will make sure that they:

- Provide 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;
 - consideration of records and other relevant information;
 - interviewing staff and learners and other people relevant to the complaint;
 - analysing information;
- Effectively liaise with the complainant as appropriate to clarify what the complainant feels would put things right;
- Identify solutions and recommend courses of action to resolve problems;
- Are mindful of the timescales to respond; and
- Respond to the complainant in plain and clear language.

The person investigating the complaint should make sure that they:

- 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.

7. Resolving Complaints

At each stage in the procedure, the 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

8. Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

9. Dealing with Unreasonable or Persistent Complaints

If properly followed, the complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied.

There are occasions when complaints become unreasonable and the school has a policy to deal with such situations. A copy of the *'Policy for Unreasonable Complaints'* is enclosed (**Appendix 3**).

We will do our best to be helpful to complainants; however, in cases where the school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, the school will take appropriate action. It is a poor use of school time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors will inform the complainant that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

10. Complaints Procedure - Stage 1 (formal)

Stage 1: Complaint Heard by Head Teacher

Parents, carers and learners will be advised of their right to make complaints. Complaints should be made either in writing or by arrangement of an appointment with the Head Teacher. The complainant may choose to use the attached complaints form (**see Appendix 1**). The Head Teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days. Within this response, the Head Teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Head Teacher can consider whether a face to face meeting is the most appropriate way of doing this.

If the complaint is about the Head Teacher the Chair of Governors will deal with the matter using this procedure. If the complainant has difficulty expressing themselves in writing, they should be informed where they can get independent assistance.

The Head Teacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken. The person investigating the complaint should be clear what exactly the complaint is and the desired outcome as soon as possible.

The Head Teacher will contact the complainant and provide an opportunity for the complainant to discuss their complaints and find solutions. This could be by phone or in a meeting. It will be made clear that the complainant may bring a friend, family member or advocate to any meeting if they wish. Interpreting services by the school will be made available where necessary. The Head Teacher should have another member of staff present to observe and record the meeting and promote staff safety. Care should be taken in these circumstances not to create an intimidating atmosphere for the complainant. If it is necessary to interview learners as part of the investigation, this will be done in the presence of another member of staff, or in the case of serious complaints e.g., where the possibility of criminal investigation exists, in the presence of their parents or carers, where appropriate. However, it might not always be possible to conduct an interview in case it prejudices a LADO or police investigation.

Written notes will be kept of all communications with regard to the complaint and its investigation.

The complaint will be investigated and written response will be provided within 10 school days, unless the complaint is complicated and to allow for a full investigation to be carried out an extension of 10 school days may be granted. Where it is deemed necessary to apply an extension to the investigation period this will be communicated to the complainant.

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 school will take to resolve the complaint.

The Head Teacher will advise the complainant to get back in touch with the Head Teacher if there are issues that require further clarification or discussion. The letter will also advise them of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Head Teacher, or a member of the Governing Board (including the Chair or Vice-Chair), the Chair of Governors or a suitably skilled governor will be appointed to complete all the actions at Stage 1. Complaints about the Head Teacher or member of the Governing Board 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 Board or
- the majority of the Governing Board

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

The complainant must be informed of the right to progress the complaint to stage 2 if they remain dissatisfied.

11. Complaints Procedure - Stage 2 (formal)

Stage 2: Complaint Heard by Complaints Committee of Governing Board

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 10 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 10 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.

Procedure for the Governing Board Complaints Committee Hearing

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 the 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 should be open-minded and independent. The aim of the meeting will be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it may sometimes only be possible to establish the facts and make recommendations that satisfy the complainant that their complaint has been taken seriously.

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 5 school days before the meeting

Any written material will be circulated to all parties at least 5 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 hearing will be held in private. Any witnesses (other than the complainant and the Head Teacher) will only attend for the part of the hearing in which they give evidence. Good practice would be that at no point will the Head Teacher or the complainant be left with the Complaints Committee without the other being present.

The committee should remember that the complainants may not be familiar with the conduct of formal meetings and may feel inhibited in addressing the committee. It is recommended that the Chair of the committee keep the proceedings as informal as possible. This is particularly important if the complainant is a child.

The meeting will allow for:

- The complainant to explain their complaint and the Head Teacher to explain the response of the school
- Witnesses to be brought by the complainant or the Head Teacher
- The Head Teacher and the complainant to ask questions of each other and any witnesses
- The committee to ask questions of the complainant, Head Teacher and any witnesses
- The complainant and the Head Teacher to summarise their position

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 Chair of the committee should thank the complainant and Head Teacher for their attendance and request they leave the meeting while the committee consider their decision.

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 the 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 the 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, co-opted 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 the school will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

The school will retain a copy of all correspondence and records of meetings in line with current retention guidelines.

12. The Role of the School Complaints Unit

If a complaint has completed the local procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State. The Secretary of State has a duty to consider all complaints raised but will only intervene where the Governing Board has acted unlawfully or unreasonably and where it is expedient or practical to do so.

The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State. The SCU will look at whether the complaints policy and any other relevant statutory policies were adhered to. The SCU also looks at whether statutory policies adhere to education legislation. However, the SCU will not normally re-investigate the substance of the complaint. This remains the responsibility of schools.

The SCU will not overturn a school decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. If the SCU finds that the school has not handled a complaint in accordance with its procedure, they may request that the complaint is looked at again.

If legislative or policy breaches are found, the SCU will report them to the school and the complainant, and where necessary, ask for corrective action to be taken. The SCU normally also seeks written assurances as to future conduct. Failure to carry out remedial actions or provide written assurances could ultimately result in a formal Direction being issued by the Secretary of State in accordance with their powers under sections 496 and 497 of the Education Act 1996.

Schools may wish to contact the SCU for advice on whether they have acted reasonably; for example, in closing down a complaint from a serial complainant before the local procedure has been completed. However, the SCU will not be able to advise on how to resolve the complaint. If the complainant remains dissatisfied with the outcome of their complaints, they can refer the matter or seek further advice from the SCU by calling the National Helpline on **0370 000 2288** or going online at: www.education.gov.uk/help/contactus or by writing to:

The School Complaints Unit (SCU)
Department for Education
2nd Floor, Piccadilly Gate, Store Street, Manchester M1 2WD

Approved by the Personnel & Finance Governor Committee – February 2026
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Brandwood Community School



School Complaints Form

Please complete and return to Mrs A Holmes (Head Teacher) who will acknowledge receipt and explain what action will be taken

Surname: _____ **First Name:** _____ **Title:** _____

Address: _____

_____ **Postcode:** _____

Home Tel: _____ **Work Tel:** _____

Mobile: _____ **Email:** _____

Learner's Name (if relevant): _____

Your relationship to learner (if relevant): _____

1. Please give details of your complaint: (continue on a separate sheet if necessary)

Continued Overleaf...

**2. What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response?)**

3. What actions do you feel might resolve the problem at this stage?

4. Are you attaching any paperwork? If so, please give details.

Signed: _____ **Date:** _____

After completion please email this form to: office@brandwood.bolton.sch.uk

or Post to: Brandwood Community School
Brandwood Street
Bolton
BL3 4BG

OFFICIAL USE

Date Acknowledgement Sent: _____

Acknowledgement Sent by who: _____

Complaint Referred to: _____

Date: _____

Roles & 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

Investigator

The 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 young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right

The 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 for the Head Teacher or Complaints Committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems

The Head Teacher or Complaints Committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (this could be the Head Teacher, Assistant Head Teacher or designated complaints Governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Head Teacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- 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
- keep records.

Clerk to the Governing Board

The Clerk is the contact point for the complainant and the committee and should:

- 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)
- 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
- circulate the minutes of the meeting
- notify all parties of the committee's decision

Committee Chair

The committee 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 committee 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 DPA 2018 or GDPR; if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it, which may require a short adjournment of the meeting
- both the complainant and the school 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 committee is open-minded and acts independently
- no member of the committee 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 (and complaints co-ordinator, if the school has one)

Committee Member

Committee 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 committee 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 and the complainant
- 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 young person and present during all or part of the meeting
- careful consideration of the atmosphere and proceedings should ensure that the young person does not feel intimidated
- the committee should respect the views of the young person and give them equal consideration to those of adults
- if the young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint; where the young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the young person needs to attend (however, the parent should be advised that agreement might not always be possible if the parent wishes the young person to attend a part of the meeting that the committee considers is not in the young person's best interests)
- the welfare of the young person is paramount

Brandwood Community School

Unreasonable Complaints Policy

Brandwood Community 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 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.

Brandwood Community School defines unreasonable complainants as ‘those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people’s complaints’.

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

- Refuses to articulate their complaint, 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 while still wishing their complaint to be resolved;
- Refuses to accept that certain issues are not within the scope of a complaints procedure;
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- Introduces trivial or irrelevant information, which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- Changes the basis of the complaint as the investigation proceeds;
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- Refuses to accept the findings of the investigation into that complaint where the school’s complaint procedure 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, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- Maliciously;
- Aggressively;
- Using threats, intimidation or violence;
- Using abusive, offensive or discriminatory language;

- Knowing it to be false;
- Using falsified information;
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

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

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

If the behaviour continues the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

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

Barring from the School Premises

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

If a parent or carer's behaviour is a cause for concern, a school can ask him or her to leave school premises. In serious cases, the Head Teacher or the Local Authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent or carer may wish to make. Schools should always give the parent or carer the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent or carer, and either confirmed or lifted. If the decision is confirmed the parent or carer should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Head Teacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Approved by the Personnel & Finance Governor Committee - February 2026
Review Date - February 2027

Investigating Complaints – Interviewing Best Practice

Guidance for Schools

Children and Young People

- Children should be interviewed in the presence of another member of staff, or in the case of serious complaints (where the possibility of criminal investigation exists) in the presence of their parents or carers. However, it might not always be possible to conduct an interview in case it prejudices a LADO or police investigation.
- Care should be taken in these circumstances not to create an intimidating atmosphere.
- Children should be told what the interview is about and that they can have someone with them.

Staff or Witnesses

- Explain the complaint and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it.
- Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.
- Use open, not leading questions.
- Do not express opinions in words or attitude.
- Ask single not multiple questions, i.e. one question at a time.
- Try to separate 'hearsay' evidence from fact by asking interviewees how they know a particular fact.
- Persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.
- Deal with conflicting evidence by seeking corroborative evidence. If this is not available, discuss with the Head Teacher, Assistant Head Teacher or Chair of Governors the option of a meeting between the conflicting witnesses.
- Make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if s/he has anything to add, and to sign the record as accurate.

Taken from the Department for Education's *'Best Practice Advice for School Complaints Procedures 2016'* – *Departmental advice for maintained schools, maintained nursery schools and local authorities.*

Serial & Persistent Complaints – advice for schools

Schools should do their best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where a school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, schools will need to act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for schools to recognise when they really have done everything they can in response to a complaint. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed

Under no circumstances should an individual be marked as serial for exercising their democratic right to refer their complaint to their local MP, regardless of which stage the complaint has reached. The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

Is it time to stop responding?

The decision to stop responding should never be taken lightly. A school needs to be able to say yes to all of the following:

- The school has taken every reasonable step to address the needs of the complainant;
- The complainant has been given a clear statement of the school position and their options (if any); and
- They are contacting the school repeatedly but making substantially the same points each time.

The case is stronger if the school agrees with one or more of these statements:

- The school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience - have they actually said as much in a letter, email or telephone call?
- Their letters, emails, telephone calls are often or always abusive or aggressive.
- They make insulting personal comments about or threats towards staff.

Schools should not stop responding just because an individual is difficult to deal with or asks complex questions. In most circumstances, the subject matter is what you can refuse to respond to, not the correspondent.

Schools must provide parents or carers with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005.

However, where the behaviour of an individual is causing a significant level of disruption schools may wish to implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term.

Complainants have a right to have any new complaint heard and failure to respond at all to a complainant could mean that the school is failing to comply with its legal obligations. A school needs to ensure that they are acting reasonably and that any genuine complaint can still be heard.

Once a school has decided that it is appropriate to stop responding, they will need to let the complainant know; ideally, through a hard copy letter but an email will suffice.

Brandwood Community School

School Complaints Procedure Summary Guidance for Parents & Carers

Brandwood Community School have a complaints procedure to ensure we respond to complaints as quickly and as effectively as possible (a copy of the full policy can be obtained from the school).

This procedure is to deal with complaints relating to the school and any community facilities or services that the school provides. We value all comments about our school and we will endeavour to address your concerns or complaints at the earliest stage possible to prevent escalation to the formal stage and a protracted complaint that can be distressing for all involved.

When making a complaint it is important you identify your desired outcome, that is what actions you feel might resolve the problem at any stage. If the complaint concerns the Head Teacher or individual Governors you should contact the Chair of Governors directly in writing.

Stage 1: Complaint Heard by Head Teacher

When a complaint is received at stage 1 it will be acknowledged within 10 school days. The Head Teacher will contact you to provide an opportunity to discuss your concerns and find possible solutions. This could be by phone or in a meeting. You may bring a friend, family member or advocate to any meeting if you wish.

The complaint will be investigated and a written response will be provided within 10 school days, unless the complaint is complicated and to allow for a full investigation to be carried out, an extension of 10 days may be granted. Where it is deemed necessary to apply an extension to the investigation period this will be communicated to you. You have the right to take the complaint to stage **two** if you remain dissatisfied.

Stage 2: Complaint Heard by Governing Board's Complaints Committee

You should write to the Chair of Governors within 10 school days of receipt of the decision of the stage **one** investigation or mediation. Upon receipt of your letter the Chair of Governors will write acknowledging receipt of your wish to progress the complaint. You have the right to submit any further documents or information relevant to your complaint and the deadline for submission of these documents will be at least 5 days before the hearing.

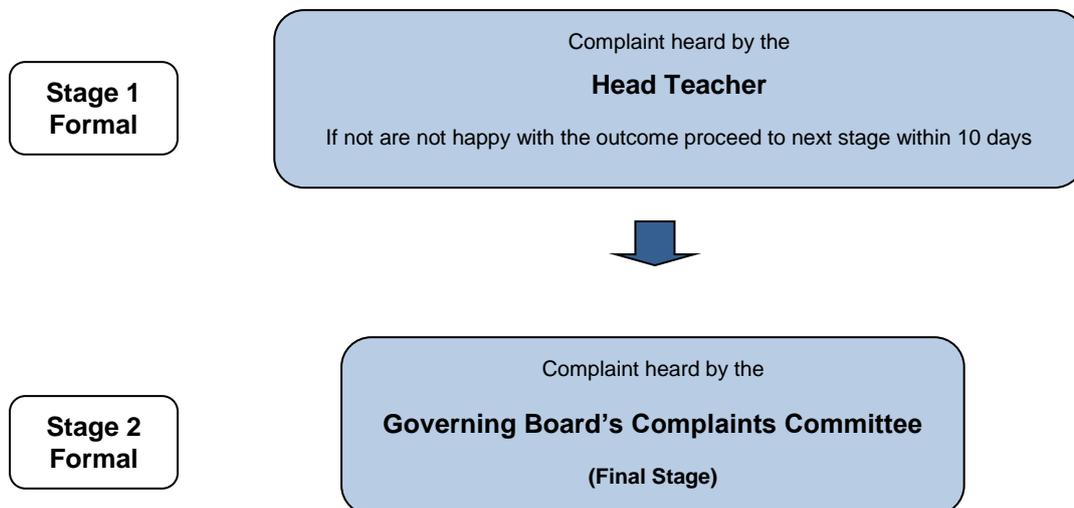
The Clerk to the Committee will arrange for the Complaints Committee to be convened, which will comprise of 3 or 5 Governors who have no previous involvement with the complaint. The review hearing should be heard within 10 school days of receipt of your letter.

The Clerk to the Committee will write to inform you of the date and time of the hearing, giving a minimum of 5 days' notice. All documents submitted will be circulated to all parties. You may bring a friend, family member or advocate to the meeting if you wish.

At the end of the meeting, the committee will decide whether to dismiss the complaint in whole or in part, to uphold the complaint in whole or in part, decide on the appropriate action to be taken to resolve the complaint and recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur. A written response detailing the decisions, recommendations and the

basis on which these have been made will be sent to you and the Head Teacher within 5 school days. The decision of the Committee is final.

The following diagram details the stages you should follow in the event of a complaint:



Enclosure 4

School Complaints Procedure

Summary Guidance for the Governing Board - Formal Stage 2

Brandwood Community School have a complaints procedure to ensure we respond to complaints as quickly and as effectively as possible (a copy of the full policy can be obtained from the school).

If the Head Teacher or Chair of Governors is unable to resolve the matter at **Stage One, ~~Stage Two or Three~~, the complaint can be referred to a Complaints Committee appointed by Governing Board (Stage Two)**. The aim of the hearing is to establish any areas of agreement and identify actions that can be taken to resolve the complaint. The Governing Board may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- Drawing up its procedures;
- Hearing individual appeals;
- Making recommendations on policy as a result of complaints.

The procedure adopted by the committee for hearing appeals would normally be part of the school complaints procedure. The committee can be drawn from the nominated members and may consist of three or five Governors. The committee may choose its own Chair.

The Remit of the Complaints Committee

The committee has delegated powers to:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur

There are several points which any Governor sitting on a Complaints Committee needs to remember:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the committee, Governors need to 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.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective committee will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents and carers often feel emotional when discussing an issue that affects their child. The committee Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The committee needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent or carer is the complainant, it would be helpful to give the parent or carer the opportunity to say which parts of the hearing, if any, the child needs to attend.

Role of the Chair of the Complaints Committee

The Chair of the Committee has a key role, ensuring that:

- The remit of the committee is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents or carers and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The committee is open minded and acting independently;
- No member of the committee has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties, the opportunity to consider and comment on it.

Checklist for a Complaints Committee Hearing

The committee needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head Teacher may question both the complainant and the witnesses after each has spoken.
- The Head Teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Head Teacher and the witnesses after each has spoken.
- The committee may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head Teacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the committee decides on the issues.
- The Chair explains that both parties will hear from the committee within a set time scale.

Notification of the Committee's Decision

The Chair of the committee needs to ensure that the complainant is notified of the committee's decision, in writing, with the committee's response; this is usually will be within 5 days of the date of the hearing. The letter needs to explain if there are any further rights of appeal and if so, to whom they need to be addressed. This could be the Secretary of State, Ofsted, The Diocese or Welfare Trust.