COMPLAINTS POLICY

Approved/reviewed by FGB	
	
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AMENDMENTS OCTOBER 2026

A COPY OF THIS POLICY IS AVAILABLE ON REQUEST FROM THE SCHOOL OFFICE

COMPLAINTS POLICY

Purpose

This document meets the requirements of section 29(1) of the Education Act 2002, which states that all maintained schools must have and publish procedures to deal with all complaints relating to their school and to any community facilities or services that the school provides, for which there are no statutory procedures.

It is also based on guidance for schools on complaints procedures from the Department for Education (DfE), including the model procedures for complaints and for managing serial and unreasonable complaints.

In accordance with administrative law principles, complainants should be given the opportunity to complete the complaints procedure in full, unless school possesses clear evidence that the complaint meets the 'serial complaint' criteria.

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

You should not mark a complaint as 'serial' before the complainant has completed the procedure.

The main purposes of this Complaints Policy are to:

- resolve problems as swiftly as possible, ideally through an early informal stage.
- give complainants a means to raise complaints and to have them addressed.
- explain who a complaint should be directed to at the different stages and how they will be dealt with at each stage, including expected time-scales.
- encourage all parties to raise and/or respond to complaints as quickly as possible so that they may be dealt with swiftly and whilst the matter is still fresh in people's minds.
- stress that at all stages of this policy any discussions, consideration and hearings will be held with the intention to resolve the complaint rather than apportion blame.

Who can make a complaint?

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

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

If difficulty discussing a concern with a particular member of staff is experienced, your views will be respected. In these cases, the Headteacher will refer the concern to another staff member. Similarly, if the member of staff directly involved feels unable to resolve the issue, the Headteacher will refer the concern to another staff member. The ability to consider the concern objectively and impartially is more important.

However, it is understood that there are occasions when people would like to raise their concerns formally. In this case, Lindsworth School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Initial Concerns/Informal Procedures

These procedures make a distinction between dealing with a concern or complaint informally or formally.

Informal complaints or concerns can be made telephone, email or letter (as detailed below). These may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Informal concerns or complaints can be raised with either the class teacher, Pastoral Manager, a member of the Senior Leadership Team or the Headteacher.

The underlying principle of the procedure is that, if at all possible, concerns and complaints ought to be handled and resolved informally (usually by the staff directly concerned) without the need to invoke a formal referral and process. It is expected that Pastoral Managers will be able to resolve most concerns relating to pupils without the need to go any further. Although this is an informal procedure all records of conversations will be logged on our data management system for reference purposes.

In the first instance, informal concerns or complaints should be made verbally by 'phone on: 0121 693 5363 to:

(a) The teacher
or (b) The Pastoral Manager
or (c) The Senior Leadership Team
or alternatively via email to: enquiry@lindsworth.bham.sch.uk
or in writing, marked Private and Confidential, to The Headteacher.

An unreasonable refusal by the complainant to attempt an informal resolution may result in the concern or complaint being taken no further.

How to raise a formal concern or make a complaint

If a complaint is not resolved informally, the next step is to make a Stage 1 formal complaint, using the Complaints Form (Appendix A) included at the end of this procedure.

If help in completing the form is required, please contact the school Office Manager. Third party organisations, like Citizens Advice, may also be asked to give assistance.

Complainants should not approach individual governors to raise concerns or complaints. Governors have no power to act on an individual basis.

Formal complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher, using Appendix A. Please mark it as 'Private and Confidential'.

Formal complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, using Appendix A. Please mark it as 'Private and Confidential'.

Formal complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body of Lindsworth School, using Appendix A. Please mark it as 'Private and Confidential'.

In accordance with equality law, making reasonable adjustments will be considered to enable complainants to access and complete this complaints procedure; for instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

Anonymous complaints will not normally be investigated. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time-scales

The complaint must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Outside of this time frame complaints will be considered if exceptional circumstances apply.

Should legal action be taken against Lindsworth School, including by external agencies, in relation to a complaint, we will consider whether to suspend the complaints procedure in relation to the complaint until those legal proceedings have concluded.

Complaints received outside of term time

Complaints made outside of term time will be considered to have been received on the first school day after the holiday period.

If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or tribunals, this may impact on the ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

Withdrawal of a Complaint

If a complainant wishes to withdraw a complaint then written confirmation should be provided.

Stage 1 - Formal Complaint

Formal complaints must be made to the Headteacher (unless they are about the Headteacher or member of the Governing Body), via the school office.

This must be done in writing, on the Complaints Form **Appendix A**, which is available upon request from the school office.

Complaints must be submitted in the complainant's own words. Where there is reasonable evidence that a complaint has been generated wholly or substantially using AI technology, the school reserves the right to request that the complaint is resubmitted by the complainant before it can be considered under the Complaints Procedure.

We ask that you limit the complaint response to 500 words. (*500 words is approximately one side of A4 handwritten or one page of typed text*)

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 and complete the investigation as soon as it is feasibly possible.

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 10 school days of completion.

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

The investigation will begin as soon as possible and when it has been concluded, the complainant, and the member of staff concerned, will be notified in writing of the outcome.

This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The concern is not substantiated by the evidence.
- The concern was substantiated in part or in full (some details of the actions to be taken by the school to review procedures may be released but details of the investigation will not).
- The matter has been fully investigated and that appropriate procedures are being followed, which are strictly confidential (e.g. staff disciplinary procedures are being followed).

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

If the complaint is:

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

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.

The complainant will be advised how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1 (see Stage 2).

Stage 2 – Governors Complaints Panel

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, the complaint can be escalated to Stage 2. A panel of three impartial governors will be convened to consider the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made in writing to the Clerk to the Governing Body marked 'Private and Confidential' on the **Complaints Form Appendix B**, within 10 school days of receipt of the Stage 1 response.

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

The date the complaint is received will be acknowledged in writing, either by letter or e-mail, within 10 school days.

The complainant will be contacted in writing to propose a date for a formal meeting. The aim will be to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, the complainant will be provided with an anticipated date.

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

The Complaints Panel will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, the Panel will decide who will act as the Chair. If there are fewer than three governors from Lindsworth School available, the Clerk will source, as necessary, independent governors from another local school or through the Local Authority's Governor Services team. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

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

If invited to attend a meeting, the complainant may be accompanied by someone to provide support. This can be a relative or friend. Generally, legal representation is not encouraged by the Panel but there may be exceptional circumstances where this is appropriate. For instance, a school employee called as a witness, 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 disclosed.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Clerk (or Chair of the Committee) 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 Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties.

New complaints will not be reviewed at this stage and evidence unrelated to the initial complaint will not be considered. 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 Panel will consider the complaint and all the evidence presented. They 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, they will:

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

The Chair of the Panel will provide the complainant and Lindsworth School with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

If the complaint is:

• about the Chair or Vice Chair or jointly about the Chair and Vice Chair, or

• the entire governing body, or

• the majority of the governing body, then

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 Lindsworth School will take to resolve the complaint.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way the complaint has been handled by Lindsworth School.

Next Steps

If the complainant believes the complaint was not handled in accordance with the published procedure or the school acted unlawfully or unreasonably under education law, they can contact the Department for Education after the completion of Stage 2.

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

The complainant can refer the complaint to the Department for Education online at: https://www.gov.uk/contact-dfe, by telephone on: 0370 000 2288 or by writing to:

Department for Education

Piccadilly Gate

Store Street

Manchester

M1 2WD

Appendix A

Complaint Form – Stage 1

Please complete and address to: Headteacher / Chair of Governors / Clerk to the Governing Body c/o The School Office at Lindsworth School who will acknowledge receipt.

PLEASE MARK THE LETTER PRIVATE & CONFIDENTIAL

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Telephone No:** **Email:**
Complaints must be submitted in the complainant's own words. Where there is reasonable evidence that a complaint has been generated wholly or substantially using AI technology, the school reserves the right to request that the complaint is resubmitted by the complainant before it can be considered under the Complaints Procedure.
Please provide full details of your complaint (maximum 500 words). Include details of who you have spoken to at the school and any steps taken to try to resolve the matter informally, as required by the Complaints Policy. /continue on additional page if required

/continued

What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Declaration Please read and confirm the following: ☐ **I confirm that the information provided in this complaint is accurate and true to the best of my knowledge.** ☐ **I understand that a complaint should be submitted in my own words.**
Signature: **Date: _____**
Official use
Date acknowledgement sent:
By whom:
Complaint referred to:
Date:

Appendix B

Complaint Form – Stage 2

Please complete and return to: Chair of Governors / Clerk to The Governing Body c/o The Office Manager at Lindsworth School

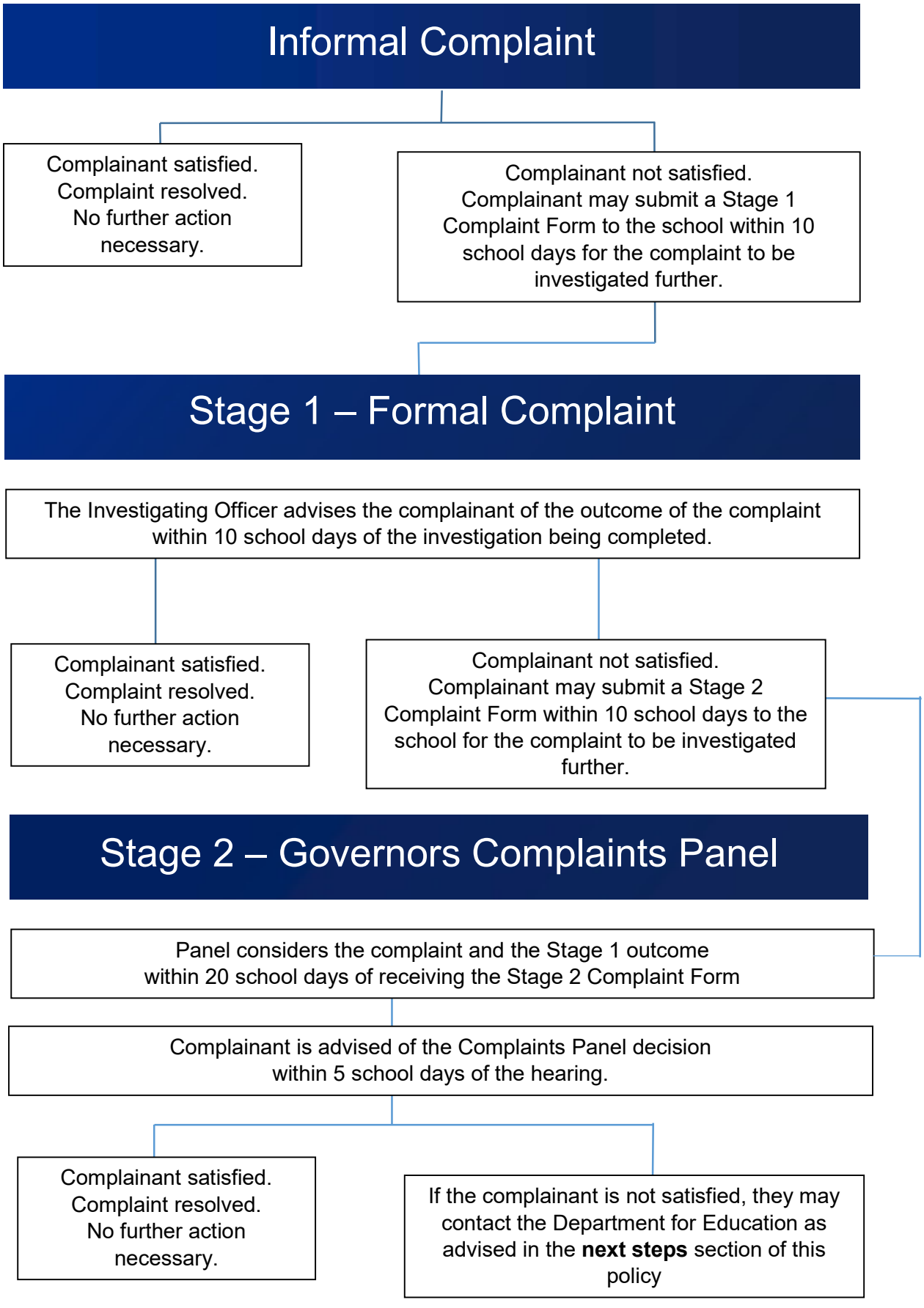
PLEASE MARK THE LETTER PRIVATE & CONFIDENTIAL

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Telephone No:** **Email address:**
Please give details of your complaint and what you feel has not been addressed by Stage 1 of the process?

What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
Official use
Date acknowledgement sent:
By whom:
Complaint referred to:
Date:

Appendix C

FLOWCHART TO SHOW GENERAL COMPLAINTS PROCESS



Scope of this Complaints Procedure

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

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with https://www.localofferbirmingham.co.uk/
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. 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). https://www.lscpbirmingham.org.uk/lado
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaints procedure. <see school website for Behaviour Policy>.*
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. 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.
• Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible;
- co-operate with the school in seeking a solution to the complaint;
- respond promptly to requests for information or meetings or in agreeing the details of the complaint;
- ask for assistance as needed;
- treat all those involved in the complaint with respect;
- refrain from publicising the details of their complaint on social media and respect confidentiality.

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 children/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 time-scales to respond;
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher 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 Headteacher / 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, Headteacher, 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 Body

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 time-scale;
- record the proceedings;
- circulate the minutes of the meeting;
- notify all parties of the committee's decision.

Committee Chair

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

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting;
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy;
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child / young person;
- the remit of the 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; 14
- if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting;
- both the complainant and the 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;

  We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting;

  Parents / carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child / young person and present during all or part of the meeting;

  Careful consideration of the atmosphere and proceedings should ensure that the child / young person does not feel intimidated.

  The committee should respect the views of the child / young person and give them equal consideration to those of adults.

  If the child / young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child / young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child / young person needs to attend.

  However, the parent should be advised that agreement might not always be possible if the parent wishes the child / young person to attend a part of the meeting that the committee considers is not in the child / young person's best interests.

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