Avishayes Primary School & Early Years Centre

Complaints Guidance and Procedure

Responsibility:	**Governors**
Reviewed:	**September 2025**
Next review date:	**September 2026**
Key legislation:	**Equality Act 2010**
This policy should be read in conjunction with:	
Exclusion Policy Use of Reasonable Force' Policy Anti-bullying Policy Special Educational Needs (SEN) Equal Opportunities Policy Attendance Policy Safeguarding and Child Protection Policy Keeping Children Safe in Education	

General Principles

Avishayes School is committed to working in close partnership with all members of the school community. The school places great value on the role that parents and carers can play in supporting children's learning. Staff and governors actively encourage a positive relationship between the school and the families of children who attend the school. We also desire to have good relations with our neighbours and the wider community.

Our policy is to:

- Provide a fair complaints procedure which is clear and easy to use for anyone wishing to raise a concern or make a complaint
- Publicise the existence of our complaints procedure so that people know how to contact us to make a complaint
- Make sure that everyone at Avishayes knows what to do if a complaint is received
- Make sure that complaints are, wherever possible, resolved and that relationships are repaired
- Gather information which helps us to improve what we do

We hope to clarify the difference between a concern and a complaint and outline what any complainant can expect from the process.

CONCERN	COMPLAINT
An expression of worry or doubt over an issue considered to be important for which reassurances are sought and a resolution is found at school level.	An expression of serious dissatisfaction of previous concerns communicated to, but not resolved at school level.

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.

Avishayes Primary 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, a member of the Senior Leadership Team, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, a member of the Senior Leadership Team will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important. Mediation may also be considered at any stage if trust in a relationship has broken down.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Avishayes Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints' procedure.

We will try to resolve every concern, difficulty or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing the School's systems and procedures in the light of the matters raised.

This procedure will apply to most general complaints received by The School. It is not intended to cover those matters for which there is a specific statutory process to object, complain or appeal.

Who can raise a complaint?

Complaints may come from any person or organisation that has an interest in the School. This policy does not cover complaints from staff who should follow the Whistleblowing Policy or complaints about how a member of staff has behaved towards a child which will be addressed through our safeguarding policy.

Confidentiality

All complaint information will be handled sensitively, telling only those who need to know and following any data protection requirements. All correspondence, statements and records relating to individual complaints will be kept confidential, except where the Secretary of State (or someone acting on his/her behalf) requests access to them.

Avishayes' Complaints Procedure

Avishayes is dedicated to providing the best possible education and support for all its pupils. However, we appreciate that there may be times when the School has not met the high expectations we set ourselves. The complaints procedure is designed to ensure that concerns and complaints are properly investigated and are given careful and fair consideration.

Concerns or complaints should be raised within three months of the incident or event to which the complaint relates. The School reserves the right to refuse to investigate a concern or complaint outside of this timescale if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint.

The School has four stages to its complaints' procedure. The aim is to resolve the complaint, to the satisfaction of the complainant, at the earliest possible stage.

Where the following procedure refers to the Headteacher, these functions may be delegated to a member of the Senior Leadership Team, if appropriate. In exceptional circumstances the Headteacher may commission an independent investigator to undertake an investigation on behalf of the School.

Timescales for submitting a complaint

A concern or Informal Complaint can be made in person, by telephone or in writing (via email or letter). They will usually be investigated by the class teacher or member of the Senior Leadership Team within three school days. A meeting is often held so that a satisfactory conclusion can be made.

Formal complaints **must** be made in writing and wherever possible via the complaints form, in Appendix / Annex A.

You will be asked to complete the following information:

• details of your complaint
• actions, if any, already taken to try to resolve your complaint
• timeline and sequence of events leading to complaint
• actions you feel will resolve your complaint

Complaints should be addressed to the relevant authorised person as set out in the table below:



Concern or Informal Complaint	Formal Complaint	Formal Complaint to Chair of Governors	Governors' Complaint Appeal Panel
• Class Teacher • Phase leader • SENDCO • Headteacher	• Headteacher	• Chair of Governors	• Clerk to the Governors
Call: 01460 63050 or email office@avishayes.co.uk	office@avishayes.co.uk	office@avishayes.co.uk	office@avishayes.co.uk

Resolving complaints

At each stage in the procedure, Avishayes Primary 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

Stage 1:Informal Concern or Complaint

Informal concerns, taken seriously at the earliest stage, will reduce the numbers that develop into formal complaints. Complainants can speak directly to the class teacher or member of staff, telephone the school or put their concern in writing (email or letter).

The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. In most cases, classroom teachers will receive the first approach and it will be expected that staff are able to resolve issues on the spot, including apologising where necessary, so that concerns do not develop into formal complaints. In other cases, where the complaint is about the school but not from a parent/carer, it will be

the headteacher that will receive an approach; again, it is beneficial if they can resolve the issue.

Formal procedures should only be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Please be aware that the school will not respond to anonymous complaints unless in exceptional circumstances.

Stage 2: Formal complaint to the Headteacher

If your concern is not resolved at the informal stage you can make a formal complaint to the Headteacher, within 10 school days of Stage 1 being concluded. Your complaint should be made in writing indicating your desired outcome from the complaint (a form is enclosed for this purpose - Appendix A). Email: office@avishayes.co.uk

Your complaint will be acknowledged within five school days and will include an indicative date for a written response. The Headteacher will be responsible for ensuring that your complaint is investigated appropriately. They may meet with you to clarify details of your complaint and the resolution that is being sought. The Headteacher will investigate the complaint further and make every effort to resolve the issue.

Dependent upon the nature of the issues raised, the matter will either continue to be dealt with through the School's complaints procedure, or by other procedures such as the disciplinary or safeguarding procedures. If this happens you will be informed of this fact but you will not be advised of the outcome of these proceedings.

On conclusion of the investigation the Headteacher will write to you with all appropriate information in relation to the complaint and information on any outcome(s) within ten school days. The response should also inform you of the next stage of the procedure in case you are not satisfied with the way your complaint has been handled.

If your complaint is about the Headteacher, you should refer your formal written complaint to the Chair of Governors to be dealt with under Stage 3 of this procedure.

Stage 3: Formal complaint to the Chair of Governors

If you are dissatisfied with the Headteacher's response, or your complaint concerns the conduct of the Headteacher, then you can make a formal complaint to the Chair of Governors.

Your complaint should be made in writing to the Chair of Governors, care of the School, within ten school days of the date of the Headteacher's response to you. Please provide a copy of the written complaint, a copy of the Headteacher's letter concluding stage 2 and give details in writing of why you are not satisfied with the outcome.

At this stage, the Chair of Governors will generally handle the complaint but can delegate this to a nominated Governor. In exceptional circumstance, the Chair of Governors may commission an independent investigator on behalf of the School.

You will receive an acknowledgement of receipt of your complaint within five school days and an indicative timescale for response.

The governor will investigate the complaint and make every effort to resolve the issue. They may meet with you if they need clarification or further information if necessary.

On conclusion of the investigation, you will receive a written response of the outcome reached and the process for appeal within ten school days.

Stage 4 : Formal complaint to the complaints panel hearing

If you remain dissatisfied with the response to your complaint, you may request a complaints panel hearing by writing to the clerk of the governing body within ten school days of the date of the letter notifying you of the outcome of Stage 3.

The clerk will write to acknowledge receipt of your complaint within five school days. The letter will explain the process which is to be followed and information about how the panel will operate.

The clerk will convene a complaints panel within fifteen school days and ask you to provide details of your appeal and any relevant supporting evidence. Evidence submitted must be received by the clerk at least five school days before the Complaints Panel Meeting is arranged. The complainant will be invited to attend the panel hearing and may be accompanied if he/she wishes.

The panel will consist of at least three people who were not directly involved in the matters detailed in the complaint and will include at least one member who is independent of the management and running of the School.

The remit of the complaints appeal panel is to:

- Dismiss the complaint in whole or in part
- Up hold 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.

You will be notified in writing of the panel's decision, usually within ten school days. The complainant, where relevant the person complained about and the Headteacher will be provided with a copy of the findings and recommendations. The letter will confirm the end of the School's and Governor's involvement with the complaint and explain any further rights of appeal.

Further rights of appeal

If you have completed the School procedure and are not satisfied about the handling of the complaint, you have the right to refer your complaint to the Education Skills Funding Agency (ESFA).

Complaints to the ESFA must be submitted online through the Schools complaints form or by post to Ministerial and public Communications division, department for education, Piccadilly Gate, Store Street, Manchester, M1 2WD

The EFA will usually only consider complaints about academies that fall into any of the following three areas:

1. Where there is undue delay or the School did not comply with its own complaints procedure when considering a complaint
2. Where the School is in breach of its funding agreement with the Secretary of State.
3. Where a School has failed to comply with any other legal obligation.

The ESFA will not overturn a school's decision about a complaint. However, if they find a school did not deal with a complaint properly they will request the complaint is looked at again.

Complaints about an individual governor

If your complaint concerns the Chair of Governors or an individual Governor you should write to the Clerk to Governors. The Clerk will acknowledge receipt of your complaint within five school days. The letter will explain the process that will be followed and the expected timescale for response.

The Chair of Governors will consider complaints about an individual governor and the Co-Chair or Vice Chair will consider complaints against the Chair. If for any reason this is not appropriate then another Governor will be nominated.

On conclusion of the investigation you will receive a written response detailing all appropriate information in relation to the complaint and information on any outcome(s). There will be no further right of appeal for complaints against an individual Governor.

Timescales for response

Our aim is to address your complaint in a timely and efficient manner. However, there may be occasions when we are unable to achieve the timescale indicated. In this event, we will write to you outlining the reason for the delay and provide you with a new timescale for the conclusion of that party of the process.

Record Keeping

A written record will be kept of all formal complaints including whether they were resolved at Stage 2 and 3 or progressed to a Stage 4 panel hearing; what action was taken by the School as a result of the complaint(s) and whether or not the complaint(s) was/were upheld.

Dealing with habitual or vexatious complaints

If properly followed, our complaints procedure is expected to limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Habitual or Vexatious Complaints Procedure

The following actions should only be invoked following careful consideration of all the issues by the Headteacher and the Chair of Governors after an attempt has been made to reason with the complainant and it has been explained to them what it will mean if the habitual and vexatious policy is invoked.

This procedure applies to all complainants, it identifies situations where a complainant, either individually or as part of a group, or a group of complainants, might be considered to be “habitual or vexatious” and ways of responding to these situations. Please see Habitual or Vexatious Complaints Procedure.

Annex A

Complaints Form for Avishayes Primary School and Early Years Centre

Your Name: **Pupil's name:** **Your relationship to the pupil:** **Address:** **Postcode:** **Daytime telephone number:** **Evening telephone number:**
Please give details of your complaint:
What action, if any, have you already taken to try and resolve your complaint. (who did you speak to and what was the response)?
What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
<u>School Use</u> **Date acknowledgement sent:** **By whom:** **Complaint referred to:** **Date:**

APPENDIX 2

Avishayes Primary School are committed to resolve all complaints at the earliest opportunity but the following flow chart explains the process should the complainant feel the matter has not been resolved.

