Wellington Primary

Complaints Procedure

Approved by:	Debbie Norton & the Full Governing Board	**Date:** April 2026
Last reviewed on:	April 2025	
Next review due by:	April 2028	

1. Aims

This policy ensures that concerns and complaints are managed sympathetically, efficiently, fairly and at the appropriate level, and resolved as soon as possible. The school aims to be impartial, non-adversarial and transparent; to enable a full and fair investigation where necessary; to address all points at issue; to respect confidentiality; to treat complainants and staff with respect; and to use learning from complaints to improve school practice.

The school will try to resolve concerns informally wherever possible. Raising a concern or complaint will never adversely affect a child at the school. Where informal resolution is not possible, this procedure provides a structured route for investigation and review.

2. Legislation and guidance

This policy meets section 29(1) of the Education Act 2002, which requires maintained schools to have and publish a procedure for dealing with complaints relating to the school and to community facilities or services it provides. In establishing this procedure, the Governing Board has had regard to guidance issued by the Secretary of State under section 29(2).

This 2026 review is informed by the Department for Education guidance School complaints procedures: guidance for maintained schools, the DfE best practice guidance, the model complaints procedure and the model policy for managing serial and unreasonable complaints. The DfE maintained-school complaints guidance was last updated on 15 January 2021; no replacement DfE complaints guidance was identified in the last 12 months. This review therefore retains the DfE complaints framework and updates connected references and external referral wording.

This policy also takes account of:

• Equality Act 2010

• UK GDPR and the Data Protection Act 2018

• Freedom of Information Act 2000

• the statutory Early years foundation stage framework for group and school-based providers effective from 1 September 2025

• Keeping children safe in education 2025

• the DfE Maintained schools: governance guide, including the 2025 reference to qualifying complaints to Ofsted

• and current GOV.UK information on complaining to the Department for Education.

3. Definitions and scope

A concern is an expression of worry or doubt over an issue considered important and for which reassurance is sought. A complaint is an expression or statement of dissatisfaction, however made, about actions taken or a lack of action.

A complaint may be made by a parent or carer of a pupil at the school, or by a member of the wider community where the matter relates to the school, its facilities or services. A third party may act on behalf of a complainant where appropriate consent is provided.

This policy does not cover matters with separate procedures, including:

• admissions

• statutory SEND assessments

• safeguarding or child protection concerns requiring immediate action

• suspensions and permanent exclusions

• whistleblowing

• staff grievances

• staff disciplinary matters

• subject access requests, freedom of information requests or data protection complaints

• national curriculum content

• and services provided by another organisation using school premises.

Where a concern suggests that a child is at risk of harm, the school will follow safeguarding and child protection procedures immediately. If anyone believes a child is at immediate risk, they should contact local authority children’s social care or the police.

Complaints about the school's support for pupils with SEND are within the scope of this policy unless they fall within a separate statutory process. Concerns should usually be raised first with the class teacher and then with the SENDCo. The SEND Policy and SEND Information Report include further routes, including complaints about disability discrimination.

For complaints relating to the school's fulfilment of EYFS requirements, the school will keep a written record of the complaint, its outcome and any action taken. Written complaints relating to EYFS requirements will be investigated and the complainant notified of the outcome within 28 days. Records will be made available to Ofsted on request.

Complaints against the Headteacher should be directed to the Chair of Governors. Complaints against the Chair of Governors or a governor should be made in writing to the School Business Manager/Clerk to the Governing Board. The complaint will be acknowledged within 2 school days and investigated by an appropriate impartial person, with Local Authority support if required. A response will normally be provided within 10 school days, or a revised timescale and reasons for delay will be given.

4. Principles for investigation

When investigating a complaint, the school will clarify what happened, who was involved, and what the complainant feels would put things right. Complaints should be made as soon as possible and normally no later than 3 months after the incident. Exceptions may be considered where there are valid reasons for delay and a fair investigation remains possible.

• Investigators and decision-makers will be impartial and free from bias or apparent bias

• decisions will be based on a balanced assessment of available evidence

• reasons will be provided

• and reasonable adjustments will be considered to enable access to the process.

Relevant information will be shared in line with data protection requirements. Covert recordings, or transcripts of covert recordings, will not normally be accepted as evidence. Electronic recordings of meetings are not normally permitted unless required as a reasonable adjustment and agreed in advance by all parties.

Complaints made outside term time will be treated as received on the first school day after the holiday period. Anonymous complaints will not normally be investigated, although the Headteacher or Chair of Governors may decide that a matter warrants investigation.

5. Withdrawal of a complaint

If a complainant wishes to withdraw their complaint, the school will ask them to confirm this in writing, with assistance where required.

6. Resolving complaints

At each stage, the school will seek to resolve the complaint. Outcomes may be that the complaint is upheld in whole or in part, or dismissed in whole or in part. Where appropriate, the school may provide an explanation, an acknowledgement that the situation could have been handled differently or better, an apology, actions to prevent recurrence, timescales for changes, or reassurance that policies or procedures will be reviewed. These steps do not of themselves constitute an admission of negligence or acceptance of legal liability.

7. Stages of raising a concern or complaint

Stage 1: Raising a concern

A concern is not a formal complaint. It should be raised as soon as possible with the relevant class teacher, in person, by letter, telephone or email. The school will acknowledge the concern within 2 school days and normally respond within 10 school days where information needs to be gathered. A meeting with an appropriate member of staff may be offered. If the concern is not resolved, the complainant may escalate to Stage 2.

Stage 2: Formal complaint to the Headteacher

A formal complaint may be made in person, in writing, by email or by telephone. The school recommends using the form attached to this policy. The complaint should set out the basis of the complaint, relevant

dates and times, witnesses where known, relevant documents, and the outcome sought.

The Headteacher may delegate the investigation to another member of the senior leadership team, but not the decision. The investigator may meet the complainant, interview those involved, allow accompaniment where appropriate, and keep written records. The written outcome will normally be sent within 10 school days of the meeting, or of receipt if no meeting is held. The response will explain the investigation, decision, reasons and escalation route.

If the complainant wishes to proceed to Stage 3, they should notify the School Business Manager/Clerk within 5 school days of the Stage 2 outcome. The Clerk will acknowledge the request within 5 school days.

Stage 3: Complaints panel hearing

Stage 3 is the final stage of the school's complaints procedure. The basis of the complaint should not change from Stage 2. New complaints or materially new issues will not normally be considered by the panel and should be dealt with from Stage 1.

A panel of at least three governors with no prior involvement will be convened. If three impartial governors are not available, governors from another school or suitably independent persons will be sought. Where the Governing Board has prior knowledge of the substance of the complaint, the school will, where reasonably practicable, arrange for an independent panel.

The Clerk will set the date, time and venue, seeking accessibility and reasonable convenience. Where possible, at least 15 school days' notice will be given. If the complainant rejects three proposed dates without good reason, the panel may proceed in their absence using written submissions.

Written material will be circulated at least 5 school days before the meeting. Names of individuals other than the complainant, the complainant's family, school staff and governors will be redacted unless consent for disclosure has been given. Any limited reasonable queries for the panel should be sent to the Clerk at least 2 school days before the meeting. Only panel members may question the complainant, the school or witnesses during the hearing.

The panel may uphold the complaint in whole or in part, or dismiss it in whole or in part. The Chair of the panel will provide a full written explanation of the decision and reasons within 10 school days of the meeting, including details of external referral routes.

8. Learning lessons

The Governing Board will review underlying issues raised by complaints with the Headteacher, where appropriate, to determine whether improvements should be made to school procedures or practice.

9. The complaints panel process

- The Chair welcomes attendees and explains the process
- witnesses wait outside until called
- the complainant presents their complaint and may call agreed witnesses
- the panel questions the complainant and any witness
- the school presents its response and may call agreed witnesses
- the panel questions the school and any witness
- each party may make a brief closing statement
- all parties leave
- the panel considers the evidence and agrees an outcome
- the written outcome is sent within 10 school days.

10. Referring complaints to external bodies

If the complainant is dissatisfied after completing the school's complaints procedure, they may refer the complaint to the Department for Education. The DfE will not normally re-investigate the substance of the complaint. It will consider whether the school followed its complaints procedure, whether the procedure complies with education law and whether the school acted reasonably and lawfully.

The current DfE service can also be used where a complainant believes the school is preventing them from completing the complaints procedure, a child is not receiving education, or a child has been exposed to harm. The complainant will usually need evidence that the school's complaints procedure has been completed, or evidence of the stage reached and attempts made to continue. Further information is available at: https://www.gov.uk/complain-to-dfe

Ofsted may consider complaints from parents that relate to the school as a whole, including concerns about the quality of education, including remote education, or pupils' wellbeing and safety. Ofsted normally expects parents to seek to resolve concerns with the school first. Current maintained-school governance guidance also refers to qualifying complaints to Ofsted.

Where a complaint relates to EYFS requirements, complainants may also contact Ofsted. The school will maintain EYFS complaint records and make them available to Ofsted on request.

11. Persistent, serial, duplicate and unreasonable complaints

The school is committed to dealing with all complaints fairly and impartially. Staff should not be expected to tolerate behaviour that is abusive, offensive, discriminatory, threatening or otherwise unacceptable.

Where the school has completed its complaints procedure and receives a duplicate complaint about the same subject from another person, the school may explain that the matter has already been considered and that the local process is complete. The school will take care not to overlook any new aspects.

The school will not mark a complaint as serial or persistent before the complainant has had the opportunity to complete the procedure, unless there is clear evidence that the criteria are met. Once the procedure has been exhausted and the school has done everything it reasonably can, the Chair of Governors, or another appropriate person, may inform the complainant that the matter is closed.

A complaint or behaviour may be regarded as unreasonable where the complainant:

• refuses to articulate the complaint or outcomes sought
• refuses to co-operate
• refuses to accept that issues are outside scope
• insists on incompatible processes
• introduces trivial or irrelevant information
• raises excessive questions
• makes unjustified complaints about staff handling the issue
• changes the basis of the complaint
• repeatedly makes the same complaint
• refuses to accept properly reached findings
• seeks unrealistic outcomes
• makes excessive demands on school time
• uses threats, abusive, offensive or discriminatory language or violence
• knowingly provides falsified information
• or publishes unacceptable information on social media or public forums.

Where possible, the Headteacher or Chair of Governors will discuss concerns informally before applying a restriction. If behaviour continues, the school may set a communication plan specifying methods and frequency of contact, usually reviewed after 6 months. In cases of serious aggression or violence, the concerns and actions taken will be put in writing immediately and the police may be informed. The school may also take steps to bar an individual from school premises, with an opportunity for written representations and review.

12. Record keeping

The school will record the progress of all complaints, including actions taken at each stage, how the complaint was resolved, and the final outcome. Records will include relevant letters, emails, notes of meetings and telephone calls. Records will be treated as confidential and held centrally, subject to lawful disclosure requirements including by the Secretary of State, freedom of information, data protection law or inspection.

• As a guide, major complaint records will be kept for 6 years after resolution

• complaints related to negligence for 15 years after resolution

• and complaints related to child protection or safeguarding for 40 years after resolution, or in line with safeguarding retention requirements if longer.

13. Links with other policies

• Child Protection and Safeguarding Policy

• Admissions Policy

• Suspensions and Exclusions Policy

• Staff Grievance Procedure

• Staff Disciplinary Procedure

• SEND Policy and SEND Information Report

• Equality Policy

• Data Protection Policy and Privacy Notices

• Behaviour Policy

• Whistleblowing Policy.

14. Monitoring arrangements

The Governing Board will monitor the effectiveness of this procedure. The Governing Board will track the number and nature of complaints and review underlying issues. All complaints are logged and overseen by the School Business Manager. This policy will be reviewed every 2 years, or earlier if guidance or legislation changes, approved by the Full Governing Board and the Headteacher, and published on the school website.

Appendix: Formal Complaint Form

Please complete and return this form to the school office. The school will acknowledge receipt and explain what action will be taken.

Your name	
Pupil's name, if relevant	
Your relationship to the pupil, if relevant	
Address	
Postcode	
Daytime telephone number	
Evening telephone number	
Email address	
Do you require any adjustments to access this process due to illness, disability or another reason?	Yes / No. If yes, please contact the School Business Manager/Clerk via the school office.
Please give details of your complaint, including dates, times, witnesses where known, and whether you have already spoken to anyone at the school.	
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 received	
Date acknowledgement sent	
By whom	
Complaint referred to	
Date	