

Sound & District Primary School

Our Children are the Future

Complaints Policy and Procedure

Policy written by:	Headteacher
Governor Committee:	Full Governing Board
Date approved by Governing Board:	July 2026
Review date:	July 2027
Status	Statutory Policy

Legislation, statutory requirements and statutory guidance

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Freedom of Information Act 2000
- Education Act 1996 and 2002
- The Education (Pupil Information) (England) Regulations 2005
- Equality Act 2010
- The School Information (England) (Amendment) Regulations 2016
- UK General Data Protection Regulation (GDPR)
- Data Protection Act 2018
- School Standards and Framework Act 1998
- Human Rights Act 1998
- Public Interest Disclosure Act 1998
- Children Act 1989 and 2004
- Early Years Foundation Stage Statutory Framework
- Keeping Children Safe in Education 2026
- Working Together to Safeguard Children
- Department for Education Guidance: *Best Practice Advice for School Complaints Procedures*
- Governance Handbook
- Cheshire East Council guidance for maintained schools

This policy operates in conjunction with the following school policies:
Records Management, Data Protection, Child Protection and Safeguarding, Behaviour and Relationships, Suspension and Permanent Exclusion, Anti-bullying, Attendance, SEND, Equality, Online Safety, Restrictive Interventions and Reasonable Force.

1. Introduction

Sound and District Primary School is committed to maintaining positive relationships with pupils, parents, carers, staff, governors and the wider community. The Governing Board believes that every concern and complaint should be viewed as an opportunity to review practice; improve the quality of education, strengthen relationships and promote accountability.

The purpose of this policy is to ensure that concerns and complaints are:

- dealt with fairly
- investigated impartially
- resolved as quickly as possible
- managed consistently
- handled confidentially
- recorded appropriately
- used to improve school practice

Nothing within this policy limits the school's statutory safeguarding duties or legal responsibilities.

2. Guiding Principles

The school will manage complaints in accordance with the following principles:

Child-centred: The welfare, safety and educational interests of children remain paramount throughout every complaint.

Fairness: Every complaint will be considered objectively and without prejudice. No assumptions will be made before evidence has been gathered. Anyone who is the subject of a complaint will: understand the allegations, have an opportunity to respond, have their evidence considered fairly, receive appropriate support.

Proportionality: The investigation undertaken will be proportionate to: seriousness, complexity, potential impact, available evidence, statutory requirements.

Accessibility: Reasonable adjustments will always be considered to ensure that disabled complainants and those requiring additional support can access the complaints procedure.

Timeliness: Complaints will be handled promptly and unnecessary delay avoided. Where delays are unavoidable, complainants will receive regular written updates explaining the reasons.

Confidentiality: Information relating to complaints will only be shared with those who have a legitimate professional need to know. Personal information will be processed in accordance with UK GDPR and the Data Protection Act 2018.

Learning: The school is committed to learning from complaints. Complaint outcomes will be used to: improve systems, review policies, identify training needs, strengthen governance, improve communication.

3. Definitions

Concern: An expression of worry, query or uncertainty that may be capable of being resolved informally.

Complaint: An expression of dissatisfaction regarding actions taken, decisions made or the failure to act by the school. Complaints may be made verbally, in writing or electronically.

Complainant: Any person entitled to make a complaint including:

- parents
- carers
- pupils
- former pupils (within appropriate timescales)
- members of the public
- community users
- third parties acting with appropriate authority

Working Days (as referred to within this document): Days during school term when the school is open to pupils.

4. Scope

This policy applies to complaints concerning:

- education provided by the school
- school policies
- administration
- communication
- behaviour management
- school premises
- services provided by the school
- actions of staff acting in their professional capacity
- actions of governors acting on behalf of the Governing Board

It also applies to community activities where responsibility rests with the Governing Board.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

5. Matters Covered by Alternative Procedures

Certain matters are governed by separate statutory procedures and therefore fall outside this complaints policy; these include:

- admissions
- Safeguarding matters/child protection investigations
- allegations against staff
- whistleblowing
- disciplinary procedures
- Freedom of Information requests
- Subject Access Requests
- National Curriculum content
- Statutory assessments of special educational needs (SEN)
- Education, Health and Care Plans
- Suspension and permanent exclusion
- School re-organisation proposals
- Collective worship

Where a complaint contains elements that fall under different procedures, the school may separate those issues and deal with each under the appropriate process.

6. Equality, Accessibility and Reasonable Adjustments

The Governing Board is committed to ensuring that all complainants can access this procedure. Reasonable adjustments may include:

- alternative formats
- large print
- Easy Read versions
- translation
- interpretation services
- advocacy support
- additional meeting time
- accessible venues
- remote attendance
- support from a trusted companion

Requests for reasonable adjustments will be considered individually. No complainant will be disadvantaged because of disability, age, race, religion, sex, gender reassignment, pregnancy or maternity, marriage or civil partnership or sexual orientation.

7. Roles and Responsibilities

The Governing Board is responsible for ensuring that:

- complaints are managed lawfully
- complaint outcomes are monitored
- trends are analysed annually
- learning is embedded into school improvement
- the policy remains compliant with legislation

The Headteacher is responsible for:

- investigating Stage One complaints
- ensuring investigations are impartial
- maintaining complaint records
- reporting anonymised trends to governors
- maintaining a separate analysis of nursery complaints
- ensuring that appropriate consideration is given to any statutory notification requirements e.g. where a complaint identifies a significant event that may require notification under the EYFS Statutory Framework

The Clerk to the Governors is responsible for:

- administering Stage Two complaints
- organising complaint hearings
- ensuring procedural compliance
- maintaining confidential records

Those individuals raising the complaint are requested to:

- co-operate with the school throughout the process; responding to deadlines and communication promptly
- ask for assistance as needed
- treat all those involved with respect
- Refrain from publishing details about the complaint on social media

8. Raising a Concern

The Governing Board encourages concerns to be raised as soon as possible after an issue arises. Early discussion frequently prevents misunderstandings from developing into formal complaints and enables concerns to be resolved quickly and informally.

Where appropriate, concerns should initially be discussed with:

- the class teacher
- the relevant member of support staff
- the SENDCO
- the office manager
- another appropriate member of the senior leadership team

Staff will:

- listen carefully
- seek to understand the concern
- clarify the desired outcome
- explain any relevant policies or procedures
- attempt to resolve the matter promptly where appropriate.

Parents and carers will never be criticised or disadvantaged for raising a genuine concern in good faith.

The school aims to resolve most concerns through constructive dialogue without the need to invoke the formal complaints procedure.

9. Informal Resolution

At Sound and District Primary School we value positive home-school relations therefore we aim to resolve all complaints at the earliest possible stage, and where possible, informally.

Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure unless:

- the matter concerns safeguarding
- there is an allegation against a member of staff
- the issue is particularly serious
- informal resolution has already been attempted
- there is a conflict of interest
- the Headteacher determines that formal investigation is necessary from the outset

Informal resolution may include:

- clarification of event
- explanation of school procedures
- facilitated meeting
- mediation where appropriate
- agreed actions
- written confirmation of outcomes

Where a concern is resolved informally, no further action will usually be required.

The school may retain a confidential record of informal concerns to assist in identifying recurring themes and informing school improvement.

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

Please remember that the beginning or end of the school day can be a very busy time. If you talk to a member of staff at these times, for practical reasons, it may not be possible to sort things out there and then. Be prepared for them to make an appointment to see you/to ring you at a more convenient time.

10. Principles of Complaint Handling

Every complaint received under this policy will be handled in accordance with the following standards.

Investigations will be:

- impartial
- proportionate
- evidence-based
- timely
- objective
- confidential

The person investigating the complaint must:

- have no prior involvement that would compromise impartiality
- declare any potential conflict of interest
- consider all available evidence
- provide both parties with opportunities to present relevant information
- reach findings based on the balance of probabilities

The investigator's role is to establish facts rather than to defend previous decisions.

Where the complaint indicates non-compliance with EYFS welfare requirements or other statutory duties the investigation will be completed promptly and, where appropriate, will be considered alongside any reporting or notification obligations.

11. Making a Formal Complaint

Where informal resolution has not resolved the matter, or where informal resolution is inappropriate, a formal complaint may be submitted.

Complaints may be made:

- in writing
- by email
- using the school's complaint form
- verbally where reasonable adjustments require this

Where a complaint is submitted by another individual/third party on behalf of a complainant, written consent may be requested before personal information is disclosed

The school will provide assistance where a complainant requires support completing documentation.

Complaints should include:

- the complainant's name and contact details
- the nature of the complaint
- relevant dates
- people involved

- action already taken
- copies of supporting evidence
- the outcome sought

The school may request clarification if the complaint is unclear or excessively broad.

Complaints against school staff (except the Headteacher) should be made in the first instance, to Mrs Minshall-Thomas (the Headteacher) via the school office.

Complaints that involve or are about the headteacher should be addressed to Mrs A.Bates (the Chair of Governors), via the school office.

Complaints about the Chair of Governors, any individual governor or the whole Governing Board should be addressed to Mrs M Wilson (the clerk to the governing body) via the school office.

Please mark any complaints as 'Private and Confidential'.

12. Anonymous complaints

The school will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors may determine that investigation is appropriate where:

- safeguarding concerns are raised
- criminal activity is alleged
- there appears to be a significant risk to pupils or staff
- corroborating evidence exists

The decision whether to investigate an anonymous complaint rests solely with the school.

13. Complaint campaigns

Occasionally the school may receive multiple complaints relating to substantially the same issue. Where complaints raise materially identical concerns, the school may:

- issue a common written response
- publish an anonymised response on the school website
- provide updates through normal communication channels

Each complaint will nevertheless be logged individually for monitoring purposes.

14. Timescales

Complaints should normally be submitted within **three months** of the incident or, where there is a series of related incidents, within three months of the most recent occurrence.

The Headteacher may exercise discretion where exceptional circumstances exist, including where:

- the complainant could not reasonably have been aware of the issue
- illness or exceptional personal circumstances prevented earlier submission
- there are overriding public interest considerations

Where another organisation is investigating related matters, including:

- Police
- Children's Social Care
- Local Authority
- Teaching Regulation Agency
- Employment Tribunal

- Courts
- Health and Safety Executive

the school may temporarily suspend all or part of the complaints procedure until those investigations have concluded.

The complainant will be informed in writing of:

- the reason
- anticipated review date
- any interim action

If a complainant commences legal action against Sound and District Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Complaints received during school holidays will normally be treated as having been received on the first school day following the holiday period. Where the matter relates to safeguarding or an urgent risk to children, immediate action will be taken in accordance with safeguarding procedures.

15. Acknowledgement of Complaints

Formal complaints will normally be acknowledged within five school days.

The acknowledgement will include:

- confirmation that the complaint has been received
- the name of the investigating officer
- the anticipated timescale
- any request for clarification
- confirmation of the next steps

Where additional time is required, the complainant will receive regular written progress updates explaining:

- why further time is required
- work already completed
- revised anticipated completion date

16. Withdrawal of a complaint

A complainant may withdraw their complaint at any stage.

The Headteacher may nevertheless decide to continue investigating where:

- safeguarding concerns remain
- there may be significant organisational learning
- there are legal or regulatory obligations requiring further consideration.

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

17. Complaint Records

The school will maintain a confidential complaints register recording:

- reference number
- date received
- complainant
- subject

- investigating officer
- outcome
- actions taken
- date closed

Supporting documents will be retained securely in accordance with the school's Records Management Policy and Data Protection Policy.

Access to complaint records will be restricted to those with a legitimate professional need to know.

18. Confidentiality and Data Protection

All parties involved in a complaint are expected to maintain appropriate confidentiality. Information will only be shared where:

- required by law
- necessary to investigate the complaint
- required to safeguard children or vulnerable adults
- necessary to fulfil statutory duties

The school cannot guarantee absolute confidentiality where legal obligations require disclosure.

Personal data obtained during the complaints process will be processed in accordance with UK GDPR and the Data Protection Act 2018.

Section A: Stage One

19. Stage One Formal Investigation

Where a concern cannot be resolved informally, or where formal investigation is appropriate from the outset, the complaint will proceed to Stage One.

Unless the complaint concerns the headteacher, the headteacher is responsible for Stage One.

The headteacher may appoint an investigating officer to undertake the investigation; however, responsibility for the final decision remains with the headteacher.

The investigating officer must:

- have sufficient authority to investigate
- have received appropriate training where possible
- have had no previous involvement that compromises impartiality
- declare any conflict of interest immediately

20. Acknowledgement

Within five school days the school will issue a written acknowledgement confirming:

- the complaint has been received
- the matters to be investigated
- any issues requiring clarification
- the anticipated completion date
- the details of the investigating officer
- expected communication arrangements

If clarification is required, the investigation timetable may commence once clarification has been received.

21. Clarifying the Complaint

Before beginning the investigation, the investigating officer will clarify:

- precisely what is being complained about
- which issues remain unresolved
- what outcome the complainant is seeking
- whether any issues fall outside this policy

Where several unrelated concerns are submitted together, they may be separated into individual complaints.

Issues falling outside this policy will be referred to the appropriate statutory procedure.

22. Planning the Investigation

The investigating officer will prepare an investigation plan proportionate to the complexity of the complaint.

This may include:

- identifying witnesses
- identifying documentary evidence
- reviewing policies
- reviewing electronic records
- reviewing CCTV where appropriate
- establishing chronology
- identifying safeguarding considerations
- identifying equality considerations

The investigation should seek to establish facts rather than defend previous decisions.

23. Evidence Gathering

Evidence may include: written statements, meeting notes, emails, letters, school records, attendance records, behaviour records, safeguarding records (where appropriate), photographs, policies, risk assessments, electronic communications.

Only evidence relevant to the complaint will be considered. Evidence must be reliable, relevant, proportionate and lawfully obtained.

24. Interviews

The investigating officer may interview:

- the complainant
- staff
- governors
- pupils (where appropriate)
- witnesses
- contractors
- other relevant individuals

Interviews will:

- be conducted respectfully
- be appropriately recorded
- remain confidential
- avoid leading questions
- allow interviewees to explain events fully

25. The Voice of the Child

The school recognises every child's right to have their views considered.

Where necessary and appropriate, the views of children may be sought, including children in the Early Years Foundation Stage, using developmentally appropriate approaches.

Investigators will ensure that:

- children are not placed under pressure
- questioning is age appropriate
- safeguarding guidance is followed
- children are supported throughout the process by another appropriate adult

The welfare of the child will always take precedence.

26. Staff Subject to Complaint

Members of staff who are the subject of a complaint will:

- be informed of the nature of the complaint
- have an opportunity to respond
- be treated fairly
- receive appropriate support

The complaints procedure is not a disciplinary process.

Should evidence suggest misconduct, the matter may instead be managed under the school's disciplinary procedures.

The complainant will not normally be informed of any disciplinary action taken against staff.

27 Complaints Involving the Headteacher

Complaints concerning the Headteacher should be submitted to the Chair of Governors via the Clerk.

The Chair will determine whether:

- they can investigate personally
- another suitably skilled governor should investigate
- an independent investigator should be appointed.

The Headteacher will not participate in decision-making regarding the complaint.

28. Complaints About Governors

Complaints concerning an individual governor should be submitted to the Clerk.

The Chair will normally appoint an impartial governor to investigate.

29. Complaints About the Governing Board

Where the complaint concerns:

- the Chair
- Vice-Chair
- the majority of Governors
- the Governing Board collectively
- both the Chair and Vice-Chair

the Governing Board should appoint an independent investigator.

Independent investigators may be sourced through:

- Cheshire East Council
- another maintained school
- a professional governance service

30. Investigation Standards

Investigations should normally:

- establish chronology
- identify fact
- distinguish fact from opinion
- identify areas of agreement
- identify disputed facts
- consider proportionality
- identify procedural compliance
- identify learning opportunities

Investigators should avoid making assumptions unsupported by evidence.

31. Standard of Proof

Complaint investigations are civil processes. Decisions will therefore normally be made using the **balance of probabilities**, namely whether it is more likely than not that an event occurred. This differs from the criminal standard of proof.

32. Investigation Report

At the conclusion of the investigation, a written report should be prepared containing:

- summary of complaint
- issues investigated
- evidence considered
- chronology
- findings of fact
- conclusions
- recommendations
- proposed actions

Internal reports may contain confidential information and will not necessarily be disclosed in full.

33. Complaint Outcomes

Following investigation the complaint may be:

Upheld: The complaint is substantiated.

Partially Upheld: Some aspects are substantiated while others are not.

Not Upheld: Insufficient evidence exists to support the complaint.

Resolved: The complaint has been satisfactorily resolved through agreed actions.

34. Actions Arising

Where appropriate, the school may:

- apologise
- explain what happened
- clarify misunderstandings
- review procedures
- amend practice
- provide additional training
- review policies
- improve communication
- introduce new monitoring arrangements
- take other appropriate action

The complaints procedure cannot:

- discipline staff
- award financial compensation
- overturn lawful professional judgement
- require dismissal of employees

35. Stage One Response

A written response will normally be issued within **20 school days**. The response should include:

- summary of complaint
- investigation undertaken
- evidence considered
- findings
- decision
- reason
- actions to be taken
- information about Stage Two

Where additional time is required, written updates will be provided.

36. Learning from Complaints

Following every completed complaint; whether resolved informally, or through Stage One or Stage Two, the headteacher will consider whether:

- policies require amendment
- procedures require strengthening
- staff training is required

- communication should improve
- risk assessments require review
- safeguarding arrangements require amendment
- governor oversight should increase

Actions arising from complaints should feed into the School Development Plan where appropriate.

37. Closing Stage One

Stage One concludes when:

- the written response has been issued; and
- any immediate agreed actions have been identified.

If dissatisfied, the complainant may request that the complaint proceeds to Stage Two within **20 school days** of receiving the Stage One decision.

Section B: Stage Two

38. Requesting a Stage Two Review by the Governing Board Complaints Committee

If the complainant remains dissatisfied following the Stage One response, they may request that the complaint be considered by the Governing Board Complaints Committee.

Stage Two is the school's **final internal stage** of the complaints procedure.

A request for Stage Two must:

- be made in writing
- be submitted to the Clerk to Governors
- normally be received within **20 school days** of the Stage One decision

The request should clearly explain:

- which aspects of the Stage One decision remain disputed
- why the complainant believes the decision was incorrect or incomplete
- the outcome sought

Stage Two is **not** a reinvestigation from the beginning. Its purpose is to determine whether:

- the complaint was investigated fairly
- the evidence was considered appropriately
- the conclusions were reasonable
- further action is required

39. Acknowledgement

The Clerk will acknowledge receipt within **five school days**.

The acknowledgement will confirm:

- receipt of the request
- next steps
- anticipated hearing date
- arrangements for submitting additional evidence

40. Constitution of the Complaints Committee

The Complaints Committee will normally consist of **three impartial governors**.

Committee members must:

- have had no previous involvement in the complaint
- have no conflict of interest
- be able to act independently
- be available for the entire hearing

Where sufficient governors are unavailable, the Governing Board may appoint:

- governors from another maintained school
- governors identified through Cheshire East Governor Services
- independent governors/an independent person with suitable governance experience

41. Independence

Every member of the Committee must declare any actual, potential or perceived conflict of interest. Examples include:

- previous involvement
- family relationships
- close friendships
- prior opinions expressed
- financial interests

Where any conflict exists, the governor must withdraw from the Committee. The Clerk will record declarations of interest.

42. Role of the Clerk

The Clerk acts as the independent administrator of the process.

The Clerk will:

- arrange dates
- prepare documentation
- distribute papers
- advise on procedure
- record proceedings
- issue decisions
- retain confidential records

The Clerk does not determine the outcome.

43. Appointment of the Chair

Prior to the hearing, Committee members will appoint one governor to chair the meeting.

The Chair is responsible for ensuring that:

- proceedings remain fair
- everyone is treated respectfully
- all relevant evidence is considered
- questioning remains appropriate
- confidentiality is maintained

44. Preparation for the Hearing

The Clerk will normally arrange the hearing within **20 school days** of receiving the Stage Two request.

At least **10 school days** before the hearing, the Clerk will provide the following information:

- date
- time
- venue
- attendee
- procedural guidance

Parties will be invited to submit any additional documentation no later than **five school days** before the hearing. Late evidence will only be accepted where:

- exceptional circumstances apply
- the Chair considers it fair to do so

45. Circulation of Papers

All papers relied upon during the hearing will normally be circulated to:

- Committee members
- complainant
- Headteacher (or investigating officer where appropriate)

no later than **five school days** before the hearing. This enables all parties to prepare properly.

Confidential information relating to third parties may be redacted where required by law.

46. Attendance

The complainant may attend the hearing.

They may be accompanied by a friend, a family member, an advocate, an interpreter etc. The supporter may assist the complainant but may not normally answer questions on their behalf.

Legal representatives are not normally expected.

The Committee may refuse attendance by anyone whose presence would prejudice the fair conduct of the hearing.

Media representatives are not permitted.

47. Remote Attendance

Where appropriate, attendance may take place remotely using secure video conferencing.

The Committee will consider:

- accessibility
- disability
- illness
- caring responsibilities
- exceptional circumstances

The same standards of confidentiality apply.

48 Conduct of the Hearing

The hearing is not intended to resemble a court or tribunal. Its purpose is to review:

- whether the complaint has been handled fairly
- whether conclusions were reasonable
- whether further action is required

Proceedings should remain:

- courteous
- respectful
- inquisitorial rather than adversarial
- proportionate

The school does not normally permit audio or video recording of complaint meetings. Exceptions may be made where:

- this forms part of a reasonable adjustment under the Equality Act 2010
- all participants give informed consent
- the Chair considers recording necessary to ensure procedural fairness.

Unauthorised recordings may not be accepted as evidence.

49. Decision Making

The Committee will consider:

- written evidence
- oral evidence
- investigation records
- relevant policies
- statutory guidance

The Committee will decide whether the complaint should be:

- upheld
- partially upheld
- not upheld

Decisions should be reached by consensus wherever possible. Where consensus cannot be reached, a majority decision will apply.

The Committee may also recommend improvements to:

- procedures
- communication
- staff training
- governance
- policy

50. Committee Decision Letter

The Chair will issue a written decision within **five school days**.

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 the letter will include:

- issues considered
- findings
- reasons
- the outcome
- recommendations
- actions to be taken
- details of the school's final position

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

The decision of the Committee concludes the school's internal complaints procedure.

51. After Stage Two

Where the complainant believes the school has:

- failed to follow its published procedure
- acted unlawfully
- acted unreasonably

they may refer the matter to the Department for Education

The Department for Education does **not** normally reinvestigate the substance of complaints. Instead, it considers whether:

- the school followed the appropriate procedure
- legal duties were met
- the Governing Board acted reasonably

The complainant can refer their complaint to the DfE online at www.education.gov.uk/contactus, by calling 0370 000 2288 or by writing to the following address:

Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD

52. Records

The Clerk will securely retain:

- complaint papers
- evidence
- minutes
- declarations of interest
- decision letters
- recommendations

Records will be retained in accordance with the school's Records Management Policy.

53. Learning Following Stage Two

The Governing Board will receive an anonymised annual report summarising:

- the number of complaints
- themes
- outcomes
- lessons learned
- actions implemented

Section C: Specialist Complaints and Statutory Procedures

54. General Principles

Some complaints cannot be managed solely through the school's complaints procedure because legislation requires them to be considered under separate statutory processes.

Where this occurs, the school will:

- identify the appropriate procedure promptly
- explain this to the complainant
- signpost the complainant to the correct process
- continue investigating any remaining issues that fall within this policy where appropriate

Where a complaint contains both statutory and non-statutory elements, the school may deal with each element under the relevant procedure.

55.Complaints in relation to the Early Years Foundation Stage (EYFS) including Nursery Provision

The Governing Board recognises that complaints relating to the Early Years Foundation Stage (EYFS) , which includes the nursery provision, require particular sensitivity owing to the age, developmental stage and communication needs of young children.

All complaints concerning children in the EYFS will be investigated in accordance with:

- the Statutory Framework for the Early Years Foundation Stage;
- Keeping Children Safe in Education
- Working Together to Safeguard Children
- this Complaints Policy
- the school's Child Protection and Safeguarding Policy

Investigations involving EYFS children will place particular emphasis upon:

- safeguarding and welfare requirements
- the child's developmental needs
- the child's emotional wellbeing
- effective partnership with parents and carers
- appropriate professional judgement
- maintaining the child's normal educational experience wherever possible

Where concerns relate to statutory EYFS welfare requirements, the school will ensure that these are considered alongside any complaint investigation. Complaints concerning EYFS welfare arrangements may include, but are not limited to:

- safeguarding: daily welfare checks, missing child procedures, outings
- supervision
- Key Person: allocation, continuity of care, communication, attachment, emotional wellbeing
- staffing ratios
- accidents
- first aid
- infection control: illness exclusion, vomiting, diarrhea, head lice, infectious diseases , cleaning
- administration of medication
- food and drink: bottles, food preparation, allergies, cultural requirements, dietary preferences
- allergies

- intimate care: dignity, safeguarding, parental consent, hygiene, infection control
- toileting and continence support: toilet training support, accidents, independence, partnership with parents
- collection arrangements: authorised collection
- behaviour management
- sleep or rest arrangements: supervision, monitoring, sleeping arrangements, safe sleep guidance, parental instructions
- outdoor learning: outdoor play, risky play, weather, clothing
- health and safety
- settling in arrangements

Investigators will consider whether statutory EYFS welfare requirements and school procedures were followed appropriately.

The Governing Board recognises that evidence relating to younger children differs from that available for older pupils. Where appropriate, investigators may consider:

- observation records
- learning journals
- electronic learning records
- accident records
- first aid records
- medication records
- intimate care records
- safeguarding records
- attendance records/registers
- daily communication records
- parental communication
- photographs where lawfully retained
- deployment of staff records/rotas
- absence cover
- qualifications
- training

Evidence will always be considered proportionately and in accordance with data protection legislation.

Investigators will recognise that many nursery decisions involve professional judgement regarding child development, attachment, emotional wellbeing and school readiness. Complaints will not normally be upheld solely because a parent disagrees with a professional judgement where it has been reached reasonably and in accordance with statutory guidance.

56. Safeguarding Concerns

Safeguarding concerns are **not** managed under this complaints policy.

Any information suggesting that a child:

- is suffering harm
- may be suffering harm
- is at risk of harm
- has been abused
- may require early help
- may require statutory intervention

will immediately be referred in accordance with the school's Child Protection and Safeguarding Policy.

This applies regardless of whether the safeguarding issue forms part of a wider complaint.

The complaints procedure may be paused where necessary until safeguarding enquiries have concluded.

Nothing within this policy overrides the school's safeguarding duties.

57. Allegations Against Staff of a Safeguarding Nature

Allegations that any member of staff has:

- harmed a child
- behaved in a way that may have harmed a child
- committed a criminal offence against a child
- behaved towards a child in a manner indicating they may pose a risk
- behaved in a way that may indicate they are unsuitable to work with children

will **not** be investigated under this complaints procedure.

Such allegations will be managed in accordance with:

- Keeping Children Safe in Education
- Local Authority Designated Officer (LADO) procedures
- Cheshire East safeguarding arrangements

The complainant will be informed that a different statutory process applies.

Confidentiality requirements surrounding allegations against staff will be strictly observed.

58. Child Protection Investigations

Where Children's Social Care, Police or another statutory agency is conducting an investigation, the school may:

- suspend all or part of the complaints process
- limit information shared
- postpone meetings
- defer decisions until statutory investigations conclude

The complainant will receive regular updates where possible.

58. Complaints About School Policies

The Governing Board recognises that parents may disagree with school policies. A complaint will not normally be upheld solely because a complainant disagrees with a lawful policy adopted by the Governing Board.

The investigation will instead consider whether:

- the policy was followed correctly
- the policy complies with legislation
- the policy was applied fairly
- reasonable adjustments were considered where appropriate

59. Complaints Relating to Special Educational Needs and Disabilities (SEND)

Complaints regarding the school's SEND provision may usually be considered under this procedure.

However, complaints relating to:

- statutory assessments
- Education, Health and Care Plan
- tribunal matters
- local authority decisions

must be pursued through the appropriate statutory process

The school will explain which issues remain within this complaints procedure.

The Governing Board recognises that pupils with Special Educational Needs and Disabilities may require additional consideration during complaint investigations.
Investigations will consider:

- the Equality Act 2010
- reasonable adjustments
- the SEND Code of Practice
- Education, Health and Care Plans
- communication needs
- professional advice
- individual support plans

Appropriate reasonable adjustments will be made throughout the complaints process.

60. Complaints Relating to Medical Needs

Complaints involving pupils with medical conditions will be investigated with reference to:

- Individual Healthcare Plans
- The Supporting Pupils with Medical Conditions Policy
- medication records
- risk assessments
- clinical advice where appropriate

61. Complaints Involving Cared For and Previously Cared For Children

Investigators will consider:

- statutory responsibilities
- Personal Education Plans
- Virtual School guidance
- safeguarding responsibilities
- the child's welfare

Where appropriate, the Virtual School Head or relevant local authority officers may be consulted.

62. Admissions

Complaints concerning admissions arrangements are governed by statutory admissions legislation.

The school will advise complainants of:

- the admissions appeals process
- Cheshire East admissions procedures
- relevant statutory timescales

Nursery admission is not the same statutory process. Complaints concerning:

- nursery admissions
- waiting lists
- oversubscription
- funded places
- allocation of additional sessions

should be investigated against the school's Nursery Admissions Policy.

63. Suspensions and Permanent Exclusions

Complaints regarding the decision to suspend or permanently exclude a pupil are managed under statutory exclusion procedures.

However, complaints concerning:

- how the school's Behaviour Policy was applied
- communication
- administrative matters

may be considered under this complaints procedure where appropriate.

64. Transition Complaints

Complaints relating to:

- nursery transition
- Reception transition
- class allocation
- settling arrangements
- phased entry
- induction arrangements

will be investigated recognising that professional educational judgement forms part of transition planning.

65. Equality and Discrimination Complaints

The school takes allegations of discrimination extremely seriously.

Complaints involving potential discrimination will be investigated with reference to: Equality Act 2010, Public Sector Equality Duty, Human Rights Act 1998.

Investigators will consider whether:

- reasonable adjustments were offered
- decisions were proportionate
- protected characteristics were appropriately considered
- indirect discrimination may have occurred

Where appropriate, specialist advice may be sought.

66. Collection, Handover and Supervision

Complaints relating to the collection of children will be investigated with reference to:

- authorised collection procedures
- safeguarding requirements
- supervision arrangements

- late collection procedures
- communication with parents

Safeguarding responsibilities will always take precedence.

67. Intimate Care and Personal Care

Complaints concerning:
- toileting
- changing
- continence support
- intimate care
- personal hygiene assistance

will also be considered alongside the school's Intimate Care Policy and safeguarding procedures.

Investigations will consider:
- dignity
- privacy
- safeguarding
- parental consent where applicable
- staff training
- individual care plans

68. Behaviour Management

Investigations concerning behaviour management will recognise that expectations must be developmentally appropriate.

Investigators will consider:
- age
- SEND
- communication needs
- developmental stage
- identified additional needs
- reasonable adjustments

For children within the EYFS the professional judgement exercised by staff will be assessed within the context of the EYFS Statutory Framework.

69. Complaints Relating to Attendance

Complaints relating to attendance arrangements will be considered alongside:
- statutory attendance guidance
- safeguarding responsibilities
- school attendance procedures
- authorised and unauthorised absence
- medical evidence where appropriate

Investigators will recognise the school's statutory duties regarding attendance enforcement.

70. Funded Childcare Places

Where complaints are in relation to:

- 15-hour entitlement
- 30-hour entitlement
- Working Parent Entitlement
- eligibility codes
- charging arrangements
- consumables
- additional services

Investigations should distinguish between school decisions and local authority funding rules.

71. Complaints from Separated Parents

The school recognises that parents with parental responsibility may each raise concerns.

Investigations will remain impartial and child-centered.

The school will:

- verify parental responsibility where necessary
- comply with court orders
- avoid taking sides in parental disputes
- ensure the welfare of the child remains paramount

The complaints procedure must not be used to pursue disputes between parents.

72. Complaints Relating to Wraparound Care

Where wraparound care, breakfast club or after-school provision is managed by the school, complaints will normally be considered under this policy. Investigations may consider:

- safeguarding
- supervision
- staffing
- activities
- food provision
- behaviour management
- communication
- collection arrangements
- attendance records
- transition between nursery/other year groups and wraparound care: handover, registers

Where provision is delivered by an external organisation, complainants will normally be referred to that provider's complaints procedure while the school cooperates appropriately.

73. Complaints About Contractors and Third-Party Providers

Where services are delivered by:

- catering providers
- transport providers
- wraparound care providers
- school photographers
- sports coaches

- music tutors
- other contractors

the school will determine whether responsibility rests with:

- the provider
- the Governing Board
- Cheshire East Council
- another organisation

Where another organisation is responsible, complainants will be directed to the appropriate complaints procedure.

74. Community Use of School Premises

Complaints concerning organisations using school premises outside normal school activities will usually be referred to the organisation responsible.

Where the Governing Board has direct responsibility for the activity, this complaints procedure will apply.

75. Online Behaviour and Social Media

The school recognises that concerns may arise through online communications. The Governing Board expects complaints to be raised through this procedure rather than through social media.

Publication of:

- confidential information
- inaccurate allegations
- abusive comments
- personal information about pupils or staff
- material likely to prejudice an investigation

may result in the school taking appropriate action.

This may include:

- requesting removal of material
- seeking legal advice
- reporting abusive content to platform providers
- involving the Police where criminal offences may have occurred

Nothing in this policy prevents individuals from expressing lawful opinions.

76. Vexatious or Malicious Allegations

Where evidence demonstrates that allegations have been made knowingly, deliberately or maliciously, the school may:

- conclude the complaint
- refer matters for legal advice
- consider restrictions under Section D of this policy (Managing Persistent, Serial and Unreasonable Complainant Behaviour).

This provision does **not** prevent complainants from pursuing complaints made honestly and in good faith, even where those complaints are ultimately not upheld.

Section D: Managing Persistent, Serial and Unreasonable Complainant Behaviour

Sound and District Primary School is committed to dealing with all concerns and complaints fairly, consistently and in accordance with the principles of natural justice.

The Governing Board recognises that the vast majority of complainants act reasonably and in good faith. However, there are occasions when the behaviour of a complainant, rather than the complaint itself, becomes unreasonable because it places a disproportionate demand on school resources, prevents staff from carrying out their duties or has a detrimental effect on the wellbeing, safety or welfare of others.

This section establishes the framework for managing persistent, serial and unreasonable behaviour whilst ensuring that complainants continue to receive fair treatment.

Restrictions will **never** be imposed simply because a complainant is persistent or because their complaint has been upheld.

Before considering any restrictions, the school will ensure that:

- the complaints procedure has been applied correctly
- communication has been clear and timely
- reasonable adjustments have been considered
- safeguarding issues have been addressed
- equality duties have been met
- the complainant has had a fair opportunity to present their case

The school will always seek to resolve difficulties through constructive dialogue before considering restrictions.

77. Definition of Persistent or Unreasonable Behaviour

A complainant's behaviour may be regarded as persistent or unreasonable where it significantly hinders the school's ability to investigate complaints or carry out its normal functions. Examples include behaviour that:

- repeatedly raises the same issues after the complaints procedure has been exhausted
- refuses to identify the substance of the complaint
- continually changes the basis of the complaint during the investigation without good reason
- submits excessive volumes of correspondence that repeat previously answered points
- makes excessive demands for immediate responses
- refuses to accept factual findings while providing no new evidence
- seeks outcomes that are outside the school's legal powers
- repeatedly contacts multiple members of staff about the same issue after being asked to use an agreed point of contact
- persistently refuses reasonable requests necessary to progress the complaint

Persistent behaviour does **not** of itself make a complaint unreasonable.

78. Unacceptable Behaviour

The school will not tolerate behaviour that places staff, governors, pupils or visitors at risk. Examples include:

- abusive language

- threatening behaviour
- harassment
- discriminatory language
- intimidation
- aggressive conduct
- shouting or swearing
- unwanted physical contact
- filming or recording staff without consent
- publication of confidential information
- knowingly making false allegations
- malicious use of social media
- repeated unwanted attendance on the school site.

Where criminal offences may have occurred, the school will immediately seek assistance from the Police.

79. Equality Considerations

Before imposing restrictions, the Headteacher will consider whether behaviour may be influenced by:

- disability
- learning disability
- autism
- mental ill health
- communication difficulties
- language barrier
- cultural factors
- literacy difficulties

Reasonable adjustments may include:

- simplified correspondence
- Easy Read documents
- interpreter support
- advocacy
- additional time
- communication through an agreed representative

The school will comply fully with the Equality Act 2010.

80. Early Resolution

Where concerns begin to arise regarding communication, the Headteacher will normally seek informal resolution by:

- discussing concerns with the complainant
- clarifying expectations
- agreeing communication arrangements
- identifying preferred methods of contact
- setting realistic timescales

The objective is to prevent escalation wherever possible.

81. Communication Plans

Where communication has become excessive or disruptive, the school may implement a written Communication Plan. The plan may include:

- a named point of contact
- preferred communication method
- response times
- frequency of updates
- arrangements for meetings
- expectations regarding behaviour

The plan is intended to facilitate effective communication rather than restrict access to the complaints procedure.

82. Restricting Contact

Restrictions will only be considered where:

- all reasonable attempts at resolution have failed
- behaviour continues despite written warnings
- restrictions are proportionate
- less restrictive measures have proved ineffective

Possible restrictions include:

- communication through a single member of staff
- communication in writing only
- scheduled appointments only
- limiting duplicate correspondence
- refusing to respond to repetitive issues already answered
- requiring communication via a nominated representative where appropriate

Restrictions will relate only to the complaint concerned wherever possible.

83. Decision to Impose Restrictions

Before restrictions are introduced, the Headteacher will prepare a written assessment considering:

- evidence of the behaviour
- impact on staff and pupils
- equality considerations
- reasonable adjustments made
- alternative options considered
- proposed restrictions
- review arrangements

The decision will normally be approved by the Chair of Governors.

Where the complaint concerns the Headteacher, the Chair will make the decision.

84. Notification

The complainant will receive written notification explaining:

- the reasons for the decision
- evidence relied upon

- restrictions to be applied
- expected standards of behaviour
- review arrangements
- how concerns may still be raised

The tone of correspondence should remain courteous and professional.

85. Review of Restrictions

Restrictions are not intended to be permanent; they will normally be reviewed after six months. The review will consider:

- changes in behaviour
- ongoing necessity
- proportionality
- equality considerations

Restrictions may be:

- removed
- amended
- extended where justified

The complainant will receive the outcome of the review in writing.

86. Ending Correspondence

Where:

- every aspect of a complaint has been investigated
- all review stages have concluded
- no significant new evidence is provided

the school may inform the complainant that further correspondence relating to the same issues will not receive a substantive response.

Any genuinely new issues raised afterwards will be considered separately.

87. Access to School Premises

Where behaviour presents a risk to staff or pupils, the Headteacher may impose reasonable conditions regarding attendance on school premises. This may include:

- appointments only
- meetings with two members of staff present
- alternative meeting locations
- remote meetings

In exceptional circumstances, legal powers to restrict access to school premises may be used.

Safeguarding arrangements for pupils will always be maintained.

88. Violence or Criminal Behaviour

The school operates a zero-tolerance approach to violence or threats of violence. Where appropriate, the school will:

- contact the Police
- seek legal advice

- issue warning letters
- consider banning notices
- report criminal offences

Nothing within this policy prevents the school from taking immediate action where safety is at risk.

89. Complaints After Restrictions

The existence of communication restrictions does not prevent a complainant from raising:

- safeguarding concerns
- complaints about new issues
- statutory matters
- emergencies.

Such matters will always be considered appropriately.

90. Monitoring

The Headteacher will maintain a confidential register recording:

- Communication Plans
- restrictions imposed
- review dates
- outcomes

An anonymised summary will be presented annually to the Governing Board.

The Governing Board will annually review:

- number of restricted complainants
- reasons for restrictions
- equality implications
- complaints outcomes
- lessons learned

The Governing Board will satisfy itself that restrictions have been:

- proportionate
- lawful
- consistently applied
- compatible with the Equality Act 2010
- reviewed appropriately.

91. Organisational Learning and School Improvement

Following any complaints, the Headteacher and Governing Board will consider whether improvements are required to:

- safeguarding practice
- equality practice
- parental engagement
- communication
- staff training
- contractor management
- policy documentation

Any agreed actions will be monitored through the School Development Plan and reported, in anonymised form, to the Governing Board.

The Governing Board recognises that complaints provide an important source of assurance regarding the effectiveness of leadership, governance and school systems.

The Headteacher will ensure that complaint outcomes are reviewed alongside:

- safeguarding audits
- attendance analysis
- behaviour monitoring
- exclusions
- parental surveys
- staff concerns
- governor monitoring
- risk registers

Complaint information will be used to inform:

- School Development Planning
- governor monitoring visits
- policy review
- staff training priorities
- quality assurance activities

Policy Review

This policy will be reviewed annually. In between reviews the policy will be updated, when necessary, to reflect local and national changes.

Appendix One

Complaint form

Please complete and return to Mrs Minshall-Thomas (headteacher) via the school office who will acknowledge receipt and explain what action we will take.

Your name:
Address: Postcode: Daytime telephone number: Evening telephone number:
Pupil's name (if relevant): Your relationship to the pupil (if relevant):
Please describe your complaint clearly: Include: dates, people involved, what happened, why you are dissatisfied

Informal Resolution Have you discussed the matter with a member of staff? ☐ Yes ☐ No If yes: Who? Date? Outcome?
Desired Outcome: Please explain what you believe would resolve your complaint
Supporting Evidence: please list the evidence you will be providing
Signature: Date:
Official use:
Date acknowledgement sent:
By who:
Complaint referred to:
Date: