



Bellingham Partnership of Schools

Complaints procedure

Draft

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Introduction

This procedure is for use for complaints against the school, a member of staff or the governing body. It is expected that complaints will be lodged as soon as possible after any incident occurs and this would usually be expected to be within 3 months. There are separate arrangements, laid down by law to cover the following:

- Appeals against admissions to schools.
- Appeals about statutory assessments and against Education Health Care Plans.
- School reorganization proposals.
- Matters likely to require a Child Protection Investigation
- Appeals against the Exclusion of Children from School
- Whistleblowing
- Staff Grievance & Disciplinary procedures
- Services provided by other providers who may use the school premises or facilities.

For further guidance on any of the above please contact the Executive Headteacher.

Stage One: Complaint Heard by Staff Member/Head teacher/ Chair of Governors.

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if members of staff are made aware of the procedures, they know what to do when they receive a complaint.

In the first instance the complaint should be discussed between the person making the complaint and the member of staff involved. If a complainant indicates that he/she would have difficulty discussing a complaint with that particular member of staff he/she should be referred to another staff member. Where the complaint concerns the head teacher, or a governor, the complainant should be referred to the chair of governors.

Similarly, if a member of staff/head teacher/chair of governors feels too compromised to deal with a complaint it should be referred to another member of staff or another governor. The ability to consider the complaint objectively and impartially is crucial and it is also important to give an indication of timescale if it is found that the complaint requires further investigation.

If a complainant first approaches a governor, he/she should be referred to the appropriate person i.e. the member of staff concerned or the chair of governors. **Governors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a committee at a later stage of the procedure.**

It is hoped the majority of complaints can be resolved at this stage and to this end it may be useful to involve the Client Relations service, within the Children's Services Directorate of the Local Authority, who are available to advise parents on the complaints process and may on occasion help to facilitate contact with the school.

Stage Two: Formal Consideration of Complaint.

If the complainant is dissatisfied with the way the complaint has been handled at stage one and wishes to pursue their initial complaint, the head teacher/chair of governors may delegate the task of investigating the complaint to another staff member or another governor.

The head teacher/chair of governors may also, in exceptional circumstances, commission an investigating officer report to be undertaken by an external consultant. The person making the complaint should be informed that an investigation is underway and that they will receive a response within 25 working days, or a letter explaining the reason for any subsequent delay.

Once the relevant facts have been established the head teacher/chair of governors should relay the decision, and the reason for the decision, in writing to the complainant.

Mediation (Optional stage)

The School may offer the option of mediation following the investigative stage of the complaint consideration, if the complainant is not satisfied with the outcome at Stage 2, this is not instead of Stage 3 rather as an additional way of reaching agreement and securing a way forward. Complainants do not have to accept mediation nor do the school have to offer this step if it is felt to be inappropriate.

Stage Three: Complaint Heard by Governing Bodies Complaints Committee

If the complainant is still dissatisfied with the outcome they should contact the head teacher/chair of governors/nominated officer giving details of the complaint within ten school days of receipt of the stage 2 decision letter. The chair or nominated officer governor will convene a governing body complaints committee, if they consider it appropriate, after considering the report of the investigating officer and the request of the complainant - the usual practice at Stage 3 would be to convene a Panel as the complainant should be allowed to complete the complaints procedure in full.

When convened, the committee will consist of a minimum of three governors with delegated powers. The committee will be appointed by the chair of governors with the chair of the committee being appointed when they meet. The complaints committee will take a decision as to any action to be taken in response to the complaint. For example they may choose to:

- convene a hearing at which the complainant will be invited to put forward their case. This should be held within 20 working days of the decision to hold the hearing;
- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

In reaching a decision the committee may take the advice of such bodies as they see fit, in particular the Local Authority and where appropriate the Diocesan Authority. If it is decided that it is appropriate to hold a hearing, the clerk of the complaints committee will inform both parties in writing of the decision of the committee within five school days.

If, after following the school's own complaints procedure, the complainant is dissatisfied with the outcome at Stage 3, or if there are reasons why they cannot use that procedure - for example, they feel their complaint has not been or will not be given a fair consideration due to a conflict of interest – they can forward their complaint to the Department for Education.

It should be noted that these complaints committees are not a form of legal proceeding and therefore it is inappropriate for either the school or the complainant to bring legal representation. The exception to this would be if a member of staff, as a witness, wished to bring individual union or legal representation. If a complainant should decide to commence legal action against the school in relation to their complaint then the school would consider suspending the complaints procedure until such legal proceedings had concluded.

Making a complaint to the Department should only happen once all other routes have been followed. The exception to this may be where there is a child protection concern, or where a child is missing education.

More information about making a complaint can be found on the DfE website:

<http://www.education.gov.uk/schools/leadership/schoolperformance/b00212240/making-complaint-school/how-to-complain>

Bellingham Partnership of Schools Complaint Form

Please complete and return to the school office, addressing it to the Executive Headteacher;

BPS - First Admin

BMS - Middle Admin

If your complaint is about the Head Teacher please contact the Chair of Governors - Anthony Kirkbride

Your name:

Pupil's name (if applicable):

Your relationship to the pupil (if applicable):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

E mail:

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 detail

Signature:

Date:

Official Use Only

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: