

Medway Community Primary School



Complaints Procedure

June 2026 – 2027

Policy Date:	June 2026		
Policy Review Date:	June 2027	Headteacher S Williams	Signed 
Ratified by Governing Body:			
Michael Berriman		Chair of Governors	Signed 

At Medway, we strive to ensure a safe, stimulating and happy environment for our children, staff and community to thrive in. From time to time, we understand that things may not go according to plan. We have adopted this complaints procedure from the Department for Education Guidance: School complaints procedures to ensure that your complaints are heard through the right channels.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children who are registered at the school. Any person, including members of the public, may make a complaint to Medway about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The complaint may concern the school directly or link to support from an external agency, such as Early Help.

The difference between a concern and a complaint

A concern may be defined as *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.*

A complaint may be defined as *‘an expression of dissatisfaction, however made, about actions taken or a lack of action’.*

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Medway 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, you will be referred to a different staff member.

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

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, provided that the complainant has given appropriate consent.

Concerns should be raised with either the class teacher or the head teacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no authority to act individually, which may also prevent them from considering complaints at Stage 2 of the procedure.

- Complaints against school staff (except the head teacher) should be made in the first instance to the Head Teacher via the school office. Please mark them as Private and Confidential.

- Complaints that involve or are about the head teacher should be addressed to Michael Berriman (the Chair of Governors), via the school office. Please mark them as Private and Confidential.
- Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please get in touch with the school office. You can also ask third-party organisations, such as Citizens Advice, for help.

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

Anonymous complaints

We will not normally investigate anonymous complaints. However, the head teacher or, if appropriate, the Chair of Governors will determine whether the complaint warrants an investigation.

Schools' expectations of parents/careers/members of the public

The school can expect parents/carers/members of the public who wish to raise concerns with the school to:

- Treat all school staff with courtesy and respect;
- Respect the needs and well-being of pupils and staff in the school;
- Avoid any use, or threatened use, of violence against people or property;
- Avoid any aggression, verbal abuse or other intimidating behaviour;
- Ensure that written communications state the facts surrounding the concern without using threatening or unpleasant language;
- Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond;
- Recognise that resolving a specific problem can sometimes take some time;

Time scales

You must raise the complaint within **three months of the incident** or, where a series of associated incidents have occurred, **within three months of the last of these incidents**. We will only consider complaints made outside of this time frame if exceptional circumstances apply.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision by Medway, except those dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
- Admissions to schools - Statutory assessments of Special Educational Needs - School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the Leicester City Local Authority.
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled in accordance with our child protection and safeguarding policy and relevant statutory guidance. If you have serious concerns, you may wish to contact the If you have concerns regarding safeguarding, you may contact the Local Authority Designated Officer (LADO) or Leicester City Council Duty and Advice Service (DAS) LADO- Tel: 0116 454 2440 Email: Lado-allegations-referrals@leicester.gov.uk Duty and Advice Service (DAS) - 0116 454 1004
Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for whistleblowers in education who do not want to raise matters directly with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should lodge a complaint through the school's complaints procedure. You may also be able to complain directly to the LA or the Department for Education (see link above), depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.

	Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure for service-related issues. Please get in touch with them directly.
National Curriculum - content	Please get in touch with the Department for Education at: www.education.gov.uk/contactus

If other bodies are investigating aspects of the complaint, for example, the police, local authority (LA) safeguarding teams, or Tribunals, this may affect our ability to adhere to the timescales in this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Medway in relation to their complaint, we will consider whether to suspend the complaints procedure for that complaint until those legal proceedings have concluded.

Resolving complaints

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.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing. Unless otherwise stated, all timescales in this procedure refer to school days.

Stage 1

Formal complaints must be made to the head teacher (unless they are about the head teacher), via the school office. This should be done in writing (preferably on the Complaint Form)

The head teacher will record the date the complaint is received and aim to acknowledge receipt in writing (by letter or email) within 14 school days.

Within this response, the head teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face-to-face meeting is the most appropriate way to do this.

Note: The head teacher may delegate the investigation process to another member of the school's senior leadership team

During the investigation, the investigator will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation. Complaint records will be retained in accordance with the school's Records Retention Schedule and Data Protection Policy.

At the conclusion of their investigation, the head teacher will aim to provide a formal written response within 14 school days of receipt of the complaint. (If the head teacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.)

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Medway will take to resolve the complaint.

The head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint concerns the head teacher or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all actions at Stage 1.

Complaints about the head teacher or a member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

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

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee,

which will be composed of the first three available impartial governors. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, **within 14 school days of receipt of the Stage 1 response.**

The Clerk will record the date the complaint is received and will aim to acknowledge receipt in writing (**by letter or email**) **within 14 school days.**

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

The Clerk will write to the complainant to inform them of the meeting date. They will aim to convene a **meeting within 14 school days of receipt of the Stage 2 request.** If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

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

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Before the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If fewer than three governors from Medway are available, the Clerk will source any additional independent governors from another local school or their LA's Governor Services team to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee will decide whether to deal with the complaint by inviting the parties to a meeting or by written representations. Still, in making their decision, they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or a friend. If a school employee is called as a witness in a complaint meeting, they may wish to be supported by the union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any complaints about staff conduct will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 14 school days before the meeting, the Clerk will aim to:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- Request copies of any further written material to be submitted to the committee at least 14 school days before the meeting.

Any written material will be circulated to all parties at least **7 school days** before the meeting date.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint for inclusion. New complaints must be handled at Stage 1 of the procedure.

The meeting will be held in private. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

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

The Chair of the Committee will aim to provide the complainant and Medway with a full written explanation of their decision and the reason(s) for it **within 14 school days**.

If the complainant believes the school has not followed its published complaints procedure or acted unlawfully or unreasonably, they may contact the Department for Education.

If the complaint is:

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

A committee of independent governors will hear stage 2.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Medway will take to resolve the complaint.

Complaints Campaigns

If the school receives a large volume of complaints about the same issue, it may respond collectively where appropriate. Individual complaints will still be considered, but the school reserves the right to publish a single response where complaints are substantially similar.

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure, or that the school acted unlawfully or unreasonably in the exercise of its duties under education law, they can contact the Department for Education after completing Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Medway. They will consider whether Medway has complied with education legislation and any statutory policies relevant to the complaint.

The complainant can refer their complaint to the Department for Education online at:

www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

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

Complaint Form

Please complete and return to the school office in an envelope, marked private and confidential. A receipt of acknowledgement and an explanation of what action will be taken will be sent.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Daytime telephone number:
Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Roles and Responsibilities

Complainant

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

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

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a careful, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff, children/young people, and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaise with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- Be mindful of the timescales to respond
- Prepare a comprehensive report for the head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The head teacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (this could be the head teacher/governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, head teacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third-party information
 - additional support. This may be needed by complainants when making a complaint, including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example, stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Member

Committee members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so
No governor may serve on the committee if they have had prior involvement in the complaint or its circumstances.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting
Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

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

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

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

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

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

Addendum

Managing serial and unreasonable complaints

Medway Community Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit complainants' contact with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from such behaviour, including behaviour that is abusive, offensive, or threatening.

Medway defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint, where the school's complaint procedure has been fully and properly implemented and completed, including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- actions which are obsessive, persistent, harassing, prolific, repetitious
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint

- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

For this policy, harassment is the unreasonable pursuit of such actions above, in such a way that they:

- Appears to be targeted over a significant period of time at one or more members of the school staff and/or
- Cause on-going distress to individual member(s) of school staff and/or;
- Have a significant adverse effect on the whole/parts of the school community and/or
- Are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, cumulatively undermine confidence, well-being and health over time.

Complainants should try to limit their communication with the school regarding their complaint while the complaint is being processed. It is not helpful to send repeated correspondence (by letter, phone, email, or text), as it could delay reaching the outcome.

The school's actions in cases of persistent, unreasonable or serial complaints

In the first instance, the school will communicate, either in writing or verbally (confirmed in writing), to inform the complainant that their behaviour is considered unreasonable or unacceptable and that, if it is not modified, action may be taken in accordance with this policy.

If the behaviour is not modified, the school will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the school community:

- Inform the complainant in writing that their behaviour is now considered by the school to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy;
- Inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties;
- Inform the complainant that, except in emergencies, all routine communication with the complainant to the school should be by letter only;
- In the case of physical, verbal aggression or other forms of intimidating behaviour, take appropriate advice and consider warning the complainant about being banned from the school site, or proceed straight to a temporary ban.
- Consider taking appropriate advice on pursuing a case under Anti-Harassment legislation;

- Consider taking advice from the HR/Legal Services about putting in place a specific procedure for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the head teacher but only with a third person, to be identified by the governing body of the school, who will investigate, determine whether or not the concern/complaint is reasonable or vexatious and then advise the head teacher accordingly.

In the event of an extreme situation or event, the school may decide to implement one of the above steps immediately. In this situation, the complainant will be informed in writing.

The Head and SLT will keep the Chair of Governors informed at all times.

Legitimate new complaints will still be considered, even if the person making them is, or has been, subject to vexatious complaints and/or harassment. However, the school will be advised by HR/Legal Services.

If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the school may resume the process identified above at an appropriate level. In these circumstances, advice may be sought from HR/Legal Services.

Once the complaints procedure has been fully exhausted, including Stage 2 (governing body review), the complaint will be considered closed. The school will not normally enter into further correspondence regarding the complaint unless new and relevant information is provided. Any persistent contact after this point may be treated in line with the school's policy on managing unreasonable or vexatious complaints.