

Complaints Policy for Parents & Carers

Active Wellbeing

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| Policy Document | Complaints Policy for Parents & Carers |
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Active Wellbeing – Complaints Policy for Parents & Carers

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This policy is written so it complies with the Independent School Standards.

At Active Wellbeing School, we all work very hard to build positive relationships with parents and try to enter into a partnership to ensure each child reaches their full potential and is well prepared for secondary school



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life at the end of their primary education. Our aim is to deal with issues and problems before they become a 'complaint'. However, there is a clear protocol to follow if necessary and the steps to follow and their outcome are outlined in this document.

This policy applies to all Active Wellbeing Schools for managing feedback from parents and carers.

Accessibility: A copy of the policy will be available at the school's Reception and on the school website.

Online Publication: The policy will also be published on the Active Wellbeing School website

1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents/carers of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

2. Legislation and Statutory Guidance

This document meets the requirements set out in part 7 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents/carers of pupils at the school.

It is also based on [best practice guidance for academies complaints procedures](#) published by the Education and Skills Funding Agency (ESFA).

In accordance with administrative law principles, complainants will be given the opportunity to complete the complaints procedure in full.

3. Roles and Responsibilities

3.1 The complainant



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The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not approach individual governors about the complaint
- Do not publish details about the complaint on social media

3.2 The investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee, which includes the facts and potential solutions

3.3 The complaints co-ordinator

The complaints co-ordinator can be:

- The headteacher
- The Proprietor
- Any other staff member providing administrative support

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the headteacher and Proprietor
- Be aware of issues relating to:
 - Sharing third-party information
 - Additional support needed by complainants; for example, interpretation support or where the complainant is a child or young person
- Keep records

4. Complaints procedure

Objectives of the Complaints Procedure

Our complaints procedure is designed to:

- Be simple to understand and use.
- Ensure impartiality in all dealings.
- Foster a non-adversarial environment.
- Allow for a full and fair investigation.
- Respect confidentiality when necessary.
- Address all concerns raised and provide effective responses, including appropriate redress when warranted.



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- Supply valuable information to school and Trust leaders to facilitate improvements in services and provision.

Compliance

To ensure compliance with Schedule 1, Part 7 of the Education (Independent School Standards) Regulations 2014, our complaints procedure consists of three stages:

1. **Stage 1 - Informal Resolution**

This stage typically involves a meeting with the complainant, but may also be conducted through telephone or written communication.

2. **Stage 2 - Formal Resolution**

At this stage, the complaint must be submitted in writing for formal consideration.

3. **Stage 3 - Panel Hearing (Appeal)**

If the complaint remains unresolved, an independent panel, including at least one external member, will hear the appeal.

If a complainant is not satisfied with the response at any stage, they have the right to escalate the complaint to the next stage, ensuring they can complete the complaints procedure in its entirety. Should a parent encounter obstacles in completing the process, they may contact the Education and Skills Funding Agency (ESFA) for assistance.

Timeframe for Complaints

Complaints must be submitted through this policy within three months of the issue arising. However, exceptional circumstances will be considered for complaints submitted outside this timeframe.

Investigations and Timelines

If further investigation is required and our established timelines cannot be met, new deadlines will be communicated to the complainant, along with the reasons for any delays.

Stage 1 – Informal Resolution

Active Wellbeing School encourages the resolution of most complaints informally at Stage 1. Parents and carers are invited to discuss their concerns with a member of the Senior Leadership Team at the earliest opportunity, whether in person, by telephone, or in writing. We operate an open-door policy, and parents/carers may schedule a meeting with a Senior Leadership Team member (or a designated representative) to facilitate informal resolution.

An appropriate staff member will respond to the complaint within **three school days** of receipt. It is helpful to understand what the complainant believes may resolve the issue, fostering a positive and efficient resolution. An acknowledgment that a situation could have been managed better does not constitute an admission of unlawful or negligent conduct.

Upon communicating the outcome of the Stage 1 process, the school will inform the complainant about the Stage 2 process and the steps to escalate the matter if they remain dissatisfied. Our aim is to resolve informal complaints within **ten school days** of receipt.

If the complaint concerns the Headteacher, the Proprietor will make every effort to address the issue informally through direct dialogue with the complainant.

Stage 2 – Formal Resolution

If the complaint cannot be resolved informally as previously outlined, parents or carers must submit their complaint in writing (using Appendix 1) to the school, addressed to the Headteacher, within **10 school days** of completing Stage 1. If the complainant requires any adjustments for submitting the complaint in writing, they should inform the school so that alternative arrangements can be made.

The Headteacher will take all complaints seriously and will ensure a thorough investigation is conducted, either by themselves or by a designated individual. The school will obtain written consent from the complainant before sharing any information with third parties.

After reviewing the complaint, the Headteacher will determine the appropriate course of action. Typically, they will arrange to meet or speak with the concerned parents or carers to discuss the issue, aiming to reach a resolution at this stage.



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The Headteacher, or the designated individual, will make every effort to communicate with the parents or carers within **5 school days** of receiving the formal complaint.

Once the Headteacher is satisfied that all relevant facts have been thoroughly established, a decision will be made. This decision will be communicated in writing to the parents or carers, outlining the reasons for the decision and providing details about the Stage 3 process should they wish to escalate the complaint. The written decision will be issued within **10 school days** of the discussion or meeting with the complainant.

The school will maintain a written record of all formal complaints, including notes from meetings and interviews related to the complaint, as well as the Headteacher's decision. This record will be kept for one year after the pupil leaves the school.

If the complaint involves the Headteacher, it will be reviewed by the Proprietor, who will follow the same procedures outlined above.

Only if Stage 2 proceedings fail to resolve the matter will a complaint progress to Stage 3.

Stage 3 – Panel Hearing (Appeal)

If parents or carers remain dissatisfied with the outcomes of Stage 1 and Stage 2, they may escalate their complaint to Stage 3 for a Panel Hearing. To do this, they must submit their request in writing (using Appendix 1) to the Proprietor of Active Wellbeing School (juliegilson@activewellbeing.school). For the purposes of this procedure, this request will be referred to as an "appeal."

Complainants must file their appeal in writing within **20 school days** from the date of the school's decision issued during Stage 2. In their written appeal, the complainant should outline the specific complaints made against the school, explain how they believe the issue was inadequately addressed, and detail the remedies they seek for each complaint.

The Complaints Panel is required to consider only the complaints included in this initial submission, although they may choose to address any other relevant issues that arise during the process.

Upon receiving an appeal, the Proprietor will arrange a Panel Hearing as soon as possible, typically within **20 school days** of the notification from the complainant wishing to escalate to Stage 3. If the appeal is submitted during school holidays or within 2 school days before the holidays, the 20 school days will begin at the start of the new term. The date for the panel hearing will depend on the availability of both the panel members and the complainant. The Proprietor will appoint a Clerk to facilitate the meeting.

The panel will comprise three people not directly involved in the matters detailed in the complaint. At least one member of the panel will be independent of the running and management of the school (The member should not only be outside the school's workforce, and not a member of proprietorial body, but also should not be otherwise involved with the management of the school).

The following individuals are entitled to attend the hearing and/or submit written representations and address the Panel:

- The parents or carers making the complaint (they may request to be accompanied by someone if they wish).
- The Headteacher of the school (who may also bring a relevant school colleague to provide detailed information, such as the Deputy Headteacher).
- Any other individual whom the Panel believes has a reasonable interest in the appeal and whose input could aid in their decision-making.

Since the Panel hearing is not a legal proceeding, neither the complainant nor the school will be represented by legal counsel. However, there may be circumstances where legal representation is appropriate, such as when a school employee serves as a witness in a complaint and may require union or legal representation.

If necessary, the Panel may request reports, documents, chronologies, or other relevant information prior to the hearing. This evidence will be collected by the Clerk, who will distribute the information to the relevant parties **5 school days** before the hearing. The written Stage 3 complaint will be shared with the Headteacher when the notification of the Panel Hearing is sent.

After carefully considering the relevant facts, the Panel will reach a decision and provide recommendations within **10 school days** following the hearing. The decision made by the Panel is final. If the decision has

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financial implications for the school, it will require appropriate approval from proprietor, ensuring that such approval aligns with the Panel's decision.

5. Communication of the Panel hearing

The Clerk will provide a written response to the complainant within **10 school days** of the Panel Hearing, outlining the Panel's decision, the reasons behind it, any follow-up actions to be taken by the school, recommendations, and information about further rights of appeal. If applicable, a copy of this letter will also be sent to the individuals involved in the complaint. Additionally, minutes from the meeting will be shared with the complainant.

All records related to complaints will be accessible for inspection at the school premises by the Headteacher and Proprietor, including those acting on behalf of the school. This includes records of:

- The progress of the complaint and the final outcome
- Whether the case advanced to a panel hearing
- Actions taken by the school, regardless of the outcome
- Responsibility for the records and measures to ensure data security

These records will be maintained by the school (for Stage 1 and Stage 2) and by Endeavour company (for Stage 3) for one year after the pupil named in the complaint has left the Academy.

Complaint records are kept confidential, except when access is requested by the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Act. There may be situations where a complaint is initiated or escalated after a child has left the school. When a pupil changes schools, their educational record is transferred to the new school, and no copies are retained. The school may maintain a separate record of complaints while they are being handled in person, by phone, or in writing. For more information, refer to Section 8 regarding "Complaints Pursued in an Otherwise Unreasonable Manner,".

All records will be stored securely and retained only as long as necessary for processing. If you believe the school has not followed the Complaints Policy, you can refer the matter to the Education and Skills Funding Agency (ESFA), which may investigate in certain circumstances. Additional information about referring a complaint to the ESFA can be found on their website. Please note that the ESFA cannot overturn a decision regarding a complaint; its role is to ensure the complaint was handled appropriately.

We expect our staff to treat parents and carers with courtesy and respect, and we expect the same from parents and carers when interacting with our colleagues. Rude or offensive behavior and language will not be tolerated.

6. Additional considerations

- The school does not permit parents to make audio or video recordings of meetings unless explicitly agreed in writing.
- When evaluating requests to use recording devices, the Headteacher or Chair of the Hearing Panel will consider the potential impact on third-party witnesses and the implications for individuals involved in the complaint, particularly in the event that recordings are lost or leaked.
- If a recording, such as CCTV footage, is deemed essential for resolving a complaint, all parties must provide written consent for its use. While still images may be utilized, care must be taken to ensure that individuals who are not part of the complaint remain unidentifiable. Independently notarized transcripts of recordings may be accepted.
- If school staff have made reasonable efforts to accommodate complainants with scheduled meeting dates, and the complainant is unable or refuses to attend, the following steps will be taken:
 - Meetings will proceed in the absence of the complainant.
 - Conclusions will be reached in the interest of resolving the complaint.

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'Reasonable attempts' include (but are not limited to) sending/making multiple emails/letters/phone calls which remain unanswered in appropriate timescales; confirmation of delivery reports but not read receipt in emailing documentation; reconvening a meeting once a date is agreed on one occasion

- Complainants are entitled to a fair meeting or review and may request an independent panel if they believe there may be bias in the proceedings. To support their request, complainants must provide the school or the proprietor, as relevant to the stage of the complaint, with evidence of potential bias. The decision to grant this request rests with the school.
- Individuals with a conflict of interest will be excluded from the complaints process. This includes situations where a proprietor has a financial interest in any related matter.
- Impartiality is essential at Stage 3, ensuring that those involved have no prior exposure to the complaint. For independent panel members, they must meet the criteria outlined in this policy and have no other conflicts of interest.

7. Monitoring, Evaluation and Review

The Headteacher will review this policy at least every three years to assess its implementation and effectiveness. This policy will be actively promoted and enforced within the school. Active Wellbeing School will consider any local or national changes affecting the complaints process and will make necessary adjustments to the policy.

The Proprietor and Headteacher will monitor the complaints procedure at Stages 1 and 2 to ensure that all complaints are addressed properly. Additionally, the school will evaluate the effectiveness of the Stage 3 processes and the overall policy.

8. Repetitious and vexatious complaints and complaints pursued in an otherwise unreasonable manner

There are rare circumstances where we will deviate from the Complaints Procedure set out in this policy. These include, but are not necessarily limited to:

Repetitious, Serial, and Persistent Complaints

If a complainant submits a complaint that is the same as, similar to, or based on the same facts as a previously considered complaint, and we have:

- Made every reasonable effort to address the complainant's concerns, and
- Provided a clear statement of our position and the options available to the complainant,

we will inform the complainant in writing that the complaints procedure has been exhausted. Consequently, we will not respond to any further correspondence regarding these matters. The complainant will be reminded of their right to refer their complaint to the Education and Skills Funding Agency (ESFA).

Vexatious Complaints

According to the Office of the Independent Adjudicator, a 'frivolous' or 'vexatious' complaint is characterized by:

- Being obsessive, persistent, harassing, prolific, or repetitious in nature.
- Insisting on pursuing unmeritorious complaints and/or unrealistic outcomes that are unreasonable.
- Pursuing valid complaints in an unreasonable manner.
- Being intended to cause disruption or annoyance.
- Making demands for redress that lack any serious purpose or value

Vexatious complaints may include, but are not limited to:



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- **Failure to Articulate:** Refusal to clearly state the complaint or specify the grounds and desired outcomes, even when assistance is offered.
- **Lack of Cooperation:** Refusal to engage with the complaints investigation process.
- **Scope Denial:** Refusal to accept that certain issues are outside the scope of the complaints procedure.
- **Incompatible Demands:** Insistence on handling the complaint in ways that conflict with established procedures or best practices.
- **Irrelevant Information:** Introduction of trivial or irrelevant information that is expected to be considered and addressed.
- **Excessive Questioning:** Raising a large number of detailed but unimportant questions and insisting on immediate and comprehensive responses that align with their own timelines.
- **Unjustified Complaints:** Making unfounded complaints about staff who are attempting to address the issues and seeking their replacement.
- **Changing Complaint Basis:** Altering the basis of the complaint as the investigation progresses.
- **Unrealistic Outcomes:** Seeking unrealistic resolutions, such as the inappropriate dismissal of staff.
- **Excessive Demands:** Placing undue demands on school resources through frequent, lengthy, and complicated communications with staff regarding the complaint, whether in person, in writing, via email, or by telephone.
- **Falsified Information:** Knowingly providing false or misleading information.
- **Public Disclosure:** Publishing unacceptable information on social media or other public platforms.

Complaints Pursued in an Unreasonable Manner

When a complainant's behavior or language towards staff or proprietors is aggressive, abusive, offensive, discriminatory, or includes threatening or insulting personal comments, we may take the following actions:

- **Notification of Unreasonableness:** Inform the complainant that we consider their complaint vexatious or their manner of pursuing it unreasonable, explaining our reasoning, and ask them to cease such behavior.
- **Conducting Committee Meetings:** Hold the Complaints Committee solely based on written submissions, without a hearing.
- **Ceasing Consideration:** Refuse to consider the complaint further and advise the complainant of their right to refer their complaint directly to the Education and Skills Funding Agency (ESFA).

Additionally, we may restrict the complainant's access to the school by:

- Requesting communication in a specific format (e.g., letters only).
- Designating a specific contact person for all communications.
- Limiting phone calls to designated days, times, or number of contacts.
- Banning the complainant from the school's premises.

If a complainant's behavior poses an immediate threat to the safety and welfare of staff or proprietor, we will consider other measures, such as reporting the matter to the police or pursuing legal action, without prior warning to the complainant.

9. Complaint campaigns

For the purposes of this policy, a complaint campaign is defined as a series of complaints from three or more separate individuals (whether or not connected with the school) that all relate to the same subject. Depending on the nature of the complaints, we may choose to deviate from the procedures outlined in this policy and may:

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- Send a standardized template response to all complainants.
- Publish a single response on the school's website, as applicable.

10. Scope of this complaints procedure

This procedure applies to all complaints regarding the provision of Active Wellbeing School, excluding complaints that are addressed through other statutory procedures, including, but not limited to, those listed below.

| Exceptions | Who to contact |
|--|---|
| Admissions to schools | Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority |
| Statutory Assessment of Children's Special Educational Needs | Concerns about statutory assessments of special educational needs should be raised directly with local authorities. |
| Matters likely to require a Child Protection Investigation | Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the relevant LA service in Children's Services. |
| Exclusion of children from school* | Further information about raising concerns about exclusion can be found at: www.gov.uk/school-disciplineexclusions/exclusions . *complaints about the application of the behaviour policy can be |
| Whistleblowing | We have an internal whistleblowing procedure for all our employees, including temporary staff. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus . Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint. |
| Staff conduct | Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. However, a parent may raise a complaint about a staff member directly or indirectly. 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. |
| Withdrawal from the curriculum | Parents/carers can withdraw their child from any aspect of Religious Education (RE), including the daily act of collective worship without explanation. If parents/carers are not satisfied with the handling of a request to withdraw their child from RE/DACW they should use the complaints policy. The right of withdrawal does not apply to other areas of the curriculum where religious matters may be spontaneously raised by pupil or arise in other subjects such as history or citizenship. |



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11. Monitoring Arrangements

The proprietor will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The proprietor will track the number and nature of complaints, and review underlying issues as stated in section 11.

12. The complaints records are logged and managed by Headteacher
13. This policy will be reviewed by Headteacher annually.
14. At each review, the policy will be approved by the proprietor.

15. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Suspension and permanent exclusion policy
- Special educational needs policy
- Privacy notices



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Appendix 1: Formal Complaint Form for Stage 2 and 3

Please include this form with your letter

| | |
|---|--|
| School name: | |
| Your name: | |
| Your child's name: | |
| Your child's class: | |
| Your address including postcode: | |
| Phone no(s): | |
| Email address: | |
| Brief details of complaint (please state if this is at Stage 2 or 3) (this can be more detailed within your letter) | |

Contained in your letter please:

- state which stage this complaint is at, i.e. stage 2 or 3.
- provide full details of your complaint, including relevant dates and persons concerned where possible in the box below.
- state what action, if any, you have already taken to try and resolve your complaint (who did you speak to and what was their response).
- state how you feel the problem could be resolved at this stage

Are you attaching any paperwork? If so, please provide details within your letter of what the extra documents are.

| | |
|---------|--|
| Signed: | |
| Date: | |



Equality, Community, Growth

Active Wellbeing

INDEPENDENT PRIMARY SCHOOL

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Thank you for completing the form and providing us with details of your complaint.

For Stage 2 complaints - Please send in your completed form to the Headteacher, care of the school reception or via email. All paperwork will be held on file securely by the school.

For Stage 3 complaints – Please send in your completed form to the Proprietor (juliegilson@activewellbeing.school). All paperwork will be held on file securely by the proprietor.