Complaints Procedure

Burnside Primary School

Be Safe, Be Smart, Be Kind

1. Overview and Scope

This procedure is designed for handling complaints against the school, any member of staff, or the governing board. In line with our school motto—**Be Safe, Be Smart, Be Kind**—we aim to resolve concerns openly, fairly, and as quickly as possible.

- **Statutory Timeframe:** The complainant must raise the complaint within three months of the incident occurring. Where a series of associated incidents have occurred, the complaint must be lodged within three months of the last of these specific incidents. Complaints outside of this timeframe will only be considered if exceptional circumstances apply.
- **Holiday Receipt Rule:** Any complaints received outside of official school term times will be treated as having been formally received on the very first school day after the holiday period concludes.
- **Governor Neutrality:** Complainants must not approach individual governors to raise concerns or complaints. Individual governors hold no legal power to act independently. Having prior knowledge of a complaint disqualifies that governor from sitting on an impartial panel at a later stage, which can delay resolution. All stakeholders are advised to strictly follow the process laid out in this policy.

2. Statutory Exclusions to this Procedure

There are separate, distinct arrangements laid down by UK law to cover the following areas, which are excluded from this general complaints policy:

- Appeals against school admissions
- Statutory assessments of Special Educational Needs and appeals against Education, Health and Care Plans (EHCPs)
- School re-organisation proposals
- Matters requiring a statutory Child Protection Investigation
- Appeals against the exclusion of children from school
- Whistleblowing procedures

- Staff grievance, capability, and internal disciplinary procedures
- Third-party providers who utilize the school premises or facilities
- National Curriculum content (which must be sent directly to the DfE using their official contact form)

Important Notice Regarding Staff Conduct: Complaints specifically about staff conduct will not generally be handled under this public complaints procedure. Complainants are advised that any staff conduct concerns will be directed into internal staff disciplinary pathways if appropriate; however, due to employment privacy laws, the operational outcomes of these procedures cannot be shared with the complainant.

3. General Operating Principles

- **Anonymous Complaints:** Anonymous complaints will not be formally investigated unless they involve serious safeguarding allegations and are deemed critical by the Headteacher or the Chair of Governors.
- **Concurrent Investigations:** Complaints that are actively being investigated by external statutory bodies, such as the Police, will be suspended immediately until those public bodies have completely finished their investigations.
- **Legal Proceedings:** If a complainant commences formal legal action against Burnside Primary School in relation to their concern, the school will evaluate whether to suspend the complaints process until those legal proceedings have concluded.

4. Routing Matrix

To ensure your complaint is handled correctly and by the right individual, please use the following contact routing:

- **Complaints against school staff (except the Headteacher):** Must be made in the first instance directly to the Headteacher (Miss Jane Ramsay) via the main school office. Please mark the envelope or email as *Private and Confidential*.
- **Complaints involving or about the Headteacher:** Must be addressed directly to the Chair of Governors, routed via the main school office. Please mark the correspondence as *Private and Confidential*.
- **Complaints about the Chair of Governors, an individual governor, or the entire governing body:** Must be addressed directly to our Governance Professional via the school business office. Please mark the correspondence as *Private and Confidential*.

A template complaint form is included at the end of this procedure for ease of use. If you require administrative help to complete this form, please contact the school office

team. You may also ask independent third-party organisations, such as Citizens Advice, to assist you in drafting your complaint.

5. The Stages of the Complaints Process

Stage One: Informal Stage

The complaint should be discussed openly between the person making the complaint and the specific member of staff closest to the issue. If a complainant indicates that they would face severe difficulty discussing the matter with that particular staff member, they will be referred smoothly to an alternative staff member by leadership.

Similarly, if a member of staff, the Headteacher, or a Governor feels too compromised or has a conflict of interest, the matter will be referred to another independent staff member or Governor. The ability to consider the complaint objectively and impartially is crucial to our school values. If an investigation is required at this informal step, an indication of timescales will be provided.

If a complainant approaches a Governor first, they will be redirected via the Headteacher to the appropriate informal contact. Whoever hears the complaint at Stage One will advise the complainant on how to formally escalate their complaint should they remain dissatisfied. The complainant will be asked to complete the formal complaints form at this point if they have not done so already. Formal forms may be completed and submitted by a third party acting on behalf of the complainant, provided they have appropriate written consent to do so. Reasonable adjustments will always be provided by the school to ensure accessibility for all individuals.

Optional Step: Mediation

The school may offer the option of formal mediation following Stage One or Stage Two. Mediation is an additional way of reaching a positive agreement and securing a path forward; it does not replace, block, or delay Stage Two or Stage Three. Complainants are under no obligation to accept mediation, nor does the school have to offer it if it is deemed inappropriate for the circumstances.

Stage Two: Formal Consideration of Complaint

If the complainant is dissatisfied with the outcome or the handling of Stage One and wishes to pursue the matter, a formal complaints form must be submitted. Upon receipt, the Headteacher, Chair of Governors, or a designated Nominated Officer may formally delegate the task of investigating the complaint to another independent staff member or governor. In exceptional or highly complex circumstances, the school may commission an independent Investigating Officer report from an external professional.

During this stage, the appointed investigator will seek to clarify the precise nature of the complaint, identify what remains unresolved, and establish what specific outcome the

complainant would like to see. The complainant will receive formal confirmation that an investigation is underway and will be provided with a full written response within **25 school days**, or a formal letter explaining the reasons behind any subsequent delay.

Once all relevant facts are established and conclusions drawn, the Headteacher, Chair of Governors, or Nominated Officer will relay the final decision and the underlying reasons in writing to the complainant. The response may offer one or more of the following resolutions:

- A clear explanation of the facts
- An admission that the situation could have been handled differently or better
- An assurance that the school will try to ensure the event does not recur
- An explanation of the steps taken or planned to prevent a recurrence, alongside clear timescales for any changes
- An undertaking to formally review school policies in light of the complaint
- A formal apology

Stage Three: Complaint Heard by Governing Board Complaints Committee

If still dissatisfied with the Stage Two outcome, the complainant must contact the school giving full details within **10 school days** of receiving the Stage Two decision letter to request an escalation.

At least **7 school days** before the committee meeting takes place, the Governance Professional will formally confirm and notify the complainant of the date, time, and venue. They will ensure the dates are convenient to all parties and that the venue and proceedings are fully accessible.

Any further written material to be submitted to the committee must be requested at least **3 school days** before the meeting, and all written evidence will be cross-circulated to all parties before the meeting date.

Please note the following committee parameters:

- **Covert Recordings:** The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- **New Complaints:** The committee will not review any brand-new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with independently from Stage One of the procedure.
- **Absence Rule:** If the complainant rejects the offer of three proposed dates without good reason, the Governance Professional will decide when to hold the

meeting. The panel will then proceed in the complainant's absence on the basis of written submissions from both parties.

When convened, the committee will consist of a minimum of **three governors** with delegated powers. The chair of the committee will be formally appointed when they meet on the day. 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 formal hearing at which the complainant will be invited to put forward their case, to be held within **20 school days** of the decision to hold a 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 advice from external bodies as they see fit, particularly the Local Authority (Northumberland County Council) or the Diocesan Authority where appropriate. Guidance on preparing for and holding the hearing will be provided by the school's dedicated Governance Professional.

These committee meetings are administrative governance functions, not legal proceedings; therefore, it is inappropriate for either the school or the complainant to bring legal representation into the panel. The sole exception is if a member of school staff is called as a witness and wishes to be accompanied by an individual professional union representative or legal support.

6. Further Considerations and External Escalation

A complaint should only be made to the Department for Education (DfE) once the school's internal multi-stage procedure has been completely exhausted. The only exceptions are when there is an active child protection concern or where a child is entirely missing education.

If the complainant believes that Burnside Primary School has failed to handle the complaint in accordance with this published policy, or has acted unlawfully or unreasonably in the exercise of its statutory duties under education law, they can contact the DfE after completing Stage Three. The DfE will not normally re-investigate the substance of the complaint or overturn school decisions, but they will check for strict adherence to education legislation and statutory compliance frameworks.

The DfE can be contacted online at www.education.gov.uk/contactus, via telephone on 0370 000 2288, or by writing directly to: Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD.

If a complaint is raised collectively by a number of parents regarding a whole-school issue, they may, at any stage of the procedure, ask the Chief Inspector of Schools (Ofsted) to investigate. Ofsted determines on a case-by-case basis whether the school's internal complaints procedures must be fully completed before an intervention is triggered.

Should Burnside Primary School become the target of a coordinated complaint campaign—receiving a large volume of connected complaints based on the exact same subject matter or from individuals entirely unconnected directly to the school—the school reserves the right to manage the responses collectively. This will be handled either via a standard template response sent to all participants or by a general statement posted directly on the public school website. The school maintains a separate, robust policy in respect of serial and persistent complainants.

7. Exemplar Complaint Form

Please complete this form and return it to the Headteacher, Chair of Governors, or Governance Professional via the school office. The school will formally acknowledge receipt and explain the next operational steps to you. If you have any difficulties completing this document, please contact the administration team so arrangements can be made to support you.

Section 1: Contact Details

- **Your Name:**
- **Pupil's Name (if applicable):**
- **Your Relationship to the Pupil (if applicable):**
- **Home Address and Postcode:**
- **Daytime Telephone Number:**
- **Evening Telephone Number:**
- **Email Address:**

Section 2: Complaint Details

- Please give full details of your complaint (include dates, names of witnesses, and specific incidents where possible):
- What specific action, if any, have you already taken to try and resolve your complaint informally? (Who did you speak with at Stage One, and what was their response?)

Section 3: Resolution

- What specific actions or outcomes do you feel might successfully resolve the problem at this stage?
- Are you attaching any supporting paperwork? If so, please list the details below:

Signature: Date:

For Official School Use Only

- Date acknowledgement sent:
- Acknowledged by whom:
- Complaint formally referred to:
- Date of referral:

Appendix: Defined Roles within the Complaints Procedure

- **The Complainant:** The individual who raises an issue directly with the school in line with this procedure. Complainants are expected to engage openly and honestly with the school to reach an equitable outcome, consider their desired resolutions, and refrain from pursuing the complaint outside the policy boundaries to protect the integrity of the process.
- **Initial Contact:** The first person contacted by the complainant. Their sole role is to provide a copy of this procedure and explain how to move it forward. They must not engage in any discussion regarding the substance of the complaint.
- **Stage One Contact:** The professional closest to the allegation (e.g., class teacher) who attempts an early resolution. A face-to-face discussion is the typical first step. The Headteacher or Chair of Governors may step into this role if individual staff are compromised.
- **Nominated Officer:** A senior leader, Headteacher, or Governor who formally commissions an investigation report, sets the brief for the investigation, issues the Stage Two outcome letter, evaluates escalations, and presents the school's case should it progress to a Stage Three panel.
- **Investigating Officer:** A senior leader, Headteacher, or independent external professional tasked with interviewing witnesses, scrutinising evidence, formulating clear conclusions, and drawing up a comprehensive recommendations report for the Nominated Officer.
- **Panel Chair or Member:** Independent governors who sit on the Stage Three committee to review the case holistics, hear cross-examinations, and deliver the final school judgement via a Stage Three outcome letter.

- **Witnesses:** Individuals with specific, direct knowledge of the incident who are interviewed by the Investigating Officer. Their signed statements form part of the core evidence base.
- **Procedural Support:** Operational support accessed via our School Governance and Data Protection Service Service Level Agreements (SLA) to guarantee legal and regulatory compliance.