

COMPLAINTS POLICY AND PROCEDURE

2. Scope

This complaints procedure is not limited to parents or carers of children that are registered at either Bothal Primary School or Central Primary School. Any person, including members of the public, may make a complaint to the Ashington Learning Partnership about any provision of facilities or services that we provide. The Ashington Learning Partnership will not consider complaints under this procedure where there are separate procedures. The following complaints or appeals are therefore excluded from this procedure:

- Admissions to schools
- Statutory assessments of Special Educational Need
- School re-organisation proposals
- Matters likely to require a child protection investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievances
- Staff conduct
- Complaints about services provided by other providers who may use the school premises
- National curriculum content

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

If a complainant commences legal action against the Ashington Learning Partnership 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.

3. The difference between a concern or 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. The Ashington Learning Partnership 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, refer your concern to the Head of School or Deputy Headteacher who, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Head of School or Deputy Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

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

4. How to raise a concern or make a complaint

A concern can be made in person, in writing or by telephone. Concerns should be raised with either the class teacher or Assistant Head of School. If the issue remains unresolved, the next step is to make a formal complaint.

A complaint should be made in writing by the complainant. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to Louise Hall, Executive Headteacher via the school office or to the schools email (details can be found on the school website). Please mark them as Private and Confidential.

Complaints that involve or are about the Executive Headteacher should be addressed to Gemma Craik (the Chair of Governors), via the school office or through the school email address (details can be found on the school website). 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 Angie Dyer, Business Manager via the school office or through the school email address (details can be found on the school website). Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. 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.

4. Anonymous complaints

The Ashington Learning Partnership will not normally investigate anonymous complaints. However, the Executive Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

5. 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 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.

6. Resolving Complaints

At each stage in the procedure, the Ashington Learning Partnership wants to resolve the complaint. 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.

7. Withdrawal of a complaint

If a complainant wants to withdraw their complaint, they should confirm this in writing.

8. Complaint procedure Stage 1

Formal complaints must be made in writing, detailing the nature of the complaint to the Executive Headteacher (unless they are about the Executive Headteacher, via the school office or school email (details can be found on the school website)).

The Executive Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within five school days.

Within this response, the Executive Headteacher may seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Executive Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

The executive Headteacher may delegate the investigation to another member of the Ashington Learning Partnerships senior leadership team but not the decision to be taken.

During the investigation, the Executive Headteacher (or investing officer) 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.

At the conclusion of their investigation, the Executive Headteacher will provide a formal written response within ten school days of the date of receipt of the complaint.

If the Executive Headteacher 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 the Ashington Learning Partnership will take to resolve the complaint. The Executive Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Executive Headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1. Complaints about the Executive Headteacher or member of the governing body must be made to Angie Dyer, Business Manager via the school office or to the school email.

If the complaint is:

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

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.

9. Complaint Procedure 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 formed of three governors. This is the final stage of the complaint's procedure.

A request to escalate to Stage 2 must be made to Angie Dyer, Business Manager via the school office or through the schools email, within five school days of receipt of the Stage 1 response.

The Business Manager will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within five school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

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

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

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from the Ashington Learning Partnership available, the Business Manager will source any additional, independent governors through another local school or through their LA's Governor Services team or appoint independent consultants or specialists, in order 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 parties to a meeting or through written representations, but 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 could be a relative or friend but legal representatives and pupils will be excluded from attending the committee meeting.

Representatives from the media are not permitted to attend.

At least five school days before the meeting, the Business Manager will:

- 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 two school days before the meeting.

Any written material will be circulated to all parties at least two school days before the date of the meeting. 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. The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. 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 provide the complainant and the Ashington Learning Partnership with a full explanation of their decision and the reason(s) for it, in writing, within five school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the Ashington Learning Partnership.

9. Next Steps

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

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the Ashington Learning Partnership. They will consider whether the Ashington Learning Partnership has adhered to education legislation and any statutory policies connected with 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.

10. Managing serial and unreasonable complaints

The Ashington Learning Partnership 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 the contact complainants have with our schools. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The Ashington Learning Partnership 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
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Executive Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the Executive Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the Ashington Learning Partnership causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Ashington Learning Partnership premises.

Document Record

Version	Reason for Amendments/Update/Review	Date of Adoption by Governing Body/ Review date
1.0	New policy and procedure created in line with DfE Complaints model policy and model policy for managing serial and unreasonable complaints	Adopted by Governing Body 18 February 2025