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Complaints Policy

Combe Pafford School

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1. Aims

Combe Pafford 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 concerns and 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 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 Department for Education (DfE). This policy complies with our funding agreement and articles of association.

3. Definitions

A concern is an expression of worry or doubt over an issue considered to be important for which reassurance or clarification is sought.

A complaint is an expression or statement of dissatisfaction about actions taken or a lack of action.

4. Scope

This policy covers complaints from parents/carers of pupils at our school. It does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters – including allegations of abuse against staff
- Suspension and permanent exclusion
- Whistleblowing
- Staff grievances
- Staff conduct

5. Roles and responsibilities

5.1 The complainant

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 Trustees about the complaint
- Do not publish details about the complaint on social media

Making complaints accessible:

Under the Equality Act 2010, we must make reasonable adjustments for those who:

- Have learning difficulties
- Have disabilities

5.2 The investigator

An individual will be appointed to investigate 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

5.3 The complaints co-ordinator

The complaints co-ordinator can be:

- Member of SLT
- The designated complaints Trustee
- PA to the Headteacher

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, chair of Trustees, and clerk
- Be aware of issues relating to:
    - Sharing third-party information
    - Additional support needed by complainants
- Keep records

5.4 Clerk to the Board of Trustees

The clerk will:

- Be the contact point for the complainant and the complaints committee
- Circulate relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

5.5 Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

6. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

6.1 Timescales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

6.2 External support

Depending on the nature and subject of the complaint, it may be a good idea to seek advice from outside of the school at the earliest possible stage. This is to make sure we handle the complaint and investigation properly. It's good practice to get support for complaints that:

- Are complex
- Are sensitive
- Require specialist or technical knowledge

7. Stages of complaint (not complaints against the headteacher or Trustees)

We have adopted a 3-stage process for dealing with complaints:

- **Stage 1** – Informal resolution
- **Stage 2** – Formal investigation
- **Stage 3** – Panel hearing with an independent panel member

7.1 Stage 1: Informal

Our school will take concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the concern as soon as possible within the timescales set out in section 6.1.
The concern should be addressed to the relevant member of school staff or the PA to the Headteacher, in person, by letter or email to: **emails@combepafford.torbay.sch.uk**.

7.1a Mediation

We may use mediation:

- In the informal stage, to provide a mechanism for discussion when a concern is raised
- Following a formal investigation, to help rebuild the relationship between parties

We will not use mediation as a substitute for investigation at the formal stage.

7.2 Stage 2: Formal

The formal stage involves the complainant putting the complaint in writing to the Headteacher and/or the subject of the complaint:

- In a letter or email (this is preferred)
- In person (where the complainant has a good reason to request a reasonable adjustment)

If complainants need assistance raising a formal complaint, they can contact the Headteachers's PA.

The school will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

The headteacher or other person appointed by the headteacher for this purpose will then conduct their own investigation following the principles set out in section 5.2.

The written conclusion of this investigation will be sent to the complainant within 10 school days.

How to escalate a complaint

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the Board of Trustees in writing within 5 school days. Requests received outside of this timeframe will be considered in exceptional circumstances.
Complaints can be escalated by contacting the clerk to the Board of Trustees:

- By letter or email
- In person
- Through a third party acting on behalf of the complainant

The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

The clerk will acknowledge receipt of the request within 5 school days.

7.3 Stage 3: Panel hearing

Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.

The panel must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. **At least 1 panel member must be independent of the management and running of the academy.**

It's up to the school to determine who is independent enough to sit on the panel, so long as they are not a member, trustee or employee of the school. The panel will have access to the existing record of the complaint's progress.

Make sure the Trustees involved in the panel:

- Do not have prior knowledge of the complaint (make sure you do not share details about your investigation)
- Do not have any conflict of interest in the complaint. If they do, they should withdraw

If your Trustees aren't able to act impartially, the clerk may need to source Trustees externally.

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 10 school days of the request, where possible.

You must:

- Allow for a parent/carer to attend the hearing and be accompanied if they wish – although the DfE recommends that neither the parent/carer nor the school bring legal representation, as the hearing is not a form of legal proceeding.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The board will ensure that the hearing is properly minuted.

At the meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless required as part of reasonable adjustments. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. We do not encourage either party to bring legal representation but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

At the meeting, everyone will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave, and evidence will then be considered.

The panel will then put together its findings and recommendations from the case.

The panel must:

- Provide a copy of the findings and recommendations to the complainant and, where relevant, the person(s) complained about
- Make a copy available on the premises for inspection by the proprietor and headteacher

The outcome

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The school will inform those involved of the decision in writing within 5 school days. The DfE recommends that the school informs the complainant of:

- The conclusions and reasons for the decision in writing
- Any further rights of appeal

It also recommends providing them with a copy of the minutes of the panel hearing, to avoid a further complaint.

8. Complaints against the headteacher, a Trustee or the Board of Trustees

8.1 Stage 1: Informal

Complaints made against the headteacher, or any individual member of the Board of Trustees (including the chair or vice-chair) should be directed to the clerk of the Board of Trustees in the first instance.

A suitably skilled and impartial Trustee will then carry out the steps at stage 1 set out in section 7 above.

If the concern is not resolved informally, it will be escalated to a formal complaint.

Complaints about the whole Board of Trustees will be resolved at stage 2 below.

How to escalate a complaint
Complaints can be escalated by contacting the clerk to the Board of Trustees:

- By letter or email
- In person
- Through a third party acting on behalf of the complainant

The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

8.2 Stage 2: Formal

Complaints that involve or are about the headteacher should be addressed to the chair of Trustees, via the clerk to the Trustees, marked as private and confidential.

Complaints about the chair of Trustees, any individual Trustee or the whole governing body should be addressed to the clerk to the Board of Trustees via the school office, marked as private and confidential. Formal complaints can be raised:

- By letter or email
- In person (where the complainant has a good reason to request a reasonable adjustment)
- By a third party acting on behalf of the complainant

If the complaint is about the headteacher or an individual Trustee, a suitably skilled and impartial Trustee will then carry out the steps at stage 2 set out in section 7 above. If the complaint is:

- Jointly about the chair and vice-chair or
- The entire Board of Trustees or
- The majority of the Board of Trustees

An independent investigator will carry out the steps in stage 2 set out in section 7 above. They will be appointed by the Board of Trustees and will write a formal response at the end of their investigation.

The written conclusion of this investigation will be sent to the complainant within 10 school days.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the Board of Trustees in writing within 5 school days. Requests received outside of this timeframe will be considered in exceptional circumstances. The clerk will acknowledge receipt of the request within 5 school days.

8.3 Stage 3: Panel hearing

If the complaint is about the headteacher or an individual Trustee, the steps outlined in stage 3 of section 7 above will be followed. If the complaint is:

- Jointly about the chair and vice-chair or

- The entire Board of Trustees, or
- The majority of the Board of Trustees

A committee of independent Trustees will hear the complaint. They will be sourced from local schools or the local authority and will carry out the steps at stage 3 (set out in section 7 above).

9. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the Department for Education (DfE).

The DfE will not overturn the school's decision about a complaint or reinvestigate the original complaint. It will only consider a complaint if there's evidence that the school or trust:

- Does not have a complaints procedure
- Did not provide a copy of its complaints procedure when requested
- Does not have a procedure that complies with statutory regulations
- Hasn't followed its published complaints procedure
- Hasn't allowed its complaints procedure to be completed

The DfE may take action against the school or trust if it has:

- Breached a clause in its funding agreement
- Failed to act in accordance with the law
- Acted (or is proposing to act) unreasonably when exercising related education functions

In these cases, the DfE is likely to explain the legislative framework or recommend improvements to statutory policies.

If the DfE identifies serious failings, it may share information about the complaint with relevant bodies, such as the local authority or Ofsted.

If Ofsted receives a "qualifying complaint", its only power is to determine if an inspection is needed – it cannot investigate individual issues.

For more information or to refer a complaint, see the following webpage:
www.gov.uk/complain-about-school

We will include this information in the outcome letter to complainants.

10. Unreasonable and persistent complaints

10.1 Unreasonable complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- 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 DfE
- 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

Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.

Complainants should try to limit their communication with the school 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.

Steps we will take

We will take every reasonable step to address the complainant's comments and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

Whenever possible, the headteacher or chair of Trustees will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it.

For complainants who excessively contact the school causing a significant level of disruption, we may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

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 school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

10.2 Serial/persistent complaints

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern.

10.3 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If a duplicate complaint is raised which in the view of the school warrants further consideration, the procedure outlined in section 7 or 8 (as appropriate) will be repeated.

10.4 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

11. Managing complaints safely

11.1 When aggressive or threatening behaviour occurs

If we've had to stop a meeting due to aggressive or threatening behaviour, we still have a statutory duty to complete the complaints process and come to a decision within the statutory timeframes.

First steps after an incident:

When we've had to stop a meeting due to aggressive behaviour, we will:

- Record the incident according to the school's procedures
- Take time to check on the wellbeing of any staff or Trustees involved in the incident
- Write to the parent/carer to confirm that the meeting was stopped and why
- Explain that we'll write to them again shortly to outline the next steps in the process
- Consider seeking advice from the local authority, trust or legal representatives on how to proceed safely

Legal standing:

We will lean on the following legislation when communicating our decisions:

- **Health and Safety at Work Act 1974:** Section 2 says that employers have a duty to ensure the health, safety and welfare at work of all employees, including protecting employees from violence, including verbal abuse or threats
- **Education Act 1996 (Section 547):** This gives us the legal power to remove anyone causing a nuisance or disturbance from the school premises

11.2 Options for proceeding safely

Our next steps will be proportionate to the incident and consider the risk to those involved. We will seek advice from the local authority or legal provider if unsure.

Options include:

Option 1: Reconvene the meeting with safeguards in place

This option is suitable for lower-risk situations where we believe the behaviour was uncharacteristic and unlikely to be repeated if clear boundaries are established.

Before the meeting:

- Set clear boundaries in writing, referencing our parent/carer code of conduct

- State that any repeat of the previous behaviour will result in the immediate and final termination of the meeting
- Consider the environment (e.g., hold the meeting in a room with two exits, ensure another staff member is nearby)

Option 2: Hold a virtual meeting

Where there is a higher risk of the behaviour happening again, a virtual meeting is a good alternative. We will:

- Use a secure platform like Microsoft Teams or Zoom
- Establish ground rules in advance (e.g., respectful language, no interruptions, consequences for unacceptable behaviour)
- Be prepared to mute a disruptive participant or remove them from the meeting if their behaviour is unacceptable

Option 3: Use written submissions only

This option will be used where we decide that any form of direct interaction, whether in person or virtually, poses an unacceptable risk to the wellbeing of staff and Trustees.

The process will:

- Set a deadline for the complainant to provide their full, written case with all supporting evidence
- Set out a timeframe, in line with our complaints procedure, to investigate the concerns and provide a formal written response
- Make it clear what options the complainant has, including how to take the complaint to the next stage if they're unhappy with the outcome
- If the complaint goes to the next stage, the panel can convene in private to consider all the evidence and reach its findings. The final decision will then be communicated to all parties in writing

11.3 If the complainant is banned from the school site

Banning someone from the school site does not remove their right to have their complaint heard. Holding the meeting virtually or at a neutral location could both be good options here, depending on the considerations outlined above.

11.4 Keeping the procedure fair and compliant

When handling the situation, we will distinguish between the complaint and the complainant. It's important to communicate that the measures we put in place are a response to unacceptable behaviour, not a dismissal of their concerns.

Even if the complaint is not upheld, we recognise that the individual may make valid complaints in the future, which will need to be treated fairly.

Any adjustments to the process will not prevent our board from making its decision within the timeframes set out in this complaints procedure.

12. Record keeping and confidentiality

We need to keep a record of all formal complaints, including:

- Whether they were resolved at stage 2 or progressed to a stage 3 panel hearing
- What action the school took because of the complaint (regardless of whether the complaint was upheld)

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and stored securely and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of data protection law, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and our record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole Board of Trustees in case a review panel needs to be organised at a later point.

Where the Board of Trustees is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Board of Trustees, who will not unreasonably withhold consent.

13. Learning lessons

The Board of Trustees will review any underlying issues raised by complaints with the Headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future. The school will consider:

- Whether there are patterns or trends in complaints
- Whether any systemic issues need to be addressed
- What lessons can be learned to improve policies, procedures or practice
- Whether staff need additional training or support

This review will be conducted at least annually as part of the monitoring arrangements set out below.

14. Monitoring arrangements

The Board of Trustees will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The Board of Trustees will track the number and nature of complaints, and review underlying issues as stated in section 13.

The complaints records are logged and managed by the Clerk to Trustees.

Annual reporting:
At least once a year, the Board of Trustees will review:

- The number of complaints received at each stage
- The nature of complaints
- Whether complaints were resolved at stage 2 or progressed to stage 3
- What action the school took because of complaints
- Whether there are any patterns or trends
- Whether the complaints procedure is working effectively

This information will be used to identify areas for improvement in school policies, procedures and practice.

This policy will be reviewed and approved by Trustees annually.

Next review date: March 2027

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
- Staff grievance procedures
- Staff disciplinary procedures
- Special educational needs policy and information report
- Privacy notices

History of Policy Changes

Date	Page	Details of Change	Agreed by:
March 2026	**All**	**New format Academy Policy**	**Trustees**