Sir Alexander Fleming Primary School and Nursery

Complaints Procedure

Reviewed September 2026
Next Review September 2028

Note: *This policy statement relates to complaints other than those about the curriculum or religious worship for which a separate procedure has been established. Details of this procedure are available from school.*

1. What is a complaint?

The school considers a complaint principally to be an expression of grievance or dissatisfaction received from or on behalf of a parent/carer or member of the public regarding:

- action taken by or on behalf of the school.
- failure by the school or its staff or contractors to respond to a reported problem.
- the standard of service(s) provided or discrimination in their delivery.
- the policies of the school.

What is a Concern?

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

2. How are complaints dealt with?

It is hoped that the majority of complaints can be resolved informally either by raising them verbally, in person or on the telephone, or by putting them in writing, given or sent to the school. They can then be discussed there and then or at a mutually agreed time when a satisfactory explanation could be given or resolution speedily implemented.

Summary of Dealing with Complaints

Stage 1 – Complaint heard by staff member

- Headteacher is informed of outcome

If not resolved, then escalate to:
Stage 2 – Complaint heard by Headteacher

- Headteacher acknowledges receipt of complaint, talks to complainant and investigates concerns (This is carried out as soon as is practically possible after complaint has been made)
- Headteacher feeds back and/or writes to complainant with outcome of investigation within 20 working days.

If not resolved, then escalate to:
Stage 3 – Complaint heard by Chair of Governors
 Chair of Governors acknowledges receipt of complaint within 5 working days
 write to complainant with outcome of investigation within 20 working days
 Headteacher is informed of outcome

If not resolved then escalate within 30 days to:
Stage 4 – Governors complaints committee meeting arranged (**Note:** Members of this panel are selected according to availability of Governors at the time of the meeting – see terms of reference available in school)
 issue letter inviting complainant to meeting
 complainant and other persons involved to present at the meeting separately
 issue letter confirming panel decision within 20 working days of the meeting
 Headteacher informed of outcome

If not resolved then advise escalation to the Secretary of State for Education.

The Local Authority consider schools should have every opportunity to resolve complaints at local level in the first instance. They recognise that the majority of issues raised can only be effectively resolved at local level where, in most cases the power to take appropriate action is vested in the school rather than the LA.

It is Local Authority policy that unless allegations relate to serious incidents of staff conduct, child protection issues or potential criminal activity it will not look into complaints about matters in schools until after the school's own complaints procedures have been fully exhausted and concerns still remain.

3. What to do if the complaint is about the Headteacher
Complaints about the Headteacher, that the complainant cannot or does not wish to raise directly with the Headteacher, should in the first instance be sent to the chair of governors who will arrange for the matter to be dealt with as set out above.

4. Monitoring of Complaints
An anonymous analysis of all formal complaints will be reported to the governing body regularly so that any necessary changes in the school's policies, practices or procedures can be considered and implemented.
Please read our Guidance materials (attached) for more in depth detail around our complaints procedures.

Guidance on how to deal with complaints made to the School Governing Body

1 Legal Position
The Education Act 2002 requires the governing body of a maintained school, or a maintained nursery school, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised
In establishing or publicising procedures the governing body must have regard to any guidance given by the Secretary of State.

The LA expects complainants to fully exhaust the school's own complaints procedures before involving the Secretary of State. Complainants who come to the LA either before or part way through using the school procedures will be referred back to the school. They will be told that the LA will not get involved. The only situations where the LA would

consider getting involved would be where allegations related to serious incidents of staff conduct, child protection issues or potential criminal activity.

The majority of complaints are rightly matters for schools to deal with and which are likely only be effectively resolved at school or local level. Furthermore governing bodies will appreciate that in most situations, the power to take appropriate action is vested in the school rather than in the LA.

Schools should therefore, be aiming through their established procedures, to give parents and others confidence that they can and are prepared to effectively look into and satisfactorily resolve their concerns.

2 Written Complaints Procedures
Model terms of reference for a complaints committee are available from the School Governance Service.
The school must also have a policy dealing with complaints about the curriculum and religious worship. This policy is prepared by the LA and approved by the Secretary of State The guidance set out below, therefore, only has bearing on complaints relating to 'other matters'.

3 Complaints Made To the Governing Body
Please see Appendix A for an example of a Complaint Form that may be used.

Complaints will fall into two categories:

- those where the complainant has taken the matters of concern up with school staff, culminating with the headteacher but remains dissatisfied with the response received;
- those about the headteacher that the complainant does not wish to take up with the headteacher directly.

The chair of governors receiving a complaint, which in the first instance should but has not been dealt with by staff including the Headteacher, can refer the complainant to the headteacher to exhaust this process before involving the governing body complaints committee.

4 Procedures Following Receipt of A Formal Complaint made to the Chair of the Governing Body
The chair of the governing body can, in the first instance, attempt to resolve a complaint made to the governing body informally him/herself before the formal process of referring the complaint to the governing body's complaints committee.

However, if the complaint is about a member of staff and makes allegations that, if confirmed, could lead to disciplinary action the chair of the governing body should firstly contact the Local Authority Human Resources service to discuss the most appropriate way of dealing with the complaint.

If it is decided that staff disciplinary processes should be used then the school's appropriate personnel procedures should be followed. If it is decided that the matter be dealt with as a general complaint then the procedures set out below should be followed.

Chair of the governing body refers the complaint letter to the governing body's complaints committee.
The complaints committee initially consider the complainant's letter and then asks the Headteacher to submit written comments on the points of concern raised. It is important that submissions include any witness statements or other information gathered as part of

the detailed investigation. If the committee feel there are any gaps, or lack of clarity, in the information supplied the complainant / Headteacher should be asked to provide further written information as required.

This is important as the complaints committee need to understand clearly the concerns expressed, ensure that the complainant is given fair treatment and be given the opportunity to fully state their case.

If the complainant's case is considered from the written account then the Headteacher's comments on the points raised should also be in writing only. It is imperative that both parties are treated equally at all times. In some circumstances the complainant may be seen as being disadvantaged if only written accounts are submitted, and therefore both parties should be offered a 'hearing' with the complaints committee, but this is not compulsory. If a hearing is requested it is advised that the complainant and the Headteacher are heard separately otherwise there is a risk that the meeting may well degenerate and thereby achieve little.

It is also useful if complainants can be encouraged to state what actions they feel might resolve the problem at any stage. This might enable the governing body to come to a speedier, mutually acceptable, resolution.

The complaints committee should then write a response answering all the points of concern, setting out the evidence considered, the conclusions/decisions reached and reasons for them.

Complaints committee meetings should be held without too much delay. The school complaints policy (if the LA's guidance has been followed), requires a full response to be sent within 20 school days wherever possible or, an explanation given as to why this cannot be achieved.

Should the complainant continue to be dissatisfied and wish to take the matter further they should write setting out their continuing concerns to the Ministerial and Public Communications, DfE (see 8 below)

5 Monitoring
All complaints should be monitored regularly by the governing body. All complaints need to be taken seriously and, after having been dealt with through the appropriate procedures, considered in light of what lessons, if any, can be learned and what action, if any, should be implemented.

Such consideration should be given at each stage in the complaints process, not just when they are referred to the governing body complaints committee

6 Unreasonable Complainants
Sir Alexander Fleming Primary School & Nursery 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 the school. 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.

Sir Alexander Fleming Primary School & Nursery defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:-

• 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 while still wishing their complaint to be resolved;
• refuses to accept that certain issues are not within the scope of a complaints procedure;
• insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
• introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:
• maliciously;
• aggressively;
• using threats, intimidation or violence;
• using abusive, offensive or discriminatory language;
• knowing it to be false;
• using falsified information;
• publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the number of communications with a school while a 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 headteacher or Chair of Governors 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 and asking them to change it. For complainants who excessively contact Sir Alexander Fleming Primary School & Nursery causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Sir Alexander Fleming Primary School & Nursery.

7 Barring from the School Premises
Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.
Please also refer to the school's Parent's Code of Conduct

8 The Role of the Ministerial and Public Communications DfE
If a complaint has completed the local procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

The Ministerial and Public Communications DfE considers complaints relating to LA maintained schools in England on behalf of the Secretary of State. The Ministerial and Public Communications DfE will look at whether the complaints policy and any other relevant statutory policies were adhered to. The Ministerial and Public Communications DfE also looks at whether statutory policies adhere to education legislation. However, the Ministerial and Public Communications DfE will not normally re-investigate the substance of the complaint. This remains the responsibility of schools.

The Ministerial and Public Communications DfE will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. If the Ministerial and Public Communications DfE finds that the school has not handled a complaint in accordance with its procedure, we may request that the complaint is looked at again.

If legislative or policy breaches are found, the Ministerial and Public Communications DfE will report them to the school and the complainant, and where necessary, ask for corrective action to be taken. The Ministerial and Public Communications DfE normally also seeks written assurances as to future conduct. Failure to carry out remedial actions or provide written assurances could ultimately result in a formal Direction being issued by the Secretary of State in accordance with her powers under sections 496 and 497 of the Education Act 1996.

Schools may wish to contact the Ministerial and Public Communications DfE for advice on whether they have acted reasonably; for example: in closing down a complaint from a serial complainant before the local procedure has been completed. However, the Ministerial and Public Communications DfE will not be able to advise on how to resolve the complaint.

Further information can be obtained from the Ministerial and Public Communications DfE by calling the National Helpline on 0370 000 2288 or going online at: www.education.gov.uk/help/contactus or by writing to:
Ministerial and Public Communications DfE
Unit 2nd Floor,
Piccadilly Gate
Store Street
Manchester
M1 2WD 8 7

Complaints Flow chart. Time frame	Action / Process	Notes
Complaint received	**Informal stage**	
1 – 5 days	Informal meeting arranged between complainant and staff member and/or member of Leadership team of school (Head, Deputy, Chair or Vice Chair)	
Complainant not satisfied with outcome of informal meeting	**Start of Formal stage**	
Formal complaint to Chair of Governors		
Chair notifies Chair of complaints committee who confirms the date of the meeting with other governors.	**Formal Stage**	
Complainant and Head teacher invited to attend the meeting – the notification should inform the complainant of his/her rights to be accompanied to the meeting by a friend / representative. It should also be explained how the meeting will be conducted and of the complainants right to submit further written evidence to the committee.		
Head teacher invited to prepare a written report in response to the complaint		
All relevant correspondence circulated to the complaints committee; the complainant and the Head teacher in advance of the meeting.		
If the Complainant or the Head teacher wish to call witnesses the agreement of the committee chair should be obtained in advance.		
The complaints meeting. The following procedures to be noted: The complainant and Head teacher to present their view. The committee to question the complainant and the Head teacher regarding the issues raised.		
The committee Chair should explain to the complainant and the Head teacher that the committee will consider its decision,		
No more than 20 days following the complaints committee meeting	The committee will consider the complaint and all the evidence presented and reach a unanimous, or at least a majority decision. The decision will be finding to uphold or not uphold the complaint, or uphold some parts and not others.	
The committee decides on the action to be taken. A written statement outlining the decision with reasons to both the complainant and the Head teacher		
The complainant should be advised that id he / she is dissatisfied with the outcome he/she has the right to take the matter further by writing to the Secretary of State.		