



Ashover Primary School

Complaints Policy (Maintained School Edition)

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1. General principles

Ashover Primary School is committed to working in close partnership with parents and our community. Most concerns can be resolved quickly through day-to-day communication with the relevant staff member. Where that is not possible, this policy explains a clear, fair and timely process for raising and resolving complaints. Investigations are carried out objectively and impartially with a focus on understanding the issues from all perspectives and achieving a fair resolution.

2. School policies

When the Governing Body adopts or approves a policy and the school implements it, that is part of the day-to-day running of the school. If there is an objection to a policy itself, this should be referred to the Governing Body via the school office rather than through this complaints procedure. Operational decisions about curriculum, timetabling and staffing are matters for the Headteacher.

3. Who can make a complaint?

Parents, carers, pupils (current or former), advocates and members of the public may raise complaints about the school. Where a separate statutory procedure exists (for example admissions or exclusions), that process must be used.

4. The difference between a concern and a complaint

A concern is an expression of worry or doubt for which reassurance is sought.

A complaint is an expression of dissatisfaction, however made, about actions taken or not taken.

We aim to resolve concerns at the earliest possible stage. If informal resolution is not possible, the formal stages set out below apply.

5. Anonymous complaints

Anonymous complaints will not normally be investigated. The Headteacher or Chair of Governors will determine whether there is sufficient cause to investigate.

6. Unreasonable actions

Actions or behaviours that hinder fair consideration of a complaint may be deemed unreasonable, for example refusal to clarify the complaint, insistence on unrealistic outcomes or timescales, abusive or discriminatory language, or repeated contact on substantially the same issues. The school may, where necessary, limit methods of communication or close the complaint if behaviour remains unreasonable.

7. Time scales

Complaints should be raised within three months of the incident (or last of a series of incidents) unless exceptional circumstances apply.

8. Complaints received outside of term time

Complaints received during school holidays will be treated as received on the first school day of the next term. Complaints received outside office hours will be acknowledged on the next working day.

9. Scope of this complaints procedure

This procedure covers all complaints about the school except those dealt with under other statutory procedures. Examples include:

Exceptions	Who to contact
Admissions to schools	Handled through the Local Authority admissions/appeals process.
Matters likely to require a Child Protection Investigation	Handled under the school safeguarding policy and statutory guidance. Concerns may be raised with the Local Authority Designated Officer (LADO): professional.allegations@derbyshire.gov.uk.
Exclusion of pupils	See www.gov.uk/school-discipline-exclusions/exclusions . Complaints about application of the behaviour policy can be made via this complaints procedure.
Whistleblowing	Staff should use the school's internal whistleblowing procedure. See also GOV.UK whistleblowing guidance.
Staff grievances	Dealt with under the school's internal grievance procedures.
Staff conduct	Considered under staff disciplinary procedures where appropriate; outcomes are confidential and will not usually be shared with complainants.
External service providers (e.g. SEN support)	Complaints should be directed to the external provider.
Early Years	Written complaints about EYFS requirements will be investigated and outcomes notified within 28 days; records are available to Ofsted on request (0300 123 4666, enquiries@ofsted.gov.uk).

If other bodies (e.g. police or the Local Authority) are investigating aspects of a complaint, the school may suspend its process until those investigations conclude. If legal action is commenced against the school, the complaints process may be paused until proceedings are concluded.

10. Information for the person complained about

The person (or people) complained about will normally receive full details of the complaint unless there is a good reason to withhold information. They will always be informed of the scope of the investigation.

11. Resolving complaints

At any stage, the school may offer: an explanation; an apology; acknowledgement that matters could have been handled differently; assurances to prevent recurrence; details of actions taken; or a review of relevant policies and procedures.

12. Withdrawal of a complaint

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

13. Complex complaints

Some complaints become complex and may require additional time, specialist input or external advice. If a complaint is designated complex, all parties will be notified and an adjusted timeline may be agreed.

14. Stage 1 - Concerns

Raise concerns promptly with the relevant staff member (e.g. class teacher) or the school office. Concerns should not be raised with individual governors. An informal written response will normally be provided within three school days of receipt.

15. Stage 2 - Formal complaints

If unresolved, submit a formal complaint in writing using the form at the end of this policy to enquiries@ashover.derbyshire.sch.uk. The school will acknowledge receipt within five school days, clarify the scope and desired outcomes, and confirm next steps.

The Headteacher (or a designated Investigating Officer) will investigate which may include interviewing those involved and reviewing relevant records. A written outcome will normally be provided within fifteen school days of receipt. If this deadline cannot be met, an update and revised date will be provided.

If the complaint is about the Headteacher, write to the Chair of Governors via the school office. The Chair will appoint a suitably skilled independent Investigating Officer to complete Stage 2.

16. Records

Records of the complaint process will be kept in accordance with the Data Protection Act 2018 and UK GDPR. Notes may be summarised within investigation reports; retention will follow the school's data retention schedule.

17. Stage 3 - Panel hearing

If dissatisfied with the Stage 2 outcome, the complainant may request a Stage 3 panel hearing. The panel will consist of at least three people not directly involved in the matters detailed in the complaint, with at least one panel member independent of the management and running of the school.

18. Right to seek a panel

Following Stage 2, either the complainant or the person complained about may request a panel hearing if they disagree with the outcome and believe there were procedural flaws or relevant evidence was not considered.

19. Procedure for Stage 3

A Stage 3 request must be submitted to the Governance Professional via the school office within five school days of the Stage 2 response. An acknowledgement will be sent within five school days. Requests outside this timeframe may be accepted in exceptional circumstances.

20. Arrangements for the panel

The Governance Professional will aim to convene the panel within fifteen school days of the Stage 3 request, confirm the date, time and venue, and ensure accessibility. If three proposed dates are refused without good reason, the panel may proceed in the complainant's absence based on written submissions.

A complainant may bring a supporter (e.g. relative or friend). Legal representation is not normally necessary, though may be appropriate in some circumstances. Representatives from the media are not permitted.

21. Material for the panel hearing

At least ten school days before the meeting, parties should submit any written material to be considered. All material will be circulated at least five school days before the meeting. Covert recordings will not normally be accepted as evidence.

22. The panel hearing

The meeting will be held in private. Recordings are not normally permitted unless required as a reasonable adjustment and agreed in advance. The panel will focus on whether the Stage 2 investigation was conducted fairly and whether the conclusions were reasonable in light of the evidence.

The panel may uphold or dismiss the complaint in whole or in part and may recommend actions to resolve the complaint or prevent recurrence. A written decision will normally be provided within five school days, including how to escalate to the Department for Education if dissatisfied with how the complaint was handled.

23. In person or online meetings

Meetings are normally in person; remote attendance (telephone or video) may be offered or requested where appropriate.

24. Complaints to the Local Authority

For a maintained school, the Local Authority may provide advice or support to the Governing Body in handling complaints. If a complainant believes the school has not

followed the correct procedure or has acted unlawfully, they may contact Derbyshire County Council or the Department for Education (DfE).

DfE contact: www.education.gov.uk/contactus, Tel: 0370 000 2288

25. Complaint about the Headteacher or a Governor

Headteacher: address complaints to the Chair of Governors via the school office.

Chair of Governors: address complaints to the Vice-Chair via the school office. Whole

Governing Body: the Local Authority will be asked to support an independent investigation and panel.

26. Arrangements for an LA/independent complaint panel procedure

Where an independent panel is required (e.g. complaints about the whole Governing Body), the Governance Professional will liaise with the Local Authority to convene a panel of three independent members not involved previously and independent of the school's management.

If the complainant rejects the offer of three proposed dates without good reason, the panel may proceed in their absence based on written submissions.

27. Material for the LA/independent panel hearing

At least fifteen school days before the meeting, parties may be asked to submit written material. All material will be shared at least five school days before the meeting. Covert recordings will not normally be accepted as evidence. New complaints will not be considered at this stage; they must start at Stage 1.

28. The LA/independent panel hearing

The committee will consider the complaint and evidence presented and may uphold or dismiss the complaint in whole or in part. A written decision will normally be provided within five school days and shared with relevant parties. Records of complaints and outcomes will be retained in line with statutory requirements.

29. Data protection

Prior to an investigation, complainants should consider what personal data they consent to share with the Investigating Officer. If consent is withheld, the scope of the investigation may be limited. The same process applies to data protection issues and Subject Access Requests, which will be responded to within statutory timescales. If dissatisfied, complainants may contact the Information Commissioner's Office: Wycliffe House, Water Lane, Wilmslow, SK9 5AF; casework@ico.org.uk; www.ico.org.uk.

30. Next steps

If the complainant believes the school did not follow its complaints procedure or acted unlawfully or unreasonably under education law, they may contact the DfE

after Stage 3. The DfE will not normally reinvestigate the substance of complaints but will consider whether the school adhered to education legislation and statutory policies.

31. Vexatious complaints

If all stages have been followed and the complainant remains dissatisfied, the school may inform them that the procedure is exhausted and the matter is closed. Where behaviour amounts to harassment or is persistent and unreasonable, investigations may be limited or terminated with written reasons provided.

32. Duplicate complaints

If a duplicate complaint on the same subject is received from a partner, family member or other individual, we will assess whether new aspects exist. If none, we will direct the new complainant to the original response and inform them the local process is complete; otherwise, the procedure will be followed again.

33. Complaint campaigns

Where multiple near-identical complaints are received, the school may manage these as a complaints campaign by issuing a single response to all complainants and, where many appeals are received, manage appeals collectively with an opportunity to submit additional information.

34. Management of stages

Complaint relates to	Stage 1 - Informal	Stage 2 - Formal (Investigating Officer)	Stage 3 - Panel
Pupil/Parent complaint about staff (not Headteacher)	Appropriate member of staff	Headteacher or appointed Investigating Officer	Governing Body panel (3, incl. 1 independent)
Headteacher	Headteacher (concern to school office)	Chair of Governors appoints independent IO	Governing Body panel (3, incl. 1 independent)
Individual Governor (not Chair)	—	Chair of Governors	Governing Body panel (3, incl. 1 independent)
Chair of Governors	—	Vice-Chair appoints independent IO	Independent panel arranged with LA support
Whole Governing Body	—	Local Authority support to appoint independent IO	Independent panel arranged with LA support

35. Complainant

The complainant will receive a more effective response if they: explain the complaint in full as early as possible; cooperate with the school; respond promptly to requests;

ask for assistance as needed; treat everyone with respect; and refrain from publicising details on social media.

36. Investigating Officer

The Investigating Officer establishes the facts by interviewing the complainant and relevant parties, considering records and information, analysing evidence, keeping notes, and preparing a comprehensive report with findings and recommendations for the Headteacher or panel.

37. Complaints co-ordinator

Ensures the complainant is updated at each stage; liaises with staff, Headteacher, Chair/Vice-Chair and Governance Professional; is mindful of issues around sharing third-party information and additional support needs; and maintains records.

38. Governance Professional to the Governing Body

Acts as contact point; ensures all involved are aware of legal rights and duties; sets meeting arrangements; collates and circulates papers; records proceedings; circulates minutes; and notifies all parties of decisions.

39. Committee chair

Ensures both parties provide additional information by set dates; conducts an informal, non-adversarial meeting; explains the committee's remit; ensures written material is shared subject to confidentiality; allows opportunity to respond to new issues; enables both sides to make their case; ensures issues are addressed and findings made; ensures independence; and that minutes are taken.

40. Committee member

Members must be independent and impartial. The aim is resolution and reconciliation where possible. Special care is taken when the complainant is a child/young person. The welfare of the child/young person is paramount.

Complaint form

Field	Response
Your name(s)	
Pupil name	
House/flat/building and street	
Town	
County	
Postcode	
Telephone number	
Email address	
I am making a formal complaint against/about	
Description of the complaint and	

when it arose	
What you think the school did wrong or did not do (include dates, names of witnesses, etc.)	
Details about the consequences of what happened	
Actions you have already taken to try to resolve the complaint	
What you think the school should do to resolve matters at this stage	
List of documents attached	

Consent to share personal data for the purposes of investigation (delete one):

- I give my consent for relevant information to be shared with an Investigating Officer for the purposes of the complaint investigation.
- I do not give my consent and I understand this may limit the scope of the investigation.

Signed:

Date:

All formal complaints should be submitted to: enquiries@ashover.derbyshire.sch.uk