



# Complaints Policy and Procedures

Hayward's Primary School



**Written by:**

Draws on DCC's suggestion  
for a Model Policy 2025

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## COMPLAINTS POLICY & PROCEDURE

This policy has been reviewed and updated in line with Devon County Council guidance.

If you would like to access the Department for Education's 'Parents Guide to School Complaints' produced in conjunction with Parentkind and Parent-Friendly schools, please click [here](#).

### Introduction

*We are very proud of our school and we value the good relations we enjoy with parents and the community. These good relations are based on mutual respect and a willingness to listen to other points of view. We are committed to working with you to provide the absolute best for all of our children and this includes responding quickly and proportionately to concerns that you raise. We have systems in place to monitor any concerns and complaints received so that we can evaluate how quickly we resolved matters and how effective the resolution was and use this to improve our practices.*

***We would request that any concerns are raised directly with school rather than expressed via social media. This complaints procedure provides a framework for all concerned to raise and resolve concerns.***

### The school aims to resolve concerns:

- through informal discussion whenever possible
- quickly with an agreed timescale and a named contact
- successfully and positively so that home/school relationships are strengthened
- with confidentiality, discretion and, above all, care for involved children
- using investigations which are open and fair to all.

We will always endeavour to place the best interests of our children and young people at the heart of what we do.

It is a legal requirement under Section 29 of the Education Act 2002, that every school must publish its Complaints procedure. There are specific procedures for complaints regarding particular elements of school life (e.g. SEND provision/EHCP (Education and Health Care Plan), accusations of child abuse, admissions, exclusion) which must be followed in those cases. This policy is intended for complaints which do not appear to fall into any of these specific categories.

At any stage in the process, any party may consult the Devon County Council Children and Young Peoples Service for impartial advice on matters of procedure.

### Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Hayward's School, by anyone connected with the school, other than complaints that are dealt with under other statutory procedures. These exclusions are listed in Appendix 2.

### The difference between a concern and a complaint

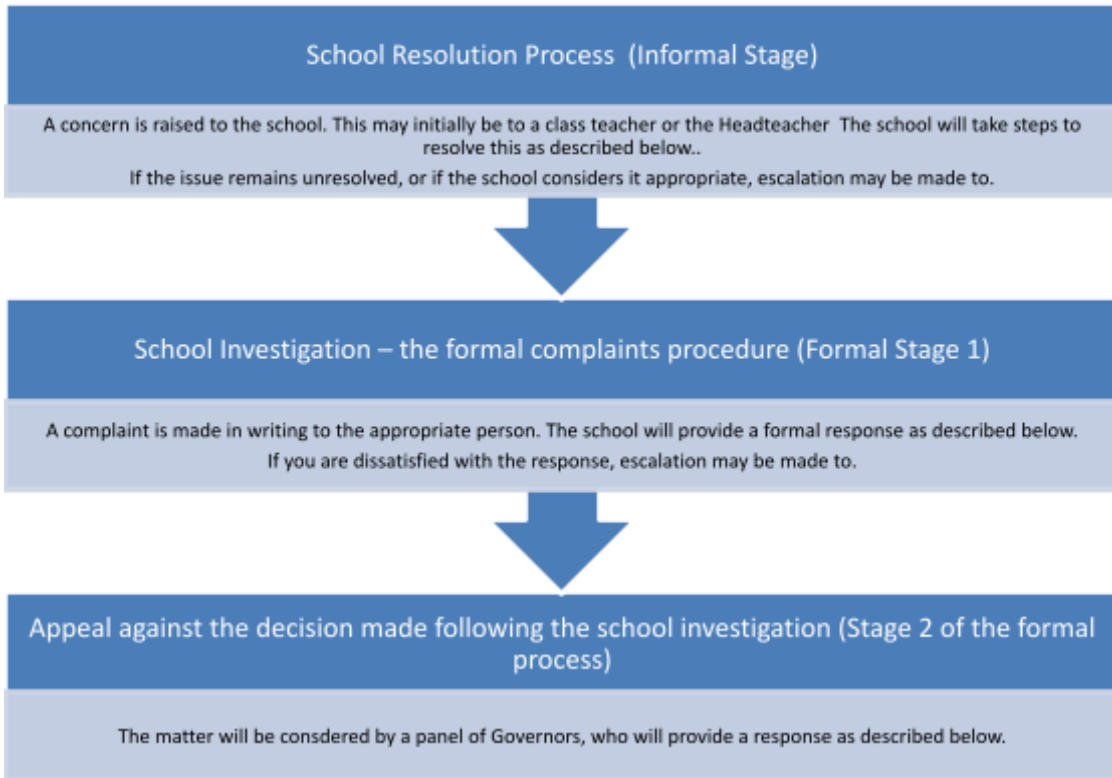
A concern may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'. This does not require a formal process and is explained below.

A complaint may be defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.



## Overview of the concern and complaints procedure

The following table outlines the three steps that may be followed when a concern or complaint is made to school.



## Mediation

Sometimes during the handling of a complaint, communication between parents and the school can become difficult. Mediation can be a very useful way of helping people to resolve their differences and find an agreed way forward. Both parties need to agree to mediation. The school (or the parent) may suggest mediation if communication becomes a problem.

Mediation can be sought at any point during the processes of resolution and investigation. The mediation process is informal, impartial and voluntary, and aims to resolve conflicts to the benefit of all. It does not apportion blame and concentrates on developing a better understanding of each other's point of view and works to secure future relationships. *The mediation process does not investigate complaints, or make recommendations for future action, but allows the parties to reach a mutually acceptable outcome in the best interests of the child and/or for resetting relationships for the future.*

For more information, please contact:

[Educate.educationmediation-mailbox@devon.gov.uk](mailto:Educate.educationmediation-mailbox@devon.gov.uk)

## Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

## 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.

## School Resolution (Informal Stage)

It is in everyone's interest that concerns 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. Hayward's School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

Concerns may be raised by the parent or carer of the child affected, or by a third party. A concern can be made in person, in writing or by telephone. Concerns should be raised with either the class teacher or headteacher. If you have difficulty discussing a concern with a particular member of staff, the headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the 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.

## How does the School Resolution process work?

Once you have raised your concern, the person who is looking into it will contact you within 5 working days (in term time). They can arrange to talk to you face-to-face, on the telephone or via a virtual meeting, or they can contact you by letter or email if you prefer.

For your part, you will need to:

- tell the school what happened and how you felt about it
- say what action you would like to see taken as a result
- agree the process for resolving your concern or complaint

This School Resolution process is not about apportioning blame or about staff being dealt with through formal conduct or capability procedures. Schools are centres of learning for everyone, and it is about learning from what has happened and working with you to make sure it doesn't happen again.

For its part, the school will:

- listen to your concerns
- explain what can happen to resolve your concern or complaint
- confirm with you the process that will be followed and who will deal with it
- if necessary, carry out a more detailed investigation into your concern or complaint. This is called a 'School Investigation' (see below)
- provide information for parents and carers of children with SEND (Special Educational Needs and Disability) about how they can access support from The Devon Information Advice and Support service .

[www.devonias.org.uk](http://www.devonias.org.uk) Tel: 01392 383080, email: [devonias@devon.gov.uk](mailto:devonias@devon.gov.uk)

## What can I expect from the School Resolution?

Most concerns are not likely to involve extensive or lengthy enquiries, and therefore you should expect an approach that is proportionate to the issue you have raised.

As the School Resolution process is aimed at quickly resolving your concern or complaint and learning from it, it won't lead to conduct or capability proceedings against a member of staff. However, where appropriate, the member of staff might receive further support or training as a result.



## What happens next?

There are different ways of dealing with the concern using The School Resolution Process. These include:

- immediate resolution by providing information face-to-face or by telephone, as you choose
- a letter from the school concluding the matter after proportionate consideration, explaining what has been done. This will normally take place within 10 working days of the original concern being raised. However, if the concerns are complex, the person working on the school resolution may contact you to let you know that more time is needed to look more fully into the matter.
- individual communication between you and the person your concern or complaint was about and/or a face-to-face meeting with the person your concern or complaint was about (they will agree to this).

## What might happen as a result?

The school could take the following actions to resolve your concern:

- give you information or an explanation to clear up a misunderstanding
- apologise on behalf of the school
- learn from the issue, accepting that something could have been handled better and explaining what has been done to stop the same thing happening again
- arrange action by the headteacher to address an issue with a member of staff through support and development
- apologise on behalf of the person your concern or complaint was about but only if they agree to this
- arrange action by the governing board to address matters of policy or procedure

If after the informal process has been followed, the issue remains unresolved, a formal complaint can be made. In this case, Hayward's School will attempt to resolve the issue internally, through the stages outlined below.

## School Investigation – the formal complaints procedure (Formal Stage 1)

This investigation may call for more information to be gathered before the person investigating can explain what has happened from the perspective of the school or the staff member involved. This way of dealing with your concern or complaint means solving, explaining, clearing up or settling your complaint directly with you, but doing so with a more detailed investigation than at a School Resolution level. Although this is a formal investigation into your complaint, it will still be in the spirit of quickly reaching an effective outcome and maintaining positive and productive relationships.

A complaint can only be submitted for school investigation by the parent or carer of a child immediately affected (or by a nominated third party, if consent is given). If the complaint is about the headteacher or one of the governors, then any letter of complaint should be addressed to the Clerk of Governors c/o the school or by email to the school.

Stage 1 will be carried out by the headteacher, a delegated member of staff or a governor. If the complaint relates to the headteacher the complaint will be investigated by a governor.

## How does the School Investigation process work?

Please use the complaints form (Appendix One). You will need to:

- tell the school what happened and how you felt about it
- say what action you would like to see taken as a result
- agree the process for resolving your concern or complaint
- agree timescales and pathways for communication



Once you have raised your concern, the headteacher, member of staff or governor who is looking into it will contact you within 5 working days (term time). They can arrange to talk to you face-to-face, on the telephone or they can contact you by letter or email if you prefer.

For its part, the school will:

- listen to your concerns
- explain what can happen to resolve your concern or complaint
- confirm with you the process that will be followed and who will deal with it
- carry out a more detailed investigation into your concern or complaint
- produce and supply all parties with a written report of the findings
- ensure that any relevant findings are taken forward to influence school practice and policy

Some concerns or complaints may demand more detailed and perhaps time-consuming enquiries, and therefore you should expect an approach that is reasonable and proportionate to the complaint you have made. The person investigating your concern should keep in regular contact to keep you informed of progress on the matter. Nevertheless, the School Investigation process aims to quickly resolve your concern or complaint and identify any learning from it.

## What happens next?

Your concern or complaint will be the subject of a proportionate investigation. This means that the amount of time dedicated to the matter will be in accordance with the seriousness of the matter.

At the conclusion, one of a number of things **may** follow. These include:

- resolution by providing information face-to-face or by telephone – as you choose
- a letter from the school, or the governing board, concluding the matter after a proportionate investigation and explaining what has been done
- if your complaint was about an individual, communication between you and that person organised by the headteacher or the person dealing with your complaint
- a face-to-face meeting with the person working on your concern or complaint and/or the person your complaint was about. The person your concern or complaint was about will need to agree to a face-to-face meeting taking place

The School Investigation should be completed within 10 working days when you will receive a letter explaining the findings and any actions that may need to happen as a result. However, in complex matters it may take longer. The person investigating will keep in regular contact with you to keep you informed of progress.

## What might happen as a result?

The school could take the following actions to resolve your concern or complaint and will provide feedback to you on such actions:

- give you information or an explanation to clear up a misunderstanding
- apologise on behalf of the school
- learn from the issue, accepting that something could have been handled better and explaining what has been done to stop the same thing happening again
- arrange action by the governing board to address matters of school policy or procedure
- arrange feedback and support by the headteacher to address any issues arising about a member of staff and their actions or behaviour
- apologise on behalf of the person your complaint was about, but only if they agree to this



## Appeal against the decision made following the school investigation (Stage 2 of the formal process)

The School Investigation stage of this complaints procedure includes an appeal process should you not be satisfied with the outcome of the investigation.

Following our initial investigation, we will write to you to let you know of your right to appeal and you will have 20 working days to let us know if you would like to do so. (This does not include school holidays).

If you decide you would like to appeal, we will invite you to attend an appeal meeting. If the date is inconvenient, we will provide an alternative date. You will also receive any paperwork that relates to the initial school investigation 7 days in advance of the appeal meeting. The Appeal Panel will be formed by three governors with no prior knowledge of your complaint.

Whilst this is part of the formal complaints procedure, we aim to make the meeting as informal as possible so that all parties can put forward their views in a positive and respectful manner.

When the appeal panel has considered all the information made available to them, they will make a decision and inform you in writing of the outcome within 5 working days.

Sometimes when a complaint is very complex, the Governing Board may have difficulty assembling an appeal panel that fits the criteria of having had no prior knowledge of your complaint. In this case, the school may need to source an independent appeal panel to hear the final stage of your complaint.

Following the appeal panel meeting the school complaints procedure is complete. If you are still unhappy with the way the school has managed your complaint, you can submit a complaint to the Department for Education online at: [www.gov.uk/complain-about-school](http://www.gov.uk/complain-about-school)

Or write to:  
School Complaints Unit  
Department of Education  
2<sup>nd</sup> Floor, Piccadilly Gate,  
Store Street,  
Manchester M1 2WD



## Appendix 1 – example complaints form

Please complete and return to the school office in a sealed envelope marked "Private and Confidential" addressed to the Headteacher, Chair of Governors, or the Clerk to the Board, depending on who or what the complaint is about. They will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>			
<b>Pupil's name (if relevant):</b>			
<b>Your relationship to the pupil (if relevant):</b>			
<b>Address including postcode:</b>		<b>Daytime tel. no.:</b>	
		<b>Evening tel. no:</b>	
<b>Your email address:</b>			

**Please give details of your complaint, including whether you have spoken to anybody at the school, or outside of the school, about it:**

**What actions do you feel might resolve the problem at this stage?**



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**Are you attaching any paperwork? If so, please give details.**

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<b>Signature:</b>		<b>Date:</b>	
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<b>Acknowledgement sent by whom:</b>			
<b>Method e.g. email:</b>		<b>Date:</b>	
<b>Complaint referred to:</b>		<b>Date:</b>	
<b>Action taken:</b>			
<b>Action Date:</b>			



## Appendix 2 – Complaints not in scope

The following matters are outside the scope of this Policy, as other separate, statutory processes apply.

### **Admissions to schools**

Complaints about admission appeals for local authority maintained schools are dealt with by the appropriate ombudsman.

### **School re-organisation proposals**

Contact the local authority in the first instance and then escalate to the DfE, if dissatisfied.

### **Statutory assessments of special educational needs**

Concerns about statutory assessments of special educational needs should be raised directly with the local authority.

### **Matters likely to require a child protection investigation**

Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have concerns about the safety of a child, you can contact the Children's front door - formerly MASH on 03451551071 or the Emergency Duty Team if out of hours on 0845600388 or Police 999 Non-emergency 101.

The Local Authority Designated Officer (LADO) should be alerted to all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against children, or related to a child
- behaved towards a child or children in a way that indicated they may pose a risk of harm to children
- behaved or may have behaved in a way that indicates that they may not be suitable to work with children.

LADO 01392 384964 <http://www.devon.gov.uk/lado>

### **Exclusion of children from school**

Further information about raising concerns about exclusions is available in the [School discipline and exclusion](#) guidance.

Complaints about the application of the behaviour policy can be made through the school's complaints procedure.

### **Whistleblowing**

We have an internal [whistleblowing procedure](#) for employees, including temporary staff and contractors.

The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers who do not want to raise matters direct with their employer. Concerns can be raised with Department for Education (DfE) using the [contact form](#).



Volunteers who have concerns about schools should complain through the school's complaints procedure. Depending on the substance of the complaint you may also be able to complain to:

- the local authority
- The Department for Education (DfE) using the [contact form](#)

## **Staff grievances**

Complaints from staff must be dealt with under the school's internal grievance procedures.

## **Staff conduct complaints**

Complaints about staff are dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, schools should notify complainants that the matter is being addressed.

## **Complaints about services provided by other providers who may use school premises or facilities**

Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.

## **Complaints about the curriculum**

Complaints about the content of the national curriculum should be sent to Department for Education (DfE) using the [contact form](#).

Complaints about the delivery of the curriculum are for schools to resolve through their complaints procedure. This includes:

- religious education (RE)
- sex and relationships education.

## **Complaints about collective worship**

Complainants who are dissatisfied with the content of the daily act of collective worship (DACW) should be signposted to:

- the local authority
- the local Standing Advisory Council on Religious Education
- any other relevant body.

## **Withdrawal from the curriculum**

Parents and carers can withdraw their child from any aspect of RE, including the DACW. They do not have to explain why. If parents or carers are not satisfied with the handling of a request to withdraw their child from RE or the DACW, you should follow the school complaints procedure. The right of withdrawal does not apply to other areas of the curriculum where religious matters may be spontaneously raised by pupils or arise in other subjects such as history or citizenship.