# Ashgate Primary School

# Complaints Policy and Procedure 2026-2027

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This policy will be reviewed annually by the Governing Board and Senior Leadership Team, or sooner if legislative or operational changes require amendment.

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| **Approved by:** | **Governing Body** | **Date: January 2026** |
| **Last reviewed on:** | **November 2026** | |
| **Next review due by:** | **November 2027** | |

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## 1. Statement of Principles

At Ashgate Primary School, we are committed to providing a high-quality education in a safe, inclusive and supportive environment.

We value the positive relationships we have with pupils, parents, carers, staff and the wider community. We recognise that concerns and complaints may occasionally arise and view them as an opportunity to improve our services and strengthen relationships.

We are committed to ensuring that complaints are handled:

- Fairly
- Consistently
- Promptly
- Respectfully
- Transparently

Our aim is always to resolve concerns informally wherever possible and at the earliest opportunity.

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## 2. Legal Framework

This procedure has due regard to:

- Education Act 2002
- Education Act 1996

- School Standards and Framework Act 1998
- Equality Act 2010
- Data Protection Act 2018
- UK General Data Protection Regulation (UK GDPR)
- Department for Education Best Practice Guidance for School Complaints Procedures (2020)
- Keeping Children Safe in Education (Current Edition)

This policy should be read alongside the school's:

- Safeguarding and Child Protection Policy
- Whistleblowing Policy
- Data Protection Policy
- SEND Policy
- Admissions Procedures
- Behaviour & Conduct Policy

This policy follows the complaints framework recommended for maintained schools by the Department for Education and recognised by local authorities.

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## 3. Definition of a Complaint

A complaint is defined as:

An expression of dissatisfaction, however made, about actions taken or a lack of action by the school, where a response or resolution is sought.

The school encourages concerns to be raised and addressed as quickly as possible.

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## 4. Who Can Make a Complaint?

This procedure may be used by:

- Parents and carers
- Pupils (where appropriate)
- Members of the public
- Community users of school facilities

Complaints should normally be raised within three months of the incident occurring or of the complainant becoming aware of the matter.

Complaints received outside this timeframe may only be considered where there are exceptional circumstances.

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## 5. Matters Not Covered by this Procedure

The following matters are subject to separate statutory or local procedures and are not covered by this policy:

| Matter | Alternative Procedure |
|---|---|
| Child Protection and Safeguarding Concerns | Safeguarding and Child Protection Policy |
| Admissions | Derby City Council Admissions Process |
| Exclusion Appeals | Statutory Exclusion Procedures |
| SEND Assessments and EHCPs | SEND Tribunal and Local Authority Procedures |
| Staff Grievances | Internal Staff Procedures |
| Staff Discipline | Internal Disciplinary Procedures |
| Data Protection Complaints | Data Protection Procedures |
| Freedom of Information Requests | Freedom of Information Procedures |
| Whistleblowing Concerns | Whistleblowing Policy |
| National Curriculum Content | DfE Procedures |

Where another procedure applies, complainants will be directed to the appropriate process.

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## 6. Accessibility

Ashgate Primary School is committed to ensuring that all members of the community can access this complaints procedure.

Reasonable adjustments may include:

- Assistance completing complaint forms
- Translation and interpretation services
- Large print documents
- Alternative communication formats
- Advocacy or support arrangements

Anyone requiring assistance should contact the school office.

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## 7. Expectations of Complainants

We expect all parties involved in a complaint to:

- Treat everyone with dignity and respect.
- Communicate calmly and appropriately.
- Avoid abusive, threatening or discriminatory language.
- Engage constructively with attempts to resolve concerns.

The school reserves the right to manage unreasonable behaviour in accordance with this policy and relevant guidance.

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## 8. Informal Resolution

### Timescale: Normally within 5 school days

Most concerns can be resolved informally and without the need for a formal complaint.

In the first instance, parents or carers should contact:

- The class teacher
- A member of support staff involved
- The SENDCO (where appropriate)
- A member of the Senior Leadership Team

Where appropriate, concerns may be referred directly to the Headteacher.

Staff will seek to resolve concerns quickly and proportionately.

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## 9. Stage 1: Formal Complaint to the Headteacher

### Timescale: Acknowledgement within 5 school days

If the matter remains unresolved, a formal complaint should be submitted in writing to:

**Mrs Wendy Forte**
Headteacher
Ashgate Primary School

Email: head@ashgate.derby.sch.uk

The complaint should include:

- Details of the complaint
- Relevant dates and times

- Individuals involved
- Any action already taken
- The outcome sought

The Headteacher will:

- Acknowledge receipt within five school days
- Investigate the complaint
- Meet with relevant parties where appropriate
- Provide a written response within ten school days where reasonably possible

Where it is not possible to meet published timescales due to staff absence, complexity of the complaint or additional evidence being required, the complainant will be informed in writing of the reason for the delay and provided with a revised timescale.

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## 10. Stage 2: Complaint to the Chair of Governors

### Timescale: Normally within 15 school days

If the complainant remains dissatisfied following Stage 1, they may submit a written request for the complaint to be considered by the Chair of Governors.

Requests should:

- Be made in writing within ten school days of the Stage 1 outcome.
- Clearly state why the complainant remains dissatisfied.
- Identify any aspects of the complaint that remain unresolved.

The Chair of Governors may:

- Review documentation and evidence.
- Meet relevant parties.
- Appoint an Investigating Governor where appropriate.

A written response will be provided.

Where a complaint concerns the Headteacher, it should be submitted directly to the Chair of Governors through the Clerk to Governors and will begin at Stage 2. The Headteacher will not be involved in investigating a complaint made against them.

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## 11. Stage 3: Governors' Complaints Panel

### Hearing normally arranged within 20 school days

If the complainant remains dissatisfied following Stage 2, they may request that the complaint be considered by a Governors' Complaints Panel.

The panel will consist of:

- Three governors with no prior involvement in the complaint.
- Governors free from conflicts of interest.

The complainant may:

- Attend the hearing.
- Present evidence.
- Bring a friend, advocate or interpreter.

The complainant will normally receive at least five school days' notice of the hearing date and be provided with relevant documentation in advance wherever practicable.

The panel may:

- Uphold the complaint in full.
- Uphold part of the complaint.
- Dismiss the complaint.
- Recommend actions to improve procedures or practice.

The panel's findings and recommendations will be communicated in writing within five school days of the hearing.

This is the final stage of the school's internal complaints procedure.

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## 12. Complaints About Governors

Complaints concerning:

- An individual governor
- The Chair of Governors
- The Governing Board as a whole

should be addressed to the Clerk to Governors.

The Clerk will arrange for the complaint to be considered by an appropriately constituted panel of governors who have had no prior involvement in the complaint.

Where appropriate, the Governing Board may appoint an independent governor from another school to support the process and ensure impartiality.

## 13. Final Stage: Department for Education

Once all stages of the school's complaints procedure have been completed, the matter is considered closed.

If a complainant believes that the school has not handled their complaint correctly, has failed to follow its published procedures, or has acted unlawfully or unreasonably, they may refer their concerns to the Department for Education.

The Department for Education will not normally reinvestigate the substance of complaints or overturn decisions made by schools but may consider whether the correct procedures have been followed.

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## 14. Anonymous Complaints

Anonymous complaints will not normally be investigated.

However, the Headteacher or Chair of Governors may determine that an investigation is appropriate where:

- There are safeguarding concerns.
- There are health and safety concerns.
- There is a significant public interest.

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## 15. Serial, Persistent and Unreasonable Complaints

The school is committed to dealing fairly with all complaints.

Where a complainant:

- Repeatedly raises the same issue after completion of the complaints process.
- Refuses to accept outcomes.
- Makes excessive demands on school time.
- Behaves in an abusive, threatening or aggressive manner.

the school may take proportionate steps to manage contact.

Any decision to restrict contact will be communicated in writing and will include:

- The reasons for the decision.
- The duration of any restrictions.
- How and when the decision will be reviewed.

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## 16. Record Keeping

The school will maintain records of:

- Formal complaints received
- Correspondence
- Investigation notes
- Outcomes reached
- Actions taken

Records will be stored securely and retained in accordance with the school's Records Management and Data Protection policies.

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## 17. Confidentiality

All complaints will be handled confidentially and with respect for all parties involved.

Information will only be shared where it is necessary to:

- Conduct an investigation.
- Safeguard children.
- Comply with legal obligations.
- Implement outcomes.

The school will process all personal information in accordance with Data Protection legislation.

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## 18. Monitoring and Review

The Governing Board will review this policy annually.

The Headteacher will provide anonymised reports to governors regarding:

- The number of complaints received.
- Common themes arising.
- Lessons learned.
- Improvements implemented.

This will support the school's commitment to continual improvement and accountability.

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**Ashgate Primary School is committed to resolving concerns fairly, promptly and transparently, ensuring positive outcomes for pupils, families and the wider school community.**