

Complaints Policy and Procedure

Introduction

South Wilts Grammar School (SWGS) is a progressive grammar school which aims to maintain high academic standards and cultural achievement within a caring environment. We seek to encourage responsibility and personal fulfilment so that students attain their maximum potential. The School is dynamic and works with the community to prepare its students for life-long learning and adult independence.

South Wilts Grammar School aims to value and respect all students equally and to provide equality of opportunity wherever possible.

If you have any concerns about safeguarding please contact the Designated Safeguarding Lead immediately: dsl@swgs.wilts.sch.uk and refer to the School's Safeguarding and Child Protection Policy.

Overarching principles

We aim to ensure that our Complaints Policy and Procedure:

- is simple to understand and use
- is impartial
- is non-adversarial
- enables a full and fair investigation
- respects confidentiality where necessary
- addresses all the points at issue and provides an effective response and appropriate redress, where necessary
- provides information to SWGS' senior management team so that services can be improved, where necessary.

This Complaints Policy is compliant with the Education (Independent School Standards) (England) Regulations 2014 as amended.

1 Who can make a complaint?

- 1.1 This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to SWGS about any facilities or services that we provide.
- 1.2 The SWGS Complaints Policy and Procedure will be made available on the SWGS website and from the school office by application.

2 Concerns

- 2.1 This policy distinguishes between a concern and a complaint:
- 2.1.1 A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.
 - 2.1.2 A complaint may be defined as ‘an expression of dissatisfaction, however made, about actions taken or a lack of action’.
- 2.2 Concerns can often be resolved without the need to use the stages of the Complaints Procedure. SWGS takes concerns seriously and will make every effort to resolve them as quickly as possible.
- 2.3 A concern should be raised with the most appropriate member of staff and can be raised in writing, including by email, by telephone or in person.
- 2.4 If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the School Business Manager will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the School Business Manager 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 impartiality is more important than seniority.
- 2.5 If you feel that your concern has not been satisfactorily dealt with, you may pursue it as a complaint.

3 How to make a complaint

- 3.1 A complaint can be made in person, in writing, including by email, or by telephone. It may also be made by a third party acting on behalf of a complainant, as long as the third party has appropriate consent to do so.
- 3.2 Complaints against a student should be made in the first instance to your child's form tutor.
- 3.3 Complaints against school staff (except the Headteacher) should be made in the first instance to the Headteacher via the school office or email: head@swgs.wilts.sch.uk. Please mark them as Private and Confidential.
- 3.4 Complaints that involve or are about the Headteacher should be addressed to the Chair of Trustees, via the school office or email: trustees@swgs.wilts.sch.uk. Please mark them as Private and Confidential.
- 3.5 Complaints about the Chair of Trustees, any individual trustee or the whole governing body should be addressed to the Governance professional to the Trust Board via the school office or email: trustees@swgs.wilts.sch.uk. Please mark them as Private and Confidential.
- 3.6 In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure.
- 3.7 We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation (for example in relation to a Child Protection issue).

4 Time limit for bringing a complaint

- 4.1 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.
- 4.2 We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

5 Scope of this Complaints Procedure

- 5.1 This procedure covers all complaints about any provision of community facilities or services by SWGS, other than complaints that are dealt with under other school policies and statutory procedures, including those listed below:
 - 5.1.1 Admissions appeals
 - 5.1.2 Child protection and safeguarding matters - If the complaint is an allegation of inappropriate behaviour with regard to children, the allegation will be handled in accordance with the Wiltshire Multi-Agency Procedures and Guidance
 - 5.1.3 Exclusions
 - 5.1.4 Whistleblowing
 - 5.1.5 Staff grievances
 - 5.1.6 Staff conduct - If the complaint is an accusation of professional misconduct against a named staff member, then the staff disciplinary procedures will be observed
 - 5.1.7 Statutory assessments of Special Educational Needs (SEN)
- 5.2 If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.
- 5.3 If a complainant commences legal action against SWGS in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

6 Roles and responsibilities

6.1. The complainant

The complainant will get a more effective and timely response to their complaint if they:

- 6.1.1. Follow these procedures
- 6.1.2. Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- 6.1.3. Ask for assistance as needed
- 6.1.4. Treat all those involved with respect
- 6.1.5. Not publish details about the complaint on social media

6.2. The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- 6.2.1. Interview all relevant parties, keeping notes
- 6.2.2. Consider records and any written evidence and keep these securely
- 6.2.3. Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions

6.3. The complaints co-ordinator

The complaints co-ordinator can be:

- 6.3.1. The headteacher or delegated senior leader
- 6.3.2. Any other staff member providing administrative support

The complaints co-ordinator will:

- 6.3.3. Keep the complainant up to date at each stage in the procedure
- 6.3.4. Make sure the process runs smoothly by liaising with staff members, the headteacher, chair of trustees, the Clerk to the trust board (Your Clerk)
- 6.3.5. Be aware of issues relating to:
 - 6.3.5.1. Sharing third party information
 - 6.3.5.2. Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person
- 6.3.6. Keep records

6.4. Clerk to the trust board (Your Clerk)

Your Clerk will:

6.4.1. Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings

6.4.2. Arrange the complaints hearing

6.4.3. Record and circulate the minutes and outcome of the hearing

Committee chair

The committee chair will:

6.5.1. Chair the meeting, ensuring that everyone is treated with respect throughout

6.5.2. Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

7 Resolving complaints

7.1 There are three stages to SWGS' Complaints Procedure:

Stage 1: Informal complaint

Stage 2: Formal complaint

Stage 3: Panel hearing

7.2 At each stage in the procedure, SWGS will endeavour to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

7.2.1 an explanation

7.2.2 an admission that the situation could have been handled differently or better

7.2.3 an assurance that we will try to ensure the event complained of will not recur

7.2.4 an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made

7.2.5 an undertaking to review school policies in light of the complaint

7.2.6 an apology.

7.3 If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

8 Stage 1 – Informal complaints

8.1 It is to be hoped that most complaints can be expressed and resolved on an informal basis. We accept that it may be appropriate for some complaints to be dealt with at Stage 2 at the outset.

8.2 Complaints should be raised with the child's form tutor. Complainants should not approach individual trustees to raise concerns or complaints. They have no power to act on an

individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

- 8.3 The recipient will acknowledge your complaint in writing within 3 school days of receipt.
- 8.4 On some occasions, the complaint raised may require investigation or discussion with others. At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within 7 school days of the date of receipt of the complaint. It is anticipated that the vast majority of complaints will be satisfactorily dealt with in this way.
- 8.5 If the issue remains unresolved, the next step is to make a formal complaint.

9 Stage 2 – Formal complaints

- 9.1 All formal complaints must be made in writing and addressed to the Headteacher, (unless they are about the Headteacher, see below), via the school office or by email: head@swgs.wilts.sch.uk. Please mark them as Private and Confidential.
- 9.2 The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days. Where necessary, the letter or email will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome is sought.
- 9.3 In most cases, the Headteacher will meet or speak with the complainant, normally within 10 school days of receiving the formal complaint, to discuss the matter.
- 9.4 The Headteacher will investigate the complaint.
Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the final decision.
- 9.5 During the investigation, the Headteacher (or investigator) will:
 - 9.5.1 if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
 - 9.5.2 keep a written record of any meetings/interviews in relation to their investigation.
- 9.6 At the conclusion of their investigation, the Headteacher will provide a formal written response to the complaint which will be sent to the complainant within 14 school days of receipt of the complaint.
- 9.7 If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.
- 9.8 The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions SWGS will take to resolve the complaint.
- 9.9 The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

9.10 If the complaint is about the Headteacher, or a member of the governing body, the Chair of Trustees or a suitably skilled trustee will be appointed to complete all the actions at Stage 2 otherwise undertaken by the Headteacher. Complaints about the Headteacher or member of the governing body must be made to the Chair of Trustees via the Clerk to the Trustees (Your Clerk), via the school office or email: info@yourclerk.org.uk. Please mark them as Private and Confidential.

9.11 If the complaint is:

9.11.1 jointly about the Chair and Vice Chair or

9.11.2 the entire trustee board or

9.11.3 the majority of the trustee board

Stage 2 will be considered by an independent investigator appointed by the trustee board. At the conclusion of their investigation, the independent investigator will provide a formal written response to the complaint which will be sent to the complainant within 14 school days of receipt of the complaint.

10 Stage 3 – Panel Hearing

10.1 If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3. This will involve a hearing of the complaint by a three-person panel consisting of two trustees who were not directly involved in the matters detailed in the complaint and a third person who is independent of the management and running of the school. If the complaint is about the Trust Board, Stage 3 will be heard by a committee of three independent people.

10.2 This is the final stage of the Complaints Procedure.

10.3 A request to escalate to Stage 3 must be made to the Governance professional to the Trustees, via the school office, within 5 school days of receipt of the Stage 2 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

10.4 The chair of the panel will be nominated from within the group of panel members appointed to deal with a complaint. All Panel members will be familiar with and have access to this Complaints Policy.

10.5 The Governance professional to the Trustees will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days. This letter will inform the complainant of the next steps, proposed date of the hearing and request copies of any further written material to be submitted to the panel.

10.6 The Governance professional to the Trustee will aim to convene the hearing within 20 school days of receipt of the Stage 3 request (but may fix a later date if necessary). The Governance professional to the Trustees will inform the complainant, any witnesses, the panel and Headteacher of the date, time and location of the hearing at least 10 school days in advance.

- 10.7 If the complainant rejects three proposed dates, without good reason, the Governance professional will decide when to hold the hearing which will then proceed in the complainant's absence on the basis of written submissions from both parties.
- 10.8 The Governance professional to the Trustees will ensure that the venue and proceedings are accessible to all attendees.
- 10.9 The complainant and Headteacher may submit written material to the panel for consideration at the hearing. Any written material to be considered at the hearing will be collated and circulated to all parties at least 5 school days before the date of the hearing. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties.
- 10.10 A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Legal representation will not usually be appropriate. However, there may be occasions when legal representation is appropriate and this will be permitted where the panel consider it to be necessary. Representatives from the media are not permitted to attend.
- 10.11 The panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. If the panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing.
- 10.12 The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's disability or special needs require it. Prior knowledge and consent of all parties attending to electronic recordings must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.
- 10.13 The panel will consider the complaint and all the evidence presented. All attendees will be invited to speak at the hearing. The panel is under no obligation to hear oral evidence from any witnesses, but may do so and/or may take written statements into account.
- 10.14 The panel can:
- 10.14.1 uphold the complaint in whole or in part
 - 10.14.2 dismiss the complaint in whole or in part.
- 10.15 If the complaint is upheld in whole or in part, the committee will:
- 10.15.1 confirm the appropriate action to be taken to resolve the complaint
 - 10.15.2 where appropriate, recommend changes to the school's systems or procedures to prevent similar issues arising in the future.
- 10.16 The Chair of the panel will provide the complainant and SWGS with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days of the hearing. The letter to the complainant will include details of how to contact the Department for Education (DfE) if they are dissatisfied with the way their complaint has been handled by SWGS.

- 10.17 The panel will ensure that their findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Academy Trust and the Headteacher.

11 Records and conduct

- 11.1 A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing. A record will be kept of any action taken by the school as a result of those complaints (regardless of whether they are upheld).
- 11.2 All correspondence, statements and records are to be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the Education and Skills 2008 Act requests access to them.
- 11.3 If the complainant tries to reopen the same issue, the Chair of the Trustees is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.
- 11.4 SWGS is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. 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.

12 Next Steps

- 12.1 If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the DfE after they have completed Stage 3.
- 12.2 The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by SWGS. They will consider whether SWGS has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).
- 12.3 The complainant can refer their complaint to the DfE online at: [How DfE handles complaints about academies - GOV.UK](#), or by writing to:
- 12.4 Department for Education, School complaints compliance unit, Piccadilly Gate, Store Street, Manchester. M1 2WD.

13. Persistent complaints

13.1. Unreasonably persistent complaints

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

- 13.1.1. Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- 13.1.2. Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- 13.1.3. Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- 13.1.4. Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- 13.1.5. Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- 13.1.6. Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

13.2. Steps we will take

We will take every reasonable step to address the complainant's concerns, 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.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

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

13.3. Stopping responding

We may stop responding to the complainant when all of these factors are met:

- 13.3.1. We believe we have taken all reasonable steps to help address their concerns
- 13.3.2. We have provided a clear statement of our position and their options
- 13.3.3. The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make. 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 our school site.

13.4. 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:

13.4.1. Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete

13.4.2. Direct them to the DfE if they are dissatisfied with our original handling of the complaint. If there are new aspects, we will follow this procedure again.

13.5. 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:

13.5.1. Publishing a single response on the school website

13.5.2. Sending a template response to all of the complainants

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

14. Learning lessons

The trust board 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.

15. Policy Review

This policy is reviewed annually by the Trust Board Resources, Audit & People Committee or before that date if there have been any specific queries or changes to national policy or guidance.

Reviewed by	Date of Review / approval	Review cycle	Next Review Date	Statutory / Non statutory	Website
Resources, Audit & People	Autumn 2025	Annually	Autumn 2026	Yes	Yes