# Complaints Policy

**Contents**

1. Introduction ..... 1
2. Aim ..... 2
3. Principles ..... 3
4. Who can make a complaint ..... 3
5. Where the Complaints Policy should not be used ..... 4
6. Circumstances where procedure stages may be omitted ..... 5
7.Equal access, accompaniment and representation ..... 5
8. Time between stages ..... 6
9. Vexatious Complainants ..... 6
10. Recording and Monitoring ..... 6
11. Stage 0: Informal discussion ..... 6
12. Stage 1: Formal Headteacher Investigation ..... 7
13. Stage 2: Formal Governor Investigation ..... 8
14. Stage 3: Formal Governor Panel ..... 9
Appendix A: Complaints Form ..... 13

## 1. Introduction

The complaints policy details the procedures by which complaints are dealt with at Waterside School when there are no alternative statutory procedures. Waterside School values strong partnerships with parents, carers, and pupils. The school seeks to resolve concerns **promptly, transparently and proportionately**, and at the **earliest appropriate stage** wherever possible. This policy sets out how complaints are managed in a way that is **fair, accessible and consistent**, while ensuring that the school meets its **safeguarding duties, SEND responsibilities and leadership obligations** as a small, specialist school. We aim to resolve concerns quickly, fairly, and at the lowest possible level. This policy may be used by anyone that has a concern or complaint about any aspect of Waterside School. This is most likely to be parents/carers of learners that attend the school but could be other members of the extended Waterside School community.

This policy is written with reference to:
- Education (Independent School Standards) Regulations 2014.
- SEND Code of Practice (2015)
- Keeping Children Safe in Education (2025)
- Ofsted requirements for independent school inspections

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’.

A complaint may be defined as ‘an expression of dissatisfaction about actions taken or a lack of action’.

## 2. Aim

The Complaints Policy aims to:

- Encourage the resolution of problems by informal means wherever possible.
- Ensure that concerns are dealt with quickly, fully and fairly and within clearly defined time limits.
- Provide effective responses and appropriate redress
- Maintain good working relationships between all people involved with Waterside School.

Below are the stages of the of the complaint procedure:

| | |
|---|---|
| Stage 0 | Informal discussion and resolution with member of staff |
| Stage 1 | Referral to, and investigation by Head Teacher |
| Stage 2 | Referral to, and investigation by a Arise Education Governor |
| Stage 3 | Referral to, and review by a Arise Education Governors’ Complaints Panel |

As a general principle it is expected that most complaints will be resolved at the informal stage without requiring any further escalation. Each of these stages will usually occur in order and there will usually be no return to previous stages (although there may be specific exceptions to this, mentioned later).

At each stage of the complaint procedure, the conclusion will be either:

A. That the complaint is upheld, either in full or part.
With action taken, where appropriate.

**OR**

B. That the complaint is not upheld and reasons for this are clearly given.

Often during an informal stage process, in the first instance, it may be appropriate to offer one or more of the following:

• An apology.
• An explanation.
• An admission that the situation could have been handled differently or better.
• An assurance that the event complained of will not recur.
• An explanation of the steps that have been taken to ensure that it will not recur.
• An undertaking to review Waterside School ’s policies considering the complaint.

As the beginning of any process, it is important that complainants should be encouraged to state what actions they feel might resolve the problem at any stage.

During an effective procedure will identify areas of agreement between the parties, whilst seeking to clarify details of any misunderstandings to ensure a positive atmosphere in which to discuss any outstanding issues.

In admitting that Waterside School could have handled the situation better we are not admitting negligence. As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to the improvement of the school. We recognise that we will not always get things right and are committed to doing things the best that we can. Through individual complaints, we might identify broad or specific issues that need to be addressed.

If Waterside School does not uphold the complaint, the complainant may either choose to take no further action or to take their complaint to the next relevant stage.

The monitoring and review of complaints by Waterside School 's Leadership Team and the Governors can be useful to evaluating the school's performance.

# 3. Principles

Complaints at Waterside School are managed in accordance with the following principles:

- **Accessibility:**
  Complaints may be made in writing, by email, verbally, or with appropriate support, including the use of an advocate or interpreter where required.
- **Timeliness:**
  All complaints are acknowledged within **5 school days** and responded to within **20 school days**, unless exceptional circumstances apply.
- **Fairness and impartiality:**
  Complaints are investigated objectively, without bias, and without disadvantage or detriment to the pupil or family.
- **Transparency and accountability:**
  Processes and outcomes are clearly explained, recorded, and monitored by leaders and governors.
- **Safeguarding first:**
  Where a complaint raises a concern relating to safeguarding, child protection or pupil welfare, it is treated as a **priority concern** and managed by the DSL in line with **Keeping Children Safe in Education (2025)**.

### 4. Who can make a complaint

This complaints policy is based upon Part 7 of the Education (Independent School Standards) Regulations 2014, it only applies to complaints from parents/carers with a learner registered at the Waterside School , regarding their learner.

Any person, including members of the public, may make a complaint to our school about any provision of facilities or services that we provide.

For non-parental complainants (no leaner enrolled at the school / no parental rights) there is no requirement for the policy and procedure to cover these complaints, however, we will handle complaints respectfully and expediently. This may be dealt with by Waterside School directly.

Please note that we are unable to engage in dialogue or give feedback on personnel, safeguarding and/or confidential matters. Complainants will not be informed of any disciplinary action taken against a staff member because of a complaint. However, the complainant will be notified that the matter is being addressed.

## 5. Where the Complaints Policy should not be used

This policy should not be used where it is superseded by processes where the Local Authority (LA) takes the lead, because the LA already has an established complaints procedure for these. These include:

- Student Admissions and Exclusions
- Statutory Assessment of SEN
- Safeguarding/Child Protection
- Whistleblowing
- Criminal investigations
- Staff conduct, disciplinaries and grievances

The Headteacher will be able to advise as to whether a concern falls outside of this procedure and how the matter should be addressed.

This Complaints Policy is distinct from formal staff disciplinary proceedings. There may be occasions where a complaint gives rise to disciplinary procedures which put the complaints process on hold. The complainant will be informed, if this was to be the case. Any non-disciplinary aspects of the complaint should continue to be dealt with through the usual complaint procedures.

Staff wishing to complain should refer to other internal policies eg. Whistleblowing Policy, Grievance, Student Code of Conduct.

This policy does not cover complaints made against Coventry County Council/LA SENDAR. Any complaint of this sort should be dealt with in accordance with the Council's 'Corporate Complaints Procedure'. Circumstances under which stages of the procedure should

## 6. Circumstances where procedure stages may be omitted

This policy sets out the most suitable and effective process for dealing with most complaints. Good practice would define that in most cases any concern or complaint, should be discussed informally before being submitted at any of the following consecutive formal stages.

Occasionally there will be circumstances that demand an alternative approach:

- Any complaints or concerns regarding Head Teacher directly
    - Concerns are directed straight to the Waterside School Governors. This skips Stage 0/1 and moves straight to Stage 2.
- Where it may be deemed inappropriate for individuals to discuss their concerns informally. In such cases, complainants may be directed to contact the Headteacher directly.
    - Process begins at Stage 1.
- Complainants may choose to contact the Head Teacher directly of their own accord.
    - It is at the Headteacher's discretion whether it is more appropriate to begin at Stage 0 or 1.

When complaints about Waterside School are brought to the attention of the Local Authority, most complainants will be advised to contact Waterside School and to follow the procedures set out within this document from stage 0 onwards. However, in certain exceptional cases it may be decided that it is appropriate to deal with the complaint at a different stage.

## 7. Equal access, accompaniment and representation

Appropriate steps will be taken to provide all individuals with the opportunity to raise their concerns and/or submit a formal complaint. This includes the right to be accompanied by an advocate at discussions and hearings and/or to submit formal complaints which they have been helped to write by an advocate.

Should any meeting need to be held where any parties would have difficulties in terms of access, an alternative appropriate venue will be sought.

Equal respect will be granted to each person involved within the process and that differences between people will be respected and understood.

## 8. Time between stages

Although each of the stages within the procedure should occur consecutively, beginning the next stage may be postponed for a complainant to consider whether they wish to pursue the matter any further. After each stage, the complainant and complaint manager should agree a time limit of when the next stage can be accessed, if at all. If the complaint is not submitted to the next stage within this agreed time limit it should be considered as closed.

In general, time limits/deadlines contained in this policy should be honoured. However, where they are deemed inappropriate or impossible to guarantee, altered time limits/deadlines, the complainant will be notified and given an explanation as to why this has been the case.

## 9. Vexatious Complainants

There may be occasions when, despite all stages of procedures having been followed, the complainant remains dissatisfied.

If the complainant tries to re-open the same issue (vexatious), the Waterside School Headteacher and Governors can inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.

## 10. Recording and Monitoring

All complaints will be recorded in written form.

These will be recorded on a Complaints Log which will be kept securely by the headteacher and will review instances and outcomes on a regular basis.
The headteacher will present a termly anonymised report to the governors to allow them monitor patterns.

The number of complaints registered under the formal procedure during the preceding school year will be displayed on Waterside School ’s website.

## 11. Stage 0: Informal discussion

Most concerns/complaints can be resolved **informally, sensitively** and through everyday conversations and reassurance, without the need for a formal complaint. The school recognises that raising concerns can feel difficult, particularly for families who have experienced previous barriers or challenges in education.

Parents/carers are encouraged to raise concerns with **any member of staff they feel comfortable speaking to**. Although the choice of who to speak to will depend

on the nature of the concern and the individual's preferences. There are **no fixed timescales** at this informal stage. Whilst some concerns may be resolved in a single conversation, others may more discussions. In all cases, the school will aim to respond **promptly, proportionately and with compassion**, keeping the best interests of the learner at the centre of any decision-making.

Informal concerns are **not routinely recorded as formal complaints**. The individual raising the concern will be informed of any actions taken to resolve the issue, this may be confirmed in writing to provide clarity and reassurance.
If the individual remains **dissatisfied with the outcome**, they will be supported to progress to the next stage of the Complaints Procedure and informed clearly about how to make a formal complaint.

## 12. Stage 1: Formal Headteacher Investigation

This is the first stage of the formal complaints process. All communications from Stage 1 onwards between parties will be recorded and monitored.

| Stage 1 | Progress to stage 2 |
|---|---|
| An unresolved concern under Stage 0, **OR** complaint requiring investigation, **OR** more serious dissatisfaction with Waterside School policies, procedures, management or administration | Concern or complaint about the headteacher |

The complainant should be set out full details of the complaint in writing and sent with copies of all relevant documents and your full contact details for the attention of the headteacher, using the Complaint Form.

*Should a formal written complaint be received by another member of school staff, they will immediately pass it to the headteacher.*

**Process steps:**

- Headteacher will meet with the complainant and discuss their concerns and wishes for a satisfactory resolution.
    - If it is appropriate at this point, an informal resolution could occur before beginning the formal process
- the Head Teacher will decide whether the individual's complaint will be dealt with by this policy or another statutory procedure.
    - Advise complainant on what they will need to do.
- A clear complaint must be formally submitted in writing to the headteacher, using Waterside School 's Complaint Form (See Appendix).
- Headteacher will formally acknowledge the complaint within **3 school days** of receiving it, and begin an investigation.

- Headteacher will investigate the complaint and review any relevant documentation and information.
    - If necessary, headteacher will interview witnesses and take statements from those involved.
    - If the complaint centres around a student, the student will usually be interviewed. When students are interviewed, an additional member of staff will always attend.
    - As detailed earlier, all individuals have the right, at any stages, to be accompanied by an advocate at discussions and hearings. This includes the right of teachers to be accompanied by a representative from their Trade Union.
- Head Teacher will provide the complainant with a full written response within **10 school days** of acknowledging it.
    - Response will determine whether the complaint has been upheld
    - Reasons for the decision
    - What action (if any) will be taken.

If the individual is dissatisfied with the response they have been given and would like to take their complaint further, they will be referred to this Complaints Procedure and told how to move on to the next stage.

## 13. Stage 2: Formal Governor Investigation

Where informal attempts have been unsuccessful in resolving a complaint, the complainant should write to the Waterside School Governors at the school's mailing address. Please include:

- A copy of the Waterside School 's Complaint Form that they completed in the previous stage.
- Include any other pertinent details they feel the Governors should be aware of and possibly include details of the resolution they are looking for.
- Include their contact details, including phone number and email address to ensure prompt replies.
- The envelope should be marked 'FOR IMMEDIATE ACTION' 'PRIVATE AND CONFIDENTIAL'.

Staff will ensure that the letter is forwarded to a nominated member of the Governors without delay.

**On receipt of the complaint form, the Governors will:**

- clarify the nature of the complaint and what remains unresolved.
- meet with the complainant or contact them (if unsure or further information is necessary).
- clarify what the complainant feels would put things right.
- inform the Governors that a complaint has been received.

No further information about the complaint should be shared with other members of the Waterside School Governors. A nominated Governor representative should acknowledge receipt of this letter within **5 school days** by writing to the complainant.

At this point the Governor representative will decide whether the complaint should go straight to the Governor Complaints Panel or whether a mediation stage should be offered.

Mediation can only proceed if the complainant and the headteacher are willing for it to be tried. If mediation is not successful, the complaint will be considered by the Governors' Complaints Panel. Mediation can be a good way to resolve a complaint because:

- It gives both complainant and headteacher another opportunity to hear each other's points of view (with a third party facilitating)
- It gives the third party an opportunity to help headteacher and complainant identify and build on areas of agreement
- It gives the headteacher and complainant a structure within which they can resolve remaining differences.

If both the complainant and the headteacher emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them.

Results from a successful mediation may include:

- An acknowledgment that the complaint is valid
- An appropriate apology.
- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that the event complained of will not recur.
- An explanation of the steps that have been taken to ensure that it will not recur.
- An undertaking to review Waterside School ’s policies considering the complaint.

## 14. Stage 3: Formal Governor Panel

Where the complainant is still not satisfied that their complaint has been dealt with fully and properly, they may choose to take it to a panel of members of Waterside School ’s Governors. Complaints very rarely reach this level.

If not already discussed at mediation, the complainant must inform the Governors of their decision to proceed to Stage 3 of the Complaints Procedure within **10 school days of mediation**.

The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between Waterside School and the complainant. The Governors will generally be concerned with looking at how the

headteacher has handled the complaints in previous stages of the procedure. For example: rather than looking at the conduct of a junior member of staff, they will be concerned with how the complaint was handled about this member of staff, and the resolution sought by the headteacher.

At this stage, the nominated representative of the Governors should write to the complainant and inform them that their complaint will be heard by a Complaints Panel **within 15 school days**. The nominated representative of the Governors will also inform the other members of the Governors that the complaint has escalated to Stage 3 of the Complaints Procedure.

A panel of 3 members of the Governors will be chosen to form the Complaints Panel, one of whom is independent to the management of the school. The decision about the membership of a particular panel will depend on factors such as availability, whether any members of the Governors have prior knowledge or have a conflict etc. and the decision will be made by the Governors.

It is important that the appeal hearing can be independent and impartial and that it is seen to be so. No member of the Governors may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. This description above does not cover exceptional circumstances which might include the Governors may not be able to find three members of the Governors who have no prior knowledge of the case. If there are still insufficient members of the Governors able to sit on a panel, the Governors in consultation with the Local Authority will put in place an alternative fair process.

The Governors will convene a meeting of the complaints committee. The membership of the complaints committee will be confirmed, a date, time and venue will be arranged for a hearing, and all existing relevant documentation will be given to the three appointed representatives of the Governors. The nominated representative of the Governors, or a nominated clerk, will then formally write to the complainant, the headteacher and any other relevant staff or witnesses and inform them:

- of the date, time and venue of the hearing.
- of the aims and objectives of the hearing and how it will be conducted.
- that any documentation they wish the committee to consider must be returned to the Clerk no later than 5 school days before the hearing takes place
- of the rights of equal access, accompaniment and representation as set out within this policy
- how and when the committee will reach their decision.

**Rules for the hearing:**

- The complainant has a right to bring an advocate to the meeting for support.
- All documentary evidence should be made no later than 48 h prior to the meeting.
- Both parties must leave the hearing room during the adjournment.

- It is the responsibility of the nominated representative of the Governors (or clerk) to ensure that all parties receive all relevant documents at least 48 hours prior the date of the hearing to allow individuals to familiarise themselves with them.
- The Complaints Panel must be clerked, and as such will be attended by the Clerk to the Governors
- The panel Chair will ensure that the proceedings areas welcoming as possible.
- The layout of the room will set the tone, care is needed to ensure the setting is not intimidating and not adversarial to either party.
- The panel will hear evidence from the complainant and the headteacher.
- The panel Chair will decide whether to see parties together or individually.
- In the hearing the headteacher and complainant will attend together.
- Panel members must ensure that questions asked maintain impartiality.
- From the formation of the Panel to the end of the Complaints Procedure, the Head Teacher must have no contact with members of the Governors Complaints Panel except when the complainant is present to preserve neutrality.
- This means that Head Teacher and complainant enter and leave the room where the hearing is held together.

After the hearing, the Complaints Panel will consider the complaint and all the evidence presented and:
• Reach a unanimous (or majority) decision as to dismiss or uphold the complaint in whole, or in part.
• Decide on appropriate action (if any) to be taken to resolve the complaint.
• Recommend changes to, or request a review of, Waterside School 's systems or procedures to ensure problems of a similar nature do not recur.

The Panel may:
- Consider and, if appropriate, criticise the way in which an operational decision was communicated — but cannot overturn the decision itself.
- Consider the thoroughness with which the headteacher investigated a complaint about a member of staff — but cannot expect the headteacher to provide details about confidential discussions with that staff member.
- Consider the way a complaint about any decision was addressed and ask for the decision to be reviewed — but cannot expect the headteacher to have changed the decision.
- Consider and, if appropriate, identify limitations in a policy or procedures. But cannot make changes to the policy. It can, however, recommend that the policy be reviewed by the Governors to ensure that problems of a similar nature do not recur, and individual panel members can subsequently play their part in improving the policy.
- Consider whether it should recommend that the Governors offer appropriate redress.

The Clerk should ensure that there is clear, agreed, wording stating the Panel decision about each of the issues that the panel considered before the panel is allowed to finish.

The Clerk will produce a decision letter and use the exact panel wording:

- The letter should clearly express how seriously the panel considered the complaint.
- The clerk should be careful that the letter sticks to the facts and gives no hint of partiality.
- This letter should be sent to all members of the panel for checking.
- Once approved by all three panel members, it should be sent to the complainant with a copy to the headteacher, **within 5 school days of the Panel hearing**.

There may be exceptional circumstances in which the complaint is against the Waterside School Governors - eg. for refusing to deal with a complaint. In those circumstances the procedure above would be adapted and every reference to 'headteacher' would be read as 'Waterside School Governors'.

## Appendix A: Complaints Form

Waterside School – Complaints Form

Please complete this form and return it to the Headteacher. You may ask for support in completing it.

Name of Complainant: _____

Relationship to Pupil: _____

Pupil's Name: _____

Details of Complaint (include dates, names, and details of what happened):

_____

_____

What action, if any, have you already taken to try and resolve the complaint?

_____

_____

What outcome are you seeking?

_____

_____

Signed: _____ Date: _____

**For School Use Only:**

Date received: _____

Action taken: _____

Outcome: _____

Reviewed by: _____ Date: _____