



Al-Burhan Grammar School

*Dedicated to learning as the
foundation of life*

Complaints Policy

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1. Introduction

1.1 Aims

Our school aims to meet its statutory obligations when responding to complaints.

We try to resolve complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full. Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals. When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality



- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

1.2 Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents/carers of pupils at the school. It is also based on [best practice guidance for academies complaints procedures](#) published by the Education and Skills Funding Agency (ESFA).

1.3 Scope & links to other policies

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

1.4 Monitoring arrangements and policy review

The governing board will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The governing board will track the number and nature of complaints and review underlying issues.

The complaints records are logged and managed by the admin team.

This policy will be reviewed by the headteacher every 3 years. At each review, the policy will be approved by the governing board.

2. When can complaints be raised

The complainant must raise the complaint within one month of the incident. If the complaint is about a series of related incidents, they must raise the complaint within one month of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.



When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

3. Roles and responsibilities

The complainant

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

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not approach individual governors about the complaint
- Do not publish details about the complaint on social media

The investigator

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

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report which includes the facts and potential solutions.

The complaints co-ordinator

The complaints co-ordinator will usually be a member of the school administrative team. As we are a small school, this may be the same person who acts as the clerk to the governing body.

The complaints co-ordinator will:

- Ensure the complainant is up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with relevant other staff members e.g. the headteacher and chair of governors
- Be aware of issues relating to:
 - Sharing third-party information
 - Additional support needed by complainants; for example, interpretation support or where the complainant is a child or young person
- Keep records

Where the complaint reaches stage 3, they will also:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing



Committee chair for stage 3 complaints

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

The governing board

The governing 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.

4. Procedure for complaints which are not against the headteacher or governors

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

4.1 Stage 1: informal

Our school will take informal complaints seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

- The complaint should be addressed to the relevant member of school staff or the headteacher, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office
- The complaint should be raised as soon as possible within the timescales in section 2.
- The school will acknowledge receipt of informal complaints within 5 school days, which will confirm how the school intends to proceed, including an indication of the anticipated timescale.
- The informal stage will involve a meeting between the complainant and the subject of the complaint (if appropriate), or the Headteacher. The acknowledgement letter/email will invite the complainant to contact the school within 5 working days to arrange a time to meet.
- A written response will be provided by the school within 10 school days following the informal meeting.
- If following this meeting, further investigation is required, the response will include a timescale as to when we can expect to complete this investigation and contact them again.

Most complaints are resolved quickly and informally.

Escalating to stage 2

If parents feel that a concern has not been addressed through discussion or that the concern is of a sufficiently serious nature, it will be escalated to a formal stage 2 complaint.

Parents must make this request within 5 school days after the conclusion of the stage 1 process. They must explain in the request how they feel the previous stage of the procedure has not address their complaint sufficiently, and what they feel would resolve the complaint. This is vital information to help us resolve the complaint at the next stage.



4.2 Stage 2: Formal

- The formal stage involves the complainant putting the complaint to the headteacher and/or the subject of the complaint:
 - In a letter, email or by completing the complaints form (this is preferred)
 - Over the phone
 - In person
 - Through a third party acting on their behalf
- The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.
- If complainants need assistance raising a formal complaint, they can contact the school office.
- The date the complaint is received will be recorded.
- A written message will be sent to the complainant to acknowledge receipt within 5 school days, which will confirm how the school intends to proceed, including an indication of the anticipated timescale (usually 10 school days for investigation, then 10 school days to compile the response and send a written conclusion to the complainant).
- The investigator (usually the headteacher, or another person appointed by the headteacher for this purpose) will conduct the investigation.
- The written conclusion of this investigation will be sent to the complainant within 10 school days after the completion of the investigation.

Escalating to stage 3.

If the complainant is still not satisfied with the decision and wishes to proceed to the next stage of the procedure, they should inform the complaints co-ordinator in writing within 5 school days. Requests received outside of this timeframe will be considered in exceptional circumstances.

The complainant must explain in this request how they feel the previous stage of the procedure has not address their complaint sufficiently, and what they feel would resolve the complaint. This is vital information to help us resolve the complaint at the next stage.

The clerk will acknowledge receipt of the request within 5 school days.

4.3 Stage 3: Review panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.

Convening the panel & actions prior to the meeting:

- The panel will consist of at least 3 people who were not directly involved in the matters detailed in the complaint.
 - At least 1 panel member will be independent of the management and running of the school i.e. not a member of the governing body.
- The panel will be appointed by, or on behalf of, the proprietor.
- The complainant will be allowed to attend the panel hearing
 - They may be accompanied by one other person e.g. relative or friend.
 - We don't encourage either party to bring legal representation and it will not normally be appropriate but we will consider it on a case-by-case basis. In such cases, the request must be made to the complaints co-ordinator at least 10 school days in advance of the meeting.



- If a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.
- Representatives from the media are not permitted to attend.
- The complainant must have reasonable notice of the date of the review panel.
- The clerk will aim to find a date within 20 school days of the request, where possible.
- If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.
- The panel will have access to the existing record of the complaint's progress
- Any written material will be circulated to all parties at least 10 school days before the date of the meeting.
- Each will have an opportunity to set out written or oral submissions prior to the meeting.

The meeting:

- At the review panel meeting, the complainant and representatives from the school (the panel), as appropriate, will be present.
- The board will ensure that the hearing is properly minuted.
- The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless required as part of reasonable adjustments. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.
- At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.
- The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions.
- Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The outcome

- The panel will then put together its findings and recommendations from the case and reach an outcome within 10 school days of the hearing.
- The committee can:
 - Uphold the complaint, in whole or in part
 - Dismiss the complaint, in whole or in part
- If the complaint is upheld, the committee will:
 - Decide the appropriate action to resolve the complaint
 - Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future
- The panel will provide copies of the hearing minutes, findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and Headteacher.
- The school will inform those involved of the decision in writing within 5 school days of the panel reaching its outcome.



5. Procedure for complaints against the headteacher, a governor or the governing board

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

5.1 Stage 1: informal

- Complaints made against the headteacher or any individual member of the governing board (including the chair or vice-chair) should be directed to the clerk of the governing board in the first instance.
- Complaints can be made via letter or email, by telephone or in person.
- A suitably skilled and impartial governor will then carry out the steps at stage 1 set out in section 4 above.
- If the complaint is not resolved informally, it will be escalated to a formal stage 2 complaint.
- Complaints about the whole governing board will be resolved at stage 2 below.

Escalating to stage 2

If the complainant is still not satisfied with the decision and wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing body in writing within 5 school days. Requests received outside of this timeframe will be considered in exceptional circumstances.

The complainant must explain in this request how they feel the previous stage of the procedure has not address their complaint sufficiently, and what they feel would resolve the complaint. This is vital information to help us resolve the complaint at the next stage.

The clerk will acknowledge receipt of the request within 5 school days.

5.2 Stage 2: formal

- Formal complaints can be raised: By letter or email (preferred), over the phone, in person, or by a third party acting on behalf of the complainant
- Complaints that involve or are about the headteacher should be addressed to the chair of governors, via the school office, marked as private and confidential.
- Complaints about the chair of governors, any individual governor or the whole governing body should be addressed to the clerk to the governing board via the school office, marked as private and confidential.
- If the complaint is about the headteacher or an individual governor, a suitably skilled and impartial governor will then carry out the steps at stage 2 set out in section 4 above.
- If the complaint is about the chair and vice-chair of the governing board, the entire governing board, or the majority of the governing body, then an independent investigator will carry out the steps in stage 2 set out in section 4 above. They will be appointed by the governing body.
- A formal response will be written by the investigator at the end of their investigation.
- The written conclusion of this investigation will be sent to the complainant within 10 school days after the completion of the investigation.



Escalating to stage 3.

If the complainant is still not satisfied with the decision and wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing board in writing within 5 school days. Requests received outside of this timeframe will be considered in exceptional circumstances.

The complainant must explain in this request how they feel the previous stage of the procedure has not address their complaint sufficiently, and what they feel would resolve the complaint. This is vital information to help us resolve the complaint at the next stage.

The clerk will acknowledge receipt of the request within 5 school days.

5.3 Stage 3: Submit the complaint to an independent reviewer

If the complaint is about: the headteacher, an individual governor, the chair and vice-chair, the entire governing body or the majority of the governing body, the steps outlined in stage 3 of section 4 above will be followed.

6. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure and the complaint is regarding the school not meeting standards set by the DfE in any of the following areas, the complainant can refer their complaint to the DfE:

- Education
- Pupil welfare and health and safety
- School premises
- Staff suitability
- Making information available to parents
- The spiritual, moral, social or cultural development of pupils

The DfE will consider reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the school deals with serious failings.

For more information or to refer a complaint, see the following webpage: www.gov.uk/complain-about-school

7. Handling complaints about other families

As a school, our priority is to address pupils' needs. Unless the issue is directly school-related, it is unreasonable for parents/carers to expect us to resolve disputes between themselves.

Where the complaint is directly school-related, it will be dealt with via the normal procedure.

The focus of the investigation will be on establishing facts. We will avoid entering into a discussion with the person about details of other children or families, because this information may be confidential. The relevant pupils will have access to appropriate pastoral support as they could find this process challenging.



If a complaint about another family is outside of our remit, we will consider involving or referring the issue to external agencies. If appropriate, a police liaison officer may be able to work with families.

8. Unreasonable and persistent complaints

8.1 Unreasonable complaints

Most complaints raised will be valid, and therefore we will treat them seriously.

The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

Other examples of where a complaint may become unreasonable are if the person:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to co-operate with the complaints investigation process
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- Changes the basis of the complaint as the investigation proceeds
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed
- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums

Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.



Complainants should try to limit their communication with the school while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Steps we will take:

- We will take every reasonable step to address the complainant's comments, 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.
- Whenever possible, the headteacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

- If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it.
- For complainants who excessively contact the school causing a significant level of disruption, we may:
 - Give the complainant a single point of contact via an email address
 - Limit the number of times the complainant can make contact, such as a fixed number per term
 - Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
 - Put any other strategy in place as necessary, depending on the specific circumstances
- If an individual persists to the point that may constitute harassment, we will seek legal advice. In some cases, injunctions and other court orders have been issued to individuals preventing them from contacting schools direct.
- If decided that it is appropriate to stop responding, we will inform the individual.

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Headteachers and governors need to ensure the school is a safe place for pupils, staff and other members of the community.

- If an individual's behaviour is a cause for concern, they can be asked to leave school premises. In some cases, individuals can be barred from entering school premises.
- It's a criminal offence to cause or permit "a nuisance or disturbance" on school premises. In response to any serious incident of aggression, violence, or acting in an abusive or threatening way at meetings, complainants will be asked to leave.
 - If they do not do so, they can be legally removed from the site. We will immediately inform the police.
 - This may include barring an individual from school premises.
 - Staff affected will be supported.
- Where the headteacher has barred an individual from the school premises:
 - The headteachers decision to bar will then be reviewed by either the chair of governors, or a committee of governors.
 - They will then decide whether to confirm or lift the bar. The individual will be notified in writing.
 - The written notification will include how long the bar will be in place and when the decision will be reviewed.



8.2 Serial/persistent complaints

If the complainant contacts the school again on the same issue after the procedure has been completed and the matter closed, the correspondence may then be viewed as 'serial' or 'persistent'.

We may stop responding to the complainant, in line with government guidance, when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make, provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern

8.3 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:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the ESFA/ mechanisms outlined in section 6 if they are dissatisfied with our original handling of the complaint.

If a duplicate complaint is raised which in the view of the school warrants further consideration, we will begin a new complaints process.

8.4 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
- Complaints from groups of parents/carers

These will not be treated through the formal complaints procedure (which is for individual complaints).

Instead, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants.

Parents/carers are reminded that their right to complain rests on their position as the parent/carer of an individual pupil. They cannot raise a complaint on behalf of other pupils or a group of pupils.



If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply. However, we will only deal with complaints individually.

9. Record keeping and confidentiality

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and stored securely, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law and our privacy notices.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.