

Lavington Park Federation



## *Complaints procedure*

<b>Reviewed by</b>	Lead governor/Headteacher
<b>Approved by FGB</b>	20 <sup>th</sup> March 2025
<b>Next Review</b>	Spring 2026

## 1.1 Who can make a complaint?

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 [Lavington Park Federation](#) about any facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

## 1.2 The difference between a concern and a complaint

A concern may be defined as *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’*.

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

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. [Lavington Park Federation](#) takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, [the headteacher](#), will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, [the headteacher](#) will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, [Lavington Park Federation](#) will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## 1.3 How to raise a concern

A concern can be raised in person, in writing or by telephone. They may also be made by a third party acting on behalf of the person raising the concern, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher, a member of staff or the headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Concerns should not be raised with individual governors. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the complaints procedure.

Concerns relating to school staff (except the headteacher) should be raised in the first instance, to the headteacher via the school office. Please mark them as Private and Confidential.

Concerns that involve or are about the headteacher should be raised with the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Concerns relating to the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

Where a concern is not resolved to the satisfaction of the person who raised it then the next step is for that person to lodge a formal complaint under this procedure.

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing or by telephone. The rest of this procedure sets out the procedure for raising and handling complaints.

## 1.4 Anonymous complaints

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

## 1.5 Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

## 1.6 Complaints received outside of term time

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

## 1.7 Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Lavington Park Federation other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• School re-organisation proposals</li></ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the appropriate team within West Sussex County Council
<ul style="list-style-type: none"><li>• Matters likely to require a Child Protection Investigation</li></ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Integrated Front Door (formerly MASH).</p> <p>LADO should be contacted either by email: <a href="mailto:LADO@westsussex.gov.uk">LADO@westsussex.gov.uk</a> or by phone, LADO Consultation Contact No. 0330 222 6450 (Mon – Fri 9.00am – 5.00pm)</p>

	<p>The Safeguarding in Education Team, including the MASH Education Advisers, can be contacted on 0330 222 4030 or by email to <a href="mailto:Safeguarding.Education@westsussex.gov.uk">Safeguarding.Education@westsussex.gov.uk</a></p>
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at:</p> <p><a href="#">Exclusions - West Sussex County Council</a></p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>Whistleblowing/Confidential Reporting</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the "prescribed person" for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.gov.uk/contact-dfe">www.gov.uk/contact-dfe</a></p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.gov.uk/contact-dfe">www.gov.uk/contact-dfe</a></p>

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 a complainant commences legal action against Lavington Park Federation in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## 1.8 Resolving complaints

At each stage in the procedure, Lavington Park Federation wants 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:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- 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
- an undertaking to review school policies in light of the complaint
- an apology.

## 1.9 Withdrawal of a Complaint

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

## 2 Stage 1

**2.1** For ease of use, a template complaint form is included at the end of this procedure. This is the preferred method for raising a complaint as it ensures that the necessary details are provided and assists the school to respond in a timely manner. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

**2.2** In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

**2.3** 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 5 school days.

**2.4** Within this response, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

*Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*

**2.5** During the investigation, the headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

**2.6** At the conclusion of their investigation, the headteacher will provide a formal written response within 15 school days of the date of receipt of the complaint.

**2.7** If the headteacher is unable to meet this deadline, they will provide the complainant with an

update and revised response date.

**2.8** The response will provide reasonable detail of any actions taken to investigate the complaint and provide an explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Lavington Park Federation will take to resolve the complaint. Complainants should note that there may be reasons why some information cannot be shared including statutory obligations and privacy considerations.

**2.9** The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

**2.10** If the complaint is about the headteacher, or a member of the governing body (including the Chair or a Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

**2.11** Complaints about the Chair, a Vice Chair or member of the governing body must be made to the Clerk, via the school office.

**2.12** If the complaint is:

- jointly about the Chair and a Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body or the Diocese of Chichester. At the conclusion of their investigation, the independent investigator will provide a formal written response.

## **3 Stage 2**

**3.1** If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, which will be formed of the first two/three, impartial, governors available. This is the final stage of the complaints procedure.

**3.2** A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 20 school days of receipt of the Stage 1 response.

**3.3** The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

**3.4** Requests received outside of this time frame will only be considered if exceptional circumstances apply.

**3.5** The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

**3.6** If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

**3.7** The complaints committee will consist of two/three governors with no prior involvement or substantive knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the complaints committee. If there are fewer than two governors from Lavington Park Federation the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the complaints committee. Alternatively, an entirely independent complaints committee may be convened to hear the complaint at Stage 2.

**3.8** The complaints committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

**3.9** If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the complaints committee meeting. However, there may be occasions when legal representation is appropriate. Where the complainant intends to bring legal representation to any meeting they must not less than 3 school days prior to the meeting provide written notice to the Clerk of this intention (and in the event that they fail to do so the complaints committee shall consider whether to postpone the meeting).

**3.10** For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

**3.11** Representatives from the media and members of the public are not permitted to attend. The Chair of the complaints committee is entitled to postpone any meeting where anyone (i) refuses to identify themselves or (ii) is not directly related to the complaint is present, and refuses to leave when asked to do so.

**3.12** At least 5 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the complaints committee at least 2 school days before the meeting.

**3.13** Any written material will be circulated to all parties at least 5 school days before the date of the meeting (unless the material is not available at that date in which case the Clerk will seek to distribute material as soon as reasonably practicable after its receipt). The complaints committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

**3.14** The complaints committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

**3.15** The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before any recording of meetings or conversations take place. Consent will be recorded in any minutes taken.

**3.16** The complaints committee will consider the complaint and all the evidence presented. The complaints committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

**3.17** If the complaint is upheld in whole or in part, the complaints committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

**3.18** The Chair of the complaints committee will provide the complainant and Lavington Park Federation with an explanation of their decision and the reason(s) for it, in writing, within 10 school days of the complaints committee reaching their decision. Where appropriate, it will include details of actions Lavington Park Federation will take to resolve the complaint.

**3.22** The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

## **4 Next Steps**

**4.1** If the complainant believes the school did not handle their complaint in accordance with this complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

**4.2** The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Lavington Park Federation. They will consider whether Lavington Park Federation has adhered to education legislation and any statutory policies connected with the complaint.

**4.3** The complainant can refer their complaint to the Department for Education:

Ministerial and Public Communications Division  
Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

Tel: 0370 000 2288

Website: [www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)



## 5 Complaint Form

Please complete and return to the headteacher who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>

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

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

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**

## **6 Roles and Responsibilities**

### **6.1 Complainant**

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible using the Complaints Form
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

### **6.2 Investigator**

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

### **6.3 Complaints Co-ordinator** (this could be the headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

### **6.4 Clerk to the Governing Body**

The Clerk is the contact point for the complainant and the complaints committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the complaints committee's decision.

### **6.5 Complaints Committee Chair**

The complaints committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the complaints committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the complaints committee is open-minded and acts independently
- no member of the complaints committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

## 6.6 Complaints Committee Member

Complaints committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so. No governor may sit on the complaints committee if they have had a prior involvement in the complaint or in the circumstances surrounding it (but mere knowledge of the complaint shall not disqualify a governor).
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting.

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The complaints committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the complaints committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the complaints committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the complaints committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.