

Thwaites School

COMPLAINTS PROCEDURE
2026 - 2028

THWAITES SCHOOL

Complaints Procedure

2026/2028

At the time of publishing the following roles were held:	
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Date:	21/09/2026
Review date:	21/09/2028

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Review Table				
Version	Description of Change	Date	Approved By	Next Review
1.0	Full review and rewrite of Complaints Policy	21/09/2026	The Chair of Governors	21/09/2028

This policy will be reviewed at least every two years, or more frequently in response to changes in statutory guidance, relevant legislation or identified need.

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1. Introduction

At Thwaites School, we make decisions every day and work hard to act in the best interests of our pupils. We welcome feedback from parents, carers and members of our wider school community. Comments, whether positive or negative, help us to understand how we are doing and identify where we can improve.

We recognise that sometimes our decisions may not result in the outcome that everyone would wish for, and that sometimes we may make mistakes. We also recognise that people may wish to raise a concern or ask a question about an aspect of school life without necessarily wishing to make a formal complaint.

If you are dissatisfied with, or have questions or concerns about, the way you or your child has been treated, or about something the school has done or failed to do, we encourage you to contact us as soon as possible:

Email: admin@thwaites.cumbria.sch.uk
Telephone: 01229 772554



We aim to resolve concerns and complaints fairly, openly and at the earliest possible stage. Where a complaint relates to a pupil, the school will continue to support that pupil and provide the highest quality of education and care possible throughout the complaints process. Making a complaint will not adversely affect the way a pupil or their family is treated by the school.

Where another body is investigating matters connected with a complaint, for example the Police, Local Authority safeguarding services or a Tribunal, this may affect the school's ability to meet the timescales set out in this procedure. In such circumstances, it may be appropriate to suspend consideration of some or all of the complaint until the relevant external process has concluded.

Where legal proceedings are commenced against the school in relation to a complaint, the school will consider whether it is appropriate to suspend the complaints procedure until those proceedings have concluded. The school will not automatically suspend consideration of a complaint solely because legal proceedings have been commenced.

A complaint may be resolved or withdrawn at any stage of this procedure. Where a complainant wishes to withdraw their complaint, the school will ask them to confirm this in writing.

1.1 Who can make a complaint?

This complaints procedure is not limited to parents or carers of pupils registered at Thwaites School. **Any person, including a member of the public, may make a complaint** about the facilities or services provided by the school.

A person making a complaint is referred to in this procedure as the **complainant**. A complaint may also be made by a third party acting on behalf of a complainant, provided they have appropriate consent to do so. Where a third party is acting on behalf of a complainant, references to “you” within this procedure mean the complainant.

This procedure will be used to consider complaints about the school unless:

- the matter is dealt with under a separate statutory or other procedure, such as certain matters relating to admissions, suspension or permanent exclusion; or
- the school is not the appropriate organisation to consider the complaint, for example where the complaint concerns a separate organisation using or hiring the school premises.

Before making a complaint, please refer to Appendix A – Complaints Not Handled Under This Procedure. This explains which matters fall outside the scope of this procedure and, where appropriate, where they should be directed instead.

1.2 Anonymous Complaints

We will not normally investigate anonymous complaints. However, the **Headteacher and/or Chair of Governors**, as appropriate, will determine whether an anonymous complaint warrants investigation, taking account of the nature and seriousness of the concerns raised.

Where an anonymous complaint raises a **safeguarding concern**, the school will respond in accordance with its Child Protection Policy and Procedures.

1.3 Timescales

Complaints should normally be raised within **three months of the incident** or, where a series of associated incidents has occurred, within three months of the last of these incidents.

The school will consider complaints made outside this timeframe where **exceptional circumstances apply**.

1.4 Complaints Received Outside of Term Time

Complaints received outside of term time will normally be considered to have been received on the **first school day following the holiday period**.

School term dates are published on the school website.

2. How to Raise a Concern or Make a Complaint

2.1 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.”

We encourage anyone with a concern or complaint to bring it to our attention directly and as soon as possible. We welcome feedback and recognise that concerns and complaints can provide an opportunity to explain our actions, resolve difficulties and identify where improvements may be needed.

It is in everyone's interests that concerns and complaints are resolved at the earliest possible stage. Wherever appropriate, we encourage concerns to be discussed and resolved **informally** in the first instance.

However, a complainant is **not required to complete an informal stage before making a formal complaint**. Where a complainant wishes to make a formal complaint, the school will consider it in accordance with the formal stages of this procedure.

The school's formal complaints procedure has **two stages**:

- **Stage 1 – Formal Complaint:** investigation and response by the appropriate person; and

- **Stage 2 – Complaints Panel:** consideration by an impartial panel of governors. This is the final stage of the school's complaints procedure.

2.2 Our Aims When Resolving Complaints

At every stage of this procedure, we will seek to resolve concerns and complaints fairly and appropriately. We aim to handle complaints:

- politely, honestly and professionally;
- **with appropriate confidentiality**, sharing information only where necessary for the complaint to be properly considered;
- transparently, fairly and thoroughly;
- impartially and without discrimination; and
- as promptly as possible, taking account of the nature and urgency of the matter.

Following consideration of a complaint, we may:

- **uphold the complaint in whole or in part; or**
- **not uphold the complaint.**

Where appropriate, the outcome may include:

- an explanation of the findings and the reasons for the decision;
- an acknowledgement that something could have been handled differently or better;
- an apology where the school has made a mistake;
- appropriate action to address or resolve the matter;
- an explanation of any steps that have been or will be taken to help prevent a similar issue arising again, including appropriate timescales where relevant; and/or
- a review of relevant school policies, procedures or practices.

The school will seek to identify appropriate and proportionate outcomes. However, the outcome sought by a complainant **cannot always be guaranteed**, particularly where it would be outside the school's powers or responsibilities.

2.3 Our Expectations When Resolving Complaints

We are committed to considering concerns and complaints fairly, respectfully and in accordance with this procedure. In return, we ask complainants to:

- explain their concern or complaint as clearly and fully as possible;
- provide relevant information and respond to reasonable requests for further information where they are able to do so;
- work constructively with the school in seeking an appropriate resolution;
- treat staff, governors and others involved in the complaints process with dignity and respect; and
- communicate without using abusive, offensive, discriminatory, threatening or intimidating language or behaviour.

We recognise that people may feel strongly about the matters they raise and that making a complaint can sometimes be difficult or upsetting. **A complainant will not be disadvantaged simply because they are persistent in pursuing a complaint or disagree with the school's response.**

However, where a complainant's behaviour or level of contact becomes unreasonable, abusive, threatening or causes significant disruption to the school, we may take proportionate steps to manage that behaviour or communication while ensuring that any legitimate complaint is considered appropriately.

Further information is provided in **Section 8 – Serial, Persistent and Unreasonable Complaints**.

2.4 Maintaining Governor Impartiality

To ensure that complaints are considered fairly and impartially, governors who may later be required to consider a complaint at **Stage 2** should not normally become involved in the complaint at an earlier stage.

Unless the complaint is specifically about the **Headteacher, a governor, the Chair or Vice-Chair of Governors, or the Governing Body**, complainants should not raise their concern or complaint directly with individual governors.

If a governor is approached about a concern or complaint that they are not responsible for considering, they should **not discuss the substance of the complaint**. Instead, they will direct the complainant to the appropriate member of staff, the Headteacher or other appropriate person in accordance with this procedure.

This is not intended to prevent governors from being helpful or responsive. It is necessary to preserve their impartiality, as they may subsequently be required to serve on a **Stage 2 Complaints Panel**.

A governor who has had prior involvement in a complaint, or whose impartiality could reasonably be questioned, will not normally take part in considering that complaint at Stage 2.

2.5 Withdrawal of a Complaint

A complainant may withdraw their complaint at any stage of this procedure. Where a complainant wishes to withdraw their complaint, the school will ask them to **confirm this in writing**.

3. Informal Resolution of Concerns and Complaints

Many concerns and complaints can be resolved informally by listening, discussing the issue, providing clarification or taking appropriate action to put matters right. We take concerns seriously and will make every reasonable effort to resolve matters as quickly and effectively as possible.

Concerns may be raised **in person, by telephone or in writing**, including by email.

In the first instance, it will usually be appropriate to raise a concern with the member of staff most directly involved. For example, a concern relating to a pupil's classroom experience would normally be raised with their class teacher. Where the concern relates to special educational needs or disabilities, it may be appropriate to discuss the matter with the **SENCO**.

We recognise that it can sometimes feel difficult to question or challenge something the school has done. We encourage parents, carers and others to raise concerns with us so that we have an opportunity to listen, explain our actions and, where appropriate, put matters right.

Where the member of staff initially approached is unable to resolve the matter, or where it would not be appropriate for them to deal with it, the concern may be referred to the **Headteacher** or another appropriate member of staff.

If a complainant has difficulty discussing a concern with a particular member of staff, we will take this into account and, where appropriate, arrange for another suitable person to consider the matter. Similarly, where a member of staff directly involved feels unable to deal with a concern, the Headteacher will determine who should respond.

The school will make **reasonable adjustments** where required under the Equality Act 2010 to ensure that complainants are able to access the complaints process. This may include making adjustments to the way in which meetings are arranged or conducted. Meetings may also be held remotely where appropriate and agreed.

We hope that most concerns can be resolved informally. However, **informal resolution is not a compulsory stage of the complaints procedure**. A complainant may make a formal complaint at any time where they wish the matter to be considered formally.

Where an informal concern has been considered but the complainant remains dissatisfied, they may make a **Stage 1 Formal Complaint** in accordance with Section 4 of this procedure.

4. Stage 1 – Formal Complaint

A formal complaint may be made **in person, by telephone or in writing**, including by email. A complainant does not need to have attempted informal resolution before making a formal complaint.

A **Complaint Form** is included at the end of this procedure. Complainants are encouraged, but not required, to use the form as it may help to ensure that the school has the information needed to understand and investigate the complaint.

Where a complaint is made verbally, the person receiving the complaint will ensure that the nature of the complaint and the outcome sought are recorded and confirmed with the complainant.

If you require assistance in making a complaint, please contact the school office. The school will make reasonable adjustments in accordance with the Equality Act 2010 where required to enable complainants to access this procedure. This may include providing information in an alternative format, assisting a complainant to put their complaint in writing or making appropriate arrangements for meetings.

Formal complaints should be submitted as follows:

- complaints about a member of staff or the school generally should be addressed to the **Headteacher**;
- complaints about the **Headteacher** should be addressed to the **Chair of Governors**;

- complaints about the **Chair of Governors, Vice-Chair, another governor or the Governing Body** should be addressed to the **Clerk to the Governing Body**.

Complaints should be submitted through the school office and marked **Private and Confidential** where appropriate. The school will ensure that complaints are forwarded promptly to the appropriate person.

4.1 Complaints About Staff or the School Generally

Formal complaints about a member of staff or the school generally should be addressed to the **Headteacher** and submitted through the school office.

The Headteacher will record the date the complaint is received and acknowledge receipt **within 5 school days**.

Where necessary, the Headteacher will contact the complainant to clarify:

- the nature and details of the complaint;
- any relevant information required to understand or investigate the complaint; and
- what outcome the complainant would like to see.

The Headteacher may meet with the complainant where this would assist in understanding or resolving the complaint.

The Headteacher may delegate the investigation to another suitably skilled and impartial member of staff but will normally retain responsibility for determining the outcome of the complaint.

During the investigation, the Headteacher or appointed investigator may:

- meet or speak with the complainant;
- interview those involved in the matter and any relevant witnesses;
- consider relevant documents, records and other information; and
- keep an appropriate written record of the investigation.

People interviewed as part of an investigation may be accompanied where appropriate.

At the conclusion of the investigation, the Headteacher will normally provide a **formal written response within 20 school days of receipt of the complaint**.

Where this timescale cannot reasonably be met, the complainant will be informed of the reason for the delay and given a revised response date.

The written response will explain:

- the steps taken to investigate the complaint;
- the findings and decision reached in relation to the complaint;
- the reasons for the decision;
- any appropriate action the school has taken or intends to take as a result of the complaint; and

- how the complainant may request consideration at **Stage 2 – Complaints Panel** if they remain dissatisfied.

A request to proceed to Stage 2 should normally be made **within 10 school days of receiving the Stage 1 response**. Requests received outside this period will be considered where exceptional circumstances apply.

4.2 Complaints About the Headteacher

Formal complaints about the Headteacher should be addressed to the **Chair of Governors** and submitted through the school office, marked **Private and Confidential**.

The Chair of Governors will record the date the complaint is received and acknowledge receipt **within 5 school days**.

Where necessary, the Chair will contact the complainant to clarify the complaint, any information required and the outcome sought.

The Chair of Governors, or another suitably skilled and impartial governor appointed where appropriate, will investigate the complaint. The investigation may include meeting or speaking with the complainant, the Headteacher and other relevant individuals and considering relevant documents or records.

At the conclusion of the investigation, the complainant will normally receive a **formal written response within 20 school days of receipt of the complaint**.

Where this timescale cannot reasonably be met, the complainant will be informed of the reason for the delay and given a revised response date.

The written response will explain:

- the steps taken to investigate the complaint;
- the findings and decision reached;
- the reasons for the decision;
- any appropriate action taken or recommended as a result; and
- how the complainant may request consideration at **Stage 2 – Complaints Panel** if they remain dissatisfied.

A request to proceed to Stage 2 should normally be made **within 10 school days of receiving the Stage 1 response**. Requests received outside this period will be considered where exceptional circumstances apply.

4.3 Complaints About Governors or the Governing Body

Formal complaints about the **Chair of Governors, Vice-Chair, an individual governor or the Governing Body** should be addressed to the **Clerk to the Governing Body** and submitted through the school office, marked **Private and Confidential**.

The Clerk will acknowledge receipt of the complaint **within 5 school days** and arrange for the complaint to be considered by an appropriately impartial person.

Where the complaint is about:

- an individual governor, it will normally be investigated by the Chair of Governors or another suitably impartial governor;
- the Chair of Governors, it will normally be investigated by the Vice-Chair or another suitably impartial governor; or
- the Chair and Vice-Chair jointly, a majority of the Governing Body, or the entire Governing Body, the school will seek an **independent investigator**.

Where necessary, the investigator will clarify the complaint and the outcome sought before conducting an appropriate investigation.

At the conclusion of the investigation, the complainant will normally receive a **formal written response within 20 school days of receipt of the complaint**.

Where this timescale cannot reasonably be met, the complainant will be informed of the reason for the delay and given a revised response date.

The written response will explain:

- the steps taken to investigate the complaint;
- the findings and decision reached;
- the reasons for the decision;
- any appropriate action taken or recommended; and
- how the complainant may request consideration at **Stage 2 – Complaints Panel** if they remain dissatisfied.

A request to proceed to Stage 2 should normally be made **within 10 school days of receiving the Stage 1 response**. Requests received outside this period will be considered where exceptional circumstances apply.

5. Stage 2 – Complaints Panel

If the complainant is dissatisfied with the outcome at **Stage 1**, they may request that the complaint is considered at **Stage 2 by a Complaints Panel**. This is the final stage of the school's complaints procedure.

A request to proceed to Stage 2 should be made to the **Clerk to the Governing Body**, via the school office, within **10 school days of receiving the Stage 1 response**.

The request should explain why the complainant remains dissatisfied following Stage 1 and what outcome they are seeking. The complainant may provide relevant supporting information or evidence.

The school's Complaint Form may be used for this purpose but is **not required**.

Requests received outside the 10-school-day period will be considered where exceptional circumstances apply.

The Clerk will record the date the request is received and acknowledge receipt **within 5 school days**.



The Stage 2 Complaints Panel will consist of **at least three impartial governors** who have had no prior involvement in, or detailed knowledge of, the complaint.

Where it is not possible to form an impartial panel from the Governing Body, suitably impartial governors from another school may be appointed. Where appropriate, an entirely independent panel may be convened.

The panel will appoint a Chair from among its members.

5.1 Arranging the Panel Meeting

The Clerk will arrange the Complaints Panel meeting and will aim to convene it **within 20 school days of receiving the Stage 2 request.**

Where this is not reasonably possible, for example because the complaint is particularly complex or relevant individuals are unavailable, the complainant will be informed of the reason for the delay and given an anticipated date for the meeting.

The Clerk will seek to arrange a date and time that is reasonably convenient for all parties.

If the complainant rejects reasonable proposed dates without good reason, or does not attend an agreed meeting, the panel may proceed in their absence and reach a decision based on the written information available.

The Clerk will write to the complainant confirming the arrangements for the meeting and explaining the procedure to be followed.

The panel may seek clarification or further relevant information before the meeting where this is necessary to enable it to consider the complaint fairly. **The panel's role is to review the complaint and its handling at Stage 1; it is not normally to conduct a completely new investigation of the complaint.**

5.2 Information and Evidence

The complainant and the school will be given an opportunity to provide relevant written information for consideration by the panel.

The Clerk will set a reasonable deadline for the submission of information and will circulate the relevant papers to the complainant, the school and panel members **at least 5 school days before the meeting**, wherever reasonably possible.

Information may be redacted where necessary to comply with data protection requirements or to protect information which should not appropriately be disclosed.

The panel will consider the complaint raised at Stage 1 and the complainant's reasons for remaining dissatisfied. It will not normally consider **new and unrelated complaints** at Stage 2. Any new complaint will normally need to be considered separately under the appropriate stage of this procedure.



Relevant new evidence relating to the **existing complaint** may be considered where the panel considers it fair and appropriate to do so.

5.3 Attendance at the Panel Meeting

The complainant may be accompanied at the meeting by a **relative, friend or other supporter**.

Legal representation is not normally necessary or encouraged. However, there may be circumstances where legal or trade union representation is appropriate, particularly where an employee is attending in a professional capacity.

Representatives of the media will not be permitted to attend.

The school will make reasonable adjustments where required to ensure that the meeting is accessible to those attending.

The meeting will be held **in private**.

Electronic recording of the meeting will not normally be permitted. Where a recording is requested as a reasonable adjustment relating to disability or another identified need, the request will be considered in advance and appropriate arrangements agreed. Covert recording is not permitted.

The panel will conduct the meeting fairly and sensitively and will ensure that each party has an appropriate opportunity to explain their position and respond to relevant points.

Complaints about staff conduct will not normally be determined through this procedure where the matter properly falls within the school's staffing, disciplinary or allegations procedures. Where such procedures apply, the complainant will be informed that the matter will be considered under the appropriate process, but **confidential employment information or disciplinary outcomes will not be disclosed**.

5.4 Panel Decision and Outcome

The Complaints Panel will consider the complaint, the Stage 1 response, the reasons the complainant remains dissatisfied and all relevant evidence available to it.

The panel may:

- **uphold the complaint in whole or in part; or**
- **not uphold the complaint in whole or in part.**

Where appropriate, the panel may:

- recommend appropriate action to resolve the complaint;
- recommend changes to the school's systems, policies, procedures or practices to help prevent similar issues arising in the future; and
- identify matters which should be considered by the school or Governing Body following completion of the complaints procedure.

The Chair of the Complaints Panel will provide the complainant and the school with the panel's decision and the reasons for it **in writing within 10 school days of the meeting.**

The written response will confirm that **Stage 2 is the final stage of the school's complaints procedure** and will explain how the complainant may contact the **Department for Education** if they believe the school has not handled their complaint in accordance with its published procedure or has acted unlawfully or unreasonably in exercising its duties.

5.5 Complaints About Governors or the Governing Body

Where a Stage 2 complaint concerns the **Chair and Vice-Chair jointly, a majority of the Governing Body, or the entire Governing Body**, the complaint will be considered by a panel of suitably impartial governors from other schools or another appropriately independent panel.

No person who is the subject of the complaint, has investigated it at Stage 1, or has otherwise had prior involvement that could reasonably call their impartiality into question will serve on the Stage 2 panel.

The panel's decision will be communicated in accordance with Section 5.4 and will mark the completion of the school's complaints procedure.

6. Next Steps

6.1 Complaining to the Department for Education

Stage 2 – Complaints Panel is the final stage of the school's complaints procedure.

If, after completing the school's complaints procedure, you believe that Thwaites School has not handled your complaint in accordance with its published procedure, or has acted unlawfully or unreasonably in the exercise of its duties under education law, you may refer your complaint to the **Department for Education (DfE)**.

The DfE will not normally reinvestigate the substance of the complaint or overturn a decision simply because the complainant disagrees with the school's conclusion. Its role includes considering whether the school has followed its published complaints procedure and whether the Governing Body has acted unlawfully or unreasonably in the exercise of its duties under education law.

Normally, complainants should complete the school's complaints procedure before approaching the DfE. However, the DfE may consider a complaint before the procedure has been completed in certain circumstances, including where:

- a child is not receiving an education;
- a child has been exposed to harm;
- the school is preventing the complainant from progressing through its published complaints procedure; or
- there is evidence that the school is acting or proposing to act unlawfully or unreasonably.

Information about making a complaint to the DfE, including its online complaints service and current contact details, is available through **GOV.UK – Complain about a school.**

7. Duplicate Complaints

Where the school has completed its complaints procedure in relation to a complaint and subsequently receives a complaint from another person about **substantially the same matter**, the school will consider whether the new complaint raises any significant new information or issues that have not previously been considered.

Where the new complaint raises **significant new information or issues**, these will be considered under the appropriate stage of this complaints procedure.

Where the school is satisfied that the complaint is substantially the same as one that has already completed the school's complaints procedure and raises no significant new matters, the school will inform the complainant that:

- the matter has already been considered through the school's complaints procedure;
- the school's complaints procedure in relation to that matter is complete; and
- if they are dissatisfied with the school's handling of the matter, they may refer their concerns to the **Department for Education**, where appropriate.

The school will not normally reconsider a complaint solely because it has been raised by a different person.

8. Serial, Persistent and Unreasonable Complaints

Thwaites School is committed to dealing with all complaints fairly and impartially and to providing an appropriate and accessible complaints process. We will not normally limit the contact complainants have with the school.

However, we do not expect staff or governors to tolerate unacceptable behaviour, nor should the complaints process place unreasonable demands on school resources or significantly interfere with the school's day-to-day operation.

We will distinguish between a complainant who is persistent in pursuing a legitimate complaint and **behaviour or contact that has become unreasonable**. The fact that a complainant is persistent, disagrees with the school's response or seeks to challenge a decision does not, in itself, mean that their behaviour is unreasonable.

Behaviour or contact may be considered unreasonable where, for example, a complainant:

- refuses to explain their complaint, the grounds for it or the outcome sought, despite reasonable assistance being offered;
- refuses to cooperate with the complaints process while continuing to expect the complaint to be resolved;
- refuses to accept that particular matters fall outside the scope of this complaints procedure;
- insists that the complaint is dealt with in a way that is incompatible with this published procedure or good practice;
- repeatedly introduces irrelevant or insignificant information and insists that it is considered or responded to in detail;



- makes unjustified complaints about people dealing with the complaint and seeks repeatedly to have them replaced;
- repeatedly changes the basis of the complaint while it is being considered;
- repeatedly raises substantially the same complaint after it has been considered through the appropriate procedure, without presenting significant new information;
- refuses to accept the outcome of a complaint where the school's complaints procedure has been properly completed;
- seeks an outcome that is outside the school's powers or responsibilities;
- makes excessive demands on school time through the frequency, volume, duration or nature of contact, causing a significant level of disruption;
- makes contact that is abusive, offensive, discriminatory, threatening or intimidating;
- knowingly provides false or falsified information; or
- makes malicious allegations or uses communication, including social media or other public platforms, in a way that is abusive, threatening or otherwise unacceptable.

Complainants are asked to allow the school a reasonable opportunity to consider and respond to their complaint. Repeated correspondence or contact about the same matter while a response is being prepared may delay the school's ability to reach an outcome.

8.1 Managing Unreasonable Behaviour or Contact

Before restricting a complainant's contact with the school, the **Headteacher or Chair of Governors, as appropriate**, will normally seek to discuss the concerns with the complainant and explain what needs to change.

Where unreasonable behaviour or contact continues, the school may write to the complainant:

- explaining why their behaviour or contact is considered unreasonable;
- asking them to change or moderate their behaviour or contact;
- explaining any reasonable restrictions that will apply; and
- explaining how and when those arrangements will be reviewed.

Where excessive contact is causing significant disruption, the school may introduce a **communication plan**. Depending on the circumstances, this may include:

- limiting contact to a particular method of communication;
- requiring communication to be directed to a named person;
- limiting the frequency of contact;
- declining to respond to correspondence that raises substantially the same matters to which the school has already responded; or
- setting reasonable arrangements for meetings or telephone contact.

Any restrictions will be **reasonable, proportionate and tailored to the individual circumstances**. They will not prevent the school from considering genuinely new concerns or information that require a response.

A communication plan will normally be reviewed after **six months**, or earlier where appropriate.



Where a complaint is still progressing through the school's complaints procedure, restrictions on communication will not, in themselves, prevent the complaint from being considered fairly and brought to a conclusion.

8.2 Serious or Unacceptable Behaviour

The school will not tolerate aggression, violence, threats, harassment, discriminatory abuse or other behaviour that places pupils, staff, governors or members of the school community at risk.

Where a serious incident occurs, the school will take appropriate and proportionate action. This may include:

- recording the incident and communicating the school's concerns in writing;
- ending a meeting or telephone call where unacceptable behaviour continues;
- restricting the person's method of contact with the school;
- taking appropriate steps to protect pupils, staff and others;
- contacting the Police or other relevant authorities where necessary; and
- considering restrictions on an individual's access to the school premises where this is justified and lawful.

Any decision to restrict access to the school premises will be considered separately from the underlying complaint and will not, in itself, prevent the complainant from accessing the complaints procedure through appropriate alternative arrangements.

Appendix A – Complaints Not Handled Under This Procedure

Thwaites School's Complaints Procedure covers complaints about the provision of facilities or services by the school, except where a matter is dealt with under a **separate statutory or other procedure**, or where the school is not the appropriate organisation to consider the complaint.

The following matters are therefore not normally considered under this Complaints Procedure.

Admissions to School

Complaints or appeals concerning decisions about admission to the school are dealt with through the relevant **school admissions and appeals procedures**.

Where an application for a school place has been refused, information about the right of appeal and how to make an appeal will normally be provided with the decision. Further information is available from **Cumberland Council's School Admissions service**.

Education, Health and Care Plans and Statutory SEND Processes

Certain decisions made by the Local Authority in relation to **Education, Health and Care (EHC) needs assessments and EHC plans** carry separate rights of mediation and/or appeal to the **First-tier Tribunal (Special Educational Needs and Disability)**.

Information, advice and support may also be obtained from the local **Special Educational Needs and Disabilities Information, Advice and Support Service (SENDIASS)**.

Complaints about the school's own provision for a pupil with SEND, where these do not fall within a separate statutory appeal or complaints process, **may be considered under this Complaints Procedure**.

School Reorganisation Proposals

Complaints or representations relating to statutory school organisation proposals should be made through the appropriate **Local Authority or statutory process**, rather than through this Complaints Procedure.

Child Protection and Safeguarding

Complaints concerning child protection or safeguarding matters will be considered in accordance with the school's **Child Protection Policy and Procedures** and relevant statutory safeguarding guidance.

Where a concern relates to the conduct of an adult working or volunteering with children, the school will follow the appropriate safeguarding and allegations procedures, including referral to the **Local Authority Designated Officer (LADO)** where required.

Where there is an immediate risk of harm or danger, emergency services should be contacted without delay.

Suspension and Permanent Exclusion

Decisions to **suspend or permanently exclude** a pupil are subject to separate statutory procedures, including rights to make representations and, where applicable, rights of review.

However, a complaint about the school's **application of its Behaviour Policy**, which does not amount to a challenge to the suspension or permanent exclusion decision itself, may be considered under this Complaints Procedure where appropriate.

Whistleblowing

Employees, including temporary staff and contractors where applicable, should raise whistleblowing concerns through the school's **Whistleblowing Policy and Procedure**.

Whistleblowing concerns are distinct from personal grievances or complaints. Staff should use the appropriate school procedure according to the nature of the concern.

Staff Grievances

Complaints raised by members of staff about matters relating to their own employment will normally be dealt with through the school's **staff grievance procedures**.

Staff Conduct

Where a complaint raises concerns about the conduct of a member of staff, the matter may need to be considered under the school's **staff disciplinary, capability or safeguarding/allegations procedures**, as appropriate.

The complainant will be informed that the matter is being addressed through the appropriate process where this is possible. However, the school will not disclose confidential information relating to individual employees, including details of any disciplinary action or outcome.

Services Provided by Other Organisations

Where another individual or organisation uses the school's premises or facilities to provide services independently of the school, complaints about that service should normally be directed to the **provider concerned** and considered under its own complaints procedure.

National Curriculum Content

Complaints about the **content of the National Curriculum** should be directed to the Department for Education.

Complaints about the **way in which the curriculum is delivered by the school**, where they do not fall within another statutory procedure, may be considered under this Complaints Procedure.



Where It Is Unclear Which Procedure Applies

Where there is uncertainty about which procedure should be used, the school will consider the **substance of the concern** and advise the complainant of the appropriate route.

Where a complaint contains more than one issue and different procedures apply to different aspects, the school may consider those matters separately under the relevant procedures.

Appendix B – Complaint Form

This form may be used to make a formal complaint under the Thwaites School Complaints Procedure. **You do not have to use this form to make a complaint.**

Please return the completed form to the **school office**, either by hand, post or email. If submitting a paper copy, please place it in a sealed envelope marked **“Private and Confidential.”**

The school will ensure that your complaint is passed to the appropriate person in accordance with the Complaints Procedure. This will normally be:

- the **Headteacher** for complaints about a member of staff or the school generally;
- the **Chair of Governors** for complaints about the Headteacher; or
- the **Clerk to the Governing Body** for complaints about the Chair, Vice-Chair, another governor or the Governing Body.

The school will acknowledge receipt of your complaint and explain what will happen next.

If you need help completing this form or require it in an alternative format, please contact the school office.

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

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:

Appendix C – Complaints Procedure Roles and Responsibilities

Complainant

The complainant can help the school to consider their complaint effectively by:

- explaining the complaint as clearly and fully as possible at the earliest opportunity;
- providing relevant information and evidence where available;
- cooperating with the school in seeking an appropriate resolution;
- responding reasonably promptly to requests for information, clarification or meetings;
- explaining what outcome they are seeking;
- asking for assistance or reasonable adjustments where needed; and
- treating everyone involved in the complaints process with dignity and respect.

Complainants should respect the confidentiality and privacy of other individuals involved in the complaints process, particularly pupils and members of staff.

Investigator

The investigator's role is to establish the relevant facts and consider the complaint fairly, openly and impartially.

Depending on the nature of the complaint, this may include:

- clarifying the complaint and the outcome sought;
- speaking with or interviewing the complainant;
- speaking with relevant members of staff, pupils or other individuals;
- considering relevant documents, records and other information;
- analysing the available evidence; and
- identifying any areas where action or improvement may be appropriate.

The investigator should:

- approach the complaint with an open mind;
- conduct any interviews sensitively and fairly;
- keep appropriate written records of meetings and interviews;
- ensure that information gathered during the investigation is stored securely and handled appropriately;
- be mindful of the timescales set out in this procedure; and
- provide a clear account of their findings to the person responsible for determining the outcome, where the investigator is not themselves the decision-maker.

Where the investigation has been delegated, the person responsible for determining the complaint will consider the findings and decide whether the complaint is **upheld in whole or in part, or not upheld**.

Clerk to the Governing Body

The Clerk supports the fair and effective administration of the complaints procedure and, in relation to a Stage 2 Complaints Panel, will:



- act as the administrative contact between the complainant, the school and the panel;
- advise on the complaints procedure and support those involved in understanding their respective roles;
- arrange the date, time and arrangements for the panel meeting, taking account of accessibility and any reasonable adjustments required;
- ensure that panel members are appropriately impartial and have had no disqualifying prior involvement;
- collate relevant written material and circulate it within the timescales set out in this procedure;
- ensure that an appropriate record of the meeting is made;
- provide administrative support to the Chair and panel; and
- communicate the panel's decision to the relevant parties as directed by the panel.

The Clerk does not determine the outcome of the complaint.

Chair of the Complaints Panel

The Chair is responsible for ensuring that the Stage 2 meeting is conducted **fairly, impartially and respectfully**.

The Chair should ensure that:

- the purpose and remit of the panel are clearly explained;
- everyone understands the procedure to be followed;
- the meeting is conducted in a non-adversarial manner;
- everyone is treated with dignity and courtesy;
- the complainant and the school have a fair opportunity to explain their position and respond to relevant matters;
- relevant written information has been made available to the parties, subject to appropriate confidentiality, data protection and privacy considerations;
- the panel remains focused on the matters within the scope of the Stage 2 complaint;
- appropriate findings are reached on the information available;
- panel members approach the complaint with an open mind and act independently and impartially;
- no panel member has had prior involvement that could reasonably call their impartiality into question;
- an appropriate record of the meeting is made; and
- the panel reaches a reasoned decision and identifies any appropriate recommendations.

Where significant new information arises during the meeting, the Chair will consider how it should be handled fairly. This may include allowing time for the parties to consider and respond to it or, where appropriate, adjourning the meeting.

Complaints Panel Members

Panel members must act **independently and impartially**, and the panel must also be seen to be independent and impartial.

No person should serve on the panel where they:



- have had prior involvement in the complaint or its earlier consideration;
- are the subject of the complaint; or
- have an interest or connection that could reasonably call their impartiality into question.

The panel should seek to resolve the complaint where possible and, where appropriate, identify learning or improvements for the school. However, reconciliation may not always be possible and the complainant may remain dissatisfied even where the procedure has been followed fairly.

Panel members should recognise that complainants may feel nervous or emotional when discussing matters that are important to them, particularly where the complaint concerns their child.

Where a Child or Young Person Is Involved

Particular care should be taken where a child or young person is the complainant, is attending the meeting or is otherwise directly involved in the complaint.

The panel should:

- ensure that the child's views are heard and given appropriate consideration;
- consider in advance what support or reasonable adjustments may be required;
- conduct the meeting in a manner that does not intimidate the child;
- consider carefully whether, and for which parts of the meeting, it is appropriate for the child to attend; and
- ensure that the **welfare and best interests of the child remain a primary consideration**.

Where a child or young person is the complainant, the school should consider how best to support them in presenting their complaint.