



Complaints Policy

Date: Summer 2026

Review date: Spring 2027



Little Bears @ Brierley

Complaints Policy

Nurture, Aspire, Believe, Achieve

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 Brierley Primary School about any provision of 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. Support, where possible, will be provided for complainants with additional needs, including translation or advocacy where required.

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. Brierley Primary School 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, Mrs McIntosh, the headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Mrs McIntosh 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. Concerns are normally dealt with informally at the earliest stage.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Brierley Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

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

Concerns should be raised with either the class teacher or Mrs McIntosh (Headteacher). If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at later stages of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance to Mrs McIntosh (Headteacher) via the school office. Please mark correspondence as Private and Confidential or email admin@brierley.cheshire.sch.uk.

Complaints that involve or are about the headteacher should be addressed to Mr Birchall (Chair of Governors) via the school office. Please mark as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Ashton Yates (Clerk to the Governing Body) via the school office. Please mark as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. 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.

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.

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.

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.

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.

Scope of this Complaints Procedure

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

Exceptions	Who to contact
Admissions to schools Statutory assessments of Special Educational Needs School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Cheshire East Council. School Admissions and Organisation 0300 123 5012 http://www.cheshireeast.gov.uk/schools/admissions/admissions.aspx
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). LADO: LADO@cheshireeast.gov.uk 01270 685904
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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: www.education.gov.uk/contactus . 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.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. 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.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

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 Brierley Primary School 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.

Resolving complaints

At each stage in the procedure, Brierley Primary School 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 apology
- an explanation
- an admission that the situation could have been handled differently
- an assurance that we will try to ensure the event will not recur
- an explanation of steps taken to prevent recurrence
- an undertaking to review school policies

At each stage the complainant may be asked to state what action they feel might resolve the issue.

Withdrawal of a Complaint

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

Vexatious Complaints

The school defines vexatious complaints as follows:

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

The school may judge a complaint to be pursued in an 'unreasonable manner' where the frequency of contact with the school hinders the consideration of the complaint and/or impedes the ability of the headteacher and school to meet the needs of all pupils equitably.

Where the headteacher, and/or Chair of Governors, or other nominated governor judges a complaint to be frivolous or vexatious, having considered all the relevant circumstances, they will take such

actions as they consider appropriate which may include rejecting the complaint and/or restricting contact between the complainant and the school.

Any such decision will be communicated in writing along with the reasons for it. Where the complainant seeks to reopen a matter the same as, or similar to, a matter previously considered under the procedure, the Chair of Governors has the right to inform the complainant that the procedure has been exhausted and the matter is closed.

Stages of the Procedure

Many concerns and minor complaints can be resolved quickly and informally through the class teacher or another member of staff, depending upon the nature of the complaint. Unless there are exceptional circumstances, every effort will be made by the school to have a full discussion and resolve the issues informally before moving into the formal stages of this procedure.

Stage 1 (Informal) - Initial Concern

The concern/issue should be raised by appointment with the class teacher/person complained of as soon as possible. The purpose of the meeting should be to establish the nature of the concern and to seek a realistic solution to the problem. The staff member may, if they consider it appropriate, or if so directed by their line manager/headteacher, refer the complainant to a more senior or experienced member of staff who will try to resolve the concern informally. Where a particular member of staff (e.g. child's class teacher) is the subject of the complaint, the parent/carer may choose to have any concerns addressed by a different member of staff. If the concern is not resolved through such discussion, an appointment with one of the assistant headteachers should be made. The purpose of this meeting is to establish the nature of the on-going concern and hopefully resolve it satisfactorily. It is for the headteacher to determine which staff members should attend any such meeting. Concerns are normally resolved within 10 school days.

Parents/carers should note that individual governors are unable to act on a complaint outside of the procedure set out in this document. If initial attempts to resolve the issues informally are unsuccessful and the complainant remains dissatisfied, the formal complaints procedure set out below may be invoked.

Stage 2 (Formal) - Complaint Heard by the Headteacher/Senior member of staff

If the complainant remains dissatisfied either with the way in which concerns have been handled, or the issue remains unresolved this can then move to become a formal complaint. 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 (preferably on the Complaint Form), or by email.

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 – 10 school days.

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.

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.

At the conclusion of their investigation, the headteacher will provide a formal written response, normally within 20 school days of the date of receipt of the complaint. If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Brierley Primary School will take to resolve the complaint.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

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

The complaint will be investigated at Stage 2 by an independent investigator appointed by the governing body. At the conclusion of their investigation, the investigator will provide a formal written response.

Stage 3 (Formal): Chair of Governors' Complaints Panel

This stage covers two scenarios:

1. formal complaints made against the Headteacher;
2. any other formal complaints unresolved at Stage 2.

In Case 1 above, the written complaint will be forwarded to the Chair of Governors by the Clerk to the Governing Body.

In Case 2, the complainant must write to the Chair of the Governing Body, either by letter or email, within 10 working days of receiving the written response in Stage 2. This should state the original complaint and the reasons for appealing the outcome of the previous stage. It should not contain any material differences from the original complaint.

The Chair of the governing board may feel it would be appropriate that an independent person is enlisted to investigate the complaint if it is deemed that a conflict of interest exists between any members of the panel and the complainant or subjects of the complaint.

The Chair of Governors will convene a complaints panel to conduct an independent investigation of the complaint. The complaints panel will consist of the Chair of Governors plus two other governors. At least one member of the panel shall meet with the complainant. The purpose of this meeting shall be to establish the nature of the complaint, what has transpired in previous stages of the complaint's procedure, why the complainant is still unhappy and what outcome they are seeking. The limitations of any actions resulting from the complaint shall also be discussed.

If necessary members of the panel will interview other parties and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed unless this is judged not to be in the interests of the pupil's welfare. Pupils should normally be interviewed with parents/carers present, but if this would seriously delay the investigation of a serious/urgent complaint or if the pupil has specifically said that s/he would prefer that parents/guardians were not involved, another member of staff with whom the pupil feels comfortable should be present. If a member of staff is complained against, they must have the opportunity to present their case and the complaint may also be investigated as appropriate under the school's disciplinary procedure.

The panel will keep records of all meetings and telephone conversations and other related documentation.

The complaints panel should meet within 20 working days of receipt of the request, to review all evidence collected in their investigations and to agree an outcome of their review of the original complaint.

The Chair of governors will send a written response, and offer an opportunity to meet with the complainant, who may be accompanied, within 10-15 school days, to give his/her decision and the reasons for it. The letter should advise the complainant how to escalate their complaint to the next stage of the procedure if they are still unhappy.

Where no satisfactory solution has been found, and the complainant disagrees with the outcome, they may proceed to Stage 4.

Stage 4 (Formal) GOVERNORS REVIEW PANEL

This stage is a review of process only and will not re-investigate the complaint.

The complainant must write to the clerk of the governing board, either by letter or email, within 10 working days of receiving the written response in Stage 3. This should state the original complaint and the reasons for requesting a review of the outcome of the previous stages.

Any review of the process followed by the Headteacher, Chair of governors or the investigating governors shall be by a panel of at least three members of the governing board appointed to be the Complaints Review Panel.

The Complaints Review Panel's purpose, in each case, is to review (not to re-investigate) the original complaint and the school's response to it, including its investigation and the outcome.

The Complaints Review Panel's role is not to undertake a re-investigation of the case, nor to extend its reference beyond the above matters.

The panel shall meet with the complainant, who may be accompanied if they wish. The purpose of this meeting shall be to establish the nature of the original complaint, what has transpired in previous stages of the complaints procedure, why the complainant is still unhappy and what outcome they are seeking. The limitations of any actions resulting from the complaint shall also be discussed. This is not an opportunity for any new evidence to be presented.

The role of the Stage 4 Review Panel is to review the actions and supporting evidence of the Stage 2 and 3 investigations. The Panel is not permitted to do the following:

- to re-investigate the complaint;
- to reach a definite view on a point of law;
- to criticise the complainant for any "contributory negligence" that may have contributed to the difficulties;
- to be an alternative to a disciplinary hearing, as far as staff are concerned;
- To hear any new complaints or new evidence not presented by either side during prior stages of the process (except if it relates to the length of time taken to deal with the substantive complaint)

The review panel should meet within 20 working days of receipt of the request.

The panel can reach one of the following conclusions:

- Agree with the process and outcomes reached at Stages 2 and 3.
- Determine that there is insufficient evidence to secure the outcomes reached, and recommend further action to be taken as part of a reinvestigation (i.e. return to Stage 2 with recommendations on change of process).
- Uphold the complaint in whole or in part; recommend any action to be taken as a result of the complaint and recommend changes to the school's systems or procedures to ensure that similar problems do not recur.

The Chair of the review panel will send a written response to the complainant within 20 school days, giving the panel's decision and the reasons for it. The panel will also meet with the complainant, who may be accompanied, to explain and discuss their decision.

There is no further right to appeal this decision within the school although the complainant may be able to seek a review of the Governor's appeal panel in certain circumstances to the external bodies listed below "Taking complaints further"

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 4.

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

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Complaint Form

Please complete and return to Mrs McIntosh who will acknowledge receipt and explain what action will be taken.

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:

Roles and Responsibilities

Complainant

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

- explain the complaint in full as early as possible
- 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.

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.

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 fully 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.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the 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 committee's decision.

Committee Chair

The 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 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.
- 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 committee is open-minded and acts independently
- no member of the 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

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.

Committee Member

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 committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- 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 welfare of the child/young person is paramount.

The 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 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 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 committee considers is not in the child/young person's best interests.

DfE REFERENCES

This Complaints Policy is written in accordance with and guided by the following Department for Education (DfE) guidance and legislation:

- Department for Education: *Model Complaints Procedure for Schools*
 - Education Act 2002, Section 29
 - Education Act 2002, Section 175
- Keeping Children Safe in Education (DfE, 2025)
 - Equality Act 2010
- Data Protection Act 2018 and UK GDPR

Where a complaint raises a safeguarding concern, the school's Child Protection and Safeguarding Policy will take precedence and the matter will be referred immediately to the Designated Safeguarding Lead.

EQUALITY AND INCLUSION

Brierley Primary School recognises its duties under the Equality Act 2010 to ensure that all safeguarding and child protection practices are applied fairly, consistently, and without discrimination. The school promotes equality of opportunity and inclusion for all pupils, staff, and families. We are committed to fostering an environment where every individual is respected and supported, regardless of age, disability, gender, race, religion, sexual orientation, or any other protected characteristic.

DATA PROTECTION

All information related to safeguarding and child protection is handled in line with the school's Data Protection Policy, the UK General Data Protection Regulation (UK GDPR), and the Data Protection Act 2018. Records are stored securely and shared only when it is lawful, necessary, and proportionate to protect a child or comply with statutory requirements. Staff receive training on data protection and confidentiality as part of their safeguarding responsibilities.

GOVERNOR REVIEW AND MONITORING

The Governing Board holds overall responsibility for ensuring that this policy is implemented effectively. The Designated Safeguarding Lead provides regular reports to governors regarding safeguarding issues, training, and case trends. This policy will be reviewed annually, or sooner if there are changes to statutory guidance.

Chair of Governors	Ratified	Review
Mike Birchall 	Summer 2026	Spring 2027