



Local Procedure			
School/Home Name:	WESTMORLAND SCHOOL		
Local Procedure/Protocol Title:	School Complaints and Representations		
Linked to Group Policy Title & Code:	OPSP10 School Complaints and Representations		
Date Reviewed:	July 2025		
Next Update Due:	July 2026		
Procedure/Protocol Lead (SCHOOL): Sue Asher, Headteacher			
Procedure/Protocol Sponsor (GROUP):	Bonny Etchell-Anderson, Head of Quality Assurance		
EQUALIT	Y AND DIVERSITY STATEMENT		
Witherslack Group is committed to the fair tr	eatment of all in line with the Equality Act 2010. An equality impact		
assessment has been completed on this policy to ensure that it can be implemented consistently regardless of			
any protected characteristics and all will be treated with dignity and respect.			
ENVIRONMENT, S	OCIAL, GOVERNANCE (ESG) STATEMENT		
Witherslack Group is committed to responsi	ble business practices in the areas of: Environmental Stewardship,		
Social Responsibility, Governance, Ethics & Compliance. An ESG impact assessment has been completed on this			
procedure/protocol to ensure it can be implemented successfully without adverse implications on our Group			
	goals.		
To ensure that this procedure/protocol is re	levant and up to date, comments and suggestions for additions or		
amendments are sought from users of this do	ocument. To contribute towards the process of review, please email		
1	the named policy lead.		

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1.	INTRODUCTION

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1.1	This complaints procedure is not limited to parents or carers of children who are registered at the school.
	Any person, including members of the public, may make a complaint about any provision of facilities or
	services that we provide. Unless complaints are dealt with under separate statutory procedures (such as
	appeals relating to suspensions or admissions), we will use this complaints procedure.
1.2	The school has a local procedure in place for dealing with complaints from young people. This
	will be provided to young people along with guidance about the process.
2.	DEFINITIONS
2.1	A concern may be defined as 'an expression of worry or doubt over an issue considered to be important
2.1	for which reassurances are sought'.
2.2	A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a
2.2	lack of action'.
3.	HOW TO RAISE A CONCERN OR MAKE A COMPLAINT
5.	
	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 Head Teacher. If the issue remains unresolved,
	the next step is to make a formal complaint.
	• Complaints against school staff (except the Head Teacher) should be made in the first instance, to
	the Head Teacher via the school office and marked as Private and Confidential.
	• Complaints which involve or are about the Head Teacher should be addressed to the Regional
	Director via the school office and marked as Private and Confidential.
	• Complaints against the Regional Director should be addressed to Operations Director via the school
	office and marked as Private and Confidential.
	A complaint form will be provided. Anyone requiring help to complete the form, can contact the school
	office. Third party organisations such as Citizens Advice can also assist.
	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.
4.	ANONYMOUS COMPLAINTS
<u></u> .	We will not normally investigate anonymous complaints. However, the Head Teacher or the Regional
	Director, if appropriate, will determine whether the complaint warrants an investigation.
5.	TIMESCALES
	Complaints must be raised 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.
6.	COMPLAINTS RECEIVED OUTSIDE OF TERM TIME
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	We will consider complaints made outside of term time to have been received on the first school day after
	the holiday period.
7.	SCOPE OF THIS COMPLAINTS PROCEDURE

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	This procedure covers all complaints about any provision of community facilities or services by the School, other than complaints that are dealt with under other statutory procedures, including those listed in
	Appendix 2.
	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 the 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.
8.	RESOLVING COMPLAINTS
	At each stage in the procedure, the 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:
	a) an explanation of the reason for the decision
	 b) an admission that the situation could have been handled differently or better c) an assurance that we will try to ensure the event complained of will not recur
	d) 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
	e) an undertaking to review school policies in light of the complaint
	f) an apology A written response will be provided by the School.
9.	WITHDRAWAL OF A COMPLAINT
	If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.
10	STAGE 1 – CONCERN STAGE
10.	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 complaint's procedure.
	The School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.
	In the first instance, concerns should be addressed to the member of staff in question or class teacher who
	will try to clarify the nature of the concern and the outcome being sought.
	If anyone has difficulty discussing a concern with a particular member of staff, we will respect these views.
	In these cases, the member of staff will refer the complainant to another staff member. Similarly, if the
	member of staff directly involved feels unable to deal with a concern, the Head Teacher will refer the
	complainant 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, the School will attempt to resolve the issue internally, through the stages outlined within this
	complaints procedure.
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11.	STAGE 2 – FORMAL COMPLAINT STAGE Formal complaints must be made to the Head Teacher (unless they are about the Head Teacher), via the
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	school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

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		d) Inform the Chief Operating Officer and the Head of Quality Assurance
f) Invite the complainant and any representative to the meeting		e) Arrange for the Complaints Panel to hear the complaint as soon as possible
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The Regional Director will aim to convene a meeting **within 28 school days** of receipt of the Stage 3 request. If this is not possible, the designated complaint co-ordinator will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Regional Director 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.

The complaints Panel will consist of a minimum of three people, at least two senior Witherslack Group staff with no prior involvement or knowledge of the complaint and at least one of the panel members will be independent of the management and running of the school or the proprietary body, e.g., independent visitor/advocate, an officer of the local authority etc. The Regional Director will request an external panel member from the Witherslack Group Head of Quality Assurance.

Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Panel. The Panel 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.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend.

Note: Complaints about staff conduct will not generally be handled under this complaint's procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with the complainant.

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the designated complaint co-ordinator 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 Panel at least 5 school days before the meeting

Any written material will be circulated to all parties at least **3 school days** before the date of the meeting. The Panel will not normally accept as evidence, recordings of conversations which were obtained covertly and without the informed consent of all parties being recorded.

The Panel 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 2 of the procedure.

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 meetings or conversations take place. Consent will be recorded in any minutes taken.

The Panel will consider the complaint and all the evidence presented. The Panel can:

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

If the complaint is upheld in whole or in part, the Panel 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

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	issues in the future				
	The Chair of the Panel will provide the complainant, where relevant; the person complained about, and the School with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days from the date of the meeting.				
	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 the School will take to resolve the complaint.				
	The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.				
13.	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 they can contact the Department for Education after they have completed Stage 3 (See Appendices). The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the School. They will consider whether the School has adhered to education legislation and any statutory policies connected with the complaint.				
14.	ROLES AND RESPONSIBILITIES				
14.1	COMPLAINANT				
14.1	The complainant will receive a more effective response to the complaint if they:				
	a) explain the complaint in full as early as possible				
	b) co-operate with the school in seeking a solution to the complaint				
	c) respond promptly to requests for information or meetings or in agreeing the details of the complaint				
	d) ask for assistance as needed				
	 e) treat all those involved in the complaint with respect c) activity for a sublicitient to a statistic of the incomplaint or a sign of the sign of				
14.2	f) refrain from publicising the details of their complaint on social media and respect confidentiality.				
14.2	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 will: a) Conduct interviews with an open mind and be prepared to persist in the questioning				
	b) Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting				
	c) Ensure that any papers produced during the investigation are kept securely pending any appeal				
	d) Be mindful of the timescales to respond				
	e) Prepare a comprehensive report for the Head Teacher or complaints Panel that sets out the facts,				

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	identifies solutions and recommends courses of action to resolve problems. This report will then be
	used by the Head Teacher or complaints Panel to determine whether to uphold or dismiss the
	complaint. It is best practice to keep a chronology of evidence and log each piece of evidence gathered
	(if possible) when investigating a complaint as this will aid the investigator in writing the report.
14.3	COMPLAINTS CO-ORDINATOR
	The complaints co-ordinator will:
	a) Ensure that the complainant is fully updated at each stage of the procedure
	b) Liaise with all relevant parties to ensure the smooth running of the complaint's procedure
	c) Be aware of issues regarding:
	 sharing third party information
	 additional support. This may be needed by complainants when making a complaint including interpretation support
	d) Keep records
	e) 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)
	f) 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
	g) 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
	h) Record the proceedings
	i) Circulate the minutes of the meeting
	j) Notify all parties of the Panel's decision
14.4	PANEL CHAIR
	The Panel's chair, who is nominated in advance of the complaint meeting, will ensure that:
	a) An independent person has been invited to be a part of the panel
	b) all relevant parties are asked (via the designated complaint co-ordinator) to provide any
	additional information relating to the complaint by a specified date in advance of the meeting
	c) 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
	d) complainants who may not be used to speaking at such a meeting are put at ease.
	e) the remit of the Panel is explained to the complainant
	f) written material is seen by everyone in attendance, provided it does not breach confidentiality
	or any individual's rights to privacy under the Data Protection Act 2018 or General Data
	Protection Regulation (GDPR).
	g) 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
	h) 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
	i) the issues are addressed
	i) the issues are addressedj) key findings of fact are made

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	involvement in an earlier stage of the procedure
	m) the meeting is minuted
	n) they liaise with the complaints co-ordinator
14.5	PANEL MEMBER
	Panel members should be aware that:
	a) The meeting must be independent and impartial
	b) No panel member may sit on the Panel if they have had a prior involvement in the complaint or in
	the circumstances surrounding it.
	c) The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
	d) 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. e) Many complainants will feel nervous and inhibited in a formal setting
	f) Parents/carers often feel emotional when discussing an issue that affects their child.
	g) Careful consideration of the atmosphere and proceedings must ensure that any person does not
	feel intimidated.
	h) The Panel must respect the views of all parties in attendance and give them equal consideration.
15.	COLLECTIVE COMPLAINTS
15.1	Complaints from more than one person (other than from a family being represented by one member of
	the family), or from a group of people will be classed as anonymous complaints and dealt with as such. If
	the group complaint has been sent from one representative, the school may respond to this named person only if deemed appropriate to do so.
15.2	If a collective complaint is received from a named representative, the complaint relating to their particular
	young person will be responded to only. We will not respond to complaints that involve other young
15.2	people in the school unless the issue is directly related to the complainant's young person.
15.3	
	 people in the school unless the issue is directly related to the complainant's young person. We will not provide information about young people to anyone other than those with parental responsibilities or if they hold a statutory status with the young person.
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	(a) To ansure that the complaints process has been correctly implemented as far as possible and
	(a) To ensure that the complaints process has been correctly implemented as far as possible and
	that no material element of a complaint is overlooked or inadequately addressed;
	(b) To appreciate that complainants believe they have grievances which contain some genuine
	substance;
	(c) To ensure a fair, reasonable and unbiased approach;
	(d) To be able to identify the stage at which a complainant's behaviour has become unacceptable
17.3	The School is committed to dealing with all complaints fairly and impartially, and to providing a
	high quality service to those who complain. We will not normally limit the contact complainants have with
	our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action
	to protect staff from that behaviour, including that which is abusive, offensive or threatening. It is
	possible that there can be times when there is nothing further which can reasonably be done to assist the
	complainant or to rectify a real or perceived problem.
17.4	We define unreasonable behaviour as that which hinders our consideration of complaints because of the
-/	frequency or nature of the complainant's contact with the school, such as, if the complainant:
	a) Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes
	sought by raising the complaint, despite offers of assistance
	b) Refuses to co-operate with the complaints investigation process
	c) Refuses to accept that certain issues are not within the scope of the complaints procedure
	d) Insists on the complaint being dealt with in ways which are incompatible with the complaints
	procedure or with good practice
	e) Introduces trivial or irrelevant information which they expect to be taken into account and
	commented on
	f) Raises large numbers of detailed but unimportant questions, and insists they are fully answered,
	often immediately and to their own timescales
	g) Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have
	them replaced
	h) Changes the basis of the complaint as the investigation proceeds
	i) Repeatedly makes the same complaint (despite previous investigations or responses concluding
	that the complaint is groundless or has been addressed)
	j) Refuses to accept the findings of the investigation into that complaint where the school's
	complaints procedure has been fully and properly implemented and completed
	including referral to the department for education
	k) Seeks an unrealistic outcome
	 I) Makes excessive demands on school time by frequent, lengthy and complicated contact
	with staff regarding the complaint in person, in writing, by email and by telephone while the
	complaint is being dealt with
	m) Uses threats to intimidate
	,
	n) Uses abusive, offensive or discriminatory language or violence
	o) Knowingly provides falsified information
	p) Publishes unacceptable information on social media or other public forums
47.5	
17.5	Complainants should try to limit their communication with the school, which relates to their complaint,
	whilst the complaint is being progressed. It is not helpful if repeated correspondence is sent (by either
	letter, phone, email or text) as it could delay the outcome being reached.
	Whenever possible, the Head Teacher or Regional Director will discuss any concerns with the
	complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the Head
	Teacher or Regional Director will write to the complainant explaining that their behaviour is unreasonable
	and ask them to change it. For complainants who excessively contact the School causing a significant level
	of disruption, we may specify methods of communication and limit the number of contacts in a
	communication plan.
	This will be reviewed after six months. In response to any serious incident of aggression or violence,
	we will immediately inform the police and communicate our actions in writing. This may include
	barring an individual from the School.
	J

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18.	REFERENCES
	Independent School Standards (ISS), 2014, Part 7
	DfE - Data Protection in Schools, 2023
	The Data Protection Act 2018
	Education and Skills Act 2008, Section 109
	The Equality Act 2010
19.	ASSOCIATED FORMS
	OPSF02: Complaint summary
	OPSF03: Complaint Investigation Plan
	OPSF04: Complaint Investigation Report
	OPSF05: Serial and Unreasonable Complaints – Communication plan
	OPSF06: Complaint Resolution Templates
	OPSF06a: Stage 3 Panel Agenda
	OPSF07: School Complaint Form
	OPSSOP02: School Complaint Timeline
	QAF04: School Local Procedure
20.	APPENDICES
	Appendix 1 – Key contacts
	Appendix 2 – Complaint Exceptions - Contact Details

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Appendix 1: Key Contacts for Westmorland School

School Contacts		
ROLE	NAME	
School Office	Patricia Leadley, 01257 278899	
Head Teacher	Sue Asher, 01257 278899	
Regional Director	Tricia Stevens, 07826432546	
Regional Operations Director	Marcella Bird, 07469 155746	

External Contacts					
Contact	Link	Telephone	Address		
			Department for Education		
		0370 000 2288	Piccadilly Gate		
DfE	www.education.gov.uk/contactus		Store Street		
			Manchester		
			M1 2WD.		
Citizens Advice	https://www.citizensadvice.org.uk/	0800 1448848	Find your nearest Citizens Advice		

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Appendix 2: Complaint Exceptions - Contact Details

EXCEPTI	IONS	WHO TO CONTACT
• Stat	nissions to schools cutory assessments of cial Educational Needs	Concerns about admissions, statutory assessments of Special Educational Needs, should be raised with the placing Local Authority
	ters likely to require a d 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)
• Susp scho	pension of children from pol*	 Further information on raising concerns about suspension can be found at: <u>https://www.gov.uk/school-discipline-suspensions/suspensions</u>. Please refer to the school's Behaviour Policy should you wish to find out more information. This can be located in the Parent's & Carers section of the school's website. Alternatively, you may request a copy from the school office.
• Whis	stleblowing	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: <u>www.education.gov.uk/contactus</u> . 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.
• Staf	f grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staf	f 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.
prov who	nplaints about services vided by other providers o may use school premises acilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
by y	nplaints or concerns made young people currently ending the school	The school provides details to young people along with guidance about how to raise a concern or make a complaint.

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Number of complaints registered under the formal procedure during the preceding school year: 2024/2025 2

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