Southwark Governor Services
MODEL COMPLAINTS POLICY FOR SCHOOLS
COMPLAINTS POLICY FOR NELL GWYNN NURSERY SCHOOL

THIS POLICY WAS ADOPTED BY THE GOVERNING BODY OF NELL GWYNN NURSERY SCHOOL (RIVER PECK FEDERATION) ON 12th November 2025.
THIS POLICY IS DUE FOR REVIEW ANNUALLY.

This procedure is published to meet the requirements of the Education Act 2002 (or the Education (Independent School Standards (England)) Regulations 2014 Schedule 1, Part 7 for academies), which states that Governing Bodies must adopt and make available a Complaints Policy to enable complaints received from any persons who do not work at the school to be dealt with effectively. This procedure has also considered the Department of Education's best practice guidance for school complaints 2020.

1. Concerns and complaints.

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 generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'.

Nell Gwynn Nursery School welcomes feedback about the education it provides to its children. This feedback may include concerns. We take your concerns very seriously and we will seek to resolve any concerns brought to our attention. It is in everyone's interests that concerns are resolved at the earliest possible stage, and it is our hope that most issues can be resolved informally.

Parents/carers are therefore encouraged to raise any concerns they have directly with their child's teacher or an appropriate member of staff. If they remain unhappy, they should make an appointment to speak to the Headteacher. Most concerns can be addressed and resolved in this way. Occasionally a resolution is not reached, or the matter is too serious to resolve in this way and this document outlines the formal procedure that should be followed.

If anyone does not wish to discuss a concern with a particular member of staff, the headteacher will refer them to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, parents/carers will be referred 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.

2. General principles of this complaints procedure

2.1 Anyone, including members of the public, may make a complaint to Nell Gwynn Nursery School about any service provided directly by the school. Unless the matter is dealt with under a separate statutory procedure, we will use this complaints procedure.

2.2 Complainants should not approach individual governors to raise complaints. They have no power to act on an individual basis and it may prevent them from considering the complaint at stage 2 of the process.

2.3 The aim of the procedure, at each stage, is to bring about a resolution and/or reconciliation, as informally and quickly as may be reasonably possible. It is intended to be investigatory, not adversarial, and to allow an impartial and fair investigation to be undertaken.

2.4 You must raise the complaint within three months of the incident or, where a series of associated incidents occurred, within three months of the last incident. Complaints made outside of this timeframe will only be considered in exceptional circumstances.

2.5 Complaints about a former member of staff will not normally be considered if it is more than three months since they stopped working at the school, unless there are exceptional circumstances.

2.6 Complaints made during school holidays will be considered as having been received on the first school day after the holiday.

2.7 Those responsible for investigating and responding to a complaint will aim to address the concerns raised, provide an effective response and consider any redress that might be necessary.

2.8 If the complaint alleges or suggests conduct that might indicate that an individual would pose a risk of harm it they continue to work in regular or close contact with children, advice will be sought from the Local Authority Designated Officer (LADO) before any management or complaints investigation is initiated.

2.9 If other bodies are investigating aspects of the complaint, it may affect the timescales within this procedure or result in the procedure being suspended until the other investigation is complete.

2.10 If a complainant commences legal action against the school in relation to their complaint, the complaints procedure may be suspended until the legal proceedings have concluded.

2.11 We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will decide whether the complaint merits an investigation.

2.12 If, after closing a complaint at the end of the complaints procedure, a duplicate complaint is received (e.g. from a spouse; a partner; a grandparent; or a child.) and the complaint is about the same subject, the school will inform the new complainant that the school has already considered the complaint and the local process is complete. The new complainant will be advised to contact the DfE if they are dissatisfied with the school's handling of the original complaint.

2.13 If a high volume of complaints is received all based on the same subject and /or from complainants unconnected with the school the school will

- send a template response to all complainants and/or
- publishing a single response on the school's website

Complainants have the right to refer the matter to the DfE if they are dissatisfied with the school's response.

Procedures to be followed for concerns or complaints falling under this policy:

3. Stage 1 Formal Complaint

3.1 What to do

If you are not satisfied with the outcome of your informal discussion, you should put your complaint in writing. To assist you with this a template form is provided (Part 1 of the form in Appendix 1.) If you are unable to complete this, you may make your complaint orally to the school office and a written record will be made which includes details set out in the form. You may ask the school or an outside agency (e.g. Citizens Advice) to assist you with completing the form.

3.2 Who deals with the complaint?

When you send your complaint, please mark it as "private and confidential".

If the complaint relates to a **member of staff in the school,** it will be investigated by the **Headteacher.** It should be sent to the school, addressed to the Headteacher.

If the complaint relates to the **Headteacher,** it will be investigated by the **Chair of Governors** or a suitably skilled **nominated governor.** It should be sent to the Clerk to Governors either care of the school office or to:
Janet.Clarke@southwark.gov.uk
Janet Clarke, Clerk to Governors, Children's and Adults' Services, Southwark Council, Floor 4, Hub 2, 160 Tooley Street, London, SE1 2TZ

If the complaint relates to a **member of the Governing Body** (including the Chair) it will be investigated by a **suitably skilled governor.** It should be sent to the Clerk to Governors either care of the school office or to:
Janet.Clarke@southwark.gov.uk
Janet Clarke, Clerk to Governors, Children's and Adults' Services, Southwark Council, Floor 4, Hub 2, 160 Tooley Street, London, SE1 2TZ

If the complaint is jointly about the **Chair and Vice chair, the entire Governing Body or the majority of the Governing Body** it will be considered by an **independent investigator** appointed by the Governing Body (advice may be sought from the LA) or the appropriate Diocese. It should be sent to the Clerk to Governors either care of the school office or to:
Janet.Clarke@southwark.gov.uk
Janet Clarke, Clerk to Governors, Children's and Adults' Services, Southwark Council, Floor 4, Hub 2, 160 Tooley Street, London, SE1 2TZ

3.3 What Happens?

The process will be as follows

- Receipt of the complaint will be recorded, and it will acknowledged within five school days and a commitment made that it will be investigated.
- During the investigation, the Investigator will:
  - Seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.
  - Consider whether a face-to-face meeting is the most appropriate way of moving forward.
  - 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 Investigator will provide a formal written response within 10 school days of the date of receipt of the complaint. If they are 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 Nell Gwynn Nursery School will take to resolve the complaint.

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

4. Stage 2 Governors' Panel

4.1 What to do

If you are not satisfied with the outcome and wish to take your complaint further, you can escalate to Stage 2. The request to escalate to Stage 2 must be put in writing and a template is provided to assist you (Part 2 of the form in Appendix 1.) If you are unable to do this and your request is made orally, a written record will made which includes details set out in the form. The complaint should be sent to the Clerk to the Governing Body within 10 school days of the decision under stage 1.

Complaints outside of this period will only be considered in exceptional circumstances.

4.2 What Happens?

- The Clerk will send a written acknowledgement within five school days.
- The Clerk will arrange for three governors to for the Complaints Committee and consider the complaint.
- This committee will be formed of the first three impartial governors available. (I.e. governors with no prior knowledge, involvement in the complaint or conflict of interest). Governors employed to work in the school will not be used.
- If there are fewer than three governors available from the school the Clerk will source additional independent governors. Alternatively, an entirely independent committee may be convened to hear the complaint.
- Academies must ensure that one panel member is independent of the management and running of the academy.
- The committee will decide whether to deal with the complaint by inviting the parties to a meeting or through written representations. In making their decision, they will be sensitive to the complainant's needs.
- If a meeting is agreed, the clerk will seek to find a date that is convenient for all parties, including the Investigating Officer.
- They will write to the complainant to confirm how the complaint will be considered.
- They will invite them to submit any written evidence they wish.
- If a meeting is held, they will be asked to advise if there are witnesses, they wish to call. They will be told that a friend or supporter may accompany them.
- The Investigator will also be invited to submit their evidence and consider any witnesses they wish to call.
- When the date is agreed, the clerk will confirm with all parties. They will aim to hold the meeting within 20 school days of receipt of the complaint.
- If the complainant rejects the offer of three proposed dates without good reason, the clerk will determine the date and the meeting will proceed based on written submissions from both parties.

4.3 Conduct of the Hearing

- It is important that the review panel hearing is independent and impartial, and that it is seen to be so.
- The complainant may bring someone along to support them. It is recommended that neither the complainant nor the school bring legal representation. Representatives from the media are not permitted to attend.
- Electronic recording of the meeting is not permitted unless the complainant's disability or special needs requires it and prior consent has been given by all parties attending.
- The committee will not accept as evidence recordings of conversations (or written transcripts of such conversations) which were covertly obtained without the informed consent of all parties recorded.
- While this is a formal process, the meeting should be as informal as possible and not be inhibiting or intimidating to the complainant, as many complainants will feel nervous and inhibited in a formal setting. Parents/carers also often feel emotional when discussing an issue that affects their child. The committee chair will ensure that the proceedings are as welcoming as possible.
- Everyone must be treated with respect and courtesy and both the complainant, and the Investigating Officer should be given the opportunity to state their case without undue interruption.
- Exceptionally, in situations of undue aggression, or where relationships have deteriorated to the point that a hearing is unlikely to be able to make reasonable progress, the committee may hear the parties' statements separately, i.e. with only one party present, in turn, before calling them together for questions to be put. In this

situation, it is important that no additional information is introduced that is not made available to the other party.
- The committee will consider the complaint, all the evidence submitted and the resolution that is requested.
- They will not review any new complaints or consider evidence unrelated to the original complaint.

- The procedure for the panel to follow is set out in appendix 3.

Following Stage Two representation, there is no further appeal to the school or Governing Body.

5. Resolving a concern or complaint

Options for resolving the concern or complaint include:

- An acknowledgement that the complaint is valid in whole or in part.
- An explanation.
- An admission that something could have been handled differently or better.
- An explanation of the steps taken as a result, to ensure that the situation does not recur.
- Confirmation that the policy will be reviewed in the light of the concern or complaint.
- An apology.

Options for the Complaints Committee at stage 2 include the above, and/or to:

- Dismiss the complaint in completely or in part.
- Uphold the complaint in completely or in part.
- Decide on appropriate action to resolve the complaint.
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

6. Where else to go

6.1 Complaints Unit

If the Complaints Policy has been exhausted and the complainant remains dissatisfied following the outcome of Stage 2, they have the right to refer the matter to the Secretary of State. Whilst the Secretary of State has a duty to investigate, they will only intervene where the Governing Body has acted unlawfully or unreasonably. The School Complaints Unit will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. If the SCU finds that the school has not handled a complaint in accordance with its procedure, they may request that the complaint is looked at again.

6.2 Education Funding Agency

For Academies, if the Complaints Policy has been exhausted and the complainant remains dissatisfied following the outcome of Stage 2, they have the right to refer the matter to the Education Funding Agency. Whilst the Education Funding Agency will not overturn an academy's decision about a complaint, they will check whether the complaint has been dealt with properly in any of the following three areas:

- Where there is undue delay, or the academy did not comply with its own complaints procedure when considering a complaint.
- Where the academy is in breach of its funding agreement with the Secretary of State
- Where an academy has failed to comply with any other legal obligation

If they find that it has not been, they will request that the complaint is looked at again and procedures meet the requirements set out in the Regulations.

7. Serial and Persistent Complainants

This school is committed to working with parents and to addressing genuine complaints that are raised. However, if the process has been followed and a complainant continues to pursue the same issue or behaves in an aggressive or insulting manner their conduct may be considered unreasonable and the school will follow its Unreasonable Complainants procedures.

Appendix 1
COMPLAINT FORM

Name:	
Address (including postcode)	
Daytime/mobile phone no:	**Email:**
School's name:	
Name of and relationship to pupil (if relevant)	

Part 1 - please continue on a separate sheet if necessary. Any supporting documents should be submitted with this form.

Please give details of your complaint including whether you have spoken to anyone in school about it: **What actions do you feel might resolve the problem at this stage?**
Are you attaching any documents? If so, please give details.

COMPLAINT FORM - Part 2

Please complete part 2 of the form if you are dissatisfied with the outcome under stage one of this procedure and want to escalate your complaint to Stage 2 (Governors' Complaints committee) Please continue on a separate sheet if necessary. Send parts 1 and 2 of this form to the Clerk to Governors at the address below. Any supporting documents should be submitted with this form, including any witness statements.

Please summarise the reason(s) for your dissatisfaction:

Please state what outcome(s) would resolve the complaint:

Please provide the names of any witnesses you wish to call:

Janet Clarke, Clerk to Governors, Children's and Adults' Services, Southwark Council, Floor 4, Hub 2, 160 Tooley Street, London, SE1 2TZ or email to Janet.Clarke@southwark.gov.uk

Appendix 2

MODEL COMPLAINTS POLICY FOR SCHOOLS

MATTERS THAT ARE NOT COVERED BY THIS POLICY

The following concerns and complaints cannot be considered under this policy. There are separate policies and procedures that deal with them.

1 Admissions to schools – there is a separate appeal process to the Admissions Authority.
2 Child Protection – Complaints about child protection matters are handled under our child protection and safeguarding policies and in accordance with statutory guidance. If you have serious concerns you may wish to contact the local authority designated officer (LADO) or Multi-Agency Safeguarding Hub (MASH).
3 Spurious, serial or persistent complaints – see separate policy.
4 Statutory assessment of special educational need – refer to Southwark SEND.
5 National Curriculum Content – please contact the DfE at www.education.gov.uk/contactus .
6 Pupil exclusion from school – please refer to www.gov.uk/school-discipline-exclusions/exclusions .
7 School reorganisation proposals – refer to Southwark Local Authority.
8 Those being considered by the Secretary of State under statutory power.
9 Staff grievances – complaints from staff will dealt with under the grievance procedure.
10 Staff Conduct – complaints about staff conduct will be dealt with under the school's disciplinary procedures, if appropriate.
11 Complaints about services provided by other providers who use the school premises –
They should have their own complaints procedure and should be contacted directly.
12 Whistleblowing – there is a whistleblowing policy for all employees, including temporary staff and contractors.

The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blower's 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.

Appendix 3

Meeting (hearing) procedure

1. The aim of the meeting is to resolve the complaint and achieve a reconciliation between the school and the complainant.

2. While this is a formal process, the meeting will be as informal as possible and not be inhibiting or intimidating to the complainant.

3. Everyone must be treated with respect and courtesy and both the complainant and the school given the opportunity to state their case without undue interruption.

4. Representatives from the media are not permitted to attend.

5. Electronic recording of the meeting is not permitted unless the complainant's disability or special needs requires it and prior consent has been given by all parties attending.

6. Exceptionally, in situations of undue aggression or where relationships have deteriorated to the point that a hearing is unlikely to be able to make reasonable progress, the committee may hear the parties' statements separately, i.e. with only one party present, in turn, before calling them together for questions to be put. In this situation, it is important that no additional information is introduced that is not made available to the other party.

In conducting the meeting, the Chair will:

a) Welcome everyone and invite those present to introduce themselves.
b) Check that the complainant received the papers and a copy of the meeting procedure in advance.
c) Explain the remit of the panel, summarise the procedure to be followed and provide any clarification requested.
d) Take control of the meeting and ensure it is conducted fairly under the agreed policy and procedures.
d) State that papers distributed in advance will be taken as read and ask all parties to refer to them by page number and not quote from them at length.
e) Invite the complainant to confirm that the complaint is as set out on their form/letter and the resolution they are seeking.
f) Invite the complainant to give their information and draw key points to the governors' attention. This should only include information that has been submitted already.
g) Should the complainant wish to call witnesses, the chair will consider each request as it is made, consulting committee members/advisers as appropriate and rule on the matter. Each witness, having contributed their information, may be questioned by the other party and the committee members, and the witness will then leave the meeting.
h) Invite the Investigator to question the complainant on what has been presented.
i) Invite governors to put questions on the information presented.
j) Invite the Investigator to respond to the complaint, similarly considering each request to call witnesses, including members of staff, as above.
k) Invite the complainant to ask questions on what the Investigator has presented.
l) Invite governors to put questions on the information presented.
m) Invite the Investigator to sum up and make a final statement. New information is not to be introduced.
n) Invite the complainant to sum up and make a final statement. New information is not to be introduced.
o) Inform the complainant and Investigator that the committee will consider its decision and write with that decision within 15 working days. Ask the parties to leave.

The governors then consider the complaint and evidence presented, reach a decision and agree the reasons for that decision. The clerk and (committee's adviser) remains to advise and help governors with drafting their decision letter.

The committee's agreed written decision will be sent by the clerk to both the complainant and investigator within 10 days of the meeting.

Appendix 4

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, if necessary, 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

The Investigator will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details. Their response will detail the 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 Nell Gwynn Nursery School will take to resolve the complaint.

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.
- 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.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting.

- Both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself.
- The issues are addressed.
- Key findings of fact are made.
- The 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 (and complaints co-ordinator, if the school has one).

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