



WETHERBY HIGH SCHOOL

Complaints Procedure

This policy applies to staff, Governors, parents/carers, visitors

Reviewing Committee:

Responsible SLT member	-	S Jefferson
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Publication date: November 2025

Last review: December 2025

Next review date: December 2026

School Complaints Policy Statement

This policy statement sets out the Wetherby High School's approach to dealing with parental concerns and complaints. We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.

A 'concern' may be treated 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'.

Wetherby high School is a restorative school, and we welcome both constructive and positive feedback from parents and carers: We see this as an opportunity for the school to respond proactively and consider, where appropriate, if we can learn or if any improvements can be made.

It's 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 follow formal procedures.

We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of students. We have a duty of care to all our staff and communication with our staff should not intimidate, or be considered abusive. Wetherby High School will take any further necessary action to protect staff and students and prevent a reoccurrence where this expectation is not met by parents/carers or visitors.

Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate.

School Complaints Procedure

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into three stages;

The Informal Stage aims to resolve the concern through informal contact at the appropriate level in school. **In most cases this is the appropriate way to raise concerns with an appropriate person in school so we can work with a complainant to resolve these in a timely manner.**

Stage 1 is the first formal stage at which written complaints are considered by the Investigating Officer or a designated Governor, who has special responsibility for dealing with complaints.

Stage 2 is the next stage once Stage 1 has been worked through. It involves a complaints Appeal panel of Governors.

This procedure covers all complaints about any provision of community facilities or services by Wetherby High School other than complaints that are dealt with under other statutory procedures, including those listed in Appendix 1.

We respectfully ask that you raise the complaint within three months of the incident where possible. Outside of these timescales it becomes increasingly difficult to investigate incidents, as such the school may decline to review complaints regarding a historic incident where there is little prospect of resolution.

It is helpful to understand what resolution you are seeking early in the life of any complaint or concern. Where a complainant seeks an unreasonable outcome to the complaint we will, for transparency, inform the complainant of this. We will indicate that it is not realistic for the complaints procedure to be used as a means to achieve this outcome. Unreasonable outcomes may include (but are not limited to):

- a) Seeking dismissal of staff or a particular behaviour sanction which would not be proportionate with our policies
- b) Demanding compensation.
- c) Unilateral demands that we cannot accommodate.
- d) Retroactive changes.
- e) Immediate resolution.
- f) Face to face or written apology.

Where a complaint is raised but we do not have clarity from the complainant on the issues and/or desired outcomes, we will inform the complainant what information we need to progress the complaint and pause this procedure until reasonable clarity is achieved. In some cases you may be invited to a meeting at this stage to clarify your complaint and/or desired outcome before the complaints process can continue.

Complaints made outside of term time will be considered as if they have been received on the first school day after the holiday period. This will also apply where a complaint is

received within two days of the end of a term and there is insufficient time to proceed with any actions described in this policy.

Complaints about staff conduct will not generally be handled under the Complaints Policy & Procedure. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures. As such, the outcome cannot be shared externally, but the school will offer assurances that appropriate procedures have been followed.

Our staff will not respond to communications or complaints that are abusive, threatening, or rude. When communication with parents or carers becomes complex or repetitive, the school may implement an agreed communications plan. The plan will clearly outline how and when contact will occur, ensuring that both parties understand and manage expectations. This approach is designed to streamline communication and prevent unnecessary or excessive contact.

Complainants should not approach Governors directly to raise complaints. They have no power to act collectively or individually, and prior knowledge of a case may prevent them from hearing the complaint at Stage 2 of the procedure. The exception to this is complaints about the Headteacher, which should be addressed to the Chair of Governors as outlined in this policy.

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 Wetherby High 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.

In accordance with equality law, we will consider reasonable adjustments if required, to enable complainants to access this complaints procedure.

If you feel you need assistance in respect of any disability or other circumstances at any stage of the procedures, please let us know.

Informal Stage

In most cases this is the most effective way of working together to try and resolve any complaints or concerns early in the life of an issue and to support students at Wetherby High School.

All concerns will be treated seriously. Parents of current students at Wetherby High School should contact their child's Coach or relevant manager in the first instance in an attempt to resolve any issue.

Once your concern is made known to us, we will contact you usually by telephone, or in writing, as soon as possible. Our staff work very hard for the benefit of our students and we would ask that communication with our staff is respectful and kind.

Our aim is to work with you and your child to try and address your concerns. Please note that schools are lawfully allowed to set policies on areas such as class groups, behaviour, uniform, activities, curriculum and educational visits without stakeholder approval. If your complaint relates to actions taken in line with our policies, we will explain the rationale on which the policy is based, but there may be some situations where parents/carers disagree and 'agreeing to disagree' may be the outcome.

If necessary, we will contact appropriate people who may be able to assist us with our enquiries into your concern.

If, following informal attempts to compromise or seek a mutually acceptable outcome, you are still dissatisfied it is possible to essentially 'agree to disagree'.

If a complainant remains dissatisfied after meaningful attempts to resolve complaints informally and wishes to take matters further, your concern will become a formal complaint and we will deal with it at the next stage.

We will not normally investigate anonymous complaints, in line with DfE Guidance. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Formal Stage One: Formal complaint

We ask that you carefully consider your desired outcome before proceeding to the formal stages of this policy. Investigations take a considerable amount of time, we have limited capacity within school, and we believe our efforts are often best spent focusing on ensuring our students are happy, safe and make progress. We also acknowledge that, whilst we always try to serve our community and maintain the highest standards, from time-to-time mistakes are made. We also recognise that it is not always possible to secure agreement on every issue with all members of our community.

Where a person has not been able to resolve a concern informally, they are entitled to ask the Headteacher, or a senior member of staff nominated by the Headteacher, to investigate the issue. The complaint should be put in writing to the Headteacher via the school office. Please mark them as Private and Confidential. In all cases, this should include details of the complaint, action already taken to resolve the complaint and what actions might help resolve the problem.

Complaints that involve, or are about, the Headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors should be sent to the Vice Chair, complaints about any individual governor should be sent to the Chair of Governors and complaints about the whole governing body should be addressed to Claire Scaife (Director of Operations) via the school office, who will enlist the help of an external party to investigate the complaint. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at Appendix 2.

Receipt of the complaint will be acknowledged within three school days and will specify how the complaint will be investigated, by whom and the timescale within which a response will be made.

The Headteacher may seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher, or nominated representative can consider whether a face to face meeting is the most appropriate way of doing this.

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

The Headteacher will ensure that a thorough investigation is carried out and a written response is made within 15 school days. If this is not possible, we will write to explain the reason for the delay and be clear as to when we hope to be able to provide a full response. We will, however, always respond as soon as we can.

As part of our consideration of a complaint, we may invite a complainant to a meeting to discuss the complaint and fill in any details required. The complainant may have someone to accompany them to help explain the reasons for the complaint.

The Headteacher or Investigating Officer may also be accompanied by a suitably qualified person to advise, guide and support.

Following the meeting, the Headteacher, or appointed Investigating Officer may talk to witnesses and take statements from others involved. If the complaint centres on a student, we consider if it is necessary to talk to the student concerned and, where appropriate, others present at the time of the incident in question. We will always consider what is in the best interest of the child when making any decision regarding them participating in an investigation. We will inform a parent/carers if we consider this to be necessary. We may also choose to invite parents/carers or a suitable member of staff to be part of any discussion with the child, if we believe that the student needs particular support or reassurance.

When a situation is investigated, conclusions will be drawn based upon the 'balance of probabilities'. The 'onus of proof' is not the same as that followed by police in criminal proceedings. The professional opinion of the Investigating Officer will be used to draw 'highly likely' conclusions.

On occasions where there is an ongoing police investigation, any consideration of a complaint will be put on hold until the outcome of the police investigation is known.

Once we have established all the relevant facts, we will respond to a complaint with a formal resolution. This will usually be in writing and will give an explanation of the Headteacher's or Investigating Officer's findings and conclusions. Outcomes to a complaint may include:

- A finding that there is insufficient evidence to reach a conclusion.
- A finding that the complaint requires no further action.
- An acknowledgement that the situation could have been handled differently (this is not the same as an admission of negligence).
- An apology.
- Acceptance that this is a disagreement rather than a complaint and no mutually acceptable outcome can be reached other than, perhaps, “agree to disagree”.
- An explanation of the actions taken to ensure that it will not happen again.
- An undertaking to review current procedures or protocols.

The person investigating the complaint may decide that we have done all we can to resolve the complaint. The desired outcome set out by the complainant is not achievable, reasonable or that school has no moral or statutory obligation to enact. In such cases, the school will inform the complainant that no further action can be taken by the school in terms of further investigation or to secure agreement.

We may invite the complainant to a meeting to discuss any of the above outcomes as part of our commitment to building and maintaining good relations.

Complainants will be advised that, if they are dissatisfied with the way in which their complaint has been handled, they may refer the matter to the Governing Body. This should be done by writing to the Chair of Governors within 10 school days of receipt of the letter from the Headteacher or Chair of Governors.

Exceptions

Complaints about the Headteacher

A complaint about the Headteacher should be made in writing to the Chair of Governors. The Governing Body should consider appointing a designated Governor to investigate the complaint as a Stage One complaint. Where a complaint is about the conduct of the Headteacher, the Chair of Governors should seek advice from HR.

Complaints about the Chair of Governors

A complaint about the Chair of Governors should be made in writing to the Vice Chair of Governors. Procedural advice and guidance should also be sought from the Governor Support Service.

Complaints about issues covered by other statutory procedures

Where complaints concern issues that are covered by other statutory procedures, for example, school admissions or exclusions, then those specific procedures and related timescales will apply instead.

Complaints involving a claim for compensation

The school will refer any claims for compensation directly to the school’s insurance provider.

Formal Stage Two: review to panel of Governors

If complainants are dissatisfied with the way in which their complaint was handled at Stage One, there will be a further and final right of review to a specially convened panel of Governors.

Reviews should be lodged in writing with the Chair of Governors within 10 school days of receipt of the Stage One decision. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The school will record the date the request is received and acknowledge receipt of the complaint in writing within 3 school days.

It would be helpful to Governors if the complainant is specific about why they remain dissatisfied and any update as to the desired outcome they are seeking. Given time constraints and limited resources within schools, complainants are respectfully asked to consider carefully if any constructive remedy is indeed possible.

Please note if we feel that a complaint has not been raised with appropriately at Stage 1 this may be referred back to the Headteacher to try and resolve the concerns.

The review panel will aim to meet within 20 school days of receiving the request. If this is not possible, the school will provide an anticipated date and keep the complainant informed.

Once the school has made reasonable attempts to source a mutually convenient date and time for the panel hearing, or where the complainant does not attend at an agreed time, the proceedings may go ahead in their absence. This will conclude the internal complaints procedure.

The panel will comprise at least three Governors who have had no previous knowledge of, or involvement in the case. The panel should not include staff Governors. In exceptional circumstances, the Chair of Governors may choose to invite a Governor from another school to join the panel or an entirely independent committee may be convened to hear the complaint at Stage 2.

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

If the complainant is invited to attend the meeting, the letter will explain what will happen at the panel meeting and it will state that the complainant is entitled to be accompanied. The choice of person to accompany them is their own, but it is usually best to involve someone in whom they have confidence. They are there to give support but also to witness the proceedings and to speak on the complainant's behalf if they wish. The complainant must alert the panel to who will be accompanying them in writing two days before the meeting. Please note that this is not a legal hearing or court case and, as such, any accompanying person is not there to act in a legal capacity. Representatives from the media are not permitted to attend.

The committee may be advised by an appropriate individual who has current knowledge and understanding of relevant educational practice.

The complainant will be informed, at least five school days in advance, of the date, time, and place of the meeting. The complainant will also receive relevant correspondence or reports regarding Stage 1 that do not compromise confidentiality, and will be asked if they wish to submit further written evidence to the panel.

The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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

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. In this case, the school could facilitate a recording for the purpose of creating an accurate transcript, after which the recording will be deleted.

The committee will consider the complaint and all the evidence presented. The committee 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 committee will:

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

The Chair of the Committee will provide the complainant and Wetherby High School with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

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

Closure of complaints

Very occasionally, Wetherby High School may feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied. We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

If a complainant persists in making representations to the School, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.

For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and that the complaint has exhausted our official process.

In exceptional circumstances, closure may occur before a complaint has reached Stage 2 of the procedures described in this document. This is because a Complaints Review Panel takes considerable time and effort to set up and we must be sure that it is likely to assist the process of resolving the complaint.

The Chair of Governors may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a Complaints Review Panel would not help to move things forward.

Secretary of State review

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 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Wetherby High School. They will consider whether the 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.

Managing serial, unreasonable or vexatious complaints

Wetherby High School is committed to dealing with all complaints fairly and impartially. Wetherby High School 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.

Wetherby High School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, please see the examples provided in Appendix 3.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will raise any concerns with the complainant informally before deciding a complaint or behaviour related to a complaint is '*unreasonable*'. If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Wetherby High 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 normally reviewed after six months.

In response to any serious incident of aggression, violence or intimidation, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Wetherby High School.

If at any level a Complainant or connected party attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the school may write to the Complainant to inform him/her that the procedure has been exhausted and the matter closed, that continued correspondence on the same matter is vexatious and that the school will not respond to any further correspondence on this issue or a closely related issue.

Managing complaint campaigns

Occasionally we may become the focus of a campaign and receive large volumes of complaints all based on the same subject and/ or from complainants unconnected with the school.

If this happens we will:

- send a template response to all complainants, or
- publish a single response on the school's website.

Appendix 1 Scope of the Complaints Procedure

The Complaints Policy and Procedure covers all complaints about any provision of community facilities or services by Wetherby High School other than complaints that are dealt with under other statutory procedures, including those listed below:

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with complaints.children@leeds.gov.uk</p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding lado@leeds.gov.uk or contact Duty and Advice - Report a child protection concern</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a</p>

	complaint. However, the complainant will be notified that the matter is being addressed.
<ul style="list-style-type: none"> 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.
<ul style="list-style-type: none"> National Curriculum - content 	Please contact the Department for Education at: www.education.gov.uk/contactus

Appendix 2 Complaint Form

Please complete and return to the school office, marked **'Private and Confidential'**.

Your name:
Student's name (if relevant):
Your relationship to the student (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Email address:
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 3 Unreasonable Complaints

A complaint may be regarded as unreasonable when the person making the complaint:

1. Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
2. Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
3. Refuses to accept that certain issues are not within the scope of a Complaints Procedure.
4. Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
5. Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
6. Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.
7. Changes the basis of the complaint as the investigation proceeds.
8. Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
9. Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed.
10. Seeks an unrealistic outcome.
11. Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
12. A complaint may also be considered unreasonable if the person making the complaint does so either face to face, by telephone, in writing or electronically:
 - Maliciously
 - Aggressively
 - Using threats, intimidation or violence
 - Using abusive, offensive or discriminatory language
 - Knowing it to be false
 - Using falsified information
 - Publishing unacceptable information in a variety of media such as in social media websites and newspapers

In summary, complaints with the following characteristics may be deemed 'vexatious':

- Obsessive, persistent, harassing, prolific, repetitious.
- Insistence on pursuing unmeritorious complaints and / or unrealistic outcomes.
- Insistence on pursuing meritorious complaints in an unrealistic manner.
- Complaints which are designed to cause disruption or annoyance.
- Demands for redress that lack any serious purpose or value.

In such cases, the school may write to the complainant to inform him / her that the complaint is deemed to be vexatious, and the school will not respond to any further correspondence on this issue or any closely related issue.