ALMUÑÉCAR INTERNATIONAL SCHOOL

Policy -Complaints v8

Reviewed August 2026 by Fiona Jacobs

Next review due August 2027

Changes from the previous version are highlighted in pink

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Rationale

- We recognise the importance of establishing and maintaining good relationships with parents, teachers, staff, carers and the wider community. We are aware there may be occasions when people have concerns or complaints and the following procedure sets out the steps that should be followed in order to resolve these as quickly as possible. Governing bodies are required, under section 29 of the Education Act 2002, to have in place a procedure for dealing with complaints. It is expected that all complaints will be referred to the school in the first instance. In situations where it has not been possible to settle a complaint through this process NABSS (National Association of British Schools in Spain) or ACADE may be able to advise parents/carers and the school in order to help resolve difficulties. However, they themselves cannot become involved and will always advise that the steps below are followed.
- If staff have a complaint, they should also follow the following procedure starting with the request for a meeting with the Head teacher. There will need to be another member of staff present (usually from the management team and/or the union.)
- Complaints from groups of parents/teachers linked to the teachers, leadership team and/or management style will not be heard collectively. Confidentiality must be maintained for each individual complaint.

This document does not apply to complaints about:

- Pupil admissions
- Pupil exclusions
- Statutory assessments of Special Educational Needs and Education Health and Care Plans
- Appeals relating to internal assessment decisions for external qualifications
- Disciplinary issues relating to members of staff
- Matters likely to require a child protection investigation
- National curriculum content
- Complaints about services provided by other providers who may use school premises or facilities
- School re-organisation proposals and decisions
- Complaints about collective worship

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Step 1: Informal

- Make an appointment to discuss any concerns with your child's class teacher or Key Stage Head. This is usually the best and quickest way of resolving issues.
- Every effort will be made to offer an appointment straight away, or as soon as reasonably 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 class teacher or Key Stage Head will make a brief written record of the concerns raised and any actions agreed.

Step 2: Informal

- If you feel dissatisfied with the outcome of discussions with the class teacher, please make an appointment to meet with the Headteacher or member of the leadership team.
- The purpose of the meeting should be to establish the nature of the ongoing concern, what has been discussed with the class teacher so far and any actions arising from the initial meeting.
- It is in everyone's interest, particularly the child or children, for concerns to be sorted out quickly and smoothly. However, it may be that the Headteacher or leadership team member will need to look into what has happened since the initial meeting before they can suggest how your concern might be resolved. If this is the case it should be agreed how and within what timescale they will contact you to let you know the outcome of their enquiries and what actions they have taken /propose to take.
- The Headteacher or member of the leadership team will make a brief written record of the concern discussed and what has been agreed and to write to parents summarising this.
- It is hoped that most problems will have been resolved at this stage through the informal process.

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Step 3: Formal – letter of complaint to Headteacher

- If you feel the issue you have raised has not been resolved through the informal process and you wish to pursue it further you may raise it through the formal procedure. To do this you must write a formal letter of complaint to the Headteacher using the Complaint Form provided in Appendix 1 to this policy. If any complaint is made other than using the Complaint Form that complaint will not be recognised by the School as a formal complaint and the School will not be required to apply this Policy in relation to that complaint.
- Your Complaint Form should set out clearly the concern that has previously been discussed and why you feel the issue is unresolved. It is also helpful if you set out what resolution you are seeking.
- Moving to the formal complaints procedure is a serious step. In consideration of future home / school relationships everyone concerned will need to concentrate on finding a resolution to the issue and negotiate an agreement as to how this can best be achieved.

The Headteacher will consider the complaint and in so doing will:-

- Review the Complaint Form;
- Establish what has happened so far, and who has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet or contact you if they need further information;
- Clarify what you feel would put things right if this has not been set out in your Complaint Form
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Conduct any interview with an open mind;
- Keep notes of any interviews for the record.

- The Headteacher will arrange a meeting with you to clarify the nature of the complaint and following this carry out further investigations. You will then be sent a detailed written response within 20 school days. Where this proves unrealistic you will be informed in writing and given an estimate of how long it will take to provide a detailed response.

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Concerns or complaints specifically about the Headteacher

- Where you are unhappy with the decision the Headteacher has reached regarding your complaint, this does not become a complaint about the Headteacher. If you feel the complaint has not been resolved you should move to Step 4 of the procedure.
- If you have a concern or complaint that is specifically about the Headteacher, and which has not been resolved at the informal stage, then you must write a formal letter of complaint to the Chair of Governors. The school will provide you with the Chair of Governors' name and you should write to him or her at the school address, marking the envelope 'urgent, private and confidential'. The Chair of Governors will acknowledge receipt of your letter within 10 school days.

Step 4: Formal – letter of complaint to the Chair of Governors

- If you are not satisfied with the Headteacher's response, you may write to the Chair of Governors. The school will provide you with the Chair of Governors' name and you should write to him or her at the school address, marking the envelope 'urgent, private and confidential'. Your letter should outline the nature of your complaint, the steps you have taken to date and what resolution you are seeking.
- The Chair will acknowledge receipt of your letter within 10 school days and, in most cases, seek to resolve the matter through discussion with yourself and the Headteacher. This will normally be within 15 school days, but you will be kept informed if more time is required. The decision made by the Chair of Governors is final.
- The role of the governors is to ensure that the complainant and school staff feel their concerns are being sensitively listened to in an open-minded and non-judgemental forum. It is important that the complainant understands governors' powers are limited and, in some circumstances, that the complaint will only be reviewed rather than reconsidered. Many of the actions taken or decisions made by a Headteacher are entirely within the Headteacher's own remit and professional terms and conditions of service. In these cases the governors do not have the power to overturn the decision or direct a Headteacher to change a decision / action neither does the Chair of Governors have the power to consider afresh the complaint itself.

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Step 5: Appeals

- If you would like to lodge an appeal following the outcome of a formal complaint at stage , this will be taken to the *appeals panel*. You should write to the clerk to the governing body to exercise this right within *7 school days* of the outcome at Stage 4. If no request for an appeals panel hearing is received within *7 school days*, it will be deemed that the decision is accepted, and the complaint will be closed (unless there are exceptional circumstances to explain the delay).
- If an appeals panel is requested, the secretary to governors will acknowledge your appeal and make the necessary arrangements and will usually convene the appeals panel within *10 school days* from the acknowledgement being sent. Where it is not possible to find a mutually convenient date within that timescale, the school will take reasonable steps to agree a time and date mutually convenient to all parties. If, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the secretary to governors may determine that the hearing proceeds because of written submissions from you and the school. The secretary will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. Any supporting documentation relevant to the complaint must be submitted to the appeals panel by both parties at least 3 days before the appeals panel hearing. The appeals panel is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. The appeals panel will not normally accept recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- You are entitled to be accompanied to the appeals panel hearing and should notify the clerk in advance if you attend to bring anyone.

The appeals panel

- The appeals panel will be made up of between two to three *[members of the governing body OR people, which will include at least one person independent of the management and running of the school].*
- No person can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The chair of the panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the complaints policy.

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- The appeals panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.
- The panel will consider how the complainant can be made to feel most comfortable presenting to the panel.

Appeals procedure

- The Appeals Panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. The procedure for an appeal is usually as follows:
    - The complainant and headteacher will enter the hearing together.
    - The chair will introduce the panel members and outline the process.
    - The complainant will explain the complaint.
    - The headteacher and panel will question the complainant.
    - The headteacher will explain the school's actions.
    - The complainant and panel will question the headteacher.
    - The complainant will sum up their complaint.
    - The headteacher will sum up the school's actions.
    - The chair will explain that both parties will hear from the panel within 2 working days.
    - Both parties will leave together while the panel decides.
    - The secretary will stay *to assist the panel with its decision making.*
- The secretary to governors will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken, or actions agreed. Electronic recordings of the hearing will not normally be permitted and, in any event, would require the consent of all those present.
- The chair of the panel/secretary to governors will notify the complainant of the panel's decision in writing within 2 school days of the appeal hearing. The letter will set out the decision of the panel together with the reasons underpinning that decision. The letter may set out recommendations which will be made to the governing body.

The appeals panel may:

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint

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- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.
- The panel's decision is final.

Persistent or Vexatious Complaints and Harassment Policy

- The Headteacher and governing body are fully committed to the improvement of the school and will always try to resolve any concerns as quickly as possible. Sometimes, however, those making a complaint may treat staff and others in a way that is unacceptable. While we realise that some complaints might relate to serious or distressing incidents, we will not accept threatening, aggressive, harassing or disrespectful behaviour towards any member of the school community.
- For cases such as this, the governing body may deal with the complaint as a 'Vexatious and/or Persistent Complaint', or decide that the complaint constitutes "Harassment".
- A persistent complaint may take several forms, but typically could occur where the complainant is behaving unreasonably and/or does not respect the steps set out in this Policy. Such behaviour may be characterised by:
    - Actions which are obsessive, persistent, harassing, prolific repetitious;
    - Prolific correspondence or excessive email or telephone contact about a concern or complaint;
    - An insistence on pursuing unsubstantial complaints and / or unrealistic or unreasonable outcomes;
    - An insistence on pursuing complaints in an unreasonable manner;
    - An insistence on repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant.

- A vexatious complaint may take several forms, but may typically occur where there is no substantive basis for the complaint or where the complaint is trivial, unjustified or made inappropriately for example, where a minor complaint is reported to the school as formal complaint without first going through the procedure for informal complaints as set out in this Policy.
- For the purpose of this policy, harassment is the unreasonable pursuit of any of the actions above or any similar actions in such a way that they:-

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- Appear to be targeted over a significant period of time on one or more members of staff
- Cause ongoing distress to individual members of staff
- Have a significant adverse effect on the whole or parts of the school community
- Are pursued in a manner that can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health.

School's Actions in Cases of Persistent or Vexatious Complaints or Harassment

- In the first instance the school will inform the complainant in writing that his/her behaviour is considered unreasonable / unacceptable and, if that behaviour is not modified to the School's reasonable satisfaction, the School may take any of the following actions (or all of them):-
  - inform the complainant in writing that that the School considers the behaviour to fall under the Persistent or Vexatious Complaints and Harassment Policy;
  - require any further meetings with members of staff to be conducted with a second person present and for notes of the meeting to be taken;
  - inform the complainant that, except in emergencies, the School will respond at its discretion only to written communications.
  - ban the individual from entering School grounds, with immediate effect and indefinitely;
  - request a distancing order;
  - seek prosecution; and
  - call the Police to remove the individual from the School site under powers provided by the Education Act 1996.

Monitoring and Review of the Policy

- Governors monitor the complaints procedure, in order to ensure all complaints are handled properly.
- The Headteacher keeps a record of all complaints received by the school and records how they were resolved.
- The policy is reviewed annually.
- This policy is made available to all parents, so that they can be properly informed about the complaints process.

Appendix 1

COMPLAINT FORM – FORMAL COMPLAINT TO GOVERNING BODY

Please complete and return this form to the Chair of Governors. The Clerk to the governing body will acknowledge receipt and explain what action will be taken.

Your name:	
Pupil's name:	
Address:	
Day time telephone number:	

Give brief details of your complaint:

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What action, if any, have you already taken to try and resolve your complaint? i.e. Who did you speak to and what was the response?

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What actions do you feel might resolve the problem at this stage?

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