

SQUIRREL HAYES FIRST SCHOOL: Complaints Policy November 2023
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Squirrel Hayes First School

Policy Reviewed on	November 2017	October 2018	October 2019	September 2020	Oct 2021	Nov 2022	Nov 2023
Policy Owner Signature	F & P Committee	F & P Committee	F & P Committee	F & P Committee	Full Governors	Full Governors	Full Governors
Policy adopted by the Governing Body on	Jan 2018	13.12.2018	Nov 2019	Sept 2020	Oct 2021	Nov 2022	Dec 2023
Chair of Govs/Committee Signature							
Policy Reviewed Date	November 2018	October 2019	October 2020	Sept 2021	Oct 2022	Nov 2023	Nov 2024
Version	08	09	10	11	12	13	14

1 This school is committed to safeguarding and promoting the welfare of children and young people/vulnerable adults and expects all staff and volunteers to share this commitment.

COMPLAINTS POLICY

Complaints Procedures

Introduction

The main purpose of a complaints procedure is to provide a means or procedure of raising a concern, difficulty or complaint. Such procedures are in place to ensure that all difficulties, concerns or complaints are managed efficiently, at the appropriate level and resolved as soon as possible.

At Squirrel Hayes First School we will try to resolve every concern, difficulty or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing the school's systems and procedures in light of the matters raised.

As a school we need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a concern or difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which can be damaging to the relationship between the school, learner and complainant. The person raising a concern or complaint will never be made to feel that raising a concern, difficulty or complaint will adversely affect the future or disadvantage them in any way. All concerns, difficulties or complaints will respect all parties' desire for confidentiality and fairness.

All members of the school staff are aware of the concerns/complaints procedure and understand:

- The importance of attempting to resolve problems before they become formal complaints.
- The importance of treating complaints respectfully.

Terms Used

For the purpose of the policy:-

- Any person raising a concern, difficulty or complaint will be referred to as a 'Complainant'.

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- The definition of a 'working day' excludes weekends, school holidays and bank holidays.

Time Limits

The school aims to resolve all concerns, difficulties and complaints in a timely manner. Time limits for each stage of the procedure are set out under each stage.

Although every effort will be made by the school to comply with the time limits specified under each stage of the procedure, it may not always be possible to do so, for example due to the complexity or number of matters raised, or due to the unavailability of the Complainant to attend a meeting, if offered. In all cases **where a time limit cannot be complied with, the school will write to the complainant within the specified time limit, setting out the reasons why the time limit cannot be met, and confirming the new time limit which will apply.**

Stages of the Procedure

At Squirrel Hayes First School the complaints procedure consists of four possible stages:-

Stage 1 – Concerns and difficulties, dealt with informally

Stage 2 – Complaints formally investigated by the Headteacher (or designate)

Stage 3 – Complaints formally reviewed by the Chair of Governors (or designate)

Stage 4 – Complaints Panel Hearing.

Complaints against the Headteacher

If a complaint is about the conduct of the Headteacher, the Chair of Governors will investigate the complaint under **Stage 2** of this policy. The Vice Chair of Governors will review the complaint under **Stage 3**.

Complaints against the Chair of Governors

If a complaint is about the conduct of the Chair of Governors, the Headteacher will consider the complaint under **Stage 2** of this policy. The Vice Chair of Governors will review the complaint under **Stage 3**.

Late Complaints

As a school we expect that if there is a need to raise a concern, difficulty or complaint, this will be raised as soon as possible after the incident arises. Where a complaint is submitted more **3 This school is committed to safeguarding and promoting the welfare of children and young people/vulnerable adults and expects all staff and volunteers to share this commitment.**

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than three months after the incident or event, **the school reserves the right to refuse to investigate the complaint under its complaint policy if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint.**

Where the school decides that a complaint which was submitted late will not be investigated, the school will write to the complainant notifying them of the decision within **5 working days** of the complaint being received.

Vexatious or Repeated/Persistent Complainants

There may be occasions where:-

- Despite a complaint being considered under all stages in this policy, the Complainant persists in making the same complaint to the school.
- A Complainant raises unreasonable persistent complaints or raises complaints about matters which do not affect them.
- A Complaint is raised about a matter which is clearly so trivial that it would be a waste of the school's resources to deal with it under the formal stages of the procedure

In all of these cases, the school reserves the right to regard the complaint as vexatious and/or repeated and to refuse to investigate it under the procedure in the complaints policy, **if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint.**

Where the school decides that a complaint is vexatious and/or repeated and will not be investigated, the school will write to the Complainant with **5 working days** of the complaint being raised to notify them of the decision.

If the Complainant is unhappy with the decision not to investigate they may write to the Chair of Governors to ask for the decision to be reviewed. The Chair of Governors will be provided with all the relevant documentation relating to the current complaint and any previous complaints which were relevant to the decision not to investigate the complaint.

The Chair of Governors will write to the Complainant with the outcome of the review within **10 working days** of the date that the letter from the Complainant seeking the review was received.

If the Chair of Governors quashes the decision not to investigate the complaint, then it will be referred back to the school to be dealt with under the procedures in this policy. If the Chair of Governors upholds the decision not to investigate the concern, then the Complainant may refer their concern to the Secretary of State.

Anonymous Complaints

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The school will not investigate anonymous complaints under the procedures in this policy. Anonymous complaints will be referred to the Headteacher who will decide what, if any, actions should be taken.

Resolution Principles

At each stage of the complaints procedure, the investigator will consider how the concern, difficulty or complaint may be resolved. In considering this, the investigator will give due regard to the seriousness of the complaint. It **may** be appropriate in order to bring the concern, difficulty or complaint to a resolution for the investigator to offer:-

- An explanation;
- An apology;
- Reassurance that steps have been taken to prevent a recurrence of events which led to the complaint;
- Reassurance that the school will undertake a review of its policies and procedures in light of the complaint;

None of the above will constitute an admission of negligence or an acceptance of liability on behalf of the school.

Outcome Principles

Examples of possible outcomes include:-

- There was insufficient evidence to reach a conclusion, so the complaint cannot be upheld;
- The investigation did not substantiate the matters raised, so the complaint cannot be upheld;
- The complaint was substantiated in part or full. A description will be given of the remedial action being taken by the school as a consequence of the complaint. **Details of any disciplinary action or sanctions to be taken against a member of staff are strictly confidential and cannot be disclosed.**
- The matter has been fully investigated and, as a consequence, further confidential procedures are being pursued. **Details of any disciplinary action or sanctions to be taken against a member of staff are strictly confidential and cannot be disclosed.**

Record Keeping

All correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State, an Inspector, or under another legal authority.

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A full written record will be maintained by the school centrally of all concerns, difficulties and complaints, whether they are resolved informally under Stage 1, or dealt with formally under Stages 2 to 4.

Records of concerns, difficulties or complaints will be destroyed to which they relate reaches the age of twenty four years or, in the case of a pupil with SEND, until the pupil reaches the age of thirty years.

Publication and Review

This Complaints Policy has been ratified by the Governing Body and will be reviewed annually. It will be published on the school's website and provided to Parents/Carers on request by the school's office. A copy of the Complaints policy will be provided to a Complainant when a concern, difficulty or complaint is first raised.

Expressing a Concern or Difficulty (Informal)

STAGE 1

The school expects that most concerns and difficulties where a Complainant seeks intervention, reconsideration or some other action to be taken, can be resolved informally.

1. Raising the concern/Notification:-

- If the matter relates to the classroom, curriculum or Special Educational Needs, the Complainant should speak to the Class Teacher, Special Educational Needs Co-ordinator (SENCo) or Deputy Headteacher.
- If the matter relates to concerns outside of the classroom, the Complainant should speak to the Family Links Co-ordinator, or Deputy Headteacher as appropriate.
- If the matter relates to any disciplinary action or sanction imposed then the Complainant should speak to the member of staff who imposed it in the first instance. If not resolved, the Complainant should speak to the relevant Class Teacher or Deputy Headteacher.
- If the issue is with a specific member of staff, the best way to resolve this is to raise the concern with that member of staff directly, so that they are given the opportunity to address or resolve the concerns or difficulty before it becomes a formal complaint. If the Complainant feels uncomfortable doing this however, the issue can be raised with the Deputy Headteacher.

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Should any concern or difficulty be raised with a member of staff who feels that they are not the best person to be dealing with it, they will refer the concern to another designated member of staff as appropriate.

If a concern or difficulty is raised with a member of staff who feels that it raises serious issues which should be dealt with as a formal complaint immediately, the member of staff will tell the Complainant that they should put their complaint in writing to the Headteacher under Stage 2 of this policy. (see *Appendix 1*)

Time scales

The school will aim to resolve a concern or difficulty within **15 working days** of the date that it was raised.

Where a concern or difficulty has not been resolved by informal means within this time frame, the Complainant can submit the matters raised as a formal complaint under Stage 2 of this policy.

Records of Concerns & Difficulties

The member of staff dealing with the concern or difficulty will make a written record of the issues raised, the action taken and, if applicable, the resolution reached. Using a 'Concerns/Difficulties Log', which will be retained in a central record. (see *Appendix B*)

Expressing a Complaint (Formal)

STAGE 2

1. Making a formal complaint:-
 - The Complainant should put their complaint in writing using the 'Complaints Form' (see *Appendix A*)
 - The Complainant should clearly set out the matter in dispute, the relevant dates, the full names of the persons involved and what the Complainant believes the school should do to resolve the complaint.
 - Any documentation relied upon by the Complainant should be attached to the formal complaint form.

Acknowledgement

The formal complaint will be acknowledged in writing within **5 working days** of receipt. The acknowledgement letter will confirm the date that the formal complaint was received, the action to be taken and the specified time limit.

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Investigation

The Headteacher will be provided with the records of the Stage 1 informal procedure (*if applicable*) within **5 working days** of receipt of the formal complaint, and will then proceed to investigate the complaint.

Investigation will involve:-

- The Headteacher speaking to the persons who were involved in the matters raised by the Complainant.
 - *Pupils will only be spoken to with an independent member of staff present to support them.*
 - *If there is an issue about the conduct of a member of staff, that member of staff will be offered the option of having another member of staff present.*
 - *Others members of staff will be spoken to alone.*
- A written record of the conversation will be made and the Pupil or member of staff spoken to will be asked to read, sign and date the written record to confirm that it is accurate.
 - *In the case of Pupils, the accompanying independent member of staff will be asked to sign and date the record of the conversation.*
- If the Headteacher deems it to be appropriate in relation to the matters raised, the Complainant will be offered a meeting to discuss the issues raised.
 - *This may take place at the beginning of the investigation to clarify any matters which are unclear, or after the investigation has taken place with the aim of reaching an amicable resolution.*

The Outcome

The Headteacher will write to the Complainant confirming the outcome of the investigation within **20 working days** from when the complaint was received. The letter will set out the individual matters raised by the Complainant, the findings made by the Headteacher during the course of the investigation, and the conclusion reached.

The letter will inform the Complainant that, if they are unsatisfied with the outcome of Stage 2 investigation, they should write to the Chair of Governors asking for it to be reviewed under Stage 3 of the Complaints policy.

Delegation

In appropriate cases the Headteacher may delegate the complaint to a member of the Senior Leadership Team to deal with in accordance with the above outlined procedure.

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STAGE 3

1. Referring the complaint to be reviewed by the Chair of Governors:-
 - The Complainant should write to the Chair of Governors, within **5 working days** of receiving the letter confirming the outcome following Stage 2.
 - The Complainant should not repeat the matters raised in the original letter or attach documentation already provided, but should clearly set out how and why the Complainant does not accept the findings made under Stage

Acknowledgement

The Complainant's letter will be acknowledged in writing within **5 working days** of receipt. The acknowledgement letter will confirm the date that the formal complaint was received, the action to be taken and the specified time limit.

Review

The Chair of Governors will be provided with all documentation relating to the complaint within **5 working days** of receipt of the letter requesting a review under Stage 3. This will include:-

- Record of Stage 1 informal procedure (*if applicable*)
- The original Complaint Form and any documentation provided by the Complainant with the complaint
- All investigation records under Stage 2
- Letter of outcome under Stage 2

The Chair of Governors will review all of the documentation received and consider the matters raised in the complaint and the investigation carried out under Stage 2. The Chair of Governors will only speak to the persons involved in the matters raised to clarify matters which were not confirmed during the Stage 2 investigation, if believed necessary. Where the chair of Governors does speak to a Pupil or a member of staff whose conduct is in issue, they will be accompanied as outlined under Stage 2.

If the Chair of Governors deems it appropriate in relation to the matters raised, the Complainant will be offered a meeting to discuss issues raised. If a meeting is deemed appropriate, it will usually take place after the review has been completed with the aim of reaching a mutually acceptable resolution.

The Outcome

The chair of the Governors will write to the Complainant confirming the outcome of the review within **20 working days** from the date that the request for a review was received. The letter

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will state whether the Chair of Governors agrees with the findings and conclusion under Stage 2, and give reasons, as well as responding to any criticisms of the Stage 2 investigation.

The letter will inform the Complainant that, if they are unsatisfied with the outcome of Stage 3 review, they should write to the Complaints Clerk within **5 working days** of receipt of the letter, requesting a Complaint Panel Hearing under Stage 4 of this Complaints policy.

Delegation

The Chair of Governors may delegate the review to the Vice-chair of Governors, in appropriate cases, to deal with the review following the procedures outlined above.

STAGE 4

1. Referring the complaint to be reviewed by a Complaints Panel Hearing:-
 - The Complainant should write to the Complaints Clerk, within **5 working days** of receiving the letter confirming the outcome following Stage 3.
 - The Complainant should not repeat the matters raised in the original letter or attach documentation already provided, but should clearly set out how and why the Complainant does not accept the findings made under Stages 2 and 3.

Complaints Panel

The Panel will consist of three Governors appointed by or on behalf of the Governing Body, who have not been involved in the matters which give rise to the complaint. One of the Governors will Chair the Complaints Hearing.

The Complaints Clerk will act as a contact point for both parties. They will be responsible for:-

- Setting the date, time and venue for the hearing
- Collating any written material and distributing to the parties in advance of the hearing
- Recording the proceedings
- Circulating minutes of the Panel hearing - Notifying all parties of the Panel's Decision
- Liaising with the Headteacher (Complaints Co-ordinator)

Acknowledgement

After appointing the Complaints Panel members, the Complaints Clerk will write to the Complainant within **5 working days** acknowledging receipt of their request and informing them of the names of the Complaint Panel Members. If the Complainant objects to any of the named persons being appointed to the Panel, they should notify the Complaints Clerk within

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3 working days of receipt of the letter. Fair consideration will be given to any bona fide objection to a particular members of the Complaints Panel and all efforts where possible will be made to find a replacement.

The Complaints Clerk will liaise with all parties involved and agree a date for the Complaints Panel Hearing, which will usually take place within **20 working days** of receipt of the Complainants request, unless there are exceptional circumstances.

Attendance

The Complainant may attend the Complaints Panel Hearing and may be accompanied by another person for moral support. This person will not play any part in the proceedings, unless invited to do so by the Chair of the Complaints Panel, entirely at their discretion and for a good reason. **The Complaints Hearing is not a legal hearing and it is not appropriate for either parties to be legally represented.**

The school will be represented by the person who dealt with the complaint under Stage 3, which will usually be the Chair of Governors.

The Complaint Panel Hearing will be minuted by an appointed Clerk to the Complaint's Panel, this may be the Clerk to the Governing Body.

Documentation

The Complaints Clerk will forward a copy of all paperwork to all parties involved in the Hearing:-

- Any Stage 1 records if applicable

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The Complaint Panel Hearing will be minuted by an appointed Clerk to the Complaint's Panel, this may be the Clerk to the Governing Body.

Documentation

The Complaints Clerk will forward a copy of all paperwork to all parties involved in the Hearing:-

- Any Stage 1 records if applicable
- Original Complaint Form and any attached documentation
- All investigation records under Stage 2 with the letter of outcome -
- All review records under Stage 3 with the letter of outcome

- Complainant's letter requesting a Complaint's Panel Hearing

(the names of individuals other than the Complainant, the Complainant's family, members of the school's staff and Governors, will be redacted and replaced with a letter relevant to that particular individual - e.g. "John Smith" will be replaced with "A" throughout)

If the Complainant wishes the panel to consider any additional information, they should forward this to the Complaints Clerk to arrive at least **5 working days** before the Complaint's Panel Hearing, to enable all parties to see the information.

Complaints Panel Hearing Overview

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The Complaints Panel Hearing will be conducted as follows:-

- Welcome and introductions
- The Complainant will be invited to give an account of their complaint
- The School's representative will be invited to ask the Complainant questions; if any -
The Complaints Panel will ask the Complainant questions; if any
- The Complainant will be invited to ask the School's representative questions; if any;
- The Complaints Panel will ask the School's representative questions; if any;
- The Complainant will be invited by the Complaints Panel to summarise their complaint
- The School's representative will be invited by the Complaints Panel to summarise their response to the complaint and the school's stance.

The Complaints Panel Hearing will conclude and the Complainant and the School's representative will be asked to leave the room.

The Outcome of the Complaints Panel

The Complaints Panel will convene in private and will consider all of the documentation and everything that they have heard. They will then make both 'Findings of Fact' and 'Recommendations'

- **Findings of Fact** – The Panel will decide which facts are established to be true, on a balance of probabilities (i.e. more likely than not). If a fact is not deemed relevant, the Complaints Panel will not consider it. A written record will be made of the facts established, those not established or not relevant, with the reasons for these findings.
- **Recommendations** – The Panel will consider the facts which they have established and will make recommendations based upon them. These recommendations may be aimed at achieving reconciliation between parties, improving procedures or preventing a recurrence in the future. A written record will be made of their recommendations, with reasons.

Notification of Decision

The Chair of the Complaints Panel will within **10 working days** of the Complaints Panel Hearing, write to:-

- The Complainant
- The School's representative
- Any person Complained about

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The letter will identify each of the issues concerned about, summarise how the Hearing proceeded, and confirm the Complaints Panel 'Findings of Fact' and 'recommendations', if any, with reasons.

The letter will also confirm that if the Complainant believes that this complaint does not comply with the regulations, or that the school has not followed the procedures outlined in this policy, the Complainant may refer their complaint to the Secretary of State.

The secretary of State has a duty to consider all complaints raised but will only intervene where a governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

Complaints not in scope of this policy

- Admissions to schools
- Statutory Assessment of SEND
- Child Protection
- Exclusion of children from school
- Whistleblowing
- Staff Grievances and Disciplinary

Version No.	Date of review	Reviewer	Changes Made
01	18.11.10	Full Governing Body	New document (recommended adoption of the LA's model policy)
02	9.11.11	Finance & Personnel	Reviewed
03	27.11.12	Finance & Personnel	Includes removal of LA's statutory responsibility to consider complaints about schools.
04	Sept 2013	Finance & Personnel	Reviewed
05	Sept 2014	Finance & Personnel	Reviewed
06	Sept 2015	Finance & Personnel	Reviewed
07	October 2016	Full Governing Body	New policy following the DfE's 'Best Practice Advice for School Complaints Procedures 2016'
08	November 2017	Full Governing Body	Reviewed.

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09	October 2018	Full Governing Body	Reviewed
10	October 2019	Full Governing Body	Reviewed
11	September 2020	Full Governing Body	Reviewed
12	October 2021	Full Governing Body	Reviewed
13	November 2022	Full Governing Body	Reviewed
14	November 2023	Full Governing Body	Reviewed

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Appendix A

Formal Complaints Form	
Your Name:	Pupils Name: (if applicable)
Your Relationship to the Pupil:	Your Address and Postcode
Daytime Telephone Number:	Evening Telephone Number:
Full details of Complaint:- <ul style="list-style-type: none"> - Including the names of the people involved and the dates to which your complaint relates - Confirm whether you have already expressed your concerns informally and to whom and when 	
Do you have a suggestion which you feel might resolve your concerns at this stage?	
Please attach any more information you have to back up your complaint: - Please list attached documents	
Complainant Signature:	Date:
Office Use Only	
Date Form received:	Date acknowledgement sent:
Name of person Complaint referred to:	Date referred to relevant person:

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Appendix B

Informal Concerns/Difficulties Log	
Member of Staff concern reported to:	Date concern reported:
Name of person raising the concern:	Pupils Name: <i>(if applicable)</i>
Relationship to the Pupil	Contact details:
Issues raised:	Actions taken:
Resolution reached:	
Signature of person raising concern:	Date:
Signature of Member of staff:	Date:
Office Use Only	
Date Form received:	Date referred to relevant person if applicable:
Name of person Complaint referred to:	

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