



Complaints procedure

Created: September 2025

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Copies of all of our policies can be found
in the school office, and online at
rutherfordschool.org.uk

1. Who can make a complaint

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Rutherford about any provision of facilities or services that we provide. This procedure is also available to parents of prospective pupils, on request and via the school website.

2. The difference between a concern and a complaint

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

It is in everyone's interest that concerns, and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Rutherford School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the School Office will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, they will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand, however, that there are occasions when people would like to raise their concerns formally. In this case, Rutherford School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

3. How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing, or by telephone. They may also be made by a third party acting on behalf of a complainant if they have appropriate consent to do so.

Concerns should be raised with either the class Teacher or Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the CEO, The Garwood Foundation, via the school office. Please mark them as Private and Confidential.

Complaints about the CEO of Garwood Foundation, Chair of Governors, any individual governor or the whole governing body should be addressed to the Chair of Trustees, The Garwood Foundation, via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

4. Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

5. Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will only consider complaints made outside of this time frame if exceptional circumstances apply.

6. Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

7. Scope of this Complaints Procedure

This procedure covers all complaints about any provision of facilities or services by Rutherford School other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions – Who to contact

- 1. Admissions to schools, statutory assessments of Special Educational Needs, school re-organisation proposals:** raise with the Local Authority.

2. **Matters likely to require a Child Protection Investigation:** handled under the safeguarding policy and statutory guidance. Concerns may be raised with the LADO or MASH.
3. **Whistleblowing:** employees and volunteers should use the school's whistleblowing procedure. Referrals may also be made to the Secretary of State for Education.
4. **Staff grievances:** dealt with under the school's internal grievance procedures.
5. **Staff conduct:** dealt with under staff disciplinary procedures. Outcomes are not shared with complainants.
6. **Complaints about external providers using school facilities:** these should be raised directly with the provider.
7. If other bodies are investigating aspects of the complaint (e.g. police, safeguarding teams, tribunals), this may impact on timescales or suspend the procedure until investigations are complete.
8. If a complainant commences legal action against Rutherford School in relation to their complaint, we may suspend the complaints procedure until those proceedings have concluded.

8. Resolving complaints

At each stage in the procedure, Rutherford School wants to resolve the complaint. Where appropriate, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure it will not happen again, with timescales
- an undertaking to review school policies in light of the complaint
- an apology.

9. Withdrawal of a Complaint

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

10. Complaint Investigation and processes

Stage 1 – Formal complaints

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

The headteacher will acknowledge receipt of the complaint in writing (letter or email) within 3 school days, clarify the nature of the complaint, and outline next steps. A full written response will normally be provided within 10 school days.

If the complaint is about the headteacher, the CEO or Chair of Governors will complete Stage 1. If about a governor, the Chair of Trustees or a Trustee panel will be appointed.

Stage 2 – Escalation

If dissatisfied, the complainant can escalate to Stage 2 by writing to the CEO of The Garwood Foundation (or Chair of Trustees if about CEO/Governors). This must be within 10 school days of the Stage 1 response.

A complaints panel of at least three members, including one independent member, will be convened if required. The complainant may attend and bring a friend/relative for support.

At the end of Stage 2, the Chair of the Panel will provide the complainant and Rutherford School with a full written explanation of the decision and reasons, within 5 school days. Where relevant, a copy of the panel's findings and recommendations will also be provided to the person complained about, as well as to the Headteacher and governing body.

The letter will also inform the complainant how to escalate to the Department for Education if still dissatisfied.

11. Next Steps

If the complainant believes the school did not handle their complaint in accordance with this procedure or acted unlawfully/unreasonably, they can contact the Department for Education.

Department for Education
Piccadilly Gate, Store Street, Manchester, M1 2WD
Tel: 0370 000 2288
Website: www.education.gov.uk/contactus

12. Complaints Data

All complaints will be recorded on the central Complaints Log, which will clearly state: whether they were resolved at the preliminary (Stage 1) stage or proceeded to a panel hearing (Stage 2), and

the action taken by the school as a result.

All paperwork relating to a complaint, including meeting notes and letters, will be held in a central file.

The governing body will be informed of complaints heard at Stage 1 and Stage 2 via the Headteacher's report. Any learning actions identified will be recorded and fed back to the governing body.

Statements and records relating to individual complaints are to be kept confidential, except where access is requested by the Secretary of State or an inspection body under section 109 of the 2008 Act.

13. Roles & 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 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
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher, CEO or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (*this could be the headteacher / designated complaints governor, CEO, School Office Manager, 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, and LAs (if appropriate) to ensure the smooth running of the complaint's 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.
- 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
 - circulate the minutes of the meeting
 - 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 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 has notes taken
- they liaise with the complaints co-ordinator

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.

Appendix 1

Rutherford School - Complaint Form

Please complete and return to Head Teacher Rutherford School via School Office who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
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:

Learning Action/s:

Date implemented:

Appendix 2

Independent School Standards (Part 7) Compliance Checklist

ISS Requirement	How Rutherford Meets It	✓ / Action
7(a) Written procedure for complaints	Clear written policy provided.	✓
7(b) Available to parents of pupils and prospective pupils	Policy states available to parents, public, and prospective parents (via website/on request).	✓
7(c) Complaints may be made in writing, in person, by phone, or by third party with consent	Explicitly allowed.	✓
7(d) Clear timeframes for each stage	Stage 1 (10 school days), Stage 2 (5 school days after panel).	✓
7(e) At least one panel member independent of school management and running	Required in Stage 2 panel process.	✓
7(f) Parents can attend panel hearing and be accompanied if they wish	Stated – may bring friend/relative.	✓
7(g) Panel findings/recommendations provided to complainant, Head, governing body, and person complained about (if relevant)	Confirmed in policy.	✓
7(h) Written record kept of complaints, stating if resolved at preliminary stage or proceeded to panel, and action taken	Added to “Complaints Data” section.	✓
7(i) Records kept confidential except where required by law/inspection	Confirmed.	✓
7(j) Procedure covers complaints against	Clear escalation routes to CEO/Trustees.	✓

Headteacher and governing body		
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Summary

- Fully compliant with Part 7 of the Independent School Standards.
- Governors' role: Ensure oversight by reviewing complaints data via the Headteacher's