GUISELEY SCHOOL

Complaints Policy & Procedures

Approved on	20 September 2023
Reviewed on	20th October 2026
Next review	Autumn Term 2027
Governors' committee	Personnel *(with reports to Curriculum, Standards and Effectiveness Committee and Full Governing Board Meetings)*
Responsible officer	HR Officer

Note: Based on DfE model guidance

General Principles

Guiseley School is committed to working in close partnership with parents and the community. However, we recognise that from time-to-time concerns or complaints may arise and it is our aim to work with all parties involved to resolve these as quickly and efficiently as possible. Usually, concerns can be resolved quickly through day-to-day communication between parents and school staff.

School Policies

When the Governing Board of a school adopts or approves a policy, and the school put the policy into operation that is part of the day to day running of the school. If there is an objection to a policy, this is a matter that needs to be referred back to the Governing Body. It is separate to the complaint process.

Day to day operational decisions about curriculum and timetabling should be referred to the Governing Body for review. They are operational decisions that are expected of Head Teachers and senior leaders by virtue of the Contract of Employment and expectations set out by the Department for Education. The method to address these issues is to refer these to the Governing Board.

The complaints process exists to enable parents, carers, pupils, former pupils, advocates and other individuals to complain about the *application* of policies, concerns about treatment or mistreatment or issues relating to prejudicial decisions to be properly reviewed in school and by an independent panel of governors.

However, for those situations an informal resolution is not reached, there is a more formal process to investigate and deal with complaints.

The aim of this procedure is to:

- provide a fair complaints procedure which is clear and easy to use
- attempt to resolve concerns through informal discussions at the earliest stage
- provide clarity of who will be co-ordinating the process in school
- give clear timelines for resolution
- encourage resolving the issues and finding a way to move forwards
- demonstrate a fair approach to managing complaints and concerns
- explain how vexatious and unreasonable behaviour by complainants is dealt with

Complaints will be managed in line with the Complaints Process set out within this procedure.

The table entitled ‘Management of Stages’ sets out who will be involved in the management of your complaint depending on the stage it has reached.

A written record will be kept of all complaints, whether they are resolved following a formal procedure, or proceed to a panel hearing and the action taken by the school as a result of those complaints.

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 Guiseley School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to suspensions, exclusions or admissions), we will use this complaints procedure.

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 complaint's procedure. Guiseley 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 matter can be discussed with a member of the Schools Leadership Team and arrangements can be made to refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, arrangements will be made to 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, Guiseley School will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

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 on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or a member of the school Leadership Team. If the issue remains unresolved, the next step is to make a formal complaint in writing using the school's complaint form.

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 or email (info@guiseleyschool.org.uk) on the complaint form which can be accessed via the school website**.** Please mark them as Private and Confidential.

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

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Miss N Renouccie (the Clerk to the Governing Body) via the school office or email. Please mark them as Private and Confidential.

The 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.

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.

Artificial Intelligence (AI) generated complaints

We want to work constructively with all complainants and resolve issues at the earliest possible opportunity. AI generated complaints can result in submissions that are often lengthy and may contain inaccuracies or assumptions that do not reflect the circumstances within the school. Responding to such complaints can place a significant and unnecessary burden on staff time, taking resource away from the education of the students.

When we receive a complaint, including an AI generated complaint, we may contact you and request that you meet with us and / or complete the complaints form providing a concise summary of your concerns (1000 word limit). This will help us to clearly establish the substance of your complaint so that we can respond appropriately and in line with this policy.

We may contact you if we need further information to understand your complaint and how you would like it resolved.

If you need support in writing your complaint, we are happy to assist you.

Unreasonable actions

Guiseley School defines unreasonable actions as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance

- refuses to co-operate with the complaint's investigation process

• refuses to accept that certain issues are not within the scope of the complaint's procedure

• insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice

• introduces trivial or irrelevant information which they expect to be taken into account and commented on

• raises large numbers of detailed questions, and insists they are fully answered, attempts to dictate the nature of the school's response or demands complaints are responded to in accordance with their own timescales and not the school complaints policy

• makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced

• changes the basis of the complaint as the investigation or response proceeds

• repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed) or complaints about the same area of school's work. This includes 'serial complaints' where a series of complaints about similar aspects of the schools work or members of staff are made across a short period (eg in the same school term) .

• 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 including signposting to their right to refer to the Department for Education

• seeks an unrealistic outcome

• makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with

• uses threats to intimidate

• uses abusive, offensive or discriminatory language or violence

• knowingly provides falsified information

• publishes unacceptable information on social media or other public forums.

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 discuss any concerns with the complainant informally before applying an 'unreasonable' marking. Should this be the case, the complaint will not be processed, and the complainant informed. The school may still choose to look into the issues raised as part of internal processes.

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 our 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 reviewed after six months.

Time scales

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

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.

Scope of this Complaints Procedure

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

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Leeds Local Authority.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. *Parents have a right top make representation to the Governing body if they disagree exclusion
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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. 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.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
• 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.
• Complaints about the application of existing school policy.	The school will not investigate complaints about existing school policy. Parents may write to the Governing Body to request a review of policy, and their rationale for requesting this which will be considered by the Chair of governors or delegated to the appropriate Governor committee.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

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, in some instances, result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Guiseley 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.

When the Governing Board of a school adopts or approves a policy, and the school put the policy into operation, a complaint cannot be raised about the policy. This is a matter for dispute that needs to be referred back to the Governing Body asking for a review of policy rather than form part of the complaints process. This can be done in writing/email for the attention of the Governing via the school address or to info@guiseleyschool.org.uk . This correspondence should be marked for the attention of the 'Clerk to the Governors' and will be forwarded to the next Governor committee for consideration. The Governing body will respond within 10 school days of that committee considering the request to review policy.

Day to day operational decisions about curriculum and timetabling are operational decisions that are expected of Head Teachers and senior leaders by virtue of the Contract of Employment and expectations set out by the Department for Education. These are not open to this complaints process.

Resolving complaints

At each stage in the procedure, the aim is to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, 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 that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint.
- an apology.

Withdrawal of a Complaint

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

Stage 1 – Informal complaints

It is to be hoped that most concerns can be expressed and resolved on an informal basis.

Concerns should be raised with either the class teacher, year head / subject head or member of the School Leadership Team. 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 3 of the procedure.

At the conclusion of their informal investigation, the appropriate person investigating the complaint will provide an informal written response within 10 school days of the date of receipt of the complaint or concern.

If the issue remains unresolved, the next step is to make a formal complaint.

Stage 2 – Formal Complaints

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), in writing using the complaint form via the school office (which can be done as a paper copy or email).

The Headteachers PA or the HR Manager will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within **3 school days**.

We require that complaints are made on the complaint form as this guides the complainant to give the requisite information to investigate the complaint and gives an understanding of the outcomes the complainant seeks.

It may be that in this initial response, the Headteachers PA or HR Manager (or relevant Governor or Trustee depending on who the complaint is about) seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. (This is also why it is important that complaints are submitted on the complaint form that captures this information). This may be delegated to the Investigative Officer if appropriate to do so.

If the matter is within the scope of the complaint policy, it is important that the right person to investigate is identified. The Headteacher (or relevant Governor or Trustee) will look, initially, within the resources of the school, but it may be necessary to seek an external, neutral third party to undertake this role. The Headteacher (or relevant Governor or Trustee) has discretion to appoint this person, and to notify the complainant about who the person is and reasons for the decision.

If the complaint is about a member of staff, and meets the threshold to do so, HR processes will be followed. That is outside the scope of this complaint guidance.

The Headteacher (or relevant Governor or Trustee) may delegate the investigation to another member of the school's senior leadership team or suitable Investigative Officer but not the decision to be taken.

During the investigation, the Headteacher (or Investigative Officer) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Investigative Officer will provide their report to the Headteacher (or relevant Governor or Trustee) who will provide a formal written response within **25 school days** of the date of receipt of the complaint.

If the Investigative Officer is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Guiseley School will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Headteacher, or a member of the Governing Body (including the Chair or Vice-Chair), a suitably skilled investigating officer, who may be a governor, will be appointed to complete all the actions at Stage 2.

In some instances, where complaints have a broad scope and only a certain element is concerning the conduct or decisions of the Headteacher, then the Chair of Governors may appoint a Governor

to investigate this aspect whilst delegating the rest of the complaint to the Headteacher to appoint a separate investigating officer. In such instances as these, where there is a 'split investigation', the elements being investigated by the Headteachers designated Investigating Officer will be completed first to ensure their report is available to the member of the Governing body who is investigating the action or decisions of the Headteacher.

Complaints about the Headteacher or member of the Governing Body must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Records

The records of a complaint process are subject to the Data Protection Act 2018 and other statutory requirements.

There is an obligation to keep appropriate records. The Investigating Officer will collect and keep records of meetings as necessary. When the investigating officer writes their report, they may decide to combine their notes into that report and destroy original copies. They may decide to summarise their notes in the report and keep original copies. This will be specified in any report.

Schools keep necessary records and not a note of every meeting or discussion that is held between school staff or with parents, carers and pupils. To try and retain a record of every interaction or discussion about a pupil would be impossible on a daily basis.

On occasion, emails may also be deleted as part of the retention and information management process.

Stage 3 – Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with members of the Governing Body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaint's procedure.

Right to Seek a Panel

Following an investigation, or an outcome, either the complainant or the person complained about, can seek to take the matter to a panel hearing if they disagree with the outcome of the investigator's report and recommendations.

Procedure for Stage 3

A request to escalate to Stage 3 must be made to the Clerk, via the school office, **within 5 school days** of receipt of the Stage 2 response.

The Clerk will record the date the escalation of the complaint is received and acknowledge receipt in writing (either by letter or email) within **3 school days**. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The stage 3 request will then be considered by the either the Chair of the Panel or Governor with responsibility for complaints who will consider the nature of the complaint and decide if the stage 3 complaint panel will need to meet in person with the complainant or complete stage 3 through written correspondence.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **30 school days** of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offered date, the Clerk will offer an alternative. If the alternative is also rejected, the clerk will then decide when to hold the meeting and it will then proceed in the complainant's absence on the basis of written submissions.

Arrangements for the Panel

The Complaints Committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Guiseley School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent panel may be convened to hear the complaint at Stage 3.

If the complainant is invited to attend a meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate, if this is the case 5 days' notice must be given by the complainant.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Complaints about staff conduct will not generally be handled under this complaint's procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

Material for the Panel Hearing

If meeting is being held in person;

At least 15 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- request copies of any further written material to be submitted to the committee **at least 10 school days** before the meeting.

Any written material will be circulated to all parties **at least 5 school days before** the date the complaint panel is due to meet. 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.

If the complaint is being dealt with via correspondence;

At least 7 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- request copies of any further written material to be submitted to the committee **at least 5 school days** before the meeting.

Any written material will be circulated to all parties **at least 4 school days before** the date the complaint panel is due to meet. 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 2 of the procedure.

The Panel Hearing

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. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

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 Guiseley School with a full explanation of their decision and the reason(s) for it, in writing, **within 15 school days.**

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Guiseley School.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the Headteacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Data Protection

Prior to commencing any investigation, it is necessary for the complainant to give consideration to what personal data that they are content to be shared with an investigating officer. Attached to the complaint form is a section for consent to share material to enable an investigation to be undertaken.

If the complainant does not give consent to share information, it is important to note that the scope of the complaint may be limited and, therefore, the actions available to conclude the complaints process may also be limited. In some instances, the complaint may not be able to proceed. The complainant will be informed if this is the case to give an opportunity to consider consent to share the material again.

The same complaints process will be applied to Data Protection issues. A written outcome will be provided.

If the school does not comply with a Subject Access Request within 1 month (subject to any extension), or refuses all or part of the request, written reasons will be provided, setting out the principles for the refusal.

However, if you feel that the school has not dealt with your matter satisfactorily you can complain to the Information Commissioner.

By post: Customer Contact, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF

Or by email: casework@ico.org.uk

More information is on the ICO website www.ico.org.uk/

Next Steps

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 3.

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

Vexatious Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of Governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete.
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint.
- If there are new aspects, we will follow this procedure again.

Complaint campaigns

There can be occasions where the school receives large volumes of complaints from multiple sources. In these cases, we reserve our right to treat this as a complaints campaign and as such we may choose to manage these complaints as a whole and produce a single statement which is shared with all complainants.

Although the subject matter of the complaint will be taken seriously and fully investigated, the issue will not be investigated repeatedly without good reason.

In the event of a complaint which is identified as a part of a series of near identical complaints, the following process will be followed:

- The complainant begins the complaints process as usual.
- School staff identify that this complaint is one of many very similar complaints.
- A single letter of response is prepared.
- This letter of response is shared with each complainant.
- Complainants will have an opportunity to appeal the outcome of the complaint.

As there may be a high volume of complainants and therefore a high number of appeals received, appeals may also be managed as a whole and as such the procedure will be varied. It will not be possible for all complainants to attend an appeal panel meeting, however an opportunity to submit additional information will be provided.

Management of Stages

Complaint relates to	Stage 1 Informal	Stage 2 Formal Investigating Officer	Stage 3 Complaint Panel
Pupils, parents or staff (other than the Headteacher)	The appropriate member of staff	The Headteacher or Investigating Officer (IO). Headteacher will consider the recommendations of the IO.	Panel appointed consisting of at least three people who are not directly involved in matters detailed in the complaint with one panel member who is independent of the management and running of the school.
The Headteacher	The Headteacher	The Chair of Governors or IO. Chair will consider the recommendations of the IO.	Panel appointed consisting of at least three people who are not directly involved in matters detailed in the complaint with one panel member who is independent of the

			management and running of the school.
A Governor or Governors (other than the Chair of Governors)		The Chair of Governors or IO.	Panel appointed consisting of at least three people who are not directly involved in matters detailed in the complaint with one panel member who is independent of the management and running of the school.
The Chair of Governors		Vice Chair or IO. Vice Chair will consider the recommendations of the IO.	Panel appointed consisting of at least three people who are not directly involved in matters detailed in the complaint with one panel member who is independent of the management and running of the school.
The whole body of Governors		Clerk to the Governing Body will appoint an IO	Panel appointed consisting of at least three people who are not directly involved in matters detailed in the complaint with one panel member who is independent of the management and running of the school.

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep relevant records of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that correct records are produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The investigating officer will then determine whether to uphold or dismiss the complaint (or if not the head teacher make the recommendation to the head teacher or Chair of Governors if the complaint is about the head teacher).and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

Complaints will be co-ordinated by either the Headteachers PA or the HR manager. The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible.
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale.
- record the proceedings.
- 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 (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

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

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted.

- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- The meeting must be independent and impartial and should be seen to be so.
- No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting.
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The committee should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint.

Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests. The welfare of the child/young person is paramount.

Complaint Form

Your name	
House/ flat/ building number and street name	
Town	
County	
Postcode	
Your telephone number	
Your email address	

Formal complaint

Please provide as much detail as possible. All of the boxes expand to take additional text.

I am writing to make a formal complaint against/about:	

Please describe what your complaint is and when it arose.	
What you think the School did wrong or did not do? Include dates, names of witnesses etc.	
Please provide details about the consequences of what happened.	
What action, if any, have you already taken to try to resolve your complaint? (who have you spoken with or written to and what was the outcome?).	
What do you think the school should do to resolve matters at this stage?	
Please list copies of any documents you are attaching to the complaint.	

Please consider if you give consent to share your personal data with any investigating officer or not. Please delete either

I give my consent for information held in paper and electronic records in respect of my case to be made available to any allocated investigator. I consent to this confidential and sensitive data to be shared for that specific purpose. I realise that any information held about any third party cannot be shared without their specific consent.

Should it be necessary in the view of the investigator to seek that third party consent I give my approval that they may share sufficient information with that third party to enable that person to make an informed choice about whether or not to give consent to sharing that person's information with the investigator.

OR

I do not give my consent to share my personal data to an allocated investigating officer. I acknowledge that this may limit the scope of the complaint investigation.

Signed _____

Dated _____

Appendix 1: Data (Use and Access) Act 2025 - Complaint Process Appendix

Introduction

Guiseley School is committed to protecting the privacy and personal data of its students, staff, parents/carers, governors and the wider school community. This policy outlines the procedure for handling complaints related to data usage and access, in accordance with the Data Usage Access Act (DUAA) and other relevant UK data protection legislation, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018).

The UK GDPR documents as set out on our website provide an overview of how personal data is managed across our setting.

This is an appendix to the main complaint policy and reflects the requirement for standalone data usage complaints to be handled using a separate procedure. Any complaint that is linked to other matters whether raised as a formal or informal complaint are to be dealt with under the standard complaint process as outlined within the main complaint policy.

Roles and responsibilities

The Data Controller (DC) is responsible for ensuring compliance with this policy and the legal obligations imposed by the UK GDPR, Data Protection Act 2018, Data Usage and Access Act 2025 and other relevant legislation. The DC will delegate day to day management of this to the relevant staff member and the DC will expect that staff member to investigate any complaint unless there is a conflict of interest, in which case the DC will appoint a suitable person.

The headteacher and leadership team are responsible for ensuring all staff are aware of this policy and their data protection obligations.

Complaints Policy and Procedures

All staff members are responsible for handling personal data in a secure and lawful manner and for co-operating fully with any investigation into a data usage or access complaint.

Scope

This policy applies to all individuals who have dealings with Guiseley School and believe that their personal data has been used or accessed inappropriately, or that their rights under the DUAA and other data protection laws have been infringed.

This includes but is not limited to:

- current and former students
- parents/carers
- school staff (teaching, support, and administrative)
- governors
- volunteers
- contractors and suppliers

Principles

Fairness and transparency: All complaints will be handled in a fair, impartial, and transparent manner.

Confidentiality: Complaints and all related information will be treated with the utmost confidentiality, unless disclosure is required by law.

Timeliness: Complaints will be acknowledged and investigated in a prompt manner.

Compliance: All actions taken will comply with the DUAA, UK GDPR, DPA 2018, and other relevant legislation.

The complaint procedure

Step 1: Informal resolution

We encourage individuals to first attempt an informal resolution of their concerns. If you have a concern about data usage or access, you should, in the first instance, raise it with the relevant member of staff or senior person: Andrew Mathieson, Data Compliance Officer, dataprotection@guiseleyschool.org.uk.

In many cases, issues can be resolved quickly and informally at this stage.

Step 2: Formal complaint submission

If the informal approach is not successful or deemed inappropriate, a formal complaint should be submitted in writing using the complaint form attached.

The complaint should be addressed to the headteacher, Paul Clayton, via email to info@guiseleyschool.org.uk.

The written complaint should be made on the form at the end of this appendix. or shall include the following information:

1. your full name and contact details.
2. a clear and concise description of the complaint, including what happened, when it happened, and

who was involved.
3. a description of the data involved and how you believe it was used or accessed inappropriately.
4. any relevant dates, times, or evidence.
5. details of any informal steps you have already taken to resolve the issue.
6. the desired outcome of the complaint.

Step 3: Acknowledgment and investigation

You will receive an acknowledgment of the written complaint within 5 working days of the setting receiving it.

The DC will conduct a thorough and impartial investigation into the complaint.

This may involve:

- interviewing the complainant
- interviewing relevant staff members
- reviewing school records, logs, and policies
- consulting with external legal or data protection experts if necessary

The school will aim to complete the investigation and provide a substantive response within 20 working days of the complaint's acknowledgment. If the investigation is complex and requires more time, the DC will write to the complainant to explain the reason for the delay and provide a new estimated completion date.

Response

The DC will provide a formal written response to the complainant.

This response will include:

- the findings of the investigation.
- a clear and reasoned conclusion as to whether the DUAA or other data protection laws have been breached.
- details of any corrective action taken or planned to prevent a recurrence of the issue.
- the outcome of the complaint, including whether it has been upheld, partially upheld, or not upheld.
- information on the next steps available to the complainant if they remain dissatisfied.

Escalation

If the complainant is not satisfied with the school's final response, they have the right to escalate their complaint to the Information Commissioner's Office (ICO).

The ICO’s contact details are as follows:

Website: https://ico.org.uk

Telephone: 0303 123 1113

Postal Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Policy Review

This policy will be reviewed annually by the Data Protection Officer and the school leadership team to ensure it remains relevant, effective, and compliant with all current legislation.

Date of implementation: September 2025

Review date: August 2026

Appendix 2: Data (Use and Access) Act 2025 – Complaint Form

To be completed by the complainant

Please return this form to Guiseley School f.a.o. Paul Clayton at info@guiseleyschool.org.uk

Part 1: Complainant's Details

Please provide your full contact information so we can communicate with you regarding your complaint.

Full Name:	
Relationship to the school: (e.g. student, parent/carer, staff member, former student, volunteer, contractor)	
If student:	
year group:	
form/class:	
If parent/carer:	
student's full name:	
student's year group:	
Contact telephone number:	
Email address:	
Postal address:	
Preferred method of contact: (e.g. email, phone or post)	

Part 2: Details of the complaint

Please provide a clear and concise description of your complaint.

Date(s) of the incident(s)	
When did the misuse occur or when did you become aware of it?	
Nature of the complaint	
Please tick all that apply and provide details below:	
Unauthorised access to personal data	
Unauthorised disclosure of personal data	
Incorrect or inaccurate personal data	
Unlawful processing or use of personal data	
Failure to respond to a data subject request e.g. Subject Access Request or Right to Erasure	
Other (please specify)	
Description of the incident(s)	
What happened? Provide a detailed narrative of the events.	
Who do you believe was involved? e.g. specific staff member, department, external party	
What personal data was involved? e.g. name, address, medical information, academic records, disciplinary records, financial details, sensitive personal data	
How do you believe your data was	

misused or accessed inappropriately?	
Where did the incident occur (if applicable)	
Has there been any previous attempts to resolve this issue informally? e.g. discussed with a teacher, GDPR lead, head of department.	**Yes or No**
If yes, please provide details of who you spoke to and when.	

Part 3: Supporting evidence

Please list and attach any evidence that supports your complaint. This could include:

- emails or correspondence
- screenshots
- dates and times of relevant events
- witness statements (if applicable)

Please list attached documents here:

Part 4: Desired outcome

Please specify the resolution that you are seeking as a result of this complaint?

☐	Investigation and explanation of what happened
☐	Correction of inaccurate data
☐	Deletion of unlawfully processed data
☐	An apology
☐	Assurance that similar incidents will not occur in the future

☐	Other (please specify):

Part 5: Declaration

I understand that the school will investigate this complaint in accordance with its Data (Use and Access) Act 2025 Complaint Process.

Signature:

Date: