

COMPLAINTS POLICY AND PROCEDURE

Brockmoor Primary School • Brierley Hill Primary School

POLICY OWNER	Executive Directors: Tom Amphlett and Lana Duffin
APPROVED BY	Governing Body
APPROVAL DATE	September 2026
REVIEW DATE	September 2027 or earlier if guidance changes
REVIEW CYCLE	Annual BCF review

Aspiration and opportunity for every child

1. Purpose and legal status

Black Country Federation (BCF) is committed to resolving concerns fairly, promptly and as close as possible to the point at which they arise. This procedure applies to Brockmoor Primary School and Brierley Hill Primary School.

Section 29 of the Education Act 2002 requires the governing body of a maintained school to establish procedures for dealing with complaints about the school, or facilities or services it provides, where another statutory procedure does not apply, and to publicise those procedures. As BCF is a federation, the federated governing body is responsible for establishing the procedure and each school must publish it on its own website.

Relationship with Dudley Metropolitan Borough Council guidance. Black Country Federation comprises two local authority maintained community schools. This procedure has been adopted by the federated Governing Body and is based on Dudley Metropolitan Borough Council's General Complaints Procedure for Maintained Schools, alongside the Department for Education's current Best practice guidance for school complaints procedures and model procedure.

This is a complaints procedure, not an inspection document. Ofsted does not determine individual complaints. Where concerns relate to the school as a whole, Ofsted may consider information in accordance with its own processes, normally after concerns have first been raised with the school.

2. Principles

- Be simple to understand and use, accessible and proportionate.
- Seek early, informal resolution where appropriate without preventing access to the formal procedure.
- Be impartial, non-adversarial and based on a full and fair consideration of relevant evidence.
- Treat complainants and those complained about with dignity, respect and appropriate confidentiality.
- Make reasonable adjustments so that disabled people and others with communication or access needs can use the procedure.
- Provide clear decisions, reasons and appropriate redress where a complaint is upheld or partly upheld.
- Use complaints as evidence for improvement, while protecting the confidentiality of individuals.
- Avoid unnecessary delay and keep complainants informed if published timescales cannot be met.

3. Who can complain?

The procedure is not limited to parents or carers of pupils currently on roll. Any person, including a former parent or carer, volunteer or member of the public, may complain about a facility or service provided by either BCF school unless a separate statutory or other procedure applies.

A complaint may be made in person, by telephone or in writing, including email. A third party may act for a complainant where appropriate consent has been provided.

4. Concern or complaint?

A concern is an expression of worry or doubt for which reassurance or a response is sought. A complaint is an expression of dissatisfaction about an action taken, or a lack of action.

BCF will take concerns seriously and will try to resolve them at the earliest appropriate stage. A person does not lose the right to make a formal complaint because informal resolution has been attempted.

5. Matters outside this procedure

Some matters must or should be dealt with under different arrangements. The school office will help direct a concern where the correct route is unclear.

Matter	Route
Admissions and admission appeals	For BRK and BH, Dudley Metropolitan Borough Council is the admission authority. Use Dudley's admissions and appeals arrangements.
Statutory EHC needs assessment / local-authority SEND decisions	Raise with Dudley Council and use the relevant statutory appeal or complaint route.
Child protection matters requiring investigation	Follow BCF safeguarding procedures and relevant local safeguarding/LADO/MASH arrangements.

Suspensions and permanent exclusions	Use the statutory suspension and permanent exclusion review arrangements. Complaints about application of the school's behaviour policy may use this procedure where appropriate.
Staff grievances	Use the relevant Dudley/BCF staff grievance procedure.
Staff conduct / disciplinary matters	The complaint may trigger internal employment procedures. The complainant will be told that the matter is being addressed but will not normally be given confidential employment outcomes.
Whistleblowing by employees	Use the BCF/Dudley whistleblowing procedure.
Services delivered by an external provider	Use the provider's complaints procedure unless the complaint concerns BCF's own actions or responsibilities.
National Curriculum content	Raise with the Department for Education. Complaints about BCF's delivery of the curriculum can use this procedure.
Freedom of Information / data protection rights	Use the relevant statutory information-rights process and escalation route.

6. How to raise a concern or complaint

- Initial concerns should normally be raised with the class teacher or another appropriate member of staff.
- Formal complaints about a member of staff should be sent to the relevant Executive Director via the school office and marked Private and Confidential.
- Formal complaints about an Executive Director should be sent to the Chair of Governors via the school office and marked Private and Confidential.
- Where a complaint concerns both Executive Directors, it should be sent to the Chair of Governors.
- Complaints about the Chair, an individual governor, the majority of governors or the whole governing body should be sent to the Complaints Administrator via the school office. The special arrangements in section 10 will apply.
- Complainants should not approach individual governors about a complaint because this may compromise the governor's ability to take part impartially at a later stage.

A complainant does not have to use the complaint form, although the form at Appendix 1 may help to identify the issues, desired outcome and relevant evidence.

7. Accessibility and reasonable adjustments

BCF will consider reasonable adjustments at every stage. This may include help to put a complaint in writing, alternative formats, interpretation, accessible meeting arrangements, allowing a supporter, or adapting communication methods. The substance of a complaint will not be rejected merely because a complainant needs assistance to express it.

8. Timescales

Complaints should normally be raised within three months of the incident or, for a series of related incidents, within three months of the most recent incident. BCF will consider complaints outside this period where there are exceptional circumstances. There will be no blanket refusal based only on lateness.

Complaints received outside term time will normally be treated as received on the first school day after the holiday. Where a published timescale cannot reasonably be met, BCF will explain the delay and provide a revised date.

Acknowledgement of formal Stage 1 complaint	Within 5 school days
Stage 1 written response	Normally within 15 school days of receipt
Request to escalate to Stage 2	Within 10 school days of the Stage 1 response, subject to exceptional circumstances

Acknowledgement of Stage 2 request	Within 5 school days
Stage 2 committee	Aim to convene within 15 school days of the Stage 2 request
Stage 2 outcome	Within 10 school days of the committee concluding its consideration

9. Stage 1 - formal complaint

The appropriate decision-maker will record the date of receipt, acknowledge the complaint, clarify the issues and desired outcome where necessary, and arrange a fair investigation. An investigator may be appointed, but the Stage 1 decision remains with the person responsible for the stage.

- Relevant people may be interviewed and relevant records considered.
- Notes of meetings and calls will be kept securely.
- The person complained about will be given a fair opportunity to respond to relevant allegations.
- The investigation will distinguish evidence, fact, inference and disputed accounts.
- The written outcome will address the substantive points, state whether each is upheld, partly upheld or not upheld where appropriate, explain the reasons, identify any remedy or improvement action that can properly be shared, and explain how to escalate.

Where a complaint is about an Executive Director, Stage 1 will be undertaken by a suitably skilled and impartial governor. Where the circumstances create an actual or apparent conflict, the governing body will arrange an appropriately independent person.

10. Complaints involving governors or the governing body

- A complaint about an individual governor, including the Chair or Vice-Chair, will be considered by a suitably skilled governor with no prior involvement at Stage 1, followed by an impartial Stage 2 committee if escalated.
- A complaint jointly about the Chair and Vice-Chair, the majority of the governing body, or the whole governing body will be handled through independent arrangements commissioned by the governing body.
- Where independence cannot be secured from within BCF, governors or an independent investigator/committee may be sourced through another school or Dudley Governor Services.
- Any departure from the published procedure will be documented with the reason.

11. Stage 2 - governing body complaints committee

If the complainant remains dissatisfied after Stage 1, they may request Stage 2. The complaint will be considered afresh by an impartial committee of at least three governors with no prior involvement or knowledge that would compromise their impartiality.

- The committee will decide whether to use a meeting, written representations or a combination, taking account of the complainant's needs and wishes.
- The complainant will have a fair opportunity to state their case and may bring a supporter. Legal representation is not normally necessary, but may be appropriate in exceptional circumstances.
- Relevant papers should normally be shared with the parties in sufficient time for fair consideration, subject to lawful redaction and confidentiality.
- The meeting will be private. An experienced and independent clerk should be used wherever practicable.
- The committee may uphold the complaint in whole or in part, or dismiss it in whole or in part.
- Where appropriate, the committee may require or recommend action to resolve the complaint and improvements to systems or procedures.
- The written outcome will explain the decision and reasons and provide the route to the Department for Education.

Stage 2 is the final stage of BCF's complaints procedure.

12. Safeguarding

Where a complaint indicates that a child may be at risk of harm, safeguarding takes priority. The concern will be referred immediately through BCF safeguarding procedures and, where appropriate, to the relevant external

agency. The complaints process may be paused or adapted where necessary to avoid prejudicing a safeguarding, police, LADO or other statutory investigation.

13. Anonymous complaints

BCF will determine whether an anonymous complaint warrants investigation. Serious safeguarding, safety, fraud or other significant concerns will not be disregarded merely because the source is anonymous.

14. Confidentiality, records and recordings

- Complaint information will be shared only where there is a legitimate need to know.
- BCF will record the progress and final outcome of formal complaints and store records securely in line with data-protection law and the federation's retention arrangements.
- Details of an unresolved complaint will not be circulated to the whole governing body if doing so could compromise the independence of a later committee.
- Meetings are not routinely audio or video recorded. Where recording is proposed as a reasonable adjustment or for another fair and lawful reason, it must be agreed in advance.
- BCF will not normally accept covert recordings as evidence unless there are exceptional reasons to do so.

15. Resolving complaints and redress

At any stage BCF may seek to resolve a complaint. Depending on the findings, appropriate redress may include an explanation, acknowledgement that something could have been handled better, an apology, corrective action, review of a decision where lawful, changes to practice or policy, staff support or training, or other proportionate action.

BCF will not disclose confidential information about another pupil, family or employee, including the outcome of any disciplinary process.

16. Serial, persistent and unreasonable complaints or contact

BCF will remain fair and accessible even where contact is challenging. A complaint will not be labelled serial simply because a person is persistent, exercises a right of escalation or contacts an MP. The focus will be on the complaint or behaviour, not a label attached to the person.

Where all reasonable steps have been taken, the school's position and available options have been clearly explained, and substantially the same points continue to be raised, BCF may decide that the complaint is closed. Where the frequency or nature of contact causes significant disruption, BCF may introduce a proportionate communication plan.

- Examples may include a single named contact, an agreed communication channel, reasonable limits on frequency of contact, or declining to respond to correspondence that merely repeats matters already concluded.
- Restrictions will be proportionate, explained in writing, time-limited or reviewed at an identified point, and will not prevent a genuinely new complaint from being considered.
- Abusive, threatening, discriminatory or violent behaviour is not acceptable. Serious incidents may be referred to the police and access to premises may be restricted using the appropriate lawful process.

17. Withdrawal of a complaint

If a complainant wishes to withdraw a formal complaint, BCF will normally ask for confirmation in writing. The school may nevertheless continue to consider an issue where safeguarding, safety, governance or another significant concern means that it is appropriate to do so.

18. Learning from complaints

Complaints are not treated only as cases to close. At the end of a complaint, the responsible leader will consider whether the evidence identifies a wider weakness in communication, policy, practice, training, leadership or systems.

The governing body may receive anonymised thematic information about complaints and resulting actions. It should not receive case detail that could compromise future impartiality. The test is: what changed because of the complaint, how do we know the change happened, and has the risk of recurrence reduced?

19. Escalation after BCF's procedure

If the complainant believes BCF did not handle the complaint in accordance with its published procedure, prevented them from completing it, or acted unlawfully or unreasonably in the exercise of education functions, they may refer the matter to the Department for Education after Stage 2. The DfE does not normally reinvestigate the substance of a complaint or simply substitute its own decision for the school's.

Current referral route: [Complain about a school to the Department for Education](#). Dudley Council is not an additional formal appeal stage for a general school complaint.

20. Publication and review

This full BCF Complaints Policy and Procedure will be published on BOTH the Brockmoor Primary School and Brierley Hill Primary School websites. This reflects the specific DfE requirement for federated schools where member schools have their own websites. Each website should also signpost the current Dudley Council school-complaints information page for local-authority context, while making clear that the BCF procedure is the procedure complainants must follow for a general complaint about either school.

A paper copy will be provided free of charge on request. The complaint form may also be provided separately as an accessible Word or online form for convenience, but the full published procedure remains the controlling document.

Website publication should therefore show: BCF Complaints Policy and Procedure (full PDF); optional BCF Complaint Form; and a signpost to Dudley Council's 'Complaints procedures for schools in Dudley' page. The old September 2022 Dudley PDF should not remain as a competing school procedure once this BCF procedure has been formally adopted.

BCF will review this procedure annually as a federation control and immediately when relevant legislation, DfE guidance or Dudley local-authority arrangements change. The governing body will approve the procedure.

Appendix 1 - Complaint form

Use of this form is optional. A complaint may also be made in person, by telephone, letter or email.

Your name	
Address / preferred contact details	
Pupil's name and your relationship to the pupil (if relevant)	
School concerned	Brockmoor Primary School / Brierley Hill Primary School
Please describe your complaint, including key dates and who you have already spoken to	
What outcome or action would help resolve the complaint?	
If escalating from Stage 1, what are your grounds for requesting Stage 2?	
Documents attached (if any)	

Signature (if submitting on paper)	
Date	

Appendix 2 - Quick route

Concern	Raise with the class teacher or appropriate member of staff. Aim for early resolution.
Stage 1	Formal complaint to the relevant Executive Director, or Chair of Governors if the complaint concerns an Executive Director.
Stage 2	Impartial governing body complaints committee. Final BCF stage.
After Stage 2	Department for Education, where the complaint concerns the school's handling, legality or reasonableness.

School office staff will help route complaints correctly. Complaints should be marked Private and Confidential where appropriate.

Appendix 3 - Governance assurance checklist

- Has the complainant been able to complete the published procedure unless a lawful and evidenced exception applies?
- Has each decision-maker been impartial and free from prior involvement that could create actual or apparent bias?
- Have reasonable adjustments and communication needs been considered?
- Have relevant evidence and disputed facts been handled fairly?
- Have published timescales been met, or have delays and revised deadlines been explained?
- Does the outcome address the actual complaint, give reasons and identify appropriate redress?
- Have safeguarding, employment, SEND, equality, information-rights or other statutory routes been separated correctly?
- Has any wider learning been converted into a clear action, owner and follow-up?

Appendix 4 - Key sources

- Education Act 2002, section 29.
- DfE: [Best practice guidance for school complaints procedures](#)
- DfE: [School complaints procedures: guidance for maintained schools](#)
- DfE: [What maintained schools must or should publish online](#)
- DfE: [Maintained schools: governance guide](#)
- Dudley Children's Services: General Complaints Procedure for Maintained Schools (September 2022 version supplied to BCF; stated LA review date September 2025). Current Dudley public information: [Complaints procedures for schools in Dudley](#)
- Equality Act 2010, Data Protection Act 2018 and UK GDPR, where applicable.