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VICENTE CAÑADA BLANCH

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# COMPLAINTS POLICY

THIS IS A WHOLE SCHOOL POLICY, WHICH ALSO APPLIES TO THE EARLY YEARS FOUNDATION STAGE

The School policy can be accessed on the school website or obtained by request.

**Review date: January 2024**

**Next review date: January 2026**

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The Instituto Español Vicente Cañada Blanch (hereinafter, the School) dependent on the Spanish Ministry of Education (hereinafter, the MEFPD) is committed to working in partnership with parents and guardians at all times. However, the actions of those who work in the school will and should be open to comments, questions and, on occasion, criticism, provided that complaints are addressed in a constructive tone and spirit.

In this collaborative effort, the School takes concerns and complaints seriously and deals with them promptly and rigorously.

If any concerns or complaints are brought to our school's attention, we view it as an opportunity to inform, review, and improve school procedures where appropriate.

Appropriate levels of courtesy are expected to characterise all interactions, and we will act in accordance with the seven principles of public life ('The Nolan Principles'). The School expects individuals to present their complaints politely and courteously. Aggressive, violent, abusive or anti-social behaviour towards any member of staff will not be tolerated. It is important to control one's emotions when addressing school staff, as angry confrontation is not conducive to communication between members of the school community and can be counterproductive. It is therefore recommended that complaints are made as politely as possible.

## COMPLAINTS

The language used to present a problem can be unclear. A concern is an expression of worry, doubt, belief or observation about an issue considered important for which assurances are sought. On the other hand, a complaint is an expression of dissatisfaction about actions taken or lack of action.

The Department for Education (DfE) considers concerns and complaints to be the same for the purposes of this procedure. As a result, both should be addressed using this process.

The school will handle complaints in accordance with this procedure, giving high priority to thoroughly investigating the facts and responding to the complainant within the published timescales.

Throughout this policy, the term 'complaints' will be used to refer to all relevant matters, about which a number of aspects should be taken into consideration:



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- They will be dealt with in line with any relevant legislation, statutory obligation and following the School Data Protection Policy.
- Complaints considered under this policy will be reviewed by Governors.
- Anonymous ones will not typically be investigated. However, the Headteacher or the Governors will determine if the allegation warrants an investigation.
- They will be considered objectively and impartially.
- They will be reviewed and resolved in a timely manner.
- A complaints form will be expected for Stages 2 and 3 of the procedure.
- They will only be investigated within the time limit specified in the complaints timescale, and if they are made outside the prescribed time limit, they will be considered to have been received on the first academy day after the holiday period.
- The findings letter will indicate whether they have been upheld in whole or in part, or not upheld, after which one or more of the following will be offered:
  - 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 the matter will not happen again and an indication of the timescales within which any changes will be made;
  - an undertaking to review relevant academy policies in light of the complaint;
  - an apology.
- Complaints which are considered to be unreasonable, persistent or vexatious will not be investigated.

## SCOPE

This policy sets out the procedures which our school will follow whenever the School receives a complaint for which there are no alternative statutory procedures. It does not apply to complaints for which there is a separate statutory procedure including those exceptions listed below:



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Complaint type	Procedure
Admissions	The School Admissions Instructions issued by the Spanish Embassy Education Office in London (hereinafter, SEEO).
Exclusion of children from school	The MEFPD procedures (Instructions 24th May 2005).
Whistleblowing	Internal whistleblowing procedure for all employees, including temporary staff and contractors.
Staff conduct	The MEFPD procedures, according to which complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint, but they will be notified that the matter is being addressed.
Services offered by other providers who may use school premises or facilities	The external provider's complaints procedure. Please contact them directly.
Curriculum	The school is exempt from teaching the DfE National Curriculum and is authorised to teach the Spanish National Curriculum according to the Organic Law 2/2006, 3 May issued by the MEFPD. Any complaints on this curriculum should be addressed to the SEEO on behalf of the MEFPD.
Disciplinary	School's Internal Rules and Regulations outline the procedure to be followed for various cases related to student discipline on school premises.

## COMPLAINANT

In accordance with policy expectations, the individual filling in a complaint will be referred to as the 'complainant'. Likewise, the term 'parent' encompasses a parent, or legal guardian.

This procedure is available to parents of pupils enrolled during the year in which the complaint is made. The school is not obliged to follow this procedure in relation to complaints from parents of former pupils, unless the complaint was made before the child left the school.



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If a complainant wishes to withdraw their complaint, they should confirm their withdrawal by sending an email to the School Office.

If a complainant commences legal action against the School in relation to their complaint, consideration will be given as to whether to suspend the Complaints Procedure until legal proceedings have concluded.

### TIME SCALES

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

Written complaints regarding compliance with EYFS requirements will be investigated, and the complainant will be notified of the outcome within 28 days.

For any other complaint relating to a child in the EYFS and for complaints relating to pupils in Year 1 and older, the School will endeavour to follow the timescales, as published at each stage of the procedure. It is recognised that there may be factors beyond the school's control, or the need for more detailed investigation, which prevent adherence to these timescales. The School aims to keep parents informed about the progress of any complaint investigation and the reason for any delay.

Except in the particular case of EYFS requirements, as noted above, timescales relate to working days during term-time. A complaint received during school holidays will, for the purposes of timescales, be considered to have been received on the first working day following the holiday.

### THE COMPLAINTS PROCEDURE

All complaints will start with an investigation at Stage 1 and progress through the procedure until a resolution is found, unless the Headteacher identifies a complaint as particularly serious and chooses to advance it to a later stage.

#### STAGE 1 - INFORMAL PROCEDURE

Many issues can be resolved informally without resorting to the formal stages of the complaints procedure. It is in everyone's interest that complaints are resolved as quickly as possible. In most cases, concerns, no matter how small, will be resolved quickly with the child's tutor or subject teacher.





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Complaints made directly to any member of the Senior Leadership Team (SLT) will usually be referred to the relevant teacher unless the Headteacher deems it appropriate to deal with the matter personally.

If a complainant has difficulty discussing a concern with a particular member of staff, his/her views will be respected. In these cases, the SLT will refer the complaint to another staff member or to the Headteacher. Similarly, if the member of staff directly involved feels unable to deal with a concern, the SLT will refer the complaint to another staff member who can be more senior and who would always consider the complaint objectively and impartially.

The complainant should report the issue promptly to the appropriate staff member, either in person, by letter, telephone, or in writing. The school will investigate and respond within 15 school days.

If the complainant believes there is not a satisfactory resolution, they can move to Stage 2 of the procedure.

### **STAGE 2 - FORMAL PROCEDURE**

At times, parents may not be content with an informal discussion with a member of the staff and may choose to escalate their complaint to a more formal level.

Formal complaints must be submitted in writing, either in person or by email to [canada.blanch.uk@educacion.gob.es](mailto:canada.blanch.uk@educacion.gob.es) using the complaints form attached at the end of this policy. They will be addressed to the Headteacher. However, if the complaint pertains to the Headteacher, the Stage 3 procedure should be followed. In any case, the School Office Staff will record the date of receipt of the complaint.

To proceed with the formal status of the complaint, the Headteacher will consider the nature of the complaint, investigate the facts surrounding it, and take into account the stage of the complaint process and the desired outcome of the complainant. If necessary, the Headteacher will consider arranging a face-to-face meeting with the complainant and selected teachers. The Headteacher may delegate the investigation process to another member of the SLT, but the final decision remains with the Headteacher.

During the investigation, the Headteacher or designated investigator shall, if necessary:

- interview those involved in the matter and/or those complained of.
- keep minutes of all meetings and interviews related to the investigation.

After completing the investigation, the Headteacher will send a formal written response to the family within 15 school days of receiving the complaint. If the complaint-handling process makes it unable to meet the deadline, the complainant will be provided with an update and a new response date.



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The response should provide details of any actions taken after investigating the complaint, including information on the decision made and the reasons for it. If necessary, the response should also include information on the actions the School will take to resolve the complaint.

If a complainant is not satisfied with the outcome of a Stage 2 complaint, they may request that the School proceed to Stage 3 of this procedure. In this case, the School Office Staff will provide guidance to the complainant on how to escalate their complaint to Stage 3.

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.

### **STAGE 3 - SEEO PROCEDURE - PANEL HEARING**

To request a review in Stage 3, the complainant must send a formal written request via email to [consejeria.uk@educacion.gob.es](mailto:consejeria.uk@educacion.gob.es) within 15 school days of receiving the Stage 2 response. The school must be copied. Please note that applications received after this deadline will only be considered in exceptional circumstances. The formal request must include both the claimant's complaint and the Stage 2 response attached to it.

The SEEO will record the date of complaint receipt and send an acknowledgement of receipt to both the complainant and the school within 10 school days. They will only consider complaints that have gone through stages 1 and 2. Under no circumstances will they accept new complaints. Neither will they consider evidence unrelated to the original complaint.

The SEEO will analyse the complaint and all the evidence presented by the complainant, and they will also ask the School to inform of the nature of the complaint and the reasons why the complainant is dissatisfied with the outcome at Stage 2.

The matter will then be referred to the Hearing Panel for consideration. The panel will consist of two members from the SEEO and a member independent of the management and running of the school. All panel members will not have been previously involved in matters detailed in the complaint. Parents can attend a panel hearing, accompanied by one person if they wish.

After considering all relevant facts, the panel will make a decision. It will then disclose its findings and make recommendations based on them. This process will be completed within three weeks. As a result, they can either:



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- dismiss the complaint, in which case the complaint procedure will be formally closed.
- uphold the complaint in whole or in part, in which case they will decide on the appropriate measures to resolve the issue, and if deemed necessary, the panel will recommend proposals for changes in the school's procedures to prevent similar issues from arising in the future.

The panel's findings and recommendations will be communicated in writing to the complainant and, if applicable, to the subject of the complaint. The report will also be available for inspection by the governing body and the Director.

### PERSISTENT COMPLAINTS

If a complainant tries to start a new complaint process after the appropriate procedure outlined in this policy has been fully completed, the school administration will inform the complainant that the process cannot be reopened. Any further attempt to reopen the complaint will be considered vexatious and will not be responded to by the School, on the grounds that every reasonable step to address the complainant's needs has been taken, and a clear statement of the school's position and their options (if any) has been given.

As this policy is in place to ensure efficient handling of complaints, the School will not respond to duplicate complaints that have already been addressed in the first, second, or third stage of the procedure due to the following reasons:

- The complainant repeatedly contacts the School, but raises the same points each time.
- It appears that the complainant intends to cause disruption or annoyance.
- The individual's letters, emails, or phone calls are frequently abusive or aggressive.
- The individual makes insulting personal remarks or threatens the School's staff.

### COMPLAINTS RECORDS

The school maintains a record of all complaints that reach stage 2 or proceed to stage 3 in its formal complaints file. The record includes the outcome of each complaint and the stage at which it was concluded.

The register records any action taken by the School in response to the complaint, regardless of whether it has been upheld. All parties involved in a complaint, including the complainant, the School, witnesses, and the hearing panel, should maintain confidentiality regarding all matters and documentation related to complaints.



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Parents can rest assured that any correspondence, statements, or records related to complaints will be kept confidential, except in cases where the Secretary of State or an inspection body under section 109 of the 2008 Act requests access to them, or where any other statutory duty prevails. The ISI can request a record of all complaints.

If the complaint involves safeguarding, the retention of documents will be determined by the safeguarding requirements in place at the time. For more information, please refer to the guidelines on retention and record-keeping provided by the Independent Schools Council.

Records of complaints will be retained for a minimum of 7 years.



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## COMPLAINT FORM

Please complete and return to the School Office who will acknowledge receipt and explain what action will be taken.

<b>Complainant's name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil:</b> <b>Your relationship to the school:</b>
<b>Address:</b>
<b>Postcode:</b> <b>Telephone number:</b> <b>Complainant's email address:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it:</b>



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

**Are you attaching any documents? If so, please enumerate and describe.**

**Signature:**

**Date:**

***DO NOT WRITE HERE. Official use only***

**Date of acknowledgement:**

**Complaint referred to:**

**Date of referral:**