



Complaints Procedure

Our schools are committed to providing the best education for our young people and want our pupils to be healthy, happy and safe and to do well. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We are aware that there may be occasions where people have concerns and the following procedure sets out the steps that should be followed in order to resolve these as quickly and informally as possible.

Please read this document from Parentkind [A Guide for Parents to School Complaints](#)

Please note: Concerns/complaints must not be emailed directly to staff members (schools or Trust), nor copied to others or shared via social media.

If the subject of the complaint is absent and is unable to be part of a discussion or an investigation, then the complaint will be put on hold until their return. Issues from the complaint will be passed on to the line manager of that staff member and, if appropriate, actions will be taken. The complainant will be informed that the complaint is on hold and will be informed of any actions taken by the school to address the issues raised.

Complaints need to be considered and resolved as quickly and efficiently as possible. The Complaints Policy is designed to address issues and introduce measures to bring about a resolution for the complainant and associated parties. Therefore this procedure will only be applicable when a pupil remains on the school roll. **Complaints must be made within 3 months of the incident.** We will consider complaints made outside of this time frame if exceptional circumstances apply.

If the pupil leaves the school before or during the complaint, then the complaint will still be investigated, actions taken as appropriate and reported to governors but the complainant will not receive further communication about the complaint. **Complaints must be made within 1 calendar month of the pupil leaving the school.** We will consider complaints made outside of this time frame if exceptional circumstances apply.

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

When following the procedures below please ensure that your complaint is not copied to any other staff member or governance member, other than the recipient named at the relevant step, as this breaches the policy procedures.

Please note that a complaint must include all concerns present at the initial stage. Unraised or new concerns cannot be introduced during the complaints process although these can form part of a new complaint.

When a complaint is made it is essential that:

- 1) School staff act professionally (see Appendix 2 Section 3) and
- 2) Complainants behave in a reasonable manner (see Appendix 2 Section 4)

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.

Scope of this Complaints Procedure

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

Exceptions	Who to contact
Statutory assessments of Special Educational Needs	Concerns about statutory assessments of Special Educational Needs should be raised through the complaints policy of Suffolk County Council
- Admissions to schools - School re-organisation proposals	Concerns about admissions or school re-organisation proposals should be raised with The Tilian Partnership by sending a letter to the central office.
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). Contact details are available on the Suffolk County Council website
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>
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.
• 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 result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against the 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.

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, as long as they have appropriate consent to do so.

Purpose of Complaint and likely outcomes

The purpose of this policy is to outline how we will address issues and, if improvements are needed, introduce measures to bring about a resolution for the complainant and associated parties. At each stage in the procedure, our schools want to resolve the complaint. If the complaint is upheld in whole or in part, by way of resolution and improvement, 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.

Please note: The school is unable to provide certain information to complainants. This information includes sanctions on other pupils as this is protected under law as third party data.

Preliminary Stage: Informal Complaint

Complaints should be raised with either the class teacher or headteacher in the first instance, this is raised as an informal 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.

Complainants should ask the classteacher or headteacher for an appointment - this can be done by speaking directly to the teacher or head or by contacting the school office for an appointment.

Complainants should start by telling the teacher/headteacher about the concern. This is usually the best and quickest way of resolving issues.

- It is recommended that complainants make an appointment to speak to the classteacher/headteacher as soon as possible as this will give both parties the opportunity to talk about the issue in an appropriate manner and without being interrupted.
- It is important to recognise that schools are busy organisations and it may not be possible to offer complainants an appointment straight away.
- The purpose of this meeting should be to establish the nature of the concern and to seek a realistic resolution to the problem.
- The classteacher/headteacher will make a brief written record of the concern raised and any actions agreed.

There may need to be a further investigation into an issue and if this is the case the teacher/head should, following this, discuss next steps with the complainant.

If the complainant feels dissatisfied with the outcome of discussions the complaint may be escalated to Stage 1

Stage 1: Formal Complaint

Moving to the formal complaints procedure is a serious step. In consideration of future home/school relationships everyone concerned will need to concentrate on finding a resolution to the issue and negotiate an agreement as to how this can best be achieved.

Complainants should write to the Headteacher at the school (addressing the letter or email to the Head and marking it Private and Confidential: Formal Complaint) explaining the complaint and the suggested resolution within 5 days of the meeting with the Classteacher/Headteacher.

The headteacher will confirm receipt of the formal complaint within 2 school days. The headteacher may need to seek clarification on specific elements of the complaint, ask for more detail and/or ask what remains unresolved and what outcome the complainant would like to see. The headteacher

could consider whether a face to face meeting is the most appropriate way of doing this. It is important that during this time the complainant does not continue to contact the school unless there is **further and significant information** to add. If this is the case the complainant must submit this in writing to the school office (paper or email - addressed further information on the complaint). It should be noted that "further and significant information" is defined as information which will clarify the complaint. It is not additional complaints or checking up with the school on the progress of the response.

The Headteacher will make a written response to your complaint within 10 school days of receiving this letter. If the headteacher 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 the 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 1.

Stage 2: Chair of Governors

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 i.e. to the Chair of Governors.

In order to move to this stage a request should be put into writing (including email) and sent to the school office marked "Confidential: Complaint FAO Chair of Governor". This must be done within 5 working days of the receipt of the letter of response from the headteacher.

The complainant should explain why they believe the response is not acceptable. For example, an inaccuracy in the response; a policy not being followed correctly, or the actions taken being unlikely to resolve similar issues in the future. No new concerns can be raised in this letter. If there are new concerns then these must start at the beginning of the complaints procedure.

The Chair of Governors will meet with the Headteacher to investigate the points raised in the complainant's letter. Further investigations may then be necessary.

The Chair of Governors will then write to the complainant explaining whether the response by the headteacher under Stage 1, including any suggested actions the school needed to take, was appropriate and accurate. If the response was inaccurate or the Chair believes that this did not fully answer the original complaint then they will include actions that the school will be required to take.

The Chair of Governor's letter will also explain how to escalate the complaint to Stage 3.

Stage 3: Appeal

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 which is the final stage of the complaints procedure and involves an appeal panel.

In order to move to this stage a request should be put into writing (including email) and sent to the school office marked "Confidential: Request for Appeal. Please forward to the Trust Secretary immediately". This must be done within 5 working days of the receipt of the letter of response from the Chair of Governors.

The CEO, or other suitable senior trust officer, will act as Chair of the Appeal Panel. The Chair will then make arrangements to convene a hearing by the Appeal Panel in accordance with the

protocol set out in Appendix 1. On conclusion of the appeal hearing, the Panel's decision is regarded as final and all steps within the complaints procedure are exhausted.

Finally, if on conclusion of this procedure you feel that the Trust has acted unreasonably ie not following this policy, then you may make a complaint to the Department for Education by using the [school complaints](#) website

Vexatious complaints:

The majority of complaints are resolved through a properly managed complaints procedure.

However, there are occasions when:

- despite all stages of the procedure having been followed, the complainant remains dissatisfied. If a complainant tries to reopen the same issue the CEO will write informing them that all stages of the procedure have been exhausted and the matter is considered to be closed.
- complainants behave in an unreasonable manner when raising and/or pursuing concerns. In these circumstances the school may take action in accordance with Appendix 2 of this procedure

Appendix 1

Protocol for complaint heard by Appeal Panel

The Complaints Appeal Panel is the last stage of the complaints process and is not convened merely to rubber-stamp previous decisions, it will review the complaint and the school's response to the complaint..

The membership of this panel will contain at least three members. The members will include the CEO, as Chair of the panel, and at least two members of governance (these may be drawn from the governing body of the school and/or from governing bodies of other schools within the trust. By involving governors from other school governing bodies this ensures that there is a least one independent person on the panel.

The Appeal Panel will be delegated powers to hear complaints, and set out its terms of reference.

These can include:

- Drawing up and reviewing its procedures;
- Hearing individual complaints;
- Making recommendations on policy as a result of complaints.

The remit of the Complaints Appeal Panel in relation to complaints:

The Panel can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the school's systems or procedures to ensure that issues of a similar nature do not recur.

Members of the Appeal Panel need to be mindful of the following:

- a) At least one member of the panel must be independent of the leadership and membership of the school ie must not be a Governor of that school
- b) It is important that the appeal hearing is independent and impartial and that it is seen to be so. Therefore, no governor may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- c) The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- d) An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel Chair will ensure that the proceedings are as welcoming as possible.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

The Trust Secretary, or a member of the Trust Administration team, will act as the Clerk to the Appeal Panel.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend.

Attendance at the meeting, if requested, may be offered as virtual or may be requested by the complainant or other attendees. The Chair of the Appeal Panel will decide whether to accept requests for virtual attendance and in doing so will be mindful of ensuring the equalities requirements of all members.

Please note: Complaints about staff conduct will not generally be handled under this complaints 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.

At least 10 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.

If the complainant rejects the offer of two proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The committee will not 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 the start of this procedure ie from the informal stage.

The meeting will be held in private. Electronic recordings of meetings by participants are not permitted. The meeting will be recorded and used for the purposes of securing all information provided. The recording will be deleted as soon as the appeal process has ended. Attendance at the meeting is understood to be consent.

The Panel will consider the complaint and all the evidence presented. The Panel 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 Appeal Panel will provide the complainant and school with a full explanation of

their decision and the reason(s) for it, in writing, within 5 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.

Appendix 2

POLICY FOR DEALING WITH PERSISTENT OR VEXATIOUS COMPLAINTS / HARASSMENT IN TILIAN PARTNERSHIP SCHOOLS

The CEO and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the **Complaints Procedure**. The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. In these circumstances the school may take action in accordance with this policy.

1. AIMS OF POLICY

The aims of this policy are to:

- uphold the standards of courtesy and reasonableness that should characterise all communication between the School and persons who wish to express a concern or pursue a complaint
- support the well-being of pupils, staff and everyone else who has legitimate interest in the work of the School, including Trustees and parents
- deal fairly, honestly and properly with those who make persistent or vexatious complaints and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment.

2. HUMAN RIGHTS

2.1 In implementing this policy the Trust Board will seek to ensure that its actions are in accordance with its obligations under the Human Rights Act 1998 and the Convention Rights embodied within it in order to protect the Human Rights of both persistent complainants, staff and all other stakeholders.

3. PARENTS' EXPECTATIONS OF THE SCHOOL:

3.1 Parents/carers/members of the public who raise either informal or formal issues or complaints with the School can expect the School to:

- a. communicate to parents/carers in writing:
 - i. how and when problems can be raised with the School,
 - ii. the existence of the School's complaints procedure, and
 - iii. the existence of the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Schools
- b. respond within a reasonable time
- c. be available for consultation within reasonable time limits bearing in mind the needs of

- the pupils/pupils within the school and the nature of the complaint
- d. respond with courtesy and respect
- e. attempt to resolve problems using reasonable means in line with the School's complaints procedure and other policies and practice
- f. keep complainants informed of progress towards a resolution of the issues raised

4. THE SCHOOL'S EXPECTATIONS OF PARENTS/CARERS/MEMBERS OF THE PUBLIC

1. The School can expect parents/carers/members of the public who wish to raise problems with the School to:
 - a. treat all school staff with courtesy and respect
 - b. respect the needs and well-being of pupils and staff in the School
 - c. avoid any use, or threatened use, of violence to people or property
 - d. avoid any aggression or verbal abuse
 - e. recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond
 - f. recognise that resolving a specific problem can sometimes take some time
 - g. (in the case of a complaint) follow the School's Complaints Procedure

5. WHO IS A PERSISTENT COMPLAINANT?

5.1 For the purpose of this policy, a persistent complainant is a parent/carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the School and whose behaviour is unreasonable. Such behaviour may be characterised by:

- a. actions which are obsessive, persistent, harassing, prolific, repetitious
- b. prolific correspondence or excessive e-mail or telephone contact about a concern or complaint
- c. an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes
- d. an insistence upon pursuing complaints in an unreasonable manner
- e. an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school because it is unlawful.

5.2 For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in (a) to (e) above in such a way that they:

- a. appear to be targeted over a significant period of time on one or more members of school staff and/or
- b. cause ongoing distress to individual member(s) of school staff and/or
- c. have a significant adverse effect on the whole/parts of the school community and/or
- d. are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have

a cumulative effect over time of undermining confidence, well-being and health.

6. THE SCHOOL'S ACTIONS IN CASES OF PERSISTENT OR VEXATIOUS COMPLAINTS OR HARASSMENT

- a. In the first instance the School will inform the complainant that his/her behaviour is considered to be becoming unreasonable/unacceptable and, if it is not modified, action may be taken in accordance with this policy.
- b. This will be confirmed in writing (e.g. Model Letter 1).
- c. If the behaviour is not modified the School will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the school community:
 1. inform the complainant in writing that his/her behaviour is now considered by the School to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy (e.g. Model Letter 2)
 2. inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties (e.g. Model Letter 2)
 3. inform the complainant that, except in emergencies, all routine communication with the complainant to the School should be by letter only (e.g. Model Letter 2)
 4. (in the case of physical or verbal aggression) refer to Joint Local Authority-Police Guidance for Schools, "Dealing with Abuse, Threats and Violence Towards School Staff", and consider warning the complainant about being banned from the School site; or proceed straight to a temporary ban.
- d. Legitimate new complaints will still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Schools.
- e. If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the School may resume the process identified above at an appropriate level.
- f. Section 547 makes it an offence for a trespasser on school premises to cause or permit a nuisance or disturbance, and allows for the removal and prosecution of any person believed to have committed the offence. The penalty for a person convicted of the offence is a fine of up to £500.

A parent/carer of a child attending a school normally has implied permission (limited licence) to be on the school's premises at certain times and for certain purposes but if their behaviour is unreasonable this permission may be withdrawn and they will become a trespasser. A person who nevertheless persists in entering the school premises and displaying unreasonable behaviour may be removed and prosecuted under section 547.

MODEL LETTER 1:

INITIAL LETTER INFORMING A COMPLAINANT THAT HIS/HER BEHAVIOUR IS CONSIDERED TO FALL BELOW A REASONABLE/ ACCEPTABLE STANDARD

RECORDED DELIVERY

Dear

This letter is to inform you that the School considers your actions in [*describe actions, dates, behaviour*] on..... when you to be unreasonable/unacceptable [*delete as appropriate*].

We would ask you to bear in mind the fact that such behaviour on a school site can be disruptive and distressing to pupils, staff and parents/carers [*delete if behaviour complained of did not occur on school site e.g. persistent use of e-mail, verbally abusive telephone calls*].

We are aware that you have raised some concerns, and would advise you that these are usually dealt with most effectively through the School's Complaints Procedure.

At the moment we are dealing with these issues by [*describe actions being taken to resolve concern*].

Please note that the School's Policy for Dealing with Persistent or Vexatious Complaints/Harassment sets out standards of behaviour expected of all people in their dealings with the School. These include:

- behaving reasonably
- treating others with courtesy and respect
- resolving complaints using the School's Complaints Procedure
- avoiding physical and verbal aggression at all times

The Policy also indicates the steps that we may take if these standards are breached. These include:

- making special arrangements for meetings and communication with the School
- considering a ban from the School premises
- considering legal action

I would ask that you allow the School time to resolve the issues according to the correct procedures, and would assure you that we shall take every possible step to move this process forward as quickly as possible.

Yours sincerely

MODEL LETTER 2:

INFORMING A COMPLAINANT THAT HIS/HER BEHAVIOUR IS NOW CONSIDERED TO FALL UNDER THE TERMS OF THE POLICY FOR DEALING WITH PERSISTENT OR VEXATIOUS COMPLAINTS / HARASSMENT

RECORDED DELIVERY

Dear

You will recall that I wrote to you on *[insert date]* telling you that I felt your behaviour was unreasonable.

I am now writing to inform you that in view of your behaviour on *[date]*, when you *[describe actions/behaviour]* it has been decided that the School's Policy for Dealing with Persistent or Vexatious Complaints/Harassment Policy will apply.

In the circumstances I have made the following arrangements for your future contact with the school:

*[*Delete as applicable]*

*For the foreseeable future, should you wish to meet with a member of staff, I would ask you to note:

- a. an appointment will be arranged and confirmed in writing as soon as possible;
- b. a third party from the school will be present;
- c. in the interests of all parties, formal notes of this meeting may be made.

* For the foreseeable future, all routine communication with the School should be by letter only. Please address letters to at the School. We shall respond as quickly as possible. E-mail correspondence will not be responded to.

Exceptionally, these arrangements do not apply to any emergency involving *[insert name of pupil]* – in which case you should contact the school in the usual way – or to parents' evenings, which will continue as in the past, but with a third party from the school present.

These arrangements take effect straightaway. If you wish to make a representation about the contents of this letter, which may include any expressions of regret on your part and any assurances you are prepared to give about your future good conduct, you can do so by writing to me at the school by *[state ten working days from the date of the letter]*. If on receipt of your comments I consider that the arrangements outlined above should continue, you will be supplied with details of how to review a circumstance of your case.

I do hope that the difficulties we are currently experiencing can soon be resolved.

Yours sincerely