

Complaints Policy and Procedure

Drafted by	CEO
Reviewed by	Trust Board
Status & Review Cycle	2 Yearly
Next Review Date	Autumn 2024

Employee Wellbeing	4
Public Sector Equality Duties	4
Introduction	4
Legislation and guidance	4
The Difference Between a Concern and a Complaint.....	5
Safeguarding	5
Social Media.....	5
Anonymous complaints	5
Time scales.....	5
Complaints received outside of term time	5
Complaints about our fulfilment of early years requirements.....	6
Complaints about SEND.....	6
Deviation from the procedure	6
Withdrawal of a complaint	6
Scope of the Complaint Procedure: See Appendix A.....	6
Roles & Responsibilities: See Appendix C	6
Stages of complaint (not complaints against the Headteacher, Governors or Trust)	7
Stage 1: Informal	7
Stage 2: Formal complaints	7
Stage 3: Panel Hearing.....	8
Complaints against the Headteacher; a Governor or the Governing board; Trust CEO or the Trust.....	10
Stage 1	10
Stage 2: Formal Complaint	10
Stage 3: Panel Hearing.....	10
Next Steps.....	11
Complaints that result in staff capability or disciplinary	11
Shared parental responsibility.....	11
Complaint campaigns	11
Unreasonable complaints and serial and persistent/frivolous or vexatious Complainants.....	11
Vexatious or frivolous complaints	12
Barring from the School Premises	13
Mediation.....	13
Record keeping	13
Learning lessons.....	14
Monitoring arrangements	14
Links with other policies	15
Relevant legislation and guidance	15
Appendix A.....	17

Tandridge Learning Trust Complaints Policy and Procedure

Scope of this Complaints Procedure.....	17
Appendix B.....	19
Bletchingley Village Primary School.....	19
Hamsey Green Primary School	19
Tatsfield Primary School	19
Woodlea Primary School	19
Warlingham School & Sixth Form College	19
Tandridge Learning Trust.....	20
Surrey County Council Area Schools Support Service	20
Ann Panton.....	20
Sally Pickford	20
Area Schools Assistant.....	20
Education Funding Agency Complaints	20
Ofsted	20
Appendix C.....	21
Roles and Responsibilities	21
Complainant	21
Investigator	21
Complaints Co-ordinator	22
Clerk to the Governing Body / Trust Board	22
Committee Chair	22
Committee Member.....	23
Area Schools Support Service.....	23
Appendix D.....	24
Tandridge Learning Trust Formal Complaints Form (Stage 2)	24

Employee Wellbeing

Tandridge Learning Trust is committed to promoting the positive mental, physical and emotional wellbeing of its staff and recognises that enhancing individual wellbeing offers benefits not just to our staff but also to the wider communities within our organisation.

As such, when implementing this policy, consideration will be given to the impact on workload and wellbeing and take appropriate action to monitor, mitigate and support all those involved in its application.

Public Sector Equality Duties

Tandridge Learning Trust is committed to equality, both as an employer and a service provider. We welcome our general duty under the Equality Act 2010 to eliminate discrimination, to advance equality of opportunity and to foster good relations. We will ensure diligence in regard of our specific duties. This policy will be consistently and fairly applied to all stakeholders, with due regard for ensuring no-one experiences less favourable treatment in its application.

Introduction

Tandridge Learning Trust endeavours to provide the best education possible for all of its pupils in an open and transparent environment. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. When responding to complaints, we aim to:

- Be impartial and non-adversarial.
- Facilitate a full and fair investigation by an independent person or panel, where necessary.
- Address all the points at issue and provide an effective and prompt response.
- Respect Complainants' desire for confidentiality.
- Treat Complainants with respect and courtesy.
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law.
- Keep Complainants informed of the progress of the complaints process.
- Consider how the complaint can feed into school improvement evaluation processes.

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the Complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

In order to do so, the Trustees of Tandridge Learning Trust have approved the following procedure which explains what you should do if you have any concerns about the Trust itself or any of our member academies. All members of staff will be familiar with the procedure and will be able to assist you.

Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations and refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

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 and should be resolved informally, without the need to use the formal stages of the complaint’s procedure. Tandridge Learning Trust takes concerns and complaints 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 Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is considered more important.

We understand, however, that there are occasions when we are unable to resolve a concern informally. A concern may therefore become a formal complaint. In these cases, the academy or the Trust will attempt to resolve the issue through the stages outlined within this complaint procedure.

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.

Safeguarding

Wherever a complaint indicates that a child’s wellbeing or safety is at risk, the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the school’s safeguarding policy which can be found on the school’s website.

Social Media

In order for complaints to be resolved as quickly and fairly as possible, Tandridge Learning Trust requests the Complainants do not discuss complaints publicly on any form of social media e.g. Facebook, Twitter, and any other web-based presence. Complaints will be dealt with confidentially for those involved, and we expect Complainants to observe confidentiality also.

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.

Time scales

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

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the Complainant.
- Send the Complainant details of the new deadline and explain the delay.

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.

Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation. Schools will keep a record of the complaint.

Complaints about SEND

Arrangements for handling complaints from parents/carers of children with special educational needs and disabilities (SEND) about school support are within the scope of this policy. Such complaints should first be made to their child's school SENCO; they will then be referred to this complaints policy. Our SEND policy includes information about the rights of parents/carers of pupils with disabilities who believe that the school has discriminated against their child.

Deviation from the procedure

There may be occasions when it's necessary or reasonable to deviate from the published complaints procedure. In these cases, the Complainant will be kept informed and reasons for the deviation given.

Withdrawal of a complaint

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

Scope of the Complaint Procedure: See Appendix A

Roles & Responsibilities: See Appendix C

Stages of complaint (not complaints against the Headteacher, Governors or Trust)

Tandridge Learning Trust operates a three stage complaints procedure, outlined below. The head teacher/local committee may seek the advice of other members of the Trust during Stage 2 if appropriate.

Stage 1: Informal

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.

In the first instance, the concern or complaint should be raised with the relevant member of staff in the specific school e.g. the class teacher/form tutor or a head of department/deputy head teacher. If the Complainant is unclear who to contact or how to contact them, they should contact the school office by phone or email (*see Appendix B*). Parents will be directed to the class teacher/form tutor/head of department or house initially rather than the Headteacher.

Complainants should not approach individual Governors to raise concerns or complaints. Governors have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

The school will acknowledge informal complaints within two school days, investigate and provide a response within 5 school days.

The informal stage may involve a meeting between the Complainant, Head of Subject/Head of House, member of the School Leadership Team, as appropriate.

If the person raising the concern or complaint remains unhappy with the outcome of the informal procedure, they may then take it forward as a formal complaint.

Stage 2: Formal complaints

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), in writing via the school office using the form at Appendix D. Help in completing the form will be provided by the school if required.

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

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within five school days.

Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team or other appropriate senior manager but not the decision to be taken.

During the investigation, the Headteacher (or investigator) 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 Headteacher will provide a formal written response within thirty school days of the date of receipt of the complaint.

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 Trust school will take to resolve the complaint.

At the end of stage 2, if the Complainant is not satisfied the Headteacher and the Chair of Governors can agree to take the opportunity to attempt to informally resolve the issue in person or over the phone before all parties commit to progressing with stage 3. This should be agreed upon and actioned within 5 days.

Stage 3: Panel Hearing

Complaints will be escalated to a panel hearing if the Complainant is not satisfied with the response to the complaint at Stage 2. Requests must be made to the Clerk to the Governors, within 10 school days of receipt of the Stage 2 response. Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

The Clerk will acknowledge receipt of the request via letter or email within five school days.

The panel will be appointed by or on behalf of the Local Governing Board and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the school.

The panel will have access to the existing record of the complaint's progress (see Record keeping).

The Clerk will aim to convene a meeting within thirty 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.

The Complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the Complainant. At the review panel meeting, the Complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The Complainant must be allowed to attend the panel hearing if they wish and may ask to be accompanied to the meeting by a supportive companion, interpreter or advocate. It is not advisable for this person to be a member of the school community, for reasons of confidentiality and to avoid conflict of interest. The Complainant must advise the Clerk to the Complaint Review Panel of the name and role of this additional person prior to the hearing, and the Clerk will seek agreement from the Chair of the Panel. If the additional person is attending as an advocate, they will be presenting the Complainant's case and speaking on their behalf, and therefore the Complainant will not be able to address the Panel directly. If the additional person is attending as a supportive companion they will not be able to address the Panel directly.

In most cases, we do not allow either party to bring legal representatives to the review meeting. However, there may be occasions when legal representation is appropriate. 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.

Representatives from the media are not permitted to attend.

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

- Confirm and notify the Complainant of the date, time and venue of the meeting, ensuring that, the dates are convenient to all parties and that the venue and proceedings are accessible. However, if the Complainant rejects the offer of three 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
- Request copies of any further written material to be submitted to the committee at least ten school days before the meeting.

Any written material will be circulated to all parties at least five school days before the date of the meeting. 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 not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not 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.

- At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.
- The panel, the Complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the Complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.
- The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the Complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and Headteacher.

The Chair of the Committee will provide the Complainant and Trust school with a full explanation of their decision and the reason(s) for it, in writing, within fifteen school days.

The committee can either:

- 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 response will also advise the Complainant of how to escalate their complaint should they remain dissatisfied.

Complaints against the Headteacher; a Governor or the Governing board; Trust CEO or the Trust

Stage 1

- Complaints made against the Headteacher should be directed to the Chief Executive Officer of Tandridge Learning Trust, Rebecca Plaskitt.
- Complaints made against any one member of the governing board should be directed to the Clerk of the Governing Board in the first instance. A suitably-skilled and impartial Governor will carry out the steps at Stage 1.
- Complaints made against the Trust CEO or the Trust should be directed to the Chair of Trustees.

At the conclusion of the Stage 1, the independent investigator will provide a formal written response.

Stage 2: Formal Complaint

If the complaint is jointly about the Chair and Vice-Chair, the entire governing board or the majority of the governing board, the Chair of Trustees, will appoint a Trustee Board member to carry out the steps in Stage 2 and will write a formal response at the end of the investigation.

If the complaint is about the multi-academy trust itself, it would be handled by the CEO of the Trust and the Trust Board following a similar formal procedure.

Stage 3: Panel Hearing

If the complaint is jointly about the Chair; Vice Chair and entire Governing Board or the majority of the Governing Board; or Trust; a committee comprising independent Governors/Trustees will hear the complaint and will carry out steps at Stage 3.

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 Trust school will take to resolve the complaint.

The response will also advise the Complainant of how to escalate their complaint should they remain dissatisfied.

Next Steps

If the Trust complaints procedure has been exhausted but the Complainant remains unsatisfied with the outcome, they can refer their complaint to the ESFA. The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Tandridge Learning Trust. They will consider whether education legislation and any statutory policies connected with the complaint and whether they have following Part 7 of the Education (Independent School Standards) Regulations 2014.

The Complainant can refer their complaint to the ESFA online [by clicking here](#)

Ofsted will also consider complaints about schools. Complainants can contact Ofsted if they think a school is not run properly and needs inspecting. Ofsted will not look into problems with individual students. This course of action is only available if the school's complaints procedure has already been followed.

<https://contact.ofsted.gov.uk/onlinecomplaints>

Complaints that result in staff capability or disciplinary

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Headteacher and/or the individual's line manager. The Complainant is entitled to be informed that the matter is being dealt with appropriately, but they are not entitled to participate in the proceedings and will not receive any detail about them or the outcome.

Shared parental responsibility

If concerns or complaints relate to issues caused by estrangement or shared parental responsibility, we will follow the advice provided by the DfE. There is a link to this document at the end of the procedure.

Complaint campaigns

If an academy or the Trust receives large volumes of complaints:

- All based on the same subject
- From Complainants unconnected with the school

the complaint will be treated as a single one.

We will either:

- Send a template response to all Complainants, or
- Publish a single response on the school's website.

Unreasonable complaints and serial and persistent/frivolous or vexatious Complainants

Tandridge Learning Trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact Complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Tandridge Learning Trust defines serial and unreasonable Complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

A complaint may be regarded as unreasonable when the person making the complaint:

- 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 complaints investigation process while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of the complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Introduces trivial or irrelevant information which the Complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- 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 proceeds.
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- 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 referral to the department for education.
- Seeks an unrealistic outcome.
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- Maliciously.
- Aggressively.
- Using threats, intimidation or violence.
- Using abusive, offensive or discriminatory language.
- Knowing it to be false.
- Using falsified information.
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Vexatious or frivolous complaints

These are defined by the Office of the Independent Adjudicator as:

- Complaints which are obsessive, persistent, harassing, prolific, repetitious.
- Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
- Insistence upon pursuing meritorious complaints in an unreasonable manner.
- Complaints which are designed to cause disruption or annoyance.
- Demands for redress that lack any serious purpose or value.

Complainants should limit the numbers of communications with a school while a 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' judgement.

If the behaviour continues the Headteacher will write to the Complainant explaining that his/her behaviour is unreasonable and asking him/her to change it. For Complainants who excessively contact any school within Tandridge Learning Trust causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

Tandridge Learning Trust Complaints Policy and Procedure

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from any school within Tandridge Learning Trust.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Governing bodies have a responsibility to ensure for the wellbeing of pupils and staff and will therefore act to ensure that schools remain a safe place.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied permission to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place. Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department of Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

The Trust and its academies will always follow DfE guidance and best practice in these situations. There is a link to the guidance at the end of this procedure.

Mediation

Mediation can be an effective way of resolving differences and will be offered as and when appropriate. This will usually be provided by the Area Schools Officer. Complainants are under no obligation to accept this offer and will not be prevented from taking their complaint forward to the next stage if they decline the offer of mediation.

Record keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the Complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and data retention policy.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

Learning lessons

The CEO will review any underlying issues raised by complaints with the Headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

Monitoring arrangements

The CEO will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Headteacher will track the number and nature of complaints, and review underlying issues as stated in section 19.

The complaints records are logged and managed by the Trust's Administrator.

This policy will be reviewed by Trustees every two years.

At each review, the policy will be approved by Trustees of Tandridge Learning Trust.

Links with other policies

Policies dealing with other forms of complaints include:

Child protection and safeguarding policy and procedures

Admissions policy

Exclusions policy

Staff grievance procedures

Staff disciplinary procedures

SEN policy and information report

Privacy notices

Relevant legislation and guidance

The Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/contents>

General Data Protection Regulation (GDPR) 2018 <https://ico.org.uk/media/for-organisations/guide-to-the-general-data-protection-regulation-gdpr-1-0.pdf>

The Education (Independent School Standards) Regulations 2014
<http://www.legislation.gov.uk/uksi/2014/3283/contents/made>

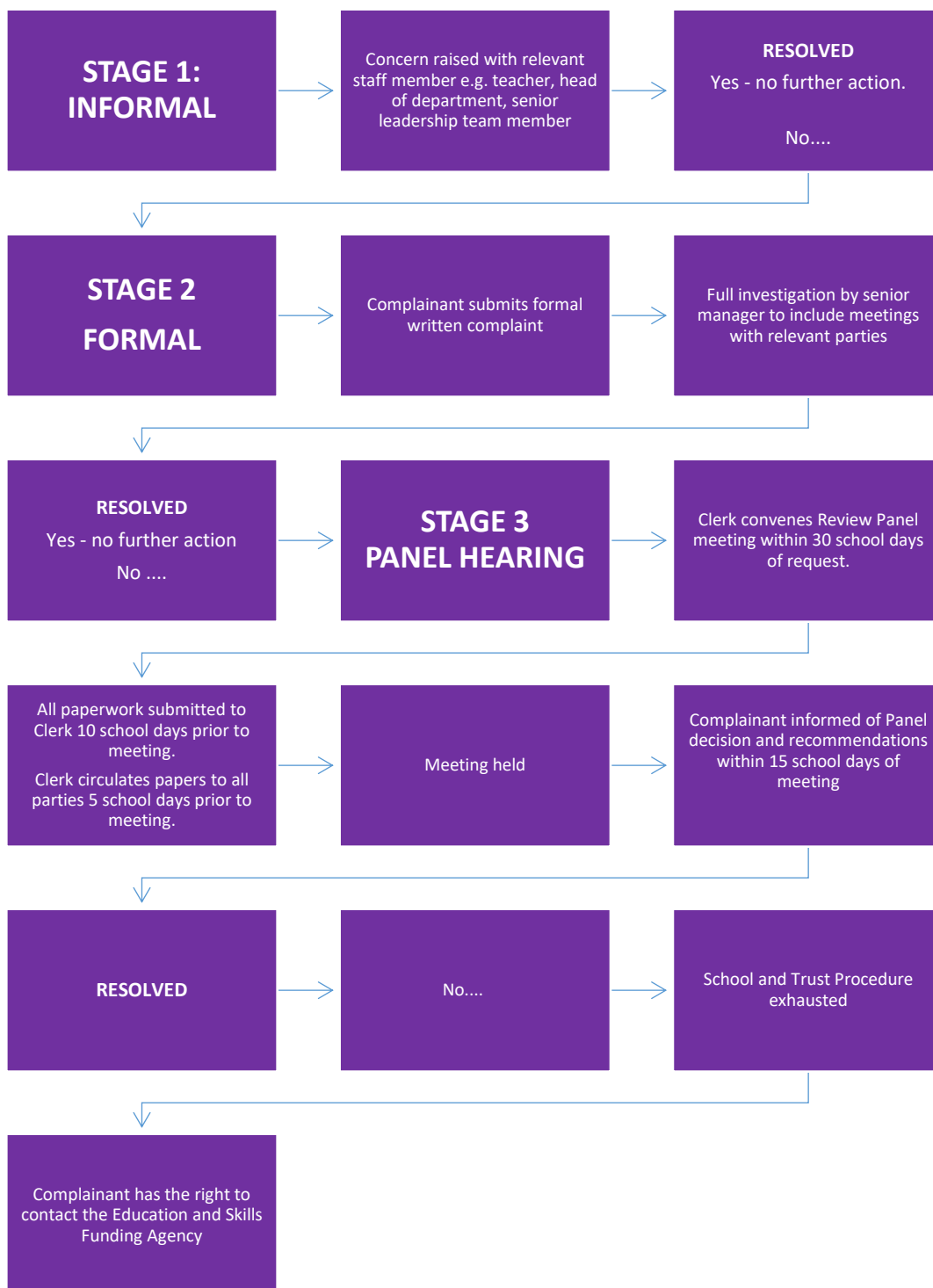
Education Act 2002 <http://www.legislation.gov.uk/ukpga/2002/32/contents>

The Department for Education *Best Practice advice for school complaints procedures*
<https://www.gov.uk/government/publications/school-complaints-procedures>

<https://www.gov.uk/government/publications/controlling-access-to-school-premises>

<https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility>

COMPLAINTS PROCEDURE FLOW CHART



Appendix A

Scope of this Complaints Procedure

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

Exceptions	Whom to contact
<ul style="list-style-type: none"> Admissions to schools Statutory assessments of Special Educational Needs School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with:</p> <p>Surrey County Council Admissions and Transport Team</p> <p>Quadrant Court, 35 Guildford Road, Woking, GU22 7QQ; schooladmissions@surreycc.gov.uk</p>
<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>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).</p> <p>Ann Panton</p> <p>Area Schools Officer</p> <p>Surrey County Council</p> <p>Telephone: 01737 737960</p> <p>Mobile: 07976 942186</p> <p>Email: ann.panton@surreycc.gov.uk</p>
<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who</p>

	<p>do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>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.</p>
<ul style="list-style-type: none"> Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>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.</p>
<ul style="list-style-type: none"> Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

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 a Trust 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.

Appendix B

Bletchingley Village Primary School

Address: Coneybury, Bletchingley, Surrey, RH1 4PP

Tel: 01883 743337; Email: info@bletchingleyschool.co.uk;

Website: www.bletchingleyschool.co.uk

Hamsey Green Primary School

Address: Tithepit Shaw Lane, Warlingham, Surrey CR6 9AQ

Tel: 01883 622000; Email: office@hamsey.surrey.sch.uk

Website: www.hamsey.surrey.sch.uk

Tatsfield Primary School

Address: 3 Ship Hill, Tatsfield, Westerham, Kent TN16 2AH

Tel: 01959 577356; Email: school@tatsfield.surrey.sch.uk

Website: www.tatsfield-surrey.co.uk

Woodlea Primary School

Address: Long Hill, Woldingham, Surrey, CR3 7EP

Tel: 01883 652358; Email: info@woodlea.surrey.sch.uk;

Website: www.woodlea.surrey.sch.uk

Warlingham School & Sixth Form College

Address: Tithepit Shaw Lane, Warlingham, Surrey, CR6 9YP

Tel: 01883 624067

Email & Website Secondary: info@warlinghamschool.co.uk; www.warlinghamschool.co.uk

Email & Website Sixth Form: info@warlinghamsixthform.co.uk; www.warlinghamsixthform.co.uk

Tandridge Learning Trust Complaints Policy and Procedure

Tandridge Learning Trust

Clerk to the Trust Board

Address: Tandridge Learning Trust, Tithepit Shaw Lane, Warlingham, Surrey, CR6 9YB

Tel: 01883 776677; Email: info@tandridgelearningtrust.co.uk

Website: www.tandridgelearningtrust.co.uk

Surrey County Council Area Schools Support Service

South East Surrey (Mole Valley, Reigate & Banstead, Tandridge)

Ann Panton

Area Schools Officer

Telephone: 01737 737960

Mobile: 07976 942186

Email: ann.panton@surreycc.gov.uk

Sally Pickford

Area Schools Assistant

Telephone: 01737 737961

Email: sally.pickford@surreycc.gov.uk

Consort House, 5-7 Queensway, Redhill, RH1 1YB

Education Funding Agency Complaints

Further information available at: [EFSA Complaints Guidance and form](#)

Or write to: ESFA Complaints, Chief Executive's Office, Cheylesmore House, Quinton Road, Coventry, CV1 2WT

Ofsted

Further information available at: <https://www.gov.uk/complain-about-school>

Appendix C

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 notes of interviews or arrange for an independent note taker to record minutes of the meeting.
- Ensure that any papers produced during the investigation are kept securely pending any appeal.
- Be mindful of the timescales to respond.
- Prepare a comprehensive report for the head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The head teacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the Complainant, providing the appropriate escalation details.

Complaints Co-ordinator

(This could be the head teacher, CEO, designated Complaints Governor, Trustee or other staff member providing administrative support)

The Complaints Co-ordinator should:

- Ensure that the Complainant is fully updated at each stage of the procedure.
- Liaise with staff members, Headteacher, CEO, Chair of Governors, Chair of Trust or the Clerk and 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 / Trust Board

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.

Tandridge Learning Trust Complaints Policy and Procedure

- 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 / Trustee 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.

Area Schools Support Service

The role of the Area Schools Support Service is to provide impartial advice and guidance to school staff, Governors and Complainants at all stages of the complaints process.*

**For those schools which purchase the service.*

Appendix D

Tandridge Learning Trust Formal Complaints Form (Stage 2)

Please complete and return to *either the Headteacher /Clerk to the School Governors/Clerk to the Trust Board*, who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: