



Concerns & Complaints Policy

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1. Introduction

- 1.1 The Tapscott Learning Trust (TTLT) is committed to providing a high-quality education and positive relationships with pupils, parents, carers and the wider community. Most concerns can be resolved quickly and informally. This policy sets out how concerns and complaints will be managed fairly, promptly and transparently.
- 1.2 This procedure applies to complaints from parents and carers of pupils. The Trust will also consider complaints from members of the public and other stakeholders, and will apply the same principles of fairness, transparency and timeliness when doing so.
- 1.3 This policy applies to all schools within TTLT and to complaints about the trust itself. It does not cover the issues listed in Appendix A, which are managed under separate statutory or HR procedures.
- 1.4 A *concern* is an expression of worry or doubt requiring reassurance. A *complaint* is an expression of dissatisfaction about an action taken or a lack of action.
- 1.5 This policy has been developed in accordance with the Department for Education's (DfE) statutory guidance.
- 1.6 This policy is available on the trust website at www.ttl.academy and on each individual school's websites. Paper copies are available on request from any school office. The policy can be made available in alternative formats or languages on request.
- 1.7 Anonymous complaints. The trust will consider anonymous complaints, but it may not be possible to investigate them fully or provide a response to the complainant. Anonymous complaints will be assessed on a case-by-case basis, considering:
 - The seriousness of the issue raised
 - Whether there is sufficient information to investigate
 - Whether the complaint relates to safeguarding or other serious mattersWhen an anonymous complaint raises safeguarding concerns, it will be handled in accordance with the trust's safeguarding procedures.

2. Aims and Principles

TTLT aims to:

- Resolve concerns at the earliest possible stage
- Ensure a fair, thorough and timely process
- Treat all complainants with respect
- Protect staff from unacceptable behaviour
- Learn from complaints to improve practice
- Ensure that all complainants are given a reasonable opportunity to complete the Trust's complaints procedure, unless their behaviour falls within the scope of the Unreasonable Behaviour section of this policy

No complainant will be disadvantaged for raising a concern or complaint.

3. Representation

- 3.1 Complainants may be accompanied by a friend, relative, advocate or interpreter. Legal representation is not permitted at any stage of this procedure.

4. Record Keeping and Confidentiality

- 4.1 Schools and the trust will keep accurate records of all complaints, including informal resolutions. The school reserves the right to use 'Scriba' technology to take accurate notes/minutes at any stage of this procedure.
- 4.2 Records will be retained for a **minimum of six years**. (This does not apply to 'Scriba' recordings, which are deleted after 30 days)
- 4.3 Where a complaint relates to safeguarding matters, the trust will:
 - Prioritise the safety and wellbeing of children above all other considerations
 - Ensure that safeguarding procedures take precedence over the complaints process where necessary
 - Handle the complaint in accordance with this policy, while ensuring any safeguarding concerns are addressed immediately through the appropriate safeguarding channels

Complaints that are **allegations of abuse against staff** are not covered by this policy and will be managed under the trust's procedures for handling allegations against staff, in line with Part 4 of Keeping Children Safe in Education and the trust's Safeguarding Policy.

If a complainant raises concerns during the complaints process that suggests a child is at risk of harm, these will be referred immediately to the Designated Safeguarding Lead and may be reported to the local authority children's social care and/or the police as appropriate.

Complaint records will remain confidential except where disclosure is required by law, the Secretary of State, Ofsted, or as part of safeguarding or legal proceedings.

5. Overview of the Complaints Procedure

The TTLT complaints procedure has three stages, in line with DfE guidance:

- Stage 1 – Informal Resolution
- Stage 2 – Formal Investigation
- Stage 3 – Independent Complaints Appeal Panel

A flow chart is provided in Appendix B.

6. Stage 1 - Informal Resolution

- 6.1 Most concerns can be resolved quickly by speaking with the relevant member of staff (usually the class teacher or appropriate school leader).
- 6.2 The school will acknowledge informal concerns within 3 school days and aim to resolve them within 10 school days.
- 6.3 If the concern cannot be resolved informally, the complainant may proceed to Stage 2, escalating from a concern to a complaint.

7. Stage 2 - Formal Investigation

- 7.1 Formal complaints must be submitted in writing (either by letter, email or using the attached form at Appendix C) to the Headteacher/Head of School. The following items must be clearly set out:
 - The nature of the complaint
 - Relevant dates, times and people involved
 - What outcome is sought

7.2 The Headteacher/Head of School will:

- Acknowledge the complaint within 3 school days, confirming receipt and outlining the next steps.
- Appoint an Investigating Officer (if appropriate)
- Conduct a full and fair investigation, which may include interviewing relevant parties, reviewing documents and records, seeking additional clarification from the complainant and consulting with relevant staff members. The school may request a meeting with the complainant either before or during the investigation process.
- Keep the complainant informed of progress if the investigation is likely to exceed the 20 day timeframe
- Provide a written outcome within 20 school days of acknowledging the complaint.

7.3 If the complaint cannot be resolved within 20 school days (for example, due to the complexity of the investigation or the unavailability of key individuals), the head of school will:

- Write to the complainant within 20 school days explaining the reason for the delay
- Provide a revised timeline for completion
- Keep the complainant updated on progress at regular intervals

7.4 If the complaint concerns the Headteacher/Head of School, it must be sent to the TTLT Head of Governance, who will appoint a senior trust leader to conduct Stage 2.

7.5 Possible outcomes include:

- Complaint upheld (in full or part)
- Complaint not upheld
- Complaint addressed under a different procedure

7.6 If dissatisfied, the complainant may request Stage 3 within 10 school days of receiving the Stage 2 outcome.

8 Stage 3 - Independent Complaints Appeal

8.1 Requests for Stage 3 must be submitted in writing to the TTLT Head of Governance within 10 days of receiving the Stage 2 outcome, stating:

- Why the complainant remains dissatisfied
- What outcome they seek
- Any documents they wish the panel to consider

8.2 The trust will convene a Complaints Appeal Panel within 25 school days.

8.3 The panel will consist of three members, including:

- One member independent of the management and running of the school/trust
- Two members drawn from LABs or Trustees who have had no prior involvement in the complaint
- A clerk will be appointed to arrange the hearing, circulate documents to all parties in advance, produce minutes of the hearing and assist with the panel's written decision. The clerk will be independent of the complaint and will not be a member of the panel.

8.4 The panel will:

- Review whether the Stage 2 process was conducted fairly and reasonably
- Consider the evidence submitted by both parties

- Not reinvestigate the original complaint unless necessary to ensure fairness
- 8.5 The complainant and the school/trust representative may attend and be accompanied.
- 8.6 The panel may:
 - Uphold the complaint (in full or part)
 - Dismiss the complaint
 - Recommend actions to remedy the issue
 - Recommend improvements to trust or school procedures
- 8.7 The panel's decision is **final** within the Trust's complaints procedure. A written outcome will be provided within 5 school days.
- 8.8 If the complainant believes the trust has not followed proper procedure, they may contact the DfE for a procedural review. **Important:** The DfE will **not** reinvestigate the substance of the complaint, they will only consider whether the trust has followed its published complaints procedure correctly, the trust has acted reasonably in handling the complaint and if there has been a breach of education law or the trust's funding agreement.
- 8.9 Contact details for the DfE can be found online: www.gov.uk/complain-about-school
Note: The DfE will not normally investigate a complaint until the trust's own complaints procedure has been completed, including stage 3.

8.10 Panel Hearing Process

The panel will follow a structured process to ensure fairness, which will typically include:

- An introduction by the chair
- Opportunity for the complainant to present their case
- Opportunity for the Trust representative to respond
- Questions from panel members
- Final summaries from both parties

Both parties will receive the same documentation in advance of the hearing.

9 Complaints About the Trust, CEO, Trustees or LAB Members

- 9.1 Complaints about:
 - The trust → Head of Governance → CEO
 - The CEO → Chair of Trustees
 - A Trustee → Chair of Trustees
 - The Chair of Trustees → Vice Chair or Member
 - A LAB Member → Head of Governance → CEO
- 9.2 These complaints will follow the same three-stage procedure, with appropriate adjustments to ensure independence.

10 Unreasonable Behaviour

- 10.1 The Tapscott Learning Trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. However, there are rare circumstances where the trust will need to take action to protect staff and the proper operation of

- schools from unreasonable behaviour.
- 10.2 The trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact. This includes, but is not limited to, the behaviours listed in Appendix D.
- 10.3 Decisions about whether a complainant's behaviour is unreasonable will be made by:
- **For school-level complaints:** The Headteacher/Head of School in consultation with the CEO or Head of Governance
 - **For trust-level complaints:** The CEO in consultation with the Chair of Trustees
- 10.4 Where behaviour is deemed unreasonable, the trust may:
- Request that all future contact takes place in a particular form (e.g., in writing only)
 - Require contact to take place with a named person only
 - Restrict telephone calls to specified days and times
 - Request that the complainant does not contact the school/trust directly, but through a third party (e.g., a solicitor or advocate)
 - Refuse to consider any further complaints about the same matter
 - In extreme cases, ban the complainant from school premises (subject to any safeguarding obligations regarding their child)
- 10.5 Before implementing any restrictions, the trust will:
- Write to the complainant explaining:
 - Why their behaviour is considered unreasonable
 - What action is being taken
 - The duration of the restriction (normally 6 months)
 - How they can appeal the decision
 - Offer the complainant an opportunity to respond before the restriction is finalised (except in cases of immediate risk to staff safety)
- 10.6 All restrictions will be reviewed after **6 months**, or sooner if circumstances change. The complainant will be notified in writing of the outcome of the review.
- 10.7 Where a complainant's behaviour poses an immediate threat to the safety of staff, trustees, or LAB members, the trust may:
- Report the matter to the police
 - Seek legal advice and take legal action if necessary
 - Implement immediate restrictions without prior warning
- 10.8 The trust will ensure that any restrictions imposed do not disadvantage the complainant's child/children in accessing education or other services.
- 10.9 Where a complaint has been through all stages of the Trust's complaints procedure, the matter will be considered closed. The Trust will not normally reopen the complaint unless significant new and relevant evidence is presented.

11. Monitoring and Review

- 11.1 The trust will monitor complaints to identify trends, patterns, and areas for improvement. This will include:
- The number of complaints at each stage
 - The nature and subject matter of complaints
 - The outcomes of complaints
 - Timescales for resolution
 - Any lessons learned
- 11.2 An annual summary report will be presented to the Board of Trustees, including:
- Aggregated data on complaints across the trust
 - Analysis of themes and trends
 - Actions taken to address recurring issues
 - Recommendations for policy or practice improvements
- 11.3 Individual schools will review their complaints data termly with their Local Advisory Board.
- 11.4 This policy will be formally reviewed every **three years**, or sooner if:
- There are changes to relevant legislation or statutory guidance

- The trust's complaints data indicates the policy is not working effectively
- Feedback from complainants or staff suggests improvements are needed

Appendix A - issues not covered in this policy

This procedure does not cover the following issues:

Issue	Relevant Procedure/Guidance	Where to Find Information
Admissions decisions	Statutory admissions appeals process	School admissions appeals code Contact: London Borough of Newham
Exclusions	Statutory exclusions process	Exclusion from maintained schools, academies and pupil referral units (DfE guidance) Contact: School suspensions and permanent exclusions - GOV.UK
Statutory assessments of special educational needs (SEN)	SEN Code of Practice	SEND code of practice Contact: SENCo or London Borough of Newham
Child protection and safeguarding concerns	Trust Safeguarding Policy and statutory safeguarding procedures	Keeping Children Safe in Education Contact: Designated Safeguarding Lead
Staff grievances and disciplinary matters	Trust HR policies	Contact: info@ttl.academy
Staff capability and performance management	Trust capability and performance management policies	Contact: info@ttl.academy
Whistleblowing	Trust Whistleblowing Policy	Available on trust website Contact: info@ttl.academy
Subject access requests and freedom of information requests	Data Protection Policy	Contact: Data Protection Officer info@ttl.academy

Issue	Relevant Procedure/Guidance	Where to Find Information
Complaints about services provided by third parties	Contact the third-party provider directly	Contact provider directly
Allegations of abuse against staff	Allegations management procedures (Part 4, KCSIE)	Contact: LADO https://www.newhamscp.org.uk/lado/ Trust contact: info@ttilt.academy
Anonymous allegations against staff	These will be assessed on a case-by-case basis	Contact: Head of school or CEO

Note: If you're unsure whether your complaint falls under this procedure or another process, please contact the school office for guidance.

Appendix B – Complaints Procedure Flow Chart

Stage 1 – Informal

- Concern raised with staff
- Response within 10 school days
- If unresolved → Stage 2

Stage 2 – Formal Investigation

- Written complaint to Headteacher
- Investigation and written outcome within 20 school days
- If dissatisfied → Stage 3

Stage 3 – Independent Appeal Panel

- Panel convened within 25 school days
- Hearing held
- Written decision within 5 school days
- If procedural concerns remain → DfE

Appendix C - Complaints Form

Name
Address
Telephone Number
Email
Date Submitted
Dated Received
What and/or who is your complaint about? Please be specific here and add details to the box below
Please provide details of the nature of the complaint, including dates, times, location and your summary of key events
What action have you already taken to try to resolve your complaint? Who have you spoken to already and what was the response? Have you completed stage 1?
What is the outcome that you are seeking to achieve?

Appendix D

Unreasonably persistent complainants and unreasonable complainant behaviour

There are rare circumstances where the trust will deviate from the Complaints Procedure. These include, but are not necessarily limited to:

- Where the complainant's behaviour or language towards staff, members of the Local Advisory Board or trustees is abusive, offensive, discriminatory or threatening;
- Where the complainant's behaviour is hindering our consideration of complaints and/or the proper running of the school because of the frequency or nature of the complainant's contact, such as, if the complainant refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Where the complainant refuses to co-operate with the complaints investigation process
- Where the complainant refuses to accept that certain issues are not within the scope of the complaints procedure
- Where the complainant insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Where the complainant introduces trivial or irrelevant information which they expect to be taken into account and commented on
- Where the complainant raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Where the complainant makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- Where the complainant changes the basis of the complaint as the investigation proceeds, the complainant seeks an unrealistic outcome, such as the inappropriate dismissal of staff
- Where the complainant makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Where the complainant knowingly provides falsified information
- Where the complainant publishes unacceptable information on social media or other public forums
- Where the complainant's complaint is clearly frivolous, vexatious and/or has patently insufficient grounds. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:
 - Complaints which are obsessive, persistent, harassing, prolific, repetitious

- Complaints which are insistent upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- Complaints that are designed to cause disruption or annoyance
- Demands for redress that lack any serious purpose or value
- Where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full.

In these circumstances, the trust may:

- Inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it
- Restrict the complainant's access to the school e.g. requesting contact in a particular form (for example by letter only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times or banning the complainant from the school's premises. Any such arrangements will be reviewed after six months
- Conduct the Complaints Committee on the papers only i.e. not hold a hearing
- Refuse to consider the complaint and refer the complainant directly to the Education and Skills Funding Agency

In all cases the trust will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action.

The trust may take the decision not to respond to any further correspondence where:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts us repeatedly making substantially the same points each time

The case for ceasing further correspondence is stronger where:

- Letters, emails or telephone calls are often or always abusive or aggressive or make insulting personal comments about or threats towards staff
- We have reason to believe that the complainant is contacting us with the intention of causing disruption or inconvenience
- Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, members of the Local Advisory Board or trustees, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.