



Truro and Penwith
Academy Trust

Complaints Policy and Procedure

Document Control

Version	Date Approved	Approved By	Summary of Changes	Next Review Date
1.0	Jan 2025	Trust Board	Re-dated policy	January 2028
2.0	December 2025	Trust Board	Re-formatting Additional requirement to discuss stage 2 with complainant before instigating investigation	December 2028

TPAT Complaints policy and procedure

Summary complaints procedure

Stage	Complainant's Actions	Trust or School Actions
Stage 1 – Informal	<ul style="list-style-type: none">• All complaints start at stage 1• Bring concern to attention of member of staff• Request meeting• Put concern in writing (optional at this stage).	<ul style="list-style-type: none">• Arrange meeting to discuss• Listen, discuss, offer resolution• Confirm outcome in writing within 15 school days
Stage 2 - Formal	<ul style="list-style-type: none">• Submit written complaint within 10 school days of stage 1 outcome• Use complaints form (Appendix 1), ensuring clarification of desired outcome of complaint	<ul style="list-style-type: none">• Acknowledge complaint within 5 school days• Discuss situation with complainant• Provide written response within 20 school days
Stage 3 – Panel Hearing	<ul style="list-style-type: none">• Request review within 10 school days of stage 2 outcome• Submit evidence at least 7 school days before hearing	<ul style="list-style-type: none">• Trust Governance team acknowledges request within 5 school days• Set up panel meeting within 20 school days• Send decision within 5 school days

Aims of this policy and procedure:

The aims of the policy and procedure are to deal with any complaint against TPAT or the individual school or any individual connected with TPAT by following the correct procedure to deal with all complaints thoroughly and in a timely manner and by being open, honest and fair when dealing with the complainant.

It is not intended that the complaints procedure replaces the normal discussion on day-to-day problems and concerns which take place in any school within TPAT as they arise. It is only where a complainant remains dissatisfied with the outcome of such discussions that further steps may need to be taken. The Trust and each of our schools will usually follow this procedure when dealing with complaints from others but reserves the right to substitute this procedure for an alternative process where it is appropriate to do so.

Complainants will be informed about the procedure that will be used to consider their complaint as soon as possible after their complaint is received by TPAT or at an individual school. This procedure does not apply to concerns and complaints relating to the following, which are dealt with under separate policies:

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools 	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
<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 Referral Unit (MARU).</p>
<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Further information regarding 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 whistle-blowers in education who 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 	Complaints from staff will be dealt with under the school's internal grievance procedures.
<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>

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 this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against the school in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

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 be resolved informally, without the need to use the formal stages of the complaints procedure. The Trust and our schools take concerns 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, from outside of the school, but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the school will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

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 on a complainant, as long as they have appropriate consent to do so.

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark as private and confidential.

If your complaint is about:	Refer to	How to contact
The Headteacher	TPAT Head of Corporate Governance	governance@tpacademytrust.org
A member of staff in a school or a specific school based incident	The Headteacher or appropriate line manager of staff member	School email address at specific school
A Local Monitoring Committee member	TPAT Head of Corporate Governance	governance@tpacademytrust.org
The CEO of the Trust	Chair of Trustees via TPAT Head of Corporate Governance	governance@tpacademytrust.org
A centrally employed Trust staff member	Line manager of employee	Specific staff email – contact governance@tpacademytrust.org for support in obtaining address
A Trustee	Chair of Trustees via TPAT Head of Corporate Governance	governance@tpacademytrust.org
Chair of Trust Board	Vice Chair of Trustees via TPAT Head of Corporate Governance	governance@tpacademytrust.org

For ease of use, a template complaint form is included at appendix 1. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example the Citizens Advice to help you.

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.

Staged Approach

In order to investigate a complaint as fully as possible, we have implemented a staged approach.

We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2.

To enable a proper investigation, concerns or complaints should be brought to the attention of the Trust or to the individual school, as soon as possible. In general, any matter raised more than 3 months after the event being complained about will not be considered.

Each stage in the complaints procedure should usually be completed before moving to the next stage. In very exceptional circumstances the Trust or Headteacher may decide to omit a stage.

The complaints procedure is formed of three stages:

Stage 1 informal	Discussion/written concern raised
Stage 2 – Formal	Written complaint to Headteacher/Senior Leader/Trust
Stage 3 – Formal	Complaint heard by a Complaints Panel

Stage 1:

Informal - as soon as possible after the incident (within 3 months) the complainant has concerns about, they should ask to meet with the appropriate member of staff to discuss the matter.

Many concerns can be resolved by simple clarification or the provision of information. Where a complaint is about your child or a child attending the school, it is normally appropriate to communicate directly with the child's class teacher.

Where the complaint is about a member of staff, it is normally appropriate to communicate directly with them in the first instance. This may be by letter, by telephone or in person by appointment, requested via the school office.

If you wish to hold a meeting to discuss your concern or complaint, it is necessary to explain the nature of your concern or the complaint in advance.

It is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concerns, it may be appropriate to address them directly to the Headteacher.

If you are uncertain about who to contact, please seek advice from the School Office.

There is no requirement for an informal complaint to be put in writing by the complainant, however it might be beneficial for this to happen in order to focus on the specific issues raised.

At the conclusion of the investigation, the appropriate person investigating the complaint will provide an informal written response within 15 school days of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

Stage 2:

Formal – Headteacher/Senior Leader/Trust level If the complaint cannot be resolved informally or the complainant is unhappy with the response to their informal complaint, the following procedure will apply: Within 10 school days of being notified of the outcome of the informal complaint - the complainant must put their complaint in writing (complaint form at appendix 1)

It is important that a clear statement is included of the actions that it is felt could be taken to resolve the complaint – this clarity is needed to ensure the issues you are raising can be appropriately investigated.

On receipt of the complaint form, complaint will be acknowledged within 5 school days.

Where appropriate, an initial discussion will be offered to you in order to discuss and clarify your concerns – this may be with the Headteacher, a senior leader within the school or an appropriate staff member from within the Trust.

Where the invitation to a meeting is declined or the complaint cannot be resolved through a meeting, arrangements will be made for the matter to be formally investigated.

An appropriately knowledgeable and skilled individual will be appointed to investigate the concerns raised. A full and thorough investigation will take place, establishing the relevant facts, with a written response provided 20 school days.

On occasions there may be times this deadline is not possible, where this is the case, an update and revised response date will be provided to the complainant.

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 will be taken to resolve the complaint.

Stage 3 – Panel Hearing

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. This involves a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint, with one panel member who is independent of the management and running of the school concerned. This is the final stage of the complaints procedure.

Panel members will be selected based on their skills and experience; ensuring no panel member has prior knowledge of the issue being addressed. Where a complaint is about a Local Monitoring Committee; there would be Trustee involvement in the panel. Where a complaint is about the CEO or Chair of Trustees; appropriate Trustees would be involved.

A request to escalate to Stage 3 must be made to the Trust Governance Team at governance@tpacademytrust.org, within 10 school days of receipt of the Stage 2 response. The Trust Head of Corporate Governance must be informed of all requests to escalate to a stage 3 complaint.

An acknowledgement of the request will be sent within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Trust Governance Team will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, an anticipated date will be provided and the complainant kept informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Trust Governance Team 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.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel 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.

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 (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Trust's Governance Team 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
- request copies of any further written material to be submitted to the panel at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel 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 Stage 1 of the procedure.

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

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 panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to systems or procedures to prevent similar issues in the future.

The Chair of the panel will provide the complainant and the 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 (DfE) if they are dissatisfied with the way their complaint has been handled.

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 panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the Headteacher.

A written record will be kept by the school or trust, where relevant, of all complaints, whether they are resolved at the preliminary stage or proceed to a panel hearing and any action taken by the school as a result of those complaints (regardless of whether they are upheld).

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Anonymous complaints

We will not normally investigate anonymous complaints. All anonymous complaints must be reported to the Trust Head of Corporate Governance - the Headteacher and Trust Head of Corporate Governance will determine whether the complaint warrants an investigation. Where anonymous complaints are concerning the Headteacher, the Trust Head of Corporate Governance and Director of Education will determine whether there is a need for 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 if exceptional circumstances apply.

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.

If a complainant commences legal action against the school in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, we want to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, 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.

Withdrawal of a complaint

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

Next Steps

If the complainant believes their complaint was not handled in accordance with the published complaints procedure or that the school acted unlawfully or unreasonably under education law, they can contact the Department for Education (DfE) after completing Stage 3.

The DfE will not normally reinvestigate the substance of complaints or overturn decisions made by the school. They will consider whether the school has adhered to education legislation and statutory policies.

Complaints can be referred to the DfE:

- **Online:** <https://customerhelpportal.education.gov.uk>
- **Telephone:** 0370 000 2288

- **Post:**

Complaints
Department
Cheylesmore
Quinton
Coventry
CV1 2WT

for

Team
Education
House
Road

Appendix 1 Complaint Form:

Please complete and return to the Headteacher of the school who will acknowledge receipt and explain what action will be taken.

If your complaint is regarding the Headteacher, please return to governance@tpacademytrust.org

Please note: if you require this form in another format, please contact governance@tpacademytrust.org

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Contact telephone number: Email address:

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:

Action taken:

Date:

Appendix 2 Guidance

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 Headteacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Headteacher or complaints panel 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/Headteacher

(this could be the Headteacher/CEO/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 all relevant staff members, Headteacher, CEO, Trust Head of Corporate Governance, Chair of Trust or the Local Governance Officer 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.

Local Governance Officer

The Local Governance Officer is the contact point for the complainant and the panel 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
- take written notes of the proceedings
- circulate the minutes of the meeting
- notify all parties of the panel's decision.

Panel Chair (stage 3)

The panel chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Local Governance Officer) 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 panel 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
- the panel is open-minded and acts independently
- no member of the panel 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 Local Governance Officer (or Head of Corporate Governance, where relevant).

Panel Member

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No individual may sit on the panel 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 panel 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 panel 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 panel 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 panel considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.

Appendix 3

Policy for managing serial and unreasonable complaints

Truro and Penwith Academy 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 our schools. 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.

Truro and Penwith Academy Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, 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
- refuses to co-operate with the complaints investigation process
- 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 complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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 Trust'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 and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact a school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from a school site.