



Complaints Policy

Our vision is to enable all to flourish

Status and review cycle:	Bi-annual
Responsible group:	The Trust Board
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1.0 Policy Statement

- 1.1 The Trust is an organisation with a Christian foundation. The ethos, values and relationships of the Trust, and its associated schools, are central to upholding the values of the foundation. Constructive working relationships are important to the success of the Trust and in recognition of this the Trust is committed to resolving differences as quickly as possible and finding workable solutions for identified problems.
- 1.2 The Trust expects all concerns and complaints to be taken seriously and to be investigated and dealt with efficiently and sensitively.

2.0 Purpose and Scope

- 2.1 This policy is intended to provide guidance about the process for dealing with concerns or complaints raised by anyone about the operation of a Trust school.
- 2.2 The following policy sets out the procedure that the school follows in such cases. A copy of this policy is available on the school and DGAT websites.

3.0 Aims and objectives

- 3.1 The school aims to be fair, open and honest when dealing with any concerns or complaints giving them careful consideration and dealing with them as swiftly as possible. The aim is to resolve any complaint through dialogue and mutual understanding and in all cases putting the interests of the child above all other issues.

4.0 Child Protection

- 4.1 **If the complaint concerns a child protection issue or involves an allegation of abuse by a member of the school staff, the named person responsible for child protection matters at the school should be informed and safeguarding procedures followed.**

5.0 The Complaints Procedure - General Principles

- 5.1 This procedure is intended to apply to complaints from parents/carers of pupils at your school, regarding their child, unless separate statutory provisions apply (such as exclusions or admissions) and outlines the procedure that the complainant and the school or Trust will follow. Once a complaint has been made, it can be resolved or withdrawn at any stage.
- 5.2 An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- 5.3 To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, the school will not consider any complaint raised more than three months after the event.

- 5.4 Complaints need to be considered, and resolved, as quickly and efficiently as possible using time limits published in this policy. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

6.0 Concern

- 6.1 A concern can be defined as an expression of a worry in respect of the school. A matter should be viewed as a concern if it is capable of being resolved locally, is quite straightforward and does not require a formal response.

7.0 Complaint

- 7.1 A complaint can be defined as an expression of dissatisfaction with the school which requires a formal response.

- 7.2 The school will deal with any matter as a complaint when

- the person raising the matter requests the matter to be dealt with as a formal complaint

or

- when informal attempts to deal with the concern have been exhausted and the person who raised the concern remains dissatisfied.

- 7.3 The definition of “unreasonable complaints” is outlined in the ‘Managing unreasonable complaints’ section of this policy.

- 7.4 For the purpose of this policy, “duplicate complaints” are identical complaints received from a complainant’s spouse or partner. These complaints will not be addressed again and the individual making the second complaint will be informed that the complaint has been dealt with on a local level. Any new details provided by a complainant’s spouse or partner, however, will be investigated and managed in line with the complaint’s procedure.

- 7.5 For the purpose of this policy, “complaints campaigns” are where the school or Trust receives large volumes of complaints that are all based on the same subject.

8.0 Roles and responsibilities

- 8.1 The complainant will be responsible for:

- Cooperating with the school in seeking a solution to the complaint.
- Expressing the complaint and their concerns in full at the earliest opportunity.
- Promptly responding to any requests for information and meetings.
- Asking for assistance as needed.
- Treating anyone involved in the complaint with respect.

- Informing of any accessibility adjustments required to support them to engage with this process e.g., an accessible venue for meetings or an interpreter.

8.2 The complaint lead will be responsible for:

- Liaising with the complainant throughout complaint process.
- Providing procedural advice and guidance to the complaint investigator.
- Identifying panel members, when necessary.
- Identifying a clerk for the meeting, when necessary.
- Maintaining a central register of complaints that reach stage two and three.

8.3 The investigator of the complaint will be responsible for:

- Liaising with the complainant and clarifying an appropriate resolution to the problem.
- Considering all records, evidence and relevant information provided.
- Interviewing all parties that are involved in the complaint, including staff and pupils where appropriate.
- Analysing all information in a comprehensive and fair manner.
- Identifying and recommending solutions and courses of actions to take.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales and providing a reason if these timescales need to change.
- Responding to the complainant in a clear and understandable manner.

8.4 Where complaints are escalated to a panel hearing, all complaints panel members will be aware that:

- The review panel hearing is independent and impartial.
- They are responsible for declaring any actual or perceived conflict of interest or
- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain reconciliation between the parties involved.
- Reconciliation between the school and complainant is not always achievable, and that it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.
- The panel can:
 - Dismiss or uphold the complaint, in whole or in part.
 - Decide on appropriate action to be taken.
 - Recommend changes to prevent reoccurrence of the problem.

- Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as inclusive and welcoming as possible.
- When it is appropriate for a child to be present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child's view is represented equally.

The panel chair will:

- Ensure that minutes of the hearings are taken on every occasion by a professional clerk.
- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any pupils involved.
- Conduct the hearing in a manner that ensures everyone is treated professionally with respect and courtesy.
- Ensure that the room's layout and setting is non-adversarial, yet still sets the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the school/Trust the opportunity to state their case and seek clarity without undue interruption.
- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the clerk to ensure the procedure runs smoothly.

9.0 Raising a concern or complaint - Stage 1 - Informal procedure

- 9.1 It is normally appropriate to communicate directly with the member of staff concerned, or the headteacher if the concern is about any member of staff. This may be by letter, e-mail, telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information, and it is anticipated that most concerns or complaints will be resolved by the informal stage within ten working days of a concern being raised.
- 9.2 In the case of serious concerns, it may be appropriate to address them directly to the headteacher (or to the Chair of the local governing board, if the concern or complaint is about the headteacher or a governor). If the resolution is likely to take longer than ten days the complainant will be informed and kept up to date of the progress of the issue raised.

- 9.3 If there is uncertainty about who to contact, then advice may be sought from the Clerk to the local governing board.

10.0 Procedure for dealing with concerns

- 10.1 The teacher, headteacher or chair will endeavour to resolve the concern informally within ten working days of a concern being raised. During the course of any informal investigation they may invite a third party in to take notes of the meeting which will be shared with all parties.. Any member of staff complained about will be kept fully informed of the content of the concern raised and will be given an opportunity to provide a response to the concern raised. During this period the person raising the concern will be regularly updated as to the progress of the investigation. If the resolution is likely to take longer than ten days the complainant will be informed and kept up to date of the progress of the issue raised.
- 10.2 In line with DfE guidance, complainants should note that any acknowledgement by the school or Trust at any stage of the complaint process that it could have handled the situation better is not an admission of unlawful or negligent action.

11.0 Stage 2 - Formal Procedure (How to take the matter further)

- 11.1 If the concern is not resolved at the informal stage, or the concern is of a sufficiently serious nature, a formal complaint should be made using the complaint form found at appendix one of this policy. If the complainant is unable to complete this form due to a disability or language barrier, then a meeting will be convened so that the nature of the complaint can be understood. A completed complaint form should be addressed to the headteacher, who will be responsible for ensuring that it is investigated appropriately. The form should be sent to the clerk to the local governing board, for the attention of the chair, if the complaint is about the headteacher or a local governor. If the complaint is about the headteacher or the chair of the local governing board, contact the Chief Operating Officer (COO).
- 11.2 A written acknowledgement will be provided to the complainant within two school days of receiving a complaint. If a complaint is received during the school holidays, acknowledgement will be within two school days of the start of the new term, exclusive of INSET days. The acknowledgement will give a target date for providing a response to the complaint which should normally be within 15 school days of the receipt of the complaint.
- 11.3 If the target cannot be met because, for example, an independent investigation is needed, the complainant will be advised at the earliest opportunity with an explanation for the reason for the delay and a revised target date.
- 11.4 The headteacher (or chair of the local governing board) may invite the complainant to a meeting to discuss the complaint and to seek a resolution, this should be within five school days of the acknowledgement of the complaint being sent. If the complainant accepts that invitation, they may be accompanied by a family member or friend if they wish, to support them in explaining the nature of the complaint. If a

meeting is arranged notes of the meeting must be taken and should be available to all parties within three school days after the meeting. Audio recording of a meeting is not permitted unless all parties agree prior to the meeting. There is no obligation for any party to comply with a request to record a meeting. Covert recordings must not be taken. If a covert recording is suspected or discovered the meeting will be ended and reconvened at a later date. A warning letter may be sent to the individual that has attempted the covert recording.

- 11.5 Once all of the facts have been established a written response will be sent to the complainant within seven school days outlining the decision reached and the reasons for it. Where appropriate this should also include what action the school will take to resolve the complaint. The letter will make reference to any formal investigation that has taken place and a copy of the main body of investigation outcome report will be provided. Where the report contains information relating to a third party this may be redacted in line with General Data Protection Regulation requirements (GDPR).
- 11.6 The letter should also inform the complainant how they can proceed to the third stage of the procedure if they are dissatisfied with the outcome, and that they must do so within 10 school days of receiving the response.
- 11.7 When the investigation has been concluded all parties concerned will also be informed of the outcome within seven working days of the conclusion of the investigation.
- 11.8 If no further communication is received from the complainant within 10 school days it is deemed that the complaint has been resolved and should end.

12.0 For all complaints that reach stage 2

- 12.1 The Trust Governance and HR Officer will be the Complaint Lead for every complaint and is responsible for administering the complaints process from start to finish, this includes providing the complainant with the complaint investigation report and outcome. The Complaint Lead may provide procedural guidance to the complaint investigator. The COO should be informed of all complaints that reach Stage 2. A log of all complaints at Stage 2 and Stage 3 will be kept at both individual school and central trust level.
- 12.2 The Complaint Lead will review Independent Investigator Reports to ensure there are no inconsistencies

13.0 For complaints relating to the Central Team

- 13.1 The COO will oversee complaints of this nature and will be the Complaint Lead. For complaints relating to the CEO the Chair of the Trust Board will be or will appoint a Complaint Lead.

14.0 Stage 3 – Review Process

- 14.1 Complainants who are not satisfied may make further representation, requesting a review of the process followed by the school in handling the complaint. A request should be made in writing to the Complaint Lead using the **Review Request Form at Appendix 2**. This must be done within 10 school days of receiving notice of the outcome of the complaint, specifying any perceived failures to follow the procedure. It should be noted that the Stage 3 process is only applicable to individuals that are currently parents of children in the school.
- 14.2 The Complaint Lead will inform the COO within 24 hours of a complaint review request being received and will follow any advice given. The COO will decide, in consultation with the Chair, the make-up of the panel to hear the complaint review. The COO may delegate this responsibility to a member of the Central Team.
- 14.3 In the case of complaints relating to the Central Team representation as outlined above should be made to the CEO and in the case of the CEO to the Chair of the Board. Trust Members may be involved in the review if the situation requires it.
- 14.4 The review panel will consist of at least three people who were not directly involved with the matters detailed in the complaint. The panel **must include one person who is independent of the management and running of the school**. The independent panel member will not be a Member, Trustee or employee of the school or Trust. Their role is providing an external source of scrutiny and challenge to ensure decision-making is not biased. The review panel will ensure that the clerk to the local governing board will attend the written record of proceedings. If the local governing board clerk is not available, the Complaint Lead will arrange for another suitably trained clerk to attend the meeting.
- 14.5 The Complaint Lead will write to the complainant, acknowledging the review request within two school days and informing the complainant of the arrangements for undertaking the review, which should take place within 15 school days of writing to the complainant. The review panel will normally consider written submissions but will consider any reasonable requests to make oral representations. Should this be the case the panel will ensure that the review is heard in private, and the complainant informed they may be accompanied to the meeting by a family member or friend if they wish.
- 14.6 The panel will receive written evidence from the complainant of perceived failures to follow the procedure; any written submission must be received by the panel at least five working days in advance of the panel meeting. The panel will invite representatives of the school (usually the complaint investigator), as appropriate, to make a response to the review request.
- 14.7 The panel will also have access to the records kept of the process followed.
- 14.8 All parties will be informed in writing of the finding of the review and any recommendations, usually within five school days of the panel meeting. If the

review panel decides that due process has not been followed, they may consider a number of outcomes. The panel may decide to:

- dismiss the complaint in whole or part
- uphold the complaint in whole or part
- decide on appropriate action to resolve the complaint
- recommend changes to the school's systems and procedures

14.9 The review panel is the last school-based stage of the complaints process, and the outcome must be reported to the COO of the Trust.

14.10 The matter will then be closed as far as the school is concerned.

15.0 Submitting a complaint to the ESFA

15.1 If a complainant has exhausted this complaints procedure, they will be advised that they can submit a complaint to the ESFA via www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure, or by writing to:

Complaints Team
Education and Skills Funding Agency
Cheylesmore House
Coventry
Quinton Road
Coventry
CV1 2WT

16.0 Withdrawal of a complaint

16.1 Where a complainant wishes to withdraw their complaint, the school or Trust will ask them to confirm this in writing. Despite the complaint having been withdrawn, the Trust and school may still decide to investigate the complaint and concerns raised. The Trust and school will not under any circumstances ask, or pressure an individual, to withdraw a complaint.

17.0 Record keeping

17.1 A written record shall be kept of any complaint made, whether made via phone, in person or in writing, detailing:

- The main issues raised, the findings and any recommendations.
- Whether the complaint was resolved following an informal route, formal route or panel hearing.
- Actions taken by the trust as a result of the complaint (regardless of whether the complaint was upheld).

17.2 All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or an inspectorate requests access to them.

17.3 Schools are data controllers in their own right and will retain records in relation to complaints within the Trust's data retention policy. The Trust will retain records of complaints and related documents in line with the Data Protection Policy and Records Management Policy. Personal data will only be kept for as long as necessary.

18.0 Managing unreasonable complaints

18.1 The Trust is committed to dealing with all complaints fairly and impartially. The Trust will not normally limit the contact complainants have with the Trust itself or any of its schools; however, the Trust does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is unreasonably repetitive, abusive, offensive or threatening.

18.2 For the purposes of this policy, unreasonable complaints include:

- Vexatious complaints, which:
 - are obsessive, persistent, harassing, prolific, or repetitive.
 - insist upon pursuing complaints that are spurious and/or expect outcomes that are disproportionate.
 - insist upon pursuing complaints in an unreasonable manner.
 - are designed to cause disruption or annoyance.
 - demand for redress which lacks any serious purpose or value.
- Serial or persistent complaints, which:
 - are duplicated, sent by the same complainant once the initial complaint has been closed.
 - are new complaints that are submitted additionally, as part of an existing open complaint, by the same complainant.
 - are repetitive in nature to deliberately undermine the school or member/s of staff or cause disruption

18.3 A complaint may also be regarded as unreasonable when 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 while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaint's 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 they expect 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 trust's complaints procedure has been fully and properly implemented and completed, including referral to the DfE.
- 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.

18.4 A complaint may also be considered unreasonable if the complainant:

- Acts maliciously or aggressively.
- Uses threats, intimidation or violence.
- Uses abusive, offensive or discriminatory language.
- Knows the complaint to be false.
- Uses falsified information.
- Publishes unacceptable information in media such as social media websites and newspapers.

18.5 The above applies regardless of the method the complaint is made, e.g. face-to-face, by telephone, in writing or electronically.

18.6 Complainants should limit the number of communications with the Complaint Lead and complaint investigator 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.

18.7 Whenever possible, the person leading the response to a complaint will discuss any concerns with the complainant informally before deeming the complaint as unreasonable.

18.8 Serial or persistent complaints will only be marked as 'serial' once the complainant has completed the complaints procedure. It is the complaint that will be marked as 'serial', meaning the complainant can complain about a separate issue if necessary.

18.9 If the behaviour continues, the individual handling the complaint will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the Trust or any of its schools causing a significant level of disruption, the Trust may specify methods of communication and limit the number of contacts in a communication plan. A review time will be agreed.

19.0 A decision to stop responding to a complainant

19.1 The decision to stop responding will not be taken lightly. Such a decision will only be considered in circumstances where the following statements are true:

- every reasonable step has been taken to address the complainant's concerns
- the complainant has been given a clear statement of the school or Trust's position and their options
- the complainant contacts the Trust or any of its schools repeatedly, making substantially the same points each time

19.2 The case to stop responding is stronger if one or more of these statements are true:

- the complainant's letters, emails, or telephone calls are often or always abusive or aggressive
- the complainant makes insulting personal comments about or threats towards staff
- the complaint lead has reason to believe the complainant is contacting the school with the intention of causing disruption or inconvenience

19.3 The complaint lead will make the decision to cease responding after consultation with the CEO.

19.4 If the decision to stop responding is taken the following will apply

- the complainant will be restricted to a single point of contact via an email address
- the number of times the complainant can make contact will be limited, for example a fixed number of contacts per term will be specified
- the complainant will be asked to select a third party to act on their behalf such as the local Citizens' Advice Bureau
- the Trust will seek legal advice

19.5 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 the school.

20.0 Complainant campaigns

20.1 Where the Trust or any of its schools becomes the subject of a complaints campaign from complainants who are not connected with the Trust or school, a standard, single response will be published on the Trust or school website.

20.2 If the Trust or one of its schools receives a large number of complaints about the same subject from complainants who are connected to a school, e.g. parents, each complainant will receive an individual response. If complainants remain dissatisfied with the Trust or school's response, they will be directed to the DfE.

21.0 Barring from school premises

21.1 Although fulfilling a public function, schools are private places. The public has no automatic right of entry. The Trust will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

21.2 If an individual's behaviour is a cause for concern, a headteacher can ask them to leave school premises. In some cases, individuals can be barred from entering school premises. The Trust will always give the individual the opportunity to express formally their views on a decision to bar.

21.3 The headteacher's decision to bar should then be reviewed by the chair of governors. The CEO must be informed

21.4 They should take into account any representations made by the individual and decide whether to either confirm or lift the bar. If the decision is confirmed, the individual should be notified in writing, explaining:

1. how long the bar will be in place
2. when the decision will be reviewed

21.5 Once the school's appeal process has been completed, individuals may be able to apply to the Courts. Individuals wishing to exercise this option should seek independent legal advice.

22.0 Staff Complaints

22.1 If a member of staff wishes to make a complaint (in their capacity as an employee) should be investigated using the Grievance Procedure and not the Complaints Policy.

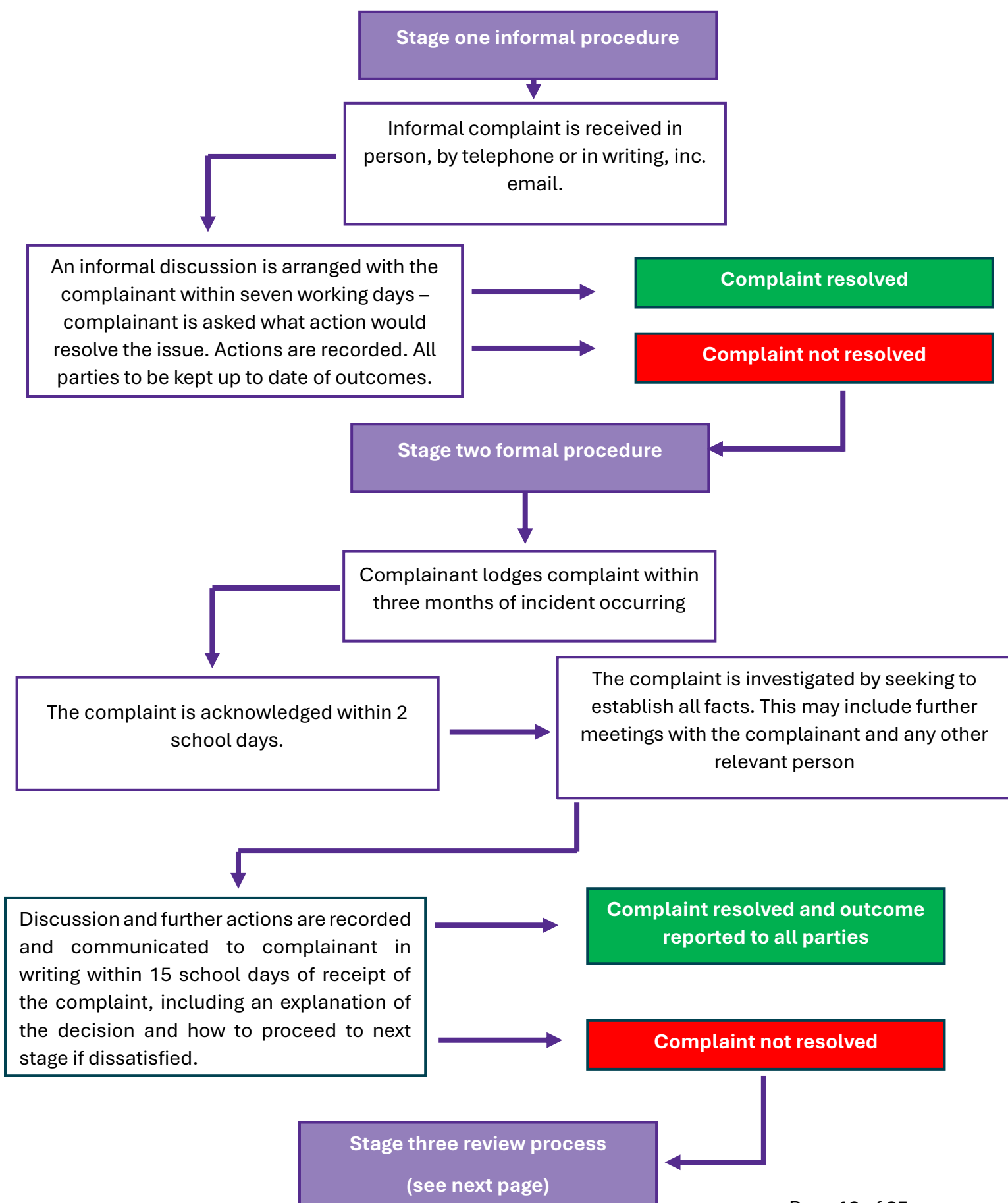
23.0 What is not covered by this policy?

23.1 The DfE's advice identifies areas lying outside the scope of school procedures.

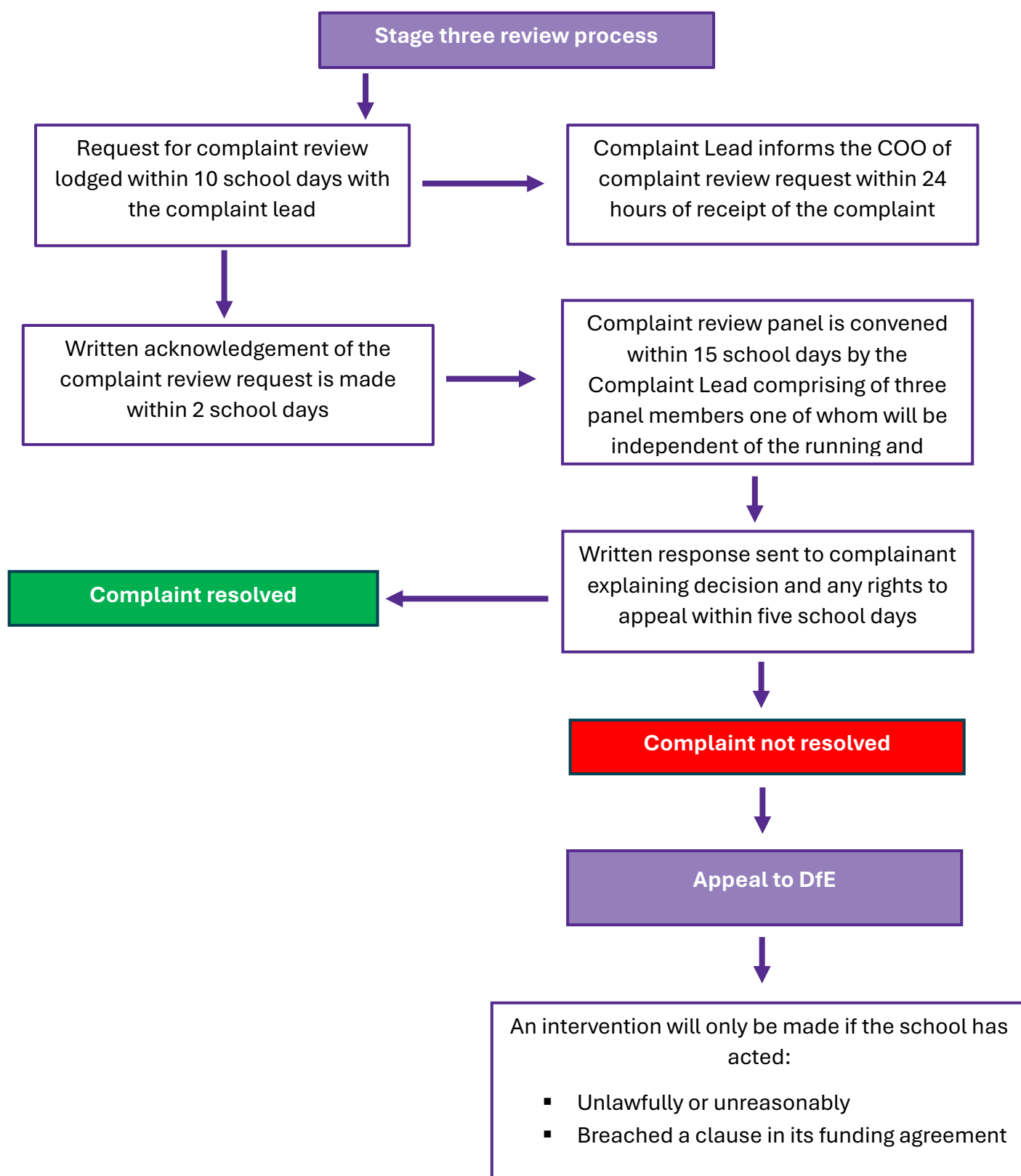
Exceptions	Who to contact
Admissions to school Statutory assessments of Special Educational Needs Matters likely to require a Child Protection investigation	Local authority

	Local authority Designated Officer (LADO)
School re-organisation proposals	The Trust via the CEO
Exclusion from school	Parents and carers may use procedures to challenge permanent exclusions and fixed term exclusions of more than 5 days in a given term. Concerns about the application of the school's Behaviour Policy can be raised via the complaints procedure.
Whistleblowing	The Trust has an internal policy and procedure for employees and volunteers who may wish to whistleblow. Ofsted may be contacted by email (whistleblowing@ofsted.gov.uk) telephone (03001233155) or in writing (WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD).
Staff grievances and disciplinary procedures	Schools must have staff grievances, discipline and conduct procedures in place. Complainants will not be informed of the outcomes of actions under this procedure.
Complaints about services provided by external bodies using a school's premises or facilities.	Providers should be contacted directly and have their own procedures for such eventualities.

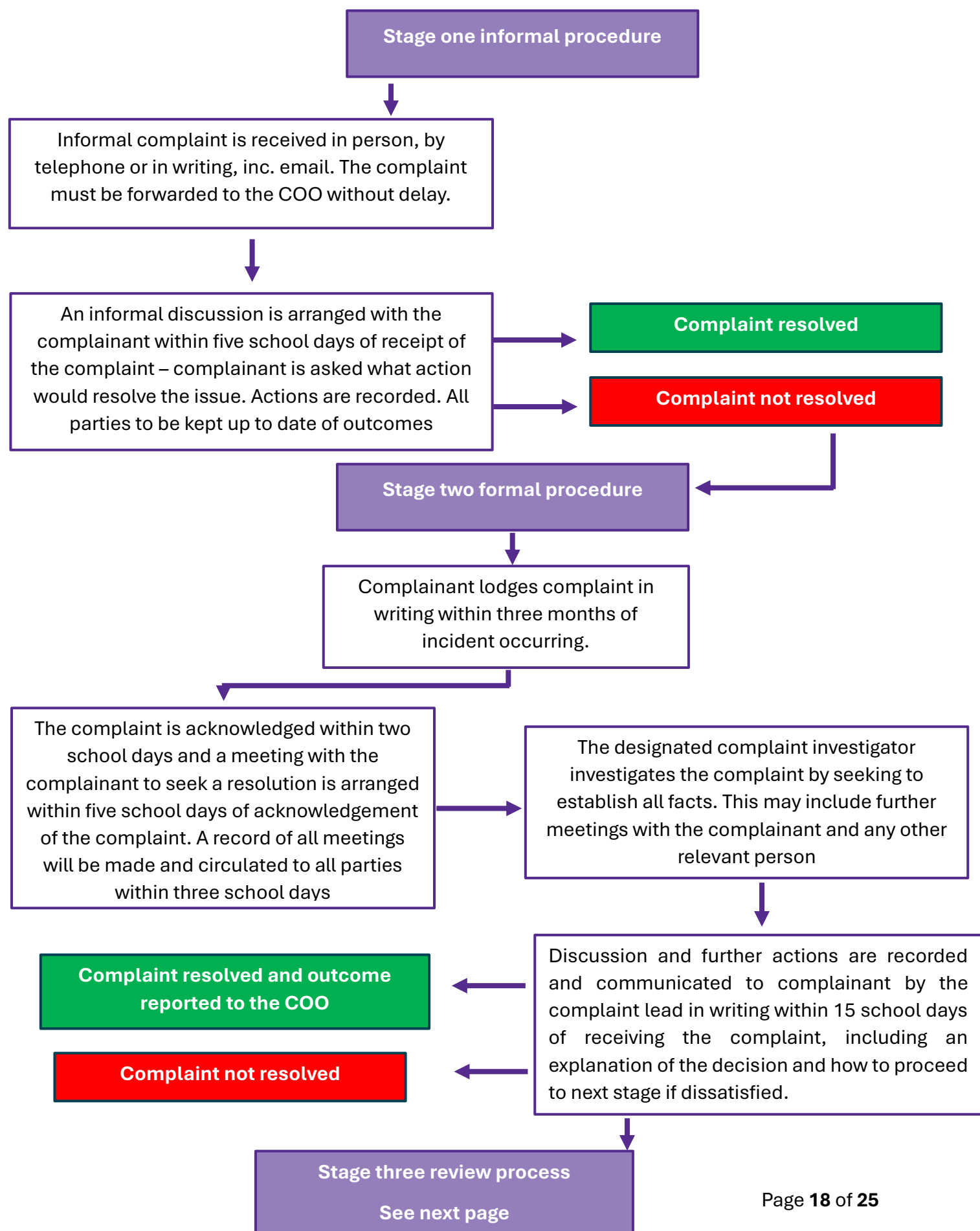
24.0 Flow chart for complaints investigated by the Headteacher – Stage 2



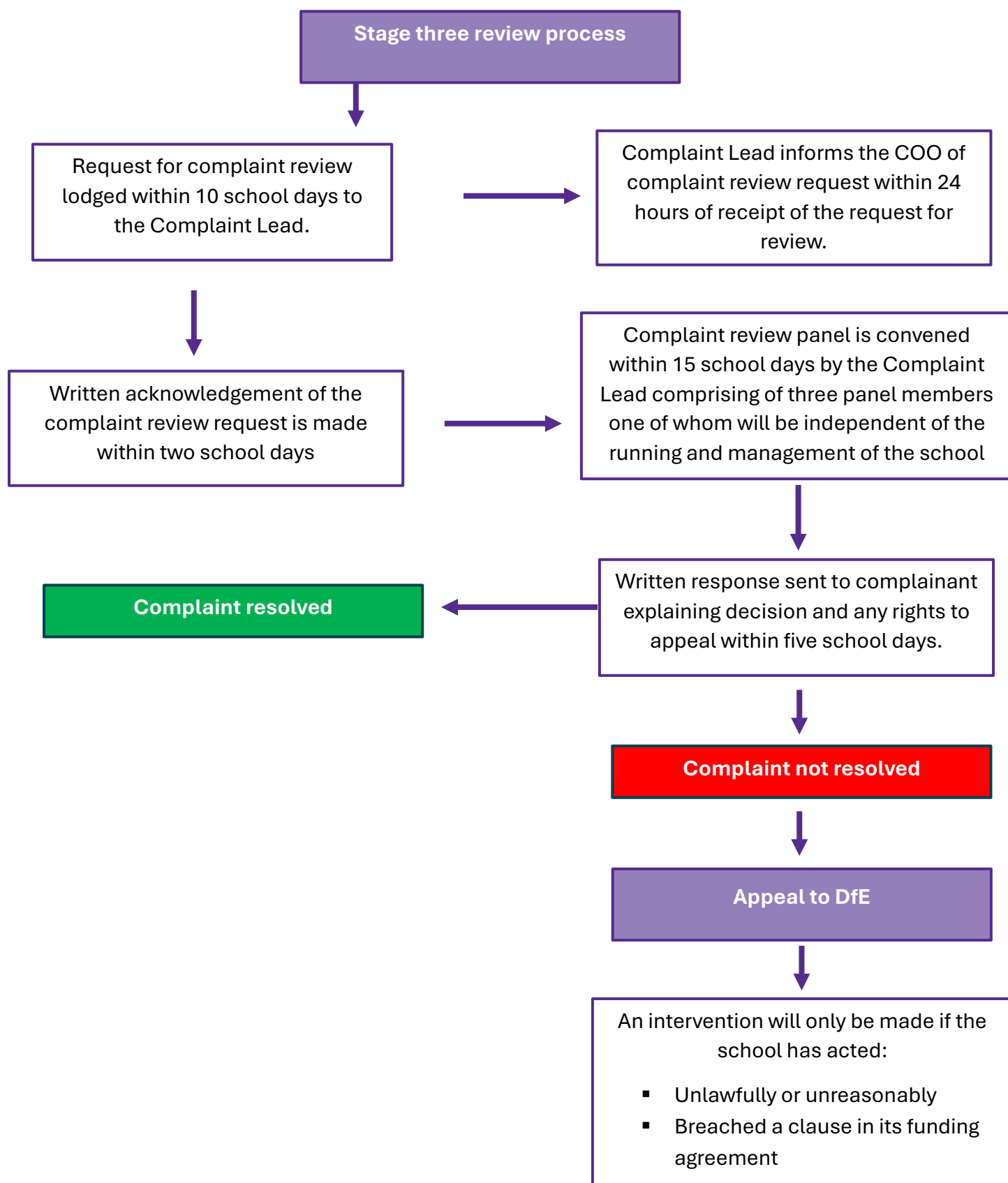
25.0 Flow chart for complaints investigated by the Headteacher – Stage 3



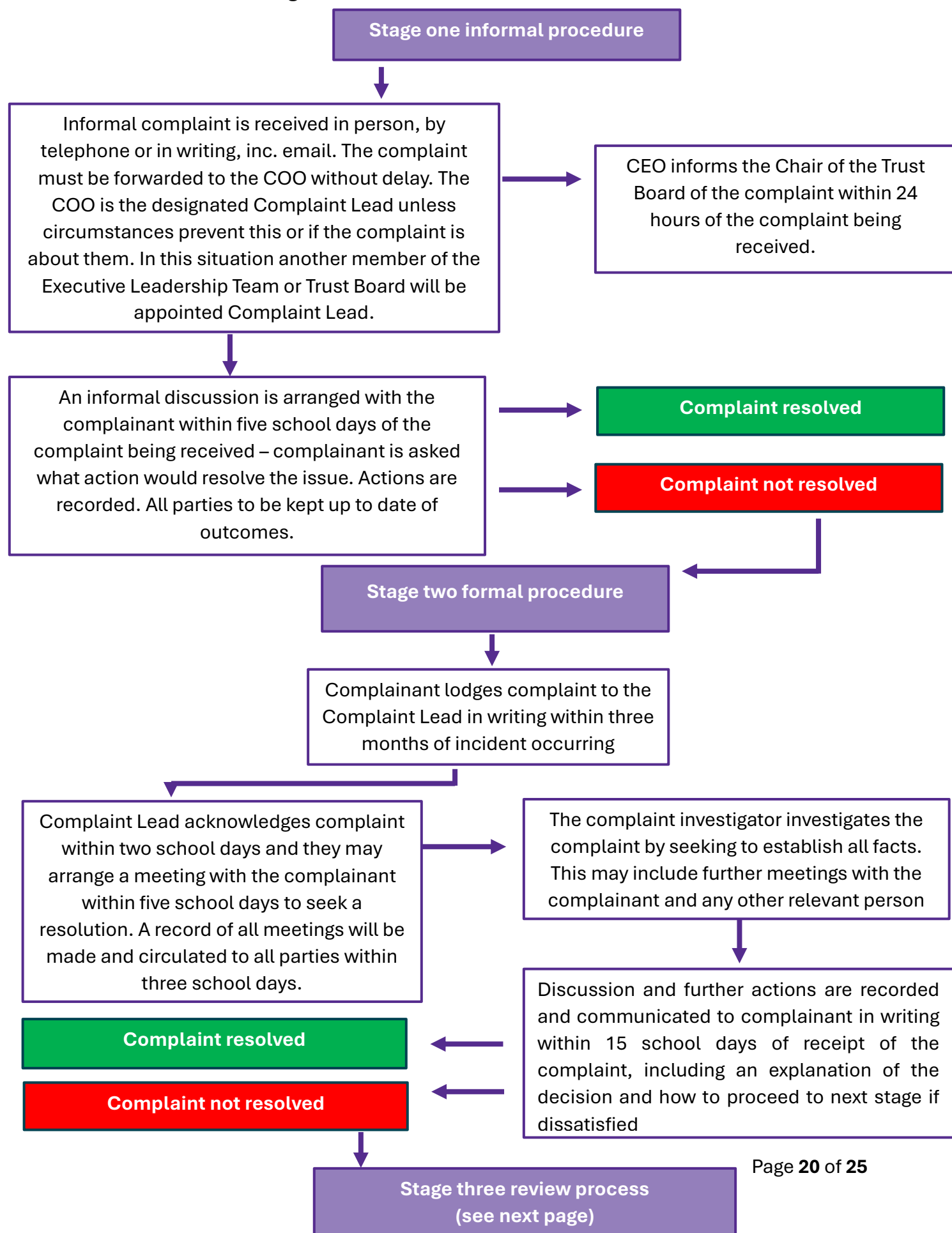
26.0 Flowchart for complaints made against the Headteacher Stages 1 and 2



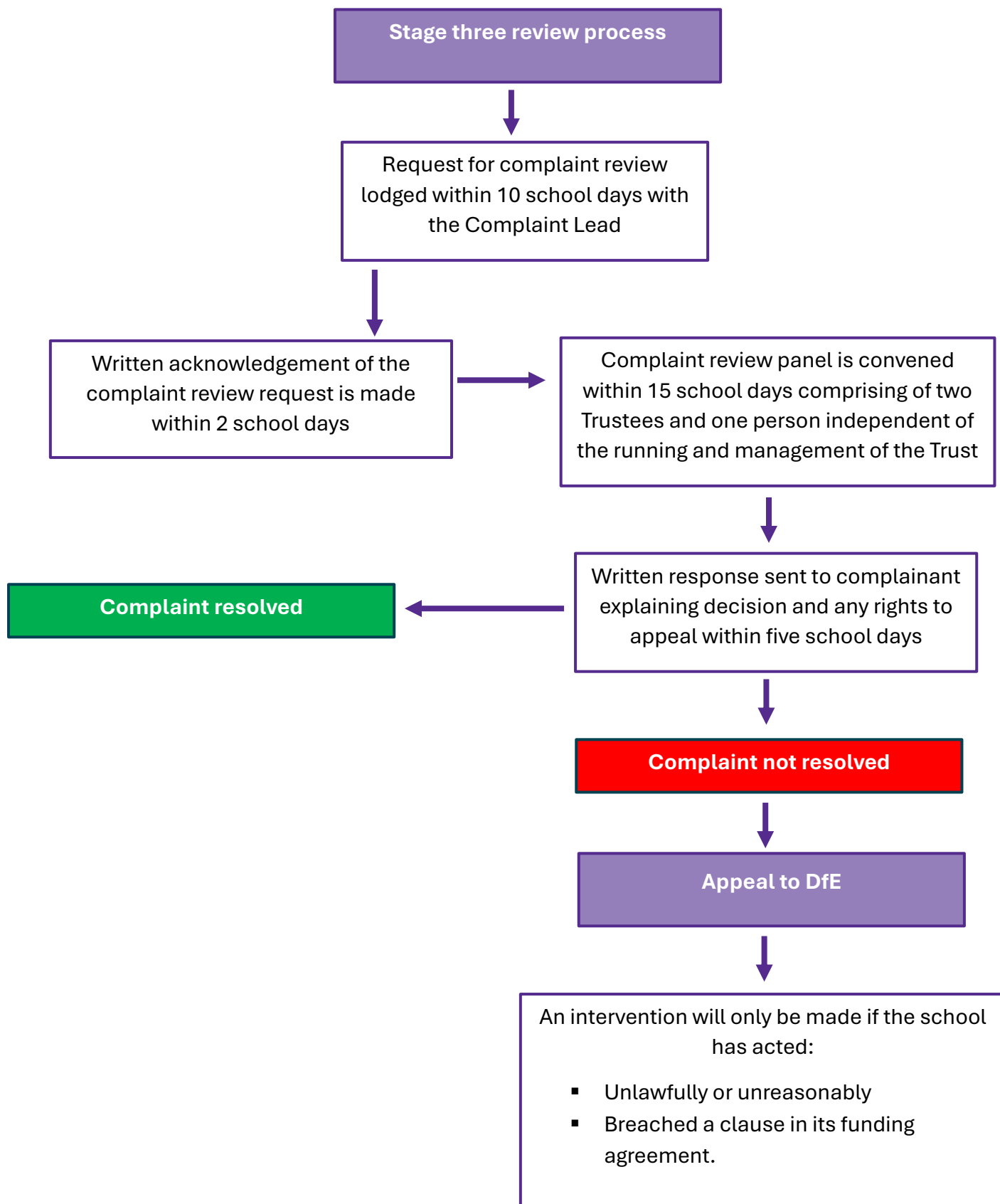
27.0 Flow chart for complaints made against the Headteacher – stage 3



28.0 Flow chart for complaints made against the local governing board or central team staff – stages 1 and 2



29.0 Flow chart for complaints made against the local governing board or central team staff – stage 3



Appendix one: Complaint Form

Please complete this form and return it to Headteacher (or Clerk to the local governing board), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:	
Your Address:	
Daytime telephone number:	
Evening telephone number:	

Relationship with school e.g. parent of a child on the school's roll	
Child's name (if relevant to your complaint):	

Please give concise details of your complaint, (including dates, names of witnesses etc.), to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional documents, if you wish.

Number of additional pages attached	
<p>What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)</p>	

<p>What actions do you feel might resolve the problem at this stage?</p>
--

Signature:
Date:

School use:			
Received by:		Date	
Acknowledgement sent by:		Date	
Complaint referred to:			
Name		Date	

Appendix two: Complaint Review Request Form

Please complete this form and return it to the Complaint Lead who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:	
Your Address:	
Daytime telephone number:	
Evening telephone number:	
<p>Dear sir/madam</p> <p>I submitted a formal complaint to the school on</p> <p>Date:</p> <p>My complaint was submitted to</p> <p>Name:</p> <p>and I received a response from</p> <p>Name:</p> <p>on</p> <p>Date:</p> <p>I have attached copies of my formal complaint and of the responses from the school.</p> <p>I am dissatisfied with the way in which the procedure was carried out because:</p>	

You may continue on separate paper, or attach additional documents, if you wish.

Number of additional pages attached

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

Signature:

Date:

School use:

Received by:

Date

Acknowledgement
sent by:

Date

Complaint referred to:

Name

Date

Name

Date