

Complaints Policy



EPWORTH EDUCATION TRUST

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Reviewed by:	J Buckley
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Version Control

Date	Author	Version	Section	Reason for Change
Mar 21	J Buckley	New Policy		Updated to Epworth Trust Addition of Policies in Legal Framework Addition to Definition re. Unreasonable and duplicate complaint Removal of Serial and Persistent complainants. Updated to Managing Unreasonable Requests New section – Standard of fluency complaints Removal of example letters
March 2025	J Buckley			Unrelated matters now in Annex 1 Only 3 stages rather than 4 Who to contact when raising a complaint now table format for ease Clarity on who may investigate the complaint (not always the contact) Flow of policy updated with existing sections moved elsewhere into policy to ease with reading Complaints about central team members added Update in timescales to ensure consistency Fluency Complaints added

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The Epworth Education Trust is a Multi-School Trust established with the aim of providing outstanding learning and opportunities for the children within its care.

Children are our nation's most precious resource. Their school life and learning experience will shape them for the whole of their lives

Safeguarding Statement

At the Epworth Education Trust we recognise our moral and statutory responsibility to safeguard and promote the welfare of all children.

We work to provide a safe and welcoming environment where children are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection and justice.

The procedures contained in the Safeguarding Policy apply to all staff, volunteers and governors

1. Aims & Application

- 1.1. The aims of the procedure are to deal with complaints and concerns about Epworth Education Trust, one of our academies or any individual connected with it. The procedures provide a set of stages for how complaints are dealt with to ensure the procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality and delivers an effective response and appropriate redress. in an efficient and fair way.
- 1.2. Epworth Education Trust is committed to attaining and maintaining the highest standards achievable in all its schools. The procedures aim to resolve all complaints at the earliest possible stage and is dedicated to continuing to provide the highest quality of education possible throughout the procedure.
- 1.3. This procedure does not apply to concerns and complaints relating to the matters listed in Annex 1.
- 1.4. Anonymous concerns or complaints will not normally be investigated unless the complaint warrants an investigation.
- 1.5. Once a complaint has been made, it can be resolved or withdrawn at any stage.

2. Key principles

- 2.1. Complaints are not restricted to parents of attending pupils. The Trust and its academies will consider all complaints.
- 2.2. Concerns or complaints should be brought to our attention as soon as possible. Any matter raised more than 3 months after the incident being complained of (or, where a series of associated incidents have occurred, within 3 months of the last of these incidents) will not be considered unless the trust accepts that there are good reasons to explain the delay or the complaint is about a particularly serious matter.
- 2.3. We will consider complaints made outside of termtime to have been received on the first school day after the holiday period.
- 2.4. The Trust expects all complainants to make reasonable attempts to seek an informal resolution.
- 2.5. We expect our members of staff to be addressed in a respectful manner and for communication to remain calm at all times.
- 2.6. The procedures for Managing Unreasonable Requests will be used on very rare occasions to deal with unreasonably persistent complainants or unreasonable complainant behaviour.
- 2.7. On rare occasions an academy may receive complaints from a number of parents relating to the same issue. In order to deal with these complaints efficiently the academy will follow the procedure set out in Complaint Campaigns.
- 2.8. If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly and given an explanation as to why this has been the case and provided with revised timescales. If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or tribunals/courts, 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.

- 2.9. 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.
- 2.10. Under extreme circumstances, it may be necessary to deviate from the complaint's procedure. If so, all parties will be informed of the reason why and any deviation will be documented.
- 2.11. Complainants should not approach individual Local Academy Board members or Trustees to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them from considering complaints at later stages.

3. How to raise a concern or complaint

- 3.1. To investigate your complaint properly and fairly, we have implemented a staged approach. We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2 below.
- 3.2. There are 3 stages to the Trust complaints procedure:
- Stage 1 – Raising your concern
 - Stage 2 – Formal Written Complaints
 - Stage 3 – Referral to the Complaints Committee

4. Stage 1 – Raising your concern

- 4.1. Most enquiries and concerns can be dealt with satisfactorily at this level. We value informal meetings and discussions and encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.
- 4.2. 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, if they have appropriate consent to do so.
- 4.3. Concerns should be raised as follows:

What is the Complaint about?	Contact
A school	Teacher, Pastoral or other leadership within school
Staff member	Headteacher
Headteacher	Email Confidential@epworthtrust.org.uk or ring 01942 777706
School Governor(s) or Whole Governing Body	Clerk to the Local Advisory Board (see website)
Chair of Governing Body	Clerk to the Local Advisory Board (see website)
Clerk to the Local Advisor Board	Chair of Governors
The Trust (if not school specific)	Email Confidential@epworthtrust.org.uk or ring 01942 777706

Central Staff Member	CEO
CEO	Chair of Trustees
Epworth Education Trustee	Clerk to the Trust Board
Chair of Trustees	Clerk to the Trust Board
Clerk to the Trust Board	Chair of Trustees

- 4.4. The school and/or Trust website should have contact details.
- 4.5. Please mark any complaint if delivering to the school or Trust office as Private and Confidential.
- 4.6. It is always helpful if you can fully explain the nature of the concern and identify the outcome you are looking for.
- 4.7. There may be some occasions where the concern can be resolved on the spot. If that is achievable, details of the concern and the resolution will be recorded by the member of staff for monitoring purposes. This will be on the staff or child's file.
- 4.8. Where appropriate, you may be invited to an informal meeting with the member of staff most appropriate for dealing with that concern.
- 4.9. There may be some complaints which require further enquiries, with accounts being taken from other parties involved. The member of staff dealing with the concern will make a record of the issues raised and will carry out those enquiries.
- 4.10. There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion, although it would be expected that most issues will be resolved within 15 school days. Where no satisfactory solution has been found, you will be advised that if you wish your concerns to be considered further you should raise your complaint formally to Stage 2 of this procedure within 15 school days.
- 4.11. The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. This may be put in writing if appropriate.

5. Stage 2 – Formal Written Complaints

- 5.1. If your concerns are not resolved under Stage 1, you should put your complaint in writing and send this to the contact below:

What is the Complaint about?	Contact
A school	Headteacher
Staff member	Headteacher
Headteacher	Email Confidential@epworthtrust.org.uk or ring 01942 777706
School Governor(s) or Whole Governing Body	Clerk to the Local Advisory Board (see website)
Chair of Governing Body	Clerk to the Local Advisory Board (see website)
Clerk to the Local Advisor Board	Chair of Governors
The Trust	Email Confidential@epworthtrust.org.uk or ring 01942 777706
Central Staff Member	CEO

CEO	Chair of Trustees
Epworth Education Trustee	Clerk to the Trust Board
Chair of Trustees	Clerk to the Trust Board
Clerk to the Trust Board	Chair of Trustees

- 5.2. It is very important that you include a clear statement of the actions that you would like us to take to resolve your complaint.
- 5.3. For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.
- 5.4. In all cases your written complaint must include:
- the nature of the complaint.
 - details of how the matter has been dealt with so far.
 - the names of potential witnesses, dates and times of events and copies of all relevant documents; and
 - a clear statement of the actions that you would like us to take to resolve your complaint.
- 5.5. Complainants which fail to properly particularise a complaint may be rejected. We will invite complainants to address any lack of detail or information to allow for the complaint to be considered prior to making a decision to reject a complaint.
- 5.6. Your complaint will normally be acknowledged in writing within 5 school days of receipt. The acknowledgement will give a brief explanation of the academy's complaints procedure, the named member of staff dealing with the complaint and a target date for providing a response to the complaint. This will normally be within 15 school days of receipt.
- 5.7. To ensure impartiality, the formal written complaint may be investigated by a different member of staff (School or Trust) or if applicable, a governor or trustee so long as they have not been involved with the concern/complaint at stage one. They may invite you to a meeting to clarify your complaints and to explore possible resolutions. If you accept that invitation, you may be accompanied by one other person, such as a friend, relative, advocate or interpreter, to assist you. Where possible, this meeting will take place within 10 school days of receipt of the written complaint.
- 5.8. Where reasonable attempts to accommodate the complainant with dates for a complaint meeting and they refuse or are unable to attend, the meeting will be convened in their absence and a conclusion will be reached in the interests of drawing the complaint to a close.
- 5.9. During the Stage Two Investigation, the Complainant is required to keep the details of the Complaint private and confidential. This is to enable a just and fair investigation to be undertaken. Any steps taken by the Complainant which do not preserve the confidentiality of the Complaint may undermine the efficiency and effectiveness of the Stage Two Investigation and could require separate action to be taken to address any such breach of confidentiality.
- 5.10. If necessary, witnesses will be interviewed, and signed statements taken from those involved. If the complaint centres on a pupil, the pupil may also be interviewed. Pupils should normally be interviewed with their parent present, but if this would

seriously delay the investigation of a serious or urgent complaint or if the student has specifically said that s/he would prefer that their parents were not involved, another member of staff with whom the student feels comfortable should be present.

- 5.11. If the matter includes a complaint relating to a member of staff, the member of staff must have the opportunity to respond to the complaint. Staff are allowed a colleague to support them at the interview.
- 5.12. Once the relevant facts have been established as far as possible, you will be provided with a written response to the complaint, including an explanation of the decision and the reasons for it. This will include what action will be taken to resolve the complaint (if any). You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be heard by the Complaints Committee under Stage 3 of this procedure

6. Stage 3 – Referral to the Complaints Committee

- 6.1. If you are dissatisfied with the decision under Stage 2, you may request that a Complaints Committee be convened to consider your complaint. 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.
- 6.2. To request a hearing before the Complaints Committee, you should write to the Trust Complaints Department at its head office or email Confidential@epworthtrust.org.uk, (ensuring any correspondence is marked private and confidential) within 15 school days of receiving notice of the outcome of Stage 2. Requests received outside of this time frame will only be considered if exceptional circumstances apply. You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you are looking for.
- 6.3. A clerk will be appointed for the complaints review at Stage 3 by the Trust.
- 6.4. Your written request will be acknowledged within 5 school days of receipt by the clerk appointed.
- 6.5. The clerk will arrange for a Complaints Committee to be convened, made up of at least three members, including:
 - members of a Local Academy Board and/or Trustees of the academy trust (as appropriate) with no prior involvement in the matter; and,
 - one person who is independent of the management and running of the academy trust.
- 6.6. One of the above members will be appointed as Chair of the Committee.
- 6.7. Every effort will be made to enable the hearing to take place within 20 school days of the receipt of your request.
- 6.8. As soon as reasonably practicable and in any event at least 5 school days before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the committee members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the committee.
- 6.9. You will also be informed of the name of the person who will be presenting the case on behalf of the academy (referred to in this policy as the ‘academy representative’). This

may be the person who is the subject of the complaint, the person who undertook the investigation at Stage 2 or another person with sufficient knowledge of the matter.

- 6.10. If, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the clerk may determine that the hearing proceeds based on written submissions from both parties.
- 6.11. You have the right to be accompanied to the hearing by a friend, relative, advocate or interpreter. You should notify the Clerk in advance if you intend to bring anyone to the hearing.
- 6.12. A copy of the complaint and any other documents provided by you in support of your complaint, or by the academy representative in defence of the complaint, will be provided to the Complaints Committee as soon as practicable upon receipt.
- 6.13. Copies of these documents shall also be provided to you or academy representative (as applicable) at least 3 school days before the hearing. The Complaints Committee reserves the right not to consider any documentation presented by either party less than 3 school days prior to the hearing. The Complaints Committee is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. The committee will not normally accept recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 6.14. The hearing will be conducted to ensure that each party has the opportunity to address the Complaints Committee. The procedure to be followed during the hearing will be explained to the parties by letter in advance of the hearing. The Clerk will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed. Electronic recordings of the hearing will not normally be permitted and, in any event, would require the consent of all those present.
- 6.15. Unless otherwise stated, the procedure for the Stage 3 hearing is as follows:
- the complainant and academy representative will enter the hearing together.
 - the Chair of the Committee will introduce the committee members and outline the process.
 - the complainant will explain the complaint.
 - the academy representative and committee members will question the complainant
 - the academy representative will explain the academy/trust's actions.
 - the complainant and the committee members will question the academy representative.
 - the complainant will sum up their complaint.
 - the academy representative will sum up the academy/trust's actions.
 - the Chair of the Committee will explain that both parties will hear from the committee within 5 school days.
 - both parties will leave together while the committee decides.
 - the Clerk will stay to assist the committee with its decision making.
- 6.16. The Clerk and or Complaints Committee reserves the right to modify the above procedure at their sole discretion, for example requiring the complainant and the academy representative to present their complaint/actions separately to the Committee in the absence of the other party.

6.17. After the hearing, the Complaints Committee will consider their decision and inform you and, where relevant, the person complained about of their decision in writing within 15 school days. The letter will set out the decision of the committee together with the reasons underpinning that decision. The committee can (by a majority if necessary):

- dismiss the complaint in whole or in part.
- uphold the complaint in whole or in part.

6.18. 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.
- recommend changes to the academy or trust systems or procedures to ensure that problems of a similar nature do not happen again

6.19. The letter will also include details of how to contact the DFE if they are dissatisfied with the way their complaint has been handled by the Complaints Committee – see Next Steps.

7. Next Steps

7.1. If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

7.2. The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made. They will consider whether the school and/or Trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

7.3. The complainant can refer their complaint to the Department for Education online at [Complain about a school: State schools - GOV.UK](#), by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

8. Record of complaints

8.1. The Trust will be informed of any informal complaints.

8.2. A written record will be kept of all formal complaints, including the main issues raised, at what stage they were resolved, and action taken by as a result regardless of whether the complaint was upheld. Correspondence, statements and records relating to individual complaints will be kept confidential except where:

- access is requested by the Secretary of State.
- disclosure is required in the course of a school inspection.
- an individual has a legal right to access their own personal data contained within such documentation; or

- under other legal authority.

8.3. All records are made available for inspection by the Trust and the Headteacher

8.4. All records will be kept centrally by the Trust and will remain on file in accordance with the Trust's retention schedule.

9. Complaint Campaigns

9.1. For the purposes of this policy, "complaints campaigns" are where the school receives 3 or more separate complaints from individuals that are all based on the same subject.

9.2. Where the school/trust becomes the subject of a complaints campaign, depending on the subject in question, we may deviate from the procedure set out in this policy and instead:

9.3. Send out a template response to all complainants and/or

9.4. Publish a single response on the school's/trust's website.

10. Duplicate Complaints

10.1. There may be some cases where at the end of the complaint's procedure, the school/trust receives a duplicate complaint from a complainant's spouse, partner, grandparent or child.

10.2. Where the complaint is about the same subject, the new complainant will be informed that the school has already considered that complaint and that the local process has been or is being completed. The new complainant will be advised to contact the DfE if they are dissatisfied with the handling of the original complaint

10.3. Care will be taken not to overlook any new aspects to the complaint that may not have been previously considered. Any new elements of a complaint will be investigated and dealt with in line with the full complaints' procedure

11. Fluency Complaints

11.1. All staff are subject to the fluency duty imposed by the Immigration Act 2016, which requires staff members to have an appropriate level of fluency in English to teach pupils.

11.2. The Trust is free to determine the level of spoken communication necessary in order for staff members to develop effective performance, but it will be matched to the demands of the role in question.

11.3. If a member of the school community feels that a staff member has insufficient proficiency in spoken English for the performance of their role, they are required to follow the complaints procedure.

11.4. For the purpose of this policy, a "legitimate complaint" is one which is about the standard of spoken English of a member of staff. NB. complaints regarding an individual's accent, dialect, manner or tone of communication are not considered legitimate complaints.

12. Managing Unreasonable Requests

12.1. The Trust and its schools are 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 or Trust and where possible not deviate from the Complaints procedure.

12.2. There are rare circumstances where if it is felt the complaint is unreasonable, we 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 Academy Board or Trustees is abusive, offensive, discriminatory, or threatening.
- where the complaint's behaviour is hindering our consideration of complaints and/or the proper running of the academy 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.
 - 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.
 - seeks an unrealistic outcome, such as the inappropriate dismissal of staff.
 - 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
 - knowingly provides falsified information.
 - 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
 - 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
- 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.

- 12.3. In these circumstances, we may:
- discuss any concerns with the complainant informally before applying an ‘unreasonable’ marking, informing the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it.
 - If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, the school may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.
 - restrict the complainant’s access to the academy/trust e.g., requesting contact in a particular form (for example, letters 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 academy’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 dfe.
- 12.4. In all cases we 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.
- 12.5. A decision to stop responding 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’s position and their options
 - The complainant contacts the school repeatedly, making substantially the same points each time.
- 12.6. 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 the complainant is contacting us with the intention of causing disruption or inconvenience.
- 12.7. Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, members of the Local Academy 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.

Annex 1

Matters excluded from scope of this policy

Excluded Matters	Signposting
Admissions	Complaints concerning admissions will be directed to the appropriate admissions authority

Child protection matters	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
Collective Worship	Any complaints about the content of collective worship are dealt with by either the LA, the local Standard Advisory Council on Religious Education or another relevant body eg. the diocese Complaints from parents who are dissatisfied with the handling of a request to withdraw their child from RE or collective worship will be handled in line with this complaints procedure.
Data Protection and Freedom of Information	Complaints should be dealt with in accordance with the Trust's GDPR and/or Freedom of Information Policy.
Exclusions	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus for any complaint about the content. Complaints about how the school delivers the content, including RE and RSE, will be dealt with using the complaints procedure
School re-organisation proposals	Where concerns are not deemed to be adequately addressed by the trust, complaints can be raised directly with the Department for Education.
Services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Certain complaints about staff may need to be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Statutory assessments of Special Educational Needs (SEN)	Concerns about statutory assessments of special educational needs should be raised directly with the local authority.
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for 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 Volunteer staff who have concerns should complain through the school's complaints procedure. You may also be able to complain direct to the Department for Education (see link above), depending on the substance of the complaint

Annex 2

Formal Complaints Form

Name:	
Pupil's Name if applicable	
Relationship to Pupil if applicable	

Address & Postcode:	
Contact tel number(s):	
Email:	
Details of Complaint	
Action taken to resolve your complaint informally eg. who did you speak to, when, response received	
What would like the outcome to be:	

For Office Use

Date received: