

Three Counties Academy Trust



Complaints Policy and Procedure

#GN9

Last amended 29th April 2026 (v2.0)

Policy lifespan: 1 year. Next full review 28th April 2027.

Version history

Date	Version	Details	Actioned by	PDF to Websites	Word to Governor Hub
28.01.26	1.0	Updated document. Formatted to house style and checked against model for updates	MF	✓	✓
29.04.26	2.0	Full update – plus format change	MF	✓	✓

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Policy Abbreviations and Acronyms

CEO	Chief Executive Officer
DfE	Department for Education
DPA	Data Protection Act
LA	Local Authority
LADO	Local Authority Designated Officer
LGB	Local Governing Body
SLT	Senior Leadership Team
TCAT	Three Counties Academy Trust
UK GDPR	United Kingdom Data Protection Regulations

NB. Where the term “parent” or “parents” is used this includes those who act as carers or have parental responsibility.

Statement of intent

Three Counties Academy Trust (TCAT) aims to resolve complaints at the earliest possible stage and, where possible, informally, and is dedicated to continuing to provide the highest quality of education possible in all of our schools throughout the procedure.

This policy has been created to handle complaints relating to any aspects of the provision of facilities or services against:

- Any member of TCAT staff
- Any TCAT school
- Any Local Governing Body (LGB) or Local Governor
- Individual Trustees or the Trust Board
- Members
- TCAT as a whole

It is designed to ensure that TCATs complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality, and delivers an effective response and appropriate redress.

This policy outlines the procedure that the complainant, TCAT and our schools will follow. Once a complaint has been made, it can be resolved or withdrawn at any stage.

In accordance with equality law, TCAT 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.

1 Legal framework

This policy has due regard to all relevant legislation and statutory guidance and good practice including, but not limited to, the following:

- [Freedom of Information Act 2000](#)
- [Education Act 2002](#)
- [Equality Act 2010](#)
- [Part 7 of The Education \(Independent School Standards\) Regulations 2014](#)
- [Immigration Act 2016](#)
- [UK General Data Protection Regulation \(UK GDPR\)](#)
- [Data Protection Act 2018 \(DPA\)](#)
- [HM Government \(2016\) 'Code of Practice on the English language requirement for public sector workers'](#)
- [DfE 'Best practice guidance for academies complaints procedures'](#)
- [DfE 'Academy trust handbook 2025'](#)

Where legislation has been passed or updated during the shelf life of this policy, we will always apply the latest version available.

This policy operates in conjunction with the following policies and documents:

- Behaviour Policy
- Records Management Policy (FI2)
- Data Protection Policy (FI20)
- Admissions Policy Trust Level (Year specific) (GN1)
- Suspension and Exclusion Policy (GN18)
- Grievance Policy and Procedures (HR4)
- Whistleblowing Policy (HR25)
- Child Protection and Safeguarding Policy and Procedures (SG1)
- Allegations of Abuse Against Staff Policy (SG5)

Central TCAT policies have the policy number identified, e.g. "SG1". Where no policy number is identified this indicates the policy is a school specific policy available from an individual TCAT school's website.

2 Definitions

For the purpose of this policy, a "**complaint**" is defined as 'an expression of dissatisfaction' towards the actions taken or a perceived lack of action. Complaints can be resolved formally or informally.

A "**concern**" is defined as 'an expression of worry or doubt' where reassurance is required. For the purpose of this policy, concerns will be classed and addressed as complaints.

Any complaint or concern will be taken seriously, whether raised formally or informally, and the appropriate procedures will be implemented.

The definition of "**unreasonable complaints**" is outlined in the 'Managing unreasonable complaints' section of this policy.

TCAT defines "**unreasonable behaviour**" as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the schools further information is available in the 'Managing unreasonable complaints' section of this policy.

For the purpose of this policy, "**duplicate complaints**" are identical or very similar complaints received from the complainant or their spouse, partner or child. 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. If the individual is dissatisfied with the result, they can appeal to the DfE, as outlined in 'The role of the DfE' subsection of this policy. Any new details provided by a complainant's spouse, partner or child, however, will be investigated and managed in line with the complaints procedure.

For the purpose of this policy, "**complaints campaigns**" are where TCAT, or a TCAT school, receives large volumes of complaints that are all based on the same subject.

For the purposes of this policy, having "**independence**" from TCAT and our schools is defined as having no association with TCAT, including through being a Member, Trustee, Local Governor or employee, and having no clear connection with any of TCATs schools, including through being an employee or solicitor. Independent panel members will meet TCATs and the DfE's definition of independence.

3 Making a complaint

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 formal stages of the complaints procedure. Any concerns will be taken seriously, and every effort will be taken to resolve the matter as quickly as possible.

If an individual has difficulty discussing a concern with a particular staff member, TCAT will respect the views of this individual. In these cases, the person managing the complaint will refer the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

TCAT understands, however, that there will be occasions where people would prefer to raise their concerns formally. In this case, TCAT will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that TCAT provides. Complaints may also be made by a third party on behalf of a complainant, contingent on appropriate consent having been obtained to do so. All complaints made will be handled via the procedures outlined in this policy.

TCAT will not normally investigate anonymous complaints.

This policy covers all complaints about any provision of community facilities or services provided by TCAT other than complaints that are dealt with under other statutory procedures, including those listed below. Individuals making complaints about issues relating to separate statutory procedures will be referred as follows:

Exceptions	Who to contact/ where to find related information
Admissions (with the exception of complaints relating to delayed admission)	The appeals process is outlined in the TCAT Admissions Policy Trust Level (Year specific).
Allegations of Abuse against Staff	Refer to TCAT's Allegations of Abuse Against Staff Policy.
Child protection	Refer to safeguarding procedures outlined in the TCAT Child Protection and Safeguarding Policy and Procedures.

	<p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH), www.herefordshire.gov.uk/MASH or telephone 01432 260800.</p>
National Curriculum - content	<p>Please contact the Department for Education at: Contact the Department for Education (DfE).</p>
Staff conduct	<p>Refer to the TCAT Staff Code of Conduct and TCAT Disciplinary Policy and Procedure.</p>
Staff grievances	<p>Refer to the internal grievance procedures outlined in the TCAT Grievance Policy and Procedures.</p>
Suspension or Exclusion	<p>Refer to the procedures outlined in the school specific Behaviour Policy and TCAT's Suspension and Exclusion Policy.</p> <p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p>
Third-party suppliers using TCAT premises or facilities	<p>TCAT will ensure any third-party supplier using TCAT premises or facilities to offer community facilities or services has its own complaints procedures in place and such complaints do not fall within the scope of this policy.</p>
Whistleblowing	<p>Refer to the internal whistleblowing procedures outlined in TCAT's Whistleblowing Policy.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: https://www.gov.uk/government/organisations/department-for-education.</p>

Withdrawal from aspects of the curriculum or the provision of part-time timetables or flexi-schooling	Follow the provisions within this policy for complaints regarding withdrawal or restriction of the curriculum e.g. from any aspects of religious education, including the Daily Act of Collective Worship or complaints regarding amended timetables and programmes of study.
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All other complaints (including complaints related to delayed admission) will be directed towards the procedures laid out in this policy.

Complainants are requested to make formal complaints in writing (preferably on the complaints form see Appendix 1 below). Where a complaint is made via the telephone or in person, a written record of the complaint will be made at the time the complaint is made. Complaints should be made using the appropriate channels of communication.

Complaints are expected to be made as soon as possible after an incident arises to amend the issue in an appropriate timescale. Complaints must be raised within three-months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Complaints made outside of this time frame will be considered in exceptional circumstances. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.

Complaints received outside of term time will be treated as being received on the first school day after the holiday period.

If other bodies are investigating aspects of the complaint, e.g. the police or LA safeguarding teams or tribunals, this may impact on TCATs 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, the concerned individual(s) will be informed of a proposed new timescale.

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

4. How to raise a concern or make a complaint

Informal (usually verbal) concerns or complaints against school staff (except the Headteacher/Head of School) should be raised with the Headteacher/Head of School.

Informal (usually verbal) concerns or complaints against the Headteacher/Head of School should be raised with the Executive Headteacher/CEO, or the Chair of Trustees if the concern or complaint relates to the Executive Headteacher/CEO or the Executive Headteacher/CEO in their capacity as the Headteacher of a TCAT school.

Informal (usually verbal) concerns or complaints against any Local Governor, Trustee or Member should be directed to the Chair of Trustees or the Executive Headteacher/CEO if the concern or complaint relates to the Chair of Trustees,

A formal concern or complaint (Stage 2) must be made in writing (preferably on the complaint form at Appendix 1 below). They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Formal complaints against school staff (except the Headteacher/Head of School) should be made to the Headteacher/Head of School via the school office. Please mark them as Private and Confidential.

Formal complaints that involve or are about the Headteacher/Head of School should be addressed to the Executive Headteacher/CEO and sent to the TCAT Central Office. If the complaint relates to the Executive Headteacher/CEO as the Headteacher of a TCAT school or the Executive Headteacher/CEO when not as Headteacher, then they should be addressed to the Chair of Trustees via the TCAT Central Office. Please mark them as Private and Confidential

Formal complaints that relate to, any Member, Trustee or Local Governor should be addressed to the Governance Professional via the TCAT Central Office. Please mark them as Private and Confidential. The Governance Professional will ensure the issue is raised with the Chair of Trustees, unless the complaint relates to the Chair of Trustees in which case the matter will be dealt with by the Executive Headteacher/CEO.

Where the complaint is jointly about the Chair and Vice Chair or, the entire Trust Board or the majority of the Trust Board, the complaint, which must be in writing, should be raised with the Executive Headteacher/CEO and submitted via the TCAT Central Office. In these instances, the complaints process will start at Stage 2. This is an escalated complaint (see below).

For ease of use, a template formal complaint form is included at the end of this procedure, but a formal concern or complaint can be raised in writing without using the templated form. If you require help in completing the form, please contact the school or TCAT Central Office. You can also ask a third-party organisation for example like 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.

5. Resolving complaints

At each stage in the procedure, TCAT wants 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

6. Withdrawal of a complaint

If a complainant wants to withdraw their written complaint, we will ask them to confirm this in writing. Verbal concerns or complaints can be withdrawn at any point. Despite the complaint having been withdrawn, TCAT and our schools will still take the complainant's voice seriously and attempt to avoid causing similar distress to others in the future. TCAT and our schools will not under any circumstances ask or pressure an individual to withdraw a complaint.

7. Stage 1 – Informal (usually verbal) complaints

It is to be hoped that most concerns can be expressed and resolved on an informal basis.

Informal concerns or complaints related to school staff (except the Headteacher/Head of School) should be raised with the Headteacher/Head of School.

Informal (usually verbal) concerns or complaints related to the Headteacher/Head of School should be raised with the Executive Headteacher/CEO, or the Chair of Trustees if the concern or complaint relates to the Executive Headteacher/CEO in their capacity as the Headteacher of a TCAT school.

Informal complaints made against the Executive Headteacher/CEO should be raised with the Chair of Trustees.

Informal (verbal) concerns or complaints against any Local Governor, Trustee or Member should be directed to TCAT's Governance Professional.

Complainants should not approach individual Members, Trustees or Local Governors (excluding the Chair of Trustees) to raise concerns or complaints. They have no power to act on an individual basis, and it may also prevent them from considering complaints at Stage 3 of the procedure.

If the issue remains unresolved, the next step is to make a formal complaint (Stage 2 of the procedure).

8. Stage 2 – Formal complaints

Formal complaints related to school staff must be made to the Headteacher/Head of School (unless they are about the Headteacher/Head of School), via the school office. This must be in writing (preferably on the Complaint Form (see below)).

If the complaint is about the Headteacher/Head of School, the complaint should be raised in writing (preferably on the complaint form) to the Executive Headteacher/CEO via the TCAT Central Office. If the Executive Headteacher/CEO is the Headteacher the formal complaint should be raised in writing to the Chair of Trustees via the TCAT Central Office.

Complaints about Executive Headteacher/CEO, must be made in writing (preferably on the complaint form) to the Chair of Trustees, via the TCAT Central Office.

Complaints about any individual Member, Trustee or Local Governor must be made in writing (preferably using the complaint form) to the Governance Professional via the TCAT Central Office.

The person receiving the complaint as detailed above will become the complaint handler. They will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the complaint handler will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The complaint handler can consider whether a face-to-face meeting is the most appropriate way of doing this.

The complaint handler will then instigate an investigation but may delegate the investigation to another member of staff or suitable person including where appropriate, an external investigator.

During the investigation, the investigator will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Keep a written record of any meetings/interviews in relation to their investigation

At the conclusion of the investigation, the complaint handler will provide a formal written response, this will be, where possible within 28 school days of the date of receipt of the complaint.

If the complaint handler is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions TCAT will take to resolve the complaint.

The complaint handler will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

9. 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 – a panel hearing consisting of at least three people who were not directly involved the incidents or events which led to the complaint or have been involved in dealing with the complaint in the previous stages, or have any detailed knowledge of the complaint.

A request to escalate to Stage 3 must be made to the Governance Professional, via the TCAT Central Office, within 5 school days of receipt of the Stage 2 response.

The Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

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

Headteacher/Head of School of the school in question, the Executive Headteacher/CEO, the Chair of the LGB (if relevant) and the Chair of the Trust Board will also have a copy of this letter.

The Governance Professional will aim to convene the panel hearing within 7 days of the stage 3 request. If this is not possible the Governance Professional will provide an anticipated date and keep the complainant informed

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

Prior to the hearing, the Governance Professional will write to the complainant informing them of how the review will be conducted. There will also be a request for copies of any further written material which must be submitted at least 5 school days prior to the hearing.

Seven school days' notice will be given to all parties attending the panel hearing, including the complainant.

The purpose of the hearing will be reconciliation and ensuring that things that may have gone wrong are corrected.

Neither the complainant nor TCAT will bring legal representation to this hearing, unless in exceptional circumstances, where this will be agreed beforehand. A member of staff who may be a witness to the complaint can bring a union representative or legal representative if desired; this will be agreed before the hearing. However, the complainant may bring someone to the panel meeting to provide support. This can be a relative or a friend.

The hearing will be held in private. Electronic recordings of the hearing or conversations are not normally permitted unless a complainant's own disability or special needs requires it. Prior knowledge and consent of all parties must be sought before the panel meeting takes place. Consent will be recorded in any minutes taken.

Unless dealing with an escalated complaint, when all panel members are independent, at least one of the Complaint Panel members will be independent of the management and running of TCAT. This means that the independent Complaint Panel member(s) will not be a Member, Trustees, Local Governor, or TCAT employee.

At the hearing, all participants will be given the opportunity to put their case across and discuss any issues. The meeting will allow for:

- The complainant to be present and accompanied at the hearing if they wish
- The complainant to explain their complaint and the individual handling the complaint to explain the reasons for their decision
- The complainant to question the individual handling the complaint/investigating Officer, and vice versa, about the complaint
- Any evidence, including witnesses who have been prior approved by the Chair of the panel, to be questioned
- Members of the panel to question both the complainant and the individual about whom the complaint was made
- Final statements to be made by both parties involved

The panel will not consider any new complaints raised at this stage or consider evidence unrelated to the initial complaint. Any new complaints must be dealt with from Stage 1 of the procedure.

The committee will consider the complaint and all the evidence presented. The committee 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 committee will:

- Decide on the appropriate action to be taken to resolve the complaint
- Where appropriate, recommend changes to TCAT's and/or the school's systems or procedures to prevent similar issues in the future

The panel will make findings and recommendations, and a copy of those findings and recommendations will be made available for inspection on the school premises by the Trust Board and the Headteacher/Head of School. The committee can uphold the complaint in whole or in part or dismiss the complaint in whole or in part. If the complaint is upheld in whole or in part, the committee will decide on the appropriate action to be taken to resolve the complaint and where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The complainant will receive a written response explaining the panel's findings and recommendations within 15 school days. This letter will also explain whether there are any further rights of appeal and to whom they need to be addressed.

Where relevant, the person complained about will receive a summary of the panel's findings and recommendations. They will also receive a copy of the minutes, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR.

This is the final stage of the complaint's procedure.

Escalated Complaints to Stage 2

Where the complaint is jointly about the Chair and Vice Chair or, the entire Trust Board or the majority of the Trust Board, the complaint, which must be in writing, should be raised with the Executive Headteacher/CEO and submitted via the TCAT Central Office. In these instances, the complaints process will start at Stage 2 and reflect it to be an escalated complaint.

The Executive Headteacher/CEO will assume the role of complaint handler and will write to the complainant acknowledging the complaint within **5 school days** of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of this Complaints Policy and will confirm the date for providing a response to the complainant. The complaint handler may delegate the investigation to another member of staff or suitable person which may include an external investigator.

Following the investigation, the Executive Headteacher/CEO will write to the complainant confirming the outcome within 30 school days of the date that the letter was received. If this time limit cannot be met, the Executive Headteacher/CEO will write to the complainant within 28 school days of the date that the letter was received, explaining the reason for the delay and providing a revised date.

If the complainant is not satisfied with the outcome of the investigation, the complainant should write to the Governance Professional to the Trust Board within 5 school days, asking for the complaint to be heard before a Complaint Panel (Stage 3).

The Governance Professional will record the date any complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

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

In escalated cases, Stage 3 will be heard by a completely independent committee panel.

TCAT recognises that the complainant might not be satisfied with the outcome if the panel does not find in their favour. It may only be possible to establish the facts and make recommendations.

10. Roles and responsibilities

The complainant is responsible for:

- Cooperating with TCAT, or a TCAT 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
- Respecting confidentiality

The complaint handler is responsible for

- Investigating the complaint or appointing a suitable person to do so
- Notifying the complainant if the conclusion of the investigation conducted is longer than specified in this policy
- Notifying the complainant of the outcome of the investigation
- Attending a stage 3 panel hearing (if required)

The investigator of the complaint is responsible for:

- Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved
- Considering all records, evidence and relevant information provided
- Interviewing all parties that are involved in the complaint, including staff and pupils
- Conducting interviews with an open mind and being prepared to persist in the questioning of those involved
- Analysing all information in a comprehensive and fair manner
- Liaising with the complainant and clarifying an appropriate resolution to the problem
- Identifying and recommending solutions and courses of actions to take

- Being mindful of timescales and ensuring all parties involved are aware of these timescales
- Responding to the complainant in a clear and understandable manner

The Governance Professional (Stage 3 Panel) is the contact point for the complainant and the panel, they should:

- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- Set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- Collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- Record the proceedings
- Circulate the minutes of the meeting
- Notify all parties of the committee's decision.
- Keep appropriate records

The Panel Chair, who is nominated before the start of the complaint panel hearing, should ensure that:

- All parties are asked (via the Governance Professional) to provide any additional information relating to the complaint by a specified date in advance of the hearing
- 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

- Ensure if new evidence is introduced, relevant to the complaint, that everyone has the opportunity to consider and comment-- 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 Governance Professional
- If unrelated issues are raised to advise the complainant that the panel cannot consider new complaints at this hearing, but new matters can be raised from Stage 1 of the process after the hearing

Committee members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so
- No Local Governor/Trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it
- The aim of the hearing should be to resolve the complaint and achieve reconciliation between the school/TCAT and the complainant
- 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

11. The role of the DfE

If a complainant remains dissatisfied or believes TCAT 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 DfE after they have completed Stage 3.

The DfE will not overturn TCAT's or the panel's decision about a complaint or re-investigate the original complaint. The DfE will only intervene following a complaint if it believes TCAT has:

- Breached a clause in its funding agreement
- Failed to comply with education law or acted unreasonably when exercising related education functions

When making a final decision about a complaint, TCAT reserves the right to seek advice from the DfE on whether they are acting reasonably and lawfully; however, they will not be able to advise on how to resolve the complaint.

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.

Complaints to the DfE

If a complainant has exhausted TCAT's complaints procedure, they will be advised that they can submit a complaint to the DfE via their webpage [Contact the DfE](#) or by writing to:

Complaints Team
Department for Education
Cheylesmore House
Coventry

Quinton Road
Coventry
CV1 2WT

12. Exceptional circumstances

The DfE expects complainants to have completed TCAT's complaints procedure before directing a complaint to them. The exceptions to this include when:

- Pupils are at risk of harm
- Pupils are missing education
- A complainant is being prevented from having their complaint progressed through the TCATs complaints procedure
- The DfE has evidence that TCAT is proposing to act or is acting unlawfully or unreasonably

If a social services authority decides to investigate a situation, the Trust Board may postpone the complaints procedure.

13. Interviewing witnesses

When interviewing pupils to gather information regarding a complaint, the interview should be conducted in the presence of another member of staff or, in the case of serious complaints, e.g. where the possibility of criminal investigation exists, in the presence of their parents. All pupils interviewed will be made fully aware of what the interview concerns and their right to have someone with them.

TCAT will ensure that the conduction of interviews does not prejudice an investigation by the LA Designated Officer (LADO) or the police.

TCAT understands the importance of ensuring a friendly and relaxed area which is free from intimidation. Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager. The interviewer will not express opinions in words or attitude, so as to not influence the interviewee. The interviewee will be invited to sign a copy of the transcription of the interview. Should they decline to sign the transcript this will be noted on the document.

14. Recording a complaint

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 TCAT as a result of the complaint (regardless of whether the complaint was upheld)

All records are made available for inspection on the school premises by TCAT.

TCAT holds the right to use recording devices, where appropriate, to ensure all parties involved are able to review the discussions at a later date. Where there are communication difficulties or disabilities, TCAT may provide recording devices to ensure the complainant is able to access and review the discussions at a later point.

Recording devices will not be used without the prior consent of **all** parties.

Where TCAT allows complainants to record meetings, the following will be considered:

- How any decision to allow recordings may affect any third parties called to act as witnesses
- The impact and consequences on the individuals involved in the complaint in the event that recordings are lost or leaked

TCAT will not accept as evidence any recordings that were obtained covertly and without the informed consent of all parties being recorded.

Details of any complaint made shall not be shared with the entire Trust Board. The exception to this is when a complaint is made against the whole Trust Board and they need to be aware of the allegations made against them to respond to any independent investigation.

Complainants have a right to access copies of these records under the UK GDPR and the Freedom of Information Act 2000. TCAT will hold all records of complaints from each school, as well as those regarding TCAT itself. Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection requests to access them.

Academies are data controllers in their own right and must decide for themselves how long to keep records, unless statutory regulations apply, e.g. attendance records must be kept for 3 years. TCAT 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.

15. Managing unreasonable complaints

TCAT is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. TCAT will not normally limit the contact complainants have with TCAT itself or any of our schools; however, TCAT does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

For the purposes of this policy, “unreasonable complaints” include:

- Vexatious complaints, which:
 - Are obsessive, persistent, harassing, prolific, or repetitious
 - Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
 - Insist upon pursuing meritorious 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

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 cooperate 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 complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice

- Introduces trivial or irrelevant information which 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 TCATs complaints procedure has been fully and properly implemented and completed, including referral to the DFE
- Seeks an unrealistic outcome
- Makes excessive demands on time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with

A complaint may also be considered unreasonable if the 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

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

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.

Complainants should limit the number of communications with TCAT 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.

If the behaviour continues, the complaint handler will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact TCAT or any of our schools causing a significant level of disruption, TCAT may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

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 TCAT's position and their options
- The complainant contacts TCAT or any of our schools repeatedly, making substantially the same points each time

If the above criteria are met, in making a decision to stop responding, TCAT will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about or threats towards staff, or if TCAT believes their intent is to disrupt or inconvenience TCAT or our schools.

TCAT will not stop responding to a complainant on the basis that they are difficult to deal with, or they ask complex questions.

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 premises.

16. Complaints campaigns

Where TCAT becomes the subject of a complaints campaign from complainants who are not connected with TCAT, a standard, single response will be published on the TCAT website and those of our schools where appropriate.

If TCAT receives a large number of complaints about the same subject from complainants who are connected to TCAT, e.g. parents, each complainant will receive an individual response.

If complainants remain dissatisfied with TCAT's response, they will be directed to the DfE.

17. Barring from the premises

TCAT premises are private property and therefore any individual may be barred from entering the premises.

If an individual's behaviour is cause for concern, the Headteacher/Head of School of the relevant school will ask the individual to leave the premises.

The Headteacher/Head of School will notify the Executive Headteacher/CEO of a proposed ban, and will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and why, subject to any representations that the individual may wish to make. The individual involved will be given the opportunity to formally express their views regarding the decision to bar them.

This decision to bar will be reviewed by the Chair of the Trust Board, taking into account any discussions following the incident. If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place, and when the decision will be reviewed.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including via email, to the Headteacher/Head of School, the Executive Headteacher/CEO or the Chair of the Trust Board.

18. Transferring data

When a pupil changes school, the pupil's educational record will be transferred to the new school, and no copies will be kept.

TCAT will hold records of complaints separate to pupil records while a complaint is ongoing, so that access to these records can be maintained.

Information that TCAT retains relating to a complaint will be stored securely and in line with our Records Management Policy.

19. Availability

A copy of this policy will be made available on request. It will also be published on the TCAT website, and the websites of individual TCAT schools, as recommended by the DfE.

Monitoring and review

Lifespan of Policy: 1 Year

At any point this policy is updated or fully reviewed, it will be updated on the main TCAT website and will automatically update on all TCAT school websites simultaneously.

Where an annual check or other check results in minor changes, the Version History will be reviewed and updated with a change in the number following the decimal point, for example, v1.1 ⇒ v1.2. Where the policy is reviewed in full, then the number before the decimal point will change and reset, for example v1.4 ⇒ v2.0.

Any changes made by the Executive Headteacher/CEO in collaboration with the Board Appointed Trustee will be passed to the Trust Board for ratification and subsequently be notified to Clerks to Local Governing Bodies and Headteachers/Heads of School.

The next scheduled full review date for this policy is 28th April 2027.

Date approved by the Board Appointed Trustee: 29th April 2026.

To be ratified and recorded in the minutes at the first Trust Board Meeting after 29th April 2026.

Appendix A: Complaint Form

Please complete and return to either the Executive Headteacher/CEO, Headteacher/Head of School, Chair of Trustees or the Governance Professional according to the directions of this policy, who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: 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 whom:

Complaint referred to:

Trust Glossary

AA	Admissions Authority	H&S	Health and Safety
AAI	Adrenaline Auto-Injector (Epi Pen)	HoS	Head of School
ACM	Asbestos Containing Materials	HSE	Health and Safety Executive
AHT	Assistant Headteacher	ICO	Information Commissioners Office
AIR	Attendance Intervention Reviews	IDSR	Inspection Data Summary Report
APDR	Assess Plan Do Review Cycle	IHP	Individual Healthcare Plan
APIs	Application Programming Interfaces	IRMS	Information and Records Management Society
ASC	Autistic Spectrum Condition	IWF	Internet Watch Foundation
ASP	Analyse School Performance	KCSIE	Keeping Children Safe in Education
ATH	Academy Trust Handbook	KS1/2/3/4	Key Stage 1/2/3/4
BAME	Black, Asian and Minority Ethnic Backgrounds	LAC	Looked After Child
BAT	Board Appointed Trustee	LADO	Local Authority Designated Officer
BCP	Business Continuity Plan	LGB	Local Governing Body
BFR	Budget Forecast Return	LLC	Low-Level Concerns
CEO	Chief Executive Officer	LSA	Learning Support Assistants
CFO	Chief Financial Officer	MASH	Multi-Agency Safeguarding Hub
CIF	Condition Improvement Fund	MAT	Multi-Academy Trust

CIN	Child in Need	MFA	Multi-Factor Authentication
CLA	Children Looked After	MFL	Modern Foreign Language
CMIE	Child Missing in Education	NCSC	National Cyber Security Centre
COO	Chief Operating Officer	NoV	Note of Visit
COSHH	Control of Substances Hazardous to Health	NPQ	National Professional Qualifications
CP	Child Protection	PA	Persistent Absence
CPD	Continuing Professional Development	PAN	Published Admission Number
CPOMS	Child Protection Online Management System	PECR	Privacy and Electronic Communications Regulations
CSCS	Children's Social Care Services	PEP	Personal Education Plan
CSE	Child Sexual Exploitation	PEEP	Personal Emergency Evacuation Plan
CTIRU	Counter-Terrorism Internet Referral Unit	PEx	Permanent Exclusion
CWD	Children with Disabilities	PP	Pupil Premium
CYPMHS	Children and Young People's Mental Health Services	PPG	Pupil Premium Grant
DBS	Disclosure and Barring Service	PSHE	Personal, Social and Health Education
DDSL	Deputy Designated Safeguarding Lead	PSED	Public Sector Equality Duty
DfE	Department for Education	PTFA	Parent, Teacher and Friends Association
DHT	Deputy Headteacher	QA	Quality Assurance

DSE	Display Screen Equipment	RIDDOR	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations
DSL	Designated Safeguarding Lead	RHE	Relationships and Health Education
DPO	Data Protection Officer	RPA	Risk Protection Arrangement
EAL	English as an Additional Language	RSHE	Relationships, Sex and Health Education
ECT	Early Career Teacher	SA	Severely Absent
EDIB	Equality, Diversity, Inclusion and Belonging	SALT	Speech and Language Therapist
EHA	Early Help Assessment	SARC	Sexual Assault Referral Centre
EHCNA	Education, Health and Care Needs Assessment	SBM	School Business Manager
EHCP	Education, Health and Care Plan	SCC	Standard Contractual Clause
EHE	Elective Home Education	SCITT	School-Centred Initial Teacher Training
ELSA	Emotional Literacy Support Assistant	SCR	Single Central Record
ESFA	Education and Skills Funding Agency	SDP	School Development Plan
EVC	Educational Visit Coordinator	SDQ	Strengths and Difficulties Questionnaire
EWOSSO	Education Welfare and Safeguarding Support Officer	SEF	Self-Evaluation Form
EYFS	Early Years Foundation Stage	SEMH	Social, Emotional, and Mental Health
FBV	Fundamental British Values	SENCO	Special Educational Needs Coordinator
FFT	Fischer Family Trust	SEND	Special Educational Needs and Disabilities

FGM	Female Genital Mutilation	SIP	School Improvement Partner
FGMPO	FGM Protection Order	SLA	Service Level Agreement
FOI	Freedom of Information	SLCN	Speech, Language and Communication Needs
FSM	Free School Meals	SLT	Senior Leadership Team
FTS	Find a Tender Service	SPOC	Single Point of Contact
GAG	General Annual Grant	STEM	Science, Technology, Engineering and Maths
GDPR	General Data Protection Regulation	TA	Teaching Assistant
GIAS	Get Information about Schools	TAC	Team Around the Child
HASH	Herefordshire Association of Secondary Heads	TCAT	Three Counties Academy Trust
HBA	Honour Based Abuse	TUPE	Transfer of Undertakings (Protection of Employment)
HR	Human Resources	VSH	Virtual School Headteacher