



COMPLAINTS POLICY

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Turning Point Academy takes their responsibility for children seriously. We value the support and partnership of parents and carers and staff. They try very hard to get things right. However, despite everyone's best efforts, situations may arise which require further attention.

We value open communication and positive partnerships with pupils, families and stakeholders. We view complaints as an opportunity to listen, learn and improve our practice.

Our approach to handling complaints is guided by our core values:

Belong – We ensure that all individuals feel respected, heard and supported when raising a concern or complaint.

Commit – We are committed to responding to complaints promptly, fairly and transparently, in line with clear procedures and timescales.

Thrive – By addressing concerns constructively, we strengthen trust, improve provision and ensure the best possible outcomes for our pupils.

We recognise that some members of our community may require additional support to raise concerns. We will make reasonable adjustments to ensure the complaints process is accessible, inclusive and clearly understood.

A complaint is defined as:

“an expression of dissatisfaction or disquiet in relation to a school or teacher, which requires a response.”

Pupils, parents or carers and staff can make a complaint to TPA about most aspects of its function including:

- Attitude/behaviour of staff
- Teaching and Learning
- Application of behaviour management systems
- Bullying
- Provision of extra-curricular activities
- The curriculum
- Collective Worship in schools
- Provision of support services e.g. SEN, education welfare, educational psychology

Members of the general public may make complaints to TPA if the School is directly responsible for the issue being complained about e.g.

- Behaviour of pupils during break-times

- Disturbance to neighbours during School hours
- Health and Safety issues of premises
- Behaviour of staff

TPA is not responsible for the actions or behaviour of pupils outside School hours.

Legal, child protection or disciplinary proceedings take precedence over complaints procedures and timescales.

The complaints process is a four-stage process:

- 1.) Non-registered complaints, which can be dealt by the teacher in an effort to resolve the problem at the first stage.
- 2.) More serious or intractable complaints which will be referred to the Principal.
- 3.) Unresolved complaints, where an appeal is requested by the complaint and is heard by an Appeal Panel which includes an independent person.
- 4.) Complainants may take their complaint beyond the school – to the Local Government Ombudsman, or the Department for Education.

Stage 1 – Informal or problem solving stage – Non-Registered Complaints

The vast majority of concerns can be resolved informally. There are many occasions where concerns are resolved straight away by the class teacher, office staff or the Principal, depending on whom the complainant first approaches. It is in everyone's best interest that complaints are resolved at the earliest possible stage.

Complainants must feel able to raise concerns with members of staff without any formality, either in person, by telephone or in writing. This allows staff to establish whether a person is asking a question, expressing an opinion or making a complaint.

The member of staff first contacted should clarify the nature of the concern and re-assure the complainant that the School wants to hear about it. If the member of staff can resolve the concern immediately they should do so. They should then record the enquiry and any agreements made, and notify the Principal.

It will assist the procedure if the School respects the wish of a complainant who indicates they would have difficulty discussing their concerns with a particular

member of staff. Similarly, if a member of staff feels too compromised to deal with a complaint, they should be able to pass the concern to another member of staff.

If the member of staff can't resolve the concern, they should make a clear note of the date, name, contact address and phone number and a brief note of the nature of the concern. It would also be useful to record what sort of outcome the complainant is looking for. The member of staff should then refer the complaint to the Principal, or designated Deputy. The Principal must decide if the concern is covered by the complaints procedure or should be dealt with under other procedure e.g. child protection or personnel.

If the concern involves an allegation of assault or abuse of a child by a member of staff, the Principal must inform the Proprietor and the designated Safeguarding Officer.

If the concern is about the Principal, the member of staff should provide the complainant with details of how to contact the Proprietor.

The staff member dealing with the concern should make sure that the complainant is kept informed of any action taken. The emphasis at this stage should be on resolving the issue quickly and informally for the benefit of staff, pupils and parents.

The complainant should receive a response as soon as possible, and within a maximum of 25 school days. At this stage the response may be given verbally or in writing. The complainant should be given information on how to proceed if they are not satisfied and where to get independent advice.

A brief record of the complaint and the resolution should be entered in the "unregistered complaints log", which is held in a confidential locked cabinet at the school office, a more detailed note should be held on the individual case file.

Some complainants may be considered to be of a serious nature, where handling at this stage would be inappropriate. In such instances the Teacher should refer the complaint to Stage 2 via the Principal.

Stage 2 – The Registered Complaint

Formal complaints should be made in writing to the Principal. If the complaint is about the Principal they should write to the Proprietor who should carry out the Stage Two procedure. If the complainant has difficulty expressing themselves in writing, they should be informed where they can get independent assistance.

The Principal should acknowledge the complaint within 5 school days. The acknowledgement should include a summary of the complaints procedure and a target date for providing a response. This should be within 15 school days. If this date cannot be met, the complainant should be contacted and given a reason for the delay and a revised target date.

The Principal should provide an opportunity for the complainant to meet him/her to discuss their concerns and find solutions. It should be made clear that the complainant may bring a friend, family member or advocate to the meeting if they wish. Interpreting services should also be made available where necessary. The Principal may find it useful to have another member of staff present to observe and record the meeting and promote staff safety. Care should be taken in these circumstances not to create an intimidating atmosphere for the complainant.

The Principal should make whatever enquiries he/she considers necessary to ascertain the facts and the legitimacy of decisions taken. This may include:

- Interviewing staff/pupils
- Reviewing minutes of meetings
- Reviewing school records

Pupils should be interviewed 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. Again, care should be taken in these circumstances not to create an intimidating atmosphere.

It is important that the Principal investigates complaints thoroughly and objectively. If he/she feels unable to do this (e.g. if he/she has been directly involved in the decision making process that led to the complaint) he/she should delegate responsibility for investigating the complaint to another member of the management team. It is strongly advised that the Principal or designated person should keep a record of interviews, telephone conversations and other documentation.

Once all the relevant facts have been established, the Principal should provide a written response to the complainant. This should include a full explanation of decisions taken and the reasons for them. Where appropriate, it should include details of actions the school will take to resolve the complaint.

It may be useful at this point to offer the complainant a meeting to discuss the response and seek reconciliation. The complainant should be provided with details of how to contact the Proprietor if they are not satisfied with the response if they wish to appeal the outcome of the complaint dealt with at stage 2. This must be done within 28 days of receipt of the stage 2 outcome.

A record must be kept by the Principal of all complaints and their outcomes, in the register of complaints.

Stage 3 – Appeal Stage

A letter received by the Proprietor notifying that a complainant is dissatisfied with the outcome of a complaint at Stage Two, must be passed to the Proprietor within 28 days of the outcome from stage 2.

In the case of a written complaint received directly by the Proprietor, or Board of Trustees, **they should first ensure that -**

- The complaint has first been dealt with at Stage Two
- The complaint is covered by the School's complaints procedure not other procedures e.g. personnel or child protection

If the Proprietor cannot hear the matter, it should be referred back to the Principal and the Clerk should write to the complainant advising them of the correct procedures.

Upon receipt of a letter notifying that the complainant is not satisfied with the outcome of a Stage Two investigation the Clerk should write acknowledging that the complaint has been received. The letter should explain that the complainant has the right to submit any further documents or information relevant to the complaint. A deadline of 28 days will be given for submission of these documents.

The Principal should also be invited to submit a written report for the Proprietor. The Principal may also invite members of staff directly involved in matters raised by the complainant to respond personally or in writing.

The Clerk should convene the complaints committee elected from the Board of Trustees. The committee will comprise of 2 members, who have had no previous involvement with the complaint. The complaint should not be heard by the entire Board of Trustees as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint. The Board will appoint an external independent person to chair the committee. School may wish to utilise any HR advice and support available.

The complaints committee should set a timetable for the investigation and should notify the complainant of this. The review hearing should be heard within 28 school days of receiving the letter.

The Clerk should write to inform the committee, Principal, complainant and any relevant witnesses of the date and time of the hearing, giving a minimum of 5 school days' notice. All documents submitted should be circulated to the committee, the Principal and the complainant. The complainant will be notified of their right to have a friend, family member, advocate or interpreter present if they wish. The Chair of the committee should ensure that the review panel meeting is minuted.

The panel should be open-minded and independent. The aim of the meeting should be to resolve the complaint and achieve reconciliation between TPA and the complainant. However, it may sometimes only be possible to establish the facts and make recommendations that satisfy the complainant that their concern has been taken seriously.

The hearing should be held in private. Any witnesses (other than the complainant and the Principal) should only attend for the part of the hearing in which they give their evidence.

The committee should remember that the complainants may not be used to formal meetings and may feel inhibited in addressing the committee. It is recommended that the Chair of the committee keep the proceedings as informal as possible. This is particularly important if the complainant is a child.

If either party wishes to introduce new information at the meeting, this should be allowed. The meeting should then be adjourned for a short period to allow other parties to review and respond to this information.

The meeting should allow for:

- The complainant to explain their complaint and the Principal to explain the School response.
- Witnesses to be brought by the complainant or the Principal.
- The Principal and the complainant to ask questions of each other and any witnesses.
- The committee to ask questions of the complainant, Principal and any witnesses.
- The complainant and the Principal to summarise their position

The Chair of the committee should explain to the complainant and the Principal that the committee will consider its decision and respond in writing within 15 school days. The complainant and the Principal should then leave the room.

The Committee should then consider the complaint and all the evidence presented. They should then decide:

- Whether or not they uphold the complaint, in whole or part.
- What action can be taken to resolve the complaint?
- Where appropriate, recommend what action can be taken to prevent similar difficulties in the future.

A written response detailing the decisions, recommendations and the basis on which these have been made should be sent to the complainant within 15 school days. TPA should retain a copy of all correspondence and records of meetings.

Stage 4:

The complainant should be notified of the right to appeal to the Secretary of State for Education or the Local Government Ombudsman if they are unhappy with the way in which procedures have been carried out.

WITHDRAWING A COMPLAINT:

Complaints may be withdrawn in writing at any time.

The Principal and Chair of the Committee should review the issue of concern and consider whether further investigation is required through other internal management systems.

DEALING WITH UNREASONABLE COMPLAINTS:

A good complaints procedure can limit the number of complaints that become protracted. However, there may be occasions when despite all stages of the procedure being followed, the complainant remains dissatisfied.

A complaint can be regarded as unreasonable when the person making the complaint:

- Repeatedly makes the same complaint and refuses to accept the findings of the investigation into that complaint.
- Seeks an unrealistic outcome.
- Has a history of making unreasonable complaints.
- Makes frequent, lengthy, complicated and stressful contact with staff regarding the complaint.

A complaint will also be considered unreasonable if the person making the complaint does so:

- Maliciously
- Aggressively
- Using threats, intimidation or violence
- Using abusive, offensive and discriminatory language
- Knowing it to be false

In these circumstances, the Principal and/or Chair of the Board should liaise with HR / legal services and the Proprietor before deciding what action to take.

The presumption should be in favour of not restricting access unless it is absolutely necessary. The Board may also consider -

- Warnings/contract re future conduct
- Restricting telephone calls to a particular day/time or person
- Restrictions on methods of contact (e.g. in writing only)

- Not acknowledging future correspondence that does not present new information.
- Temporary suspension of the person's access to the complaints system.

The complainant will be informed in writing of any action taken and how long the action will last. They must be advised how to contact the Ombudsman and Secretary of State - 0870 000 2288.

Alternatively, 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.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by a school. They will consider whether a school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to: Department for Education
Piccadilly
Gate Store
Street
Manchester
M1 2WD

Disciplinary Procedures

It may be that a complaint exposes an action taken by a member of staff for which the involving of the disciplinary procedure is an appropriate course of action. If at any stage this seems likely, supervisors, managers, investigating officer or Principal must arrange for the disciplinary procedure and complaints procedure to run in conjunction with each other with the requirement of the disciplinary procedure being accommodated as far as is possible but taking account of the legal requirements for complaints to be dealt with within specified time limits. The possibility of the complainant agreeing to put on hold the complaint, may need to be explored if necessary.

Grievance Procedure

A member of staff affected by a complaint being dealt with under the complaints procedure may, at any stage, invoke the grievance handling procedure and in such circumstances this will run in conjunction with the complaints procedure as above, though the complainant may agree to put the complaint on hold.

Financial Irregularities

Where a financial irregularity is exposed as a result of a complaint, then the Director of Finance's Irregularity Procedure will be implemented to run in conjunction with the complaints procedure.

Complaints Procedure in relation to Personnel Procedures

At the conclusion of action in respect of discipline, grievance or financial irregularity, the complainant will have a right to know the outcome of their complaint and be satisfied that they have received a satisfactory response.

Information given to complainants will need to be given in the context of confidentiality of personal information about members of staff.

The Principal will not be the appropriate officer to deal with the above personnel issues. In such cases, the officers handling these cases will keep the Principal informed of progress and the eventual outcome so that the complainant can be informed of the result in due course, if appropriate.

Child Protection Procedure

The safety of children is the first priority of TPA and must take preference over all other considerations. Therefore, the child protection procedures may run in conjunction with the complaints procedure.

Legal Proceedings

The complaints procedure cannot apply to any issue which is being or has been decided by the court. However, a complainant may well focus on issues up to or subsequent to the court's decision that could reasonably fall within the complaints procedure.

Confidentiality

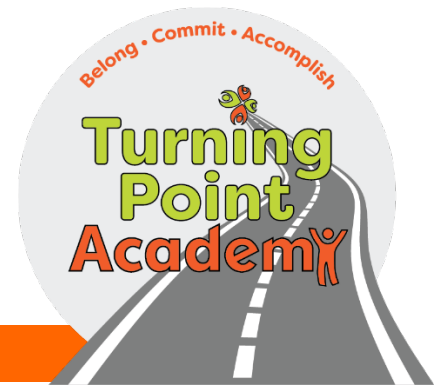
Complaints will be treated in a confidential manner and with respect. Knowledge of any complaint, all correspondence, statements and records of complaints are kept confidential and information will be shared only on a need to know basis and with those directly involved.

We cannot entirely rule out the need to make third parties outside the school aware of the complaint and possibly also the identity of those involved. This would only be likely to happen very rarely where, for example, a child's safety was at risk or because it was necessary to refer matters to the police or as required by Independent Schools Standards 2019 whereby disclosure is required in the course of the School's inspection or if any other legal obligation prevails.

Monitoring

The Principal will provide, on an annual basis, details of all registered and un-registered complaints. It will be necessary, therefore, to provide to him/her the necessary details of un-registered complaints received.

The Principal will, at least on an annual basis, inspect the non-registered complaints log.



COMPLAINTS PROCEDURE

Stage 1:

Many concerns can be resolved quickly with goodwill, often by making early contact with the class teacher. If this is not possible, or the teacher is unable to resolve the concern, the parent, carer or pupil should contact the Principal or Deputy Principal.

The person who received the complaint should attempt to work with the family to resolve the complaint informally. This may involve:

- Mediation and conciliation
- Explaining policies or decisions
- Helping the pupil to express their views to another person
- Review of educational provision
- Review of support services

Stage 2:

If the pupil, parent or carer is not satisfied with the outcome of the informal investigation, they may wish to make a formal complaint. This should be done in writing to the Principal.

If the complaint is about the Principal, or if the problem is not resolved, the matter should be referred to the Proprietor.

The School and its School Leadership Board have a duty in law to act properly and investigate complaints impartially. Once investigations are complete the person making the complaint should receive a written response from the school.

Stage 3:

Pupils, parents and carers who are not satisfied with the outcome of the investigation and wish to pursue a complaint regarding a School issue can refer the complaint to a review committee of the School Leadership Board, known as the complaints committee, which will be chair by an independent person, commissioned by the school.

This can be done by writing to the Clerk to the School Leadership Board. The aim of the board is to establish any areas of agreement and identify actions that can be taken to resolve the complaint.

Stage 4:

If all other attempts to resolve the complaint have been unsuccessful the complainant may refer their complaint to the Local Government Ombudsman or Secretary of State for Education - 0870 000 2288.