Therapeutic Education Department
at the St. Aubyn Centre

COMPLAINTS POLICY

(incorporating our Policy for managing serial and unreasonable complaints)

Accepted by the Management Committee:	June 2026
Review Date:	June 2030

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to St Aubyn Centre Education Department about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as complaints about staff conduct which will be dealt with under the school's internal disciplinary procedures if appropriate), we will use this complaints procedure.

Our Complaints Policy is in line with the DfE/Ofsted/Parentkind **Parent guide to school complaints** (published in 2026), which gives parents clear steps to share their views and resolve issues quickly and positively. This guide can be found here:

https://www.parentkind.org.uk/assets/parents-resources/Parent-Guide-to-School-Complaints.pdf

The difference between a concern and a complaint

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

Parents and schools share the same goal: supporting children's education.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The St Aubyn Centre Education Department takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

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

How to raise a concern or make a complaint

When issues come up, you need to know how to raise these with the school to get an outcome that supports you and your child. The best was to resolve concerns is through clear, respectful communication.

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with the key teacher, then the Deputy, then the Headteacher. If the matter is brought to the attention of the Headteacher, she may decide to delegate the matter or deal with it themselves, depending on the circumstances. If the issue remains unresolved, the next step is to make a formal complaint.

The Parent guide explains the five steps to making a school complaint:

Step 1 What kind of issue is it?
Complaints come in difference shapes and sizes. The best first step is to identify what kind of issue it is (feedback, a concern or a complaint), to make sure you can get the quickest action with your school.

Step 2 Who in the school do I go to?
Often issues can be best resolved by the person closest to your child (their key teacher), before escalating it to a senior leader or the headteacher.

Complainants should not approach individual members of the Management Committee 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.

Step 3 How do I raise my complaint?
Concerns are best resolved in discussion with your school and when documented.

Step 4 When to expect a response?
Different schools have different policies for handling complaints – see below for timescales.

Step 5 Where to escalate a complaint?
Once you have fully followed your school's complaint procedure, you may still feel you need action from your school and there are a few ways that may apply to you. Contacting several people at once could slow things down.

Is it for your school's Management Committee? To be considered if you are unhappy with the school's response.

Is it for the Department for Education? To be considered if you are unhappy with the way your complaint has been handled or the school is preventing you from following the complaints process. In some circumstances, the DfE can consider if the school has followed relevant statutory guidance and education law.

Is it Ofsted? Ofsted do not resolve disputes between parents and schools. They may keep your complaint on file for their next inspection but don't always provide a response to parents.

Formal complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office**.** Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Chair of the Management Committee, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of the Management Committee, any individual member or the whole Management Committee should be addressed to the Clerk to the Management Committee via the school office. Please mark them as Private and Confidential.

For ease of use, a 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.

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.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of the Management Committee, if appropriate, will determine whether the complaint warrants an investigation. If we can find out enough information to take the complaint further, or if the complaint is serious, we will follow this policy as closely as we can. If we can't find out any other information or the complaint isn't serious, we will take no further steps, although the complaint will be logged.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Confidentiality

When participating in the complaints procedure each party automatically agrees to undertake to not at any time disclose to any person, or more widely on social media, any confidential information concerning any part of the complaint's procedure, including but not limited to any personal information regarding any party to the complaint (including any personal information which may be used to identify the complainant or the person subject to the complaint), the content of the complaint, and the timeline and result of the complaint, except as permitted by the following clause:

Each party may disclose the other party's confidential information to any professional or volunteer who are required to know such information for the purposes of carrying out the complaint's procedure or as may be required by law, a court of competent jurisdiction or any governmental or regulatory authority.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services provided by the St Aubyn Centre Education Department other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Essex County Council.

• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our Safeguarding and Child Protection 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. The LADO can be contacted using: 03330 139 797
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. *complaints about the application of the behaviour policy can be made through the school's complaints procedure. Please refer to our Behaviour and Anti-Bullying Policy on the school website.
• 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 matters relating to education for whistleblowers 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 about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will 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.
• Complaints about 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 directly.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

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

Resolving complaints

At each stage in the procedure, the St Aubyn Centre Education Department 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.

Practical considerations when handling complaints

While the school is committed to handling all complaints fairly, proportionately, and in accordance with this policy, certain factors may affect the way a complaint is managed. The following points clarify how the school will approach particular circumstances that could impact the process or timeframe for response.

- **Complex or Legally Referenced Complaints (including the use of AI)**
  "AI doesn't always get it right when citing laws and can make a complaint more complex than necessary." (Parent guide to school complaints)
  The school recognises that some complaints may include detailed references to legislation, policy, or guidance, including content generated using artificial intelligence (AI) tools. All complaints will be considered in accordance with this policy (or other school policies, such as staff disciplinary procedures); however, the school is not required to provide a legal interpretation or detailed response to every statutory reference included in a submission. Responses will focus on the substantive matters raised and their relevance to the school, its pupils, and staff. Where appropriate, the school may seek legal or professional advice, but reserves the right to limit its response to matters within its remit and operational responsibility, and with reference to the substance of the complaint.

- **Subject Access Requests (SARs)**
  The school acknowledges the statutory right of individuals to make a Subject Access Request (SAR) under data protection legislation. Where a SAR is submitted in relation to a complaint, the school will process the request in accordance with legal requirements and within the appropriate statutory timescales, following the school's Data Protection Policies. Depending on the nature of the Subject Access Request, the scope of the search will usually be limited to information relevant to the subject matter of the complaint. If you wish the SAR to be processed prior to the hearing of your complaint, this may cause delays and extend the timeframe of the complaints process as the school may need to complete the data disclosure before progressing or finalising aspects of the investigation.

Withdrawal of a Complaint

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

Dealing with your concern or complaint

The majority of concerns from parents, carers and others are managed under the following general procedure. It's in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures. We take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

The procedure is divided into **three stages**:

Stage 1 – informal "Listen and Respond" aims to resolve the concern through informal contact at the appropriate level in school, as described above.

Stage 2 – formal "Investigate and Respond" is the first formal stage, when complaints are considered by the Headteacher or a designated investigator.

Please note that this procedure doesn't include complaints about the personal conduct of members of the school staff, teaching or non-teaching, as these are handled under confidential arrangements in line with employment law. If you are concerned about the conduct of any member of staff other than the Headteacher, you should write to the Headteacher. If your concern is about the personal conduct of the Headteacher, please write to the Chair of the Management Committee c/o the school.

Stage 2 – First Formal Stage

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This can be done in person, by telephone or in writing. A complaint form is attached to this policy for you to use.

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

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

Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team (the investigator) but not the decision to be taken.

During the investigation, the Headteacher (or 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 their investigation, the Headteacher/investigator will provide a formal written response within *fifteen school days* of the date of receipt of the complaint.

If the Headteacher/investigator 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 the St Aubyn Centre Education Department will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2 (first formal stage).

If the complaint is about the Headteacher, or a member of the Management Committee (including the Chair or Vice-Chair), a suitably skilled member will be appointed to complete all the actions at Stage 2.

Complaints about the Headteacher or member of the Management Committee must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Management Committee or
- the majority of the Management Committee

Stage 2 will be considered by an independent investigator appointed by the Management Committee. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Usually, concerns and complaints are resolved either at Stage 1 or Stage 2. If following these stages, the complaint is not resolved to your satisfaction, the Management Committee will become involved and take your complaint to Stage 3.

Stage 3 – Formal Complaints Review Panel

If the complainant is dissatisfied with the **outcome at Stage 2** - (first formal stage) - in that they believe the procedure was not followed or that the outcome was in breach of legislation and that had not been considered/ given due weight, and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with members of the Management Committee's complaints review panel, which will be formed of the first three, impartial, members available. This is the final stage of the complaints' procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within ten school days of receipt of the Stage 2 response. The form to complete is attached to this policy.

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

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

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within *twenty* school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of *three* proposed dates, without good reason, the Clerk 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.

The complaints review panel will consist of at least three members with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Review Panel.

If there are fewer than three members from the St Aubyn Centre Education Department available, the Clerk will source any additional, independent governors or education professionals in order to make up the Complaints Review Panel. Alternatively, an entirely independent panel may be convened to hear the complaint at Stage 3.

The panel will decide whether to deal with the complaint by inviting parties to a meeting and/or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel meeting. However, there may be rare occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

The Complaints Review Panel meeting will proceed irrespective of whether or not the complainant attends. If the complainant fails to attend on the day, the Complaints Review Panel will still proceed in their absence and the process will continue to its conclusion.

Representatives from the media are not permitted to attend.

At least *five* school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least *three* school days before the meeting.

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

The Complaints Review Panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

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

The Complaints Review Panel will consider the complaint and all of the evidence presented. The panel can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part
- find that it is unable to reach a conclusion

If the complaint is upheld in whole or in part, the Complaints Review Panel will:

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

The Chair of the Complaints Review Panel will provide the complainant and the St Aubyn Centre Education Department with a full explanation of their decision and the reason(s) for it, in writing, within *ten* school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the St Aubyn Centre Education Department.

This provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is:

- provided to the complainant and, where relevant, the person complained about
- available for inspection on the school premises by the proprietor and the Headteacher

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Management Committee or
- the majority of the Management Committee

Stage 3 will be heard by a committee of independent governors.

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

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

The school will provide for a written record to be kept of all complaints that are made in accordance with sub-paragraph (e) of the DFE Complaints Policy and paragraph (i) whether they are resolved following a formal procedure, or proceed to a panel hearing.

Action taken by the school as a result of those complaints (regardless of whether they are upheld) provides that correspondence, statements and records relating to individual complaints are to 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.

Link to DFE Complaints Policy: https: https://www.gov.uk/government/publications/school-complaints-procedures

Next Steps

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. They may only be able to help if you are unable to complain, or are not satisfied with how the school handles your complaint, because the school:

- does not have a complaints procedure
- did not provide a copy of its complaints procedure when requested
- does not have a procedure that complies with statutory regulations
- has not followed its published complaints procedure
- has not allowed its complaints procedure to be completed

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the St Aubyn Centre Education Department. They will consider whether the St Aubyn Centre Education Department 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.

The Local Authority (Essex County Council) has no powers to intervene in complaints against schools. You can complain to Ofsted if you think a school isn't run properly and needs inspecting. However, they won't look into problems with individual pupils, e.g. exclusions or not getting a place at the school.

Complaint form:

St Aubyn Centre Education Department:

Please complete this form and return it the school office for the attention of the Headteacher, Chair of Management Committee, or Clerk.

Your name:

Relationship with school (e.g. parent):

Pupil's name (if relevant to your complaint):

Your address:

Telephone number:

Email address:

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

What action, if any, have you already taken to resolve your complaint?

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

Please continue on a separate sheet, or attach additional documents if you wish.

Number of additional pages attached =

Signature:

Date:

Complaint review request form *(must be sent within 10 school days of receiving outcome notice):*

St Aubyn Centre Education Department:

Please complete this form and return it the school office for the attention of the Headteacher or the clerk for the attention of Chair of Management Committee.

Your name:

Relationship with school (e.g. parent):

Pupil's name (if relevant to your complaint):

Your address:

Telephone number:

Signature:

Date:

Dear Sir/Madam,
I submitted a formal complaint to the school on …….., and I am dissatisfied by the procedure that has been followed.
My complaint was submitted to …… and I received a response from
……. on …….
I have attached copies of my formal complaint and the response(s) from the school. I am dissatisfied with the way in which the procedure was carried out, because:

You may continue on separate paper, or attach additional documents if you wish.
Number of additional pages attached =

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

How we manage serial and unreasonable complaints

The St Aubyn Centre Education Department is committed to dealing with all concerns and complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The St Aubyn Centre Education Department defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Management Committee will discuss any concerns with the complainant informally before applying an '*unreasonable'* marking.

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

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the St Aubyn Centre Education Department.