



Coastal Learning
PARTNERSHIP

Complaints Policy

This policy has undergone an Equalities Impact Assessment in line with the requirements of the Public Sector Equality Duty

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1. Introduction

- 1.1 The aim of this policy is to deal with complaints and concerns about a school, the multi academy trust, Coastal Learning Partnership (“Partnership” or ‘CLP’) or any individual connected with it by following the correct procedure thoroughly and in an open, honest and fair manner.
- 1.2 This policy is intended to allow concerns to be expressed and complaints raised by any individual or organisation, especially parents, about the Partnership or one of its schools.
- 1.3 It is based on guidance from the Education (Independent School Standards) Regulations 2014 and should also be read in conjunction with any relevant Partnership policies.
- 1.4 The policy applies to anyone who may have a legitimate complaint relating to the Partnership or one of its schools. It is anticipated that primarily this will be parents, as defined by Section 576 of the Education Act 1996, and those with parental responsibility as defined in the Children Act 1989.
- 1.5 Most issues raised are concerns rather than complaints. The Partnership is committed to taking concerns seriously, at the earliest stage, so that the community is served in the best possible way.
- 1.6 The aim of this policy is to resolve any concern or complaint as fairly and speedily as possible. All concerns and complaints will be dealt with in a sensitive, impartial and confidential manner. The Partnership staff will provide advice and support to Headteachers.
- 1.7 The Partnership’s definition of a concern is ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’. The Partnership’s definition of a complaint is ‘an expression of dissatisfaction or disquiet about actions taken or a lack of action which requires a response’.

2. Principles of the Complaints Policy

- 2.1 This complaints procedure shall:
 - Encourage resolution of problems by informal means wherever possible
 - Be easily accessible and publicised
 - Be simple to understand and use
 - Be impartial
 - Be non-adversarial
 - Allow swift handling with clear time-limits, keeping people informed of the progress.
 - Ensure a full and fair investigation where necessary
 - Respect people’s desire for confidentiality
 - Address all the points at issue and provide an effective response and appropriate redress.
 - Enable the school’s senior leadership team to ensure that services can be improved
 - Have due regard to the principles of the Equality Act 2010 and how they impact upon schools, parents, carers and children/young people
- 2.2 Anonymous complaints will not be investigated under this procedure unless there are exceptional circumstances where the school would either involve appropriate external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.

- 2.3 The responsibility for dealing with complaints lies solely with the Partnership and its schools. The procedures of other agencies (such as Diocesan Boards and Local Authorities) are expected to reflect existing legislation and ensure that any non-statutory complaint received by them will be redirected to the Partnership immediately and that the complainant be informed accordingly.
- 2.4 The complainant is not entitled access to details of any investigation except for any statements that may have been provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential.
- 2.5 This policy and procedure will be published on school and Partnership websites and be made available in paper copy on request.
- 2.6 If it becomes necessary to alter the time limits and deadlines set out within this procedure, the complainant will be advised accordingly, given an explanation as to why this has been the case and provided with revised timescales. 'School days' excludes weekends and school holidays and periods of partial or total school closure. Where a complaint is received outside of term time, it will be considered to have been received on the first school day following the holiday period.
- 2.7 The complainant will be asked at the earliest stage what they think might resolve the issue.
- 2.8 Reasonable adjustments will be made to this procedure where required to ensure that all complainants can access and complete this complaints procedure. For example, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible means (including virtually).
- 2.9 At each stage, the complainant will be advised of any escalation options available to them. For example, when communicating the outcome of a Stage 1 process, the details of how to escalate to Stage 2 will be included.
- 2.10 The trust acknowledges that raising concerns or complaints can be a difficult, emotional and stressful time, particularly for parents and carers. Staff are required to remain professional, respectful and courteous in all of their interactions; the Partnership code of conduct for schools and parents & carers sets out similar expectations of parents when dealing with staff.
- 2.11 The trust encourages parents and others to approach schools directly and refrain from airing concerns on social media sites. Posting negative comments on social media is often counter-productive to resolving issues. This is also set out in the code of conduct.

3. Scope of this Complaints Policy

- 3.1 This policy covers all complaints with the exceptions listed below for which there are separate procedure as signposted:

Excluded matters	Signposting
Admissions	The process for challenging admissions decisions is set out in our admissions policy in accordance with relevant statutory guidance.
Child protection matters	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding.

Exclusions	The process for challenging exclusions decisions is set out in the DfE's statutory guidance and information can be found here .
National Curriculum content	Please contact the Department for Education here .
School re-organisation proposals	Where concerns are not adequately addressed by the Partnership, complaints can be raised directly with the Department for Education.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own procedure to deal with complaints about their service. Please contact them direct. The relevant school can provide contact details if you require them.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Certain complaints about staff may need to be dealt with under the Partnership's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Statutory assessments of Special Educational Needs (SEN)	Concerns about statutory assessments of special educational needs should be raised directly with the local authority.
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made here . Volunteers who have concerns should complain through this complaints policy. You may also be able to complain direct to the Department for Education (see link above) depending on the substance of the complaint

3.2 Allegations of abuse involving the Partnership's staff are managed under a separate policy and must be reported as follows:

- Any allegation of abuse of a pupil by a member of staff must be reported to the Headteacher or the Designated Safeguarding Lead (DSL)
- If the allegation is against the DSL, then this must be reported to the Headteacher unless the Headteacher is the DSL in which case the allegation must be reported to the CEO
- If the allegation is against the Headteacher then the allegation must be reported to the CEO
- If the allegation is against the CEO, then the allegation must be reported to the Chair of the Trust Board.

3.3 Complaints that have already been investigated cannot be considered again. Legal, safeguarding or disciplinary proceedings may take precedence over complaints procedures and timescales.

3.4 If there is a risk that dealing with a complaint might prejudice a concurrent consideration, the complaints procedure will be suspended until the concurrent consideration is concluded. Once the concurrent consideration is concluded, the complaint can be investigated as appropriate.

4. Record Keeping

- 4.1 A written record of all formal complaints must be retained.
- 4.2 The Headteacher must maintain a log of all formal complaints received in school which as a minimum must have:
- The date of receipt
 - The name of the complainant
 - The stage(s) of the complaint and a brief summary of the complaint and outcome at each stage
 - The action taken by the school as a result of the complaint (regardless of whether they are upheld or not)
- 4.3 The CEO must similarly maintain a log of all complaints received centrally.
- 4.4 All correspondence, statements and records in relation 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 to access them.
- 4.5 Retention of documents will be in line with CLP's Privacy Notices and the Retention Guidance in the IRMS (Information and Records Management Society) Toolkit for Academies.

5. Raising a concern or making a complaint

- 5.1 For a complaint to be investigated, it needs to be made as soon as possible following the incident. If a complaint is older than three months it is unlikely to be considered (if the complaint relates to a series of associated incidents, the three months relates to the last of these).
- 5.2 Appendices 2 and 3 provide a summary of the complaints procedure including timeframes.
- 5.3 There are three main stages to the complaints procedure:
- Stage 1 Informal - A concern is raised informally and dealt with by a staff member
 - Stage 2 Formal - A formal complaint is considered by the Headteacher. Formal procedures are only invoked when initial informal attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further
 - Stage 3 Panel - Complaint is heard by a Complaints Panel
- 5.4 Stage 1 Informal: Raising informal complaints or concerns
- 5.4.1 The Partnership takes any concerns or informal complaints seriously and its schools will endeavour to resolve issues informally wherever possible to prevent matters escalating to the formal procedure.
- 5.4.2 Concerns can be raised with any school within the Partnership at any time and will often generate an immediate response to resolve the concern. Complainants should ideally make their first contact with the member of staff concerned or the pupil's class teacher although in practice a concern can be raised informally with any member of staff who will direct it accordingly. Complainants must recognise that a school is a busy organisation, and it may not be possible to offer a response or appointment immediately. On some occasions, even informal concerns may require some

investigation or discussion with others, in which case you will receive an informal but informed response as soon as possible and ideally within 5 school days and rarely over 15 school days. Most concerns will be satisfactorily dealt with in this way.

- 5.4.3 Verbal interactions with complainants will often be followed up with a brief written summary to provide clarity on the content of the conversation (even though the complainant at that stage has not formally complained). If the complainant disagrees with the summary, they can raise this should the complaint be escalated further.

5.5 Stage 2 Formal: Formal written complaint

- 5.5.1 A complaint will only be treated under Stage 2 if it has not been successfully resolved under Stage 1.
- 5.5.2 Formal complaints should be made to the Headteacher. Any formal complaint made to another member of staff, Local Governor or Trustee will be passed to the Headteacher (unless the complaint relates to the Headteacher which requires a separate process detailed later in this policy). Although formal complaints will usually be dealt with by the Headteacher directly, it may be appropriate for it to be delegated to another senior member of staff. In such cases, the Headteacher will be kept informed.
- 5.5.3 A formal complaint can initially be made through any communication means – in person, telephone, email, in writing. However, regardless of any verbal communication, all formal complaints must be presented in writing (including email) otherwise they will not be treated as a formal complaint.
- 5.5.4 Complainants can use the complaints form in Appendix 1 if they wish although this is not a requirement. If it is determined that the matter cannot be considered under this complaints policy, the senior member of staff dealing with the complaint will inform the complainant in writing of this decision, the reason for reaching that decision and appropriate process to pursue the complaint.
- 5.5.5 The complaint will be acknowledged as soon as possible and certainly within three school days of receiving it. In many cases this initial response will also report on the action the school is taking to resolve the issue or how it intends to go about any necessary investigation. It is likely that a meeting will be convened to discuss the matter further and, should this be required, this will be within 10 school days.
- 5.5.6 The Headteacher will investigate the complaint and respond to the complainant in writing as soon as possible and usually within 15 school days of the date of receipt of the complaint. The response will include an explanation of the decision and the reasons for it. This will include what action will be taken to resolve the complaint (if any). The Complainant will be advised how, if they remain dissatisfied, the complaint can be escalated to Stage 3 of this procedure.
- 5.5.7 An independent, external person may be engaged to carry out any investigation into the Stage 2 complaint or to review the investigation and response at Stage 2. This may be appropriate where the complaint is particularly complex or involves legal issues

5.6 Stage 3 Panel: Complaint heard by a Complaints Panel

- 5.6.1 If the complainant remains dissatisfied after Stage 2, they may request for the complaint to be escalated to Stage 3. This request must be received within 10 school days of

receiving notice of the outcome of Stage 2. Complaints must have been considered by the first two stages before it will be accepted by a Complaints Panel.

- 5.6.2 The Complainant must write to the Clerk of the Local Governing Body giving details of the complaint and requesting that the complaint is heard by a Complaints Panel. Any such complaints received by Trustees will be directed to the Clerk of the Local Governing Body.
- 5.6.3 The Clerk will acknowledge in writing (including by email) receipt of the complaint within five school days. Complaints made outside of term time will be deemed to have been received on the first school day after the holiday period. The Clerk to the Local Governing Body will arrange for the Complaints Panel to be convened at a date and time convenient to all parties but within 20 school days of receipt of the complaint.
- 5.6.4 If, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the Clerk may determine that the hearing proceeds on the basis of written submissions from both parties.
- 5.6.5 If a mutually convenient date and time is agreed, and if the Complainant subsequently does not turn up to the hearing or gives less than three school days' notice of not attending, the panel will proceed in absence of the Complainant.
- 5.6.6 The Complaints Panel will principally consider how the complaint was handled at the previous stages but has discretion to review other aspects of the complaint as it sees fit. The Complaints Panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.
- 5.6.7 A Complaints Panel may be adjourned if the Complaints Panel require further evidence or in exceptional circumstances (for example, if clarification sought by the Complaints Panel is essential to the proceedings). The adjourned date must be as soon as possible.
- 5.6.8 The Complaints Panel will be made up of three individuals as follows:
- Two Local Governors from the school (or Trustees, if appropriate) who have not been directly involved in the matters detailed in the complaint
 - One Local Governor from a different CLP school who is therefore independent from the management and running of the school
- 5.6.9 The complainant and the Headteacher will be notified in writing of the arrangements for the hearing at least five school days before the hearing. They will also be informed that they have the right to be accompanied at the hearing if they wish, for example by a friend, advocate or interpreter. The complainant will be invited to submit, if they haven't already done so, full details of the aspects of the complaint that they wish to be considered. The Headteacher will be asked to submit a statement outlining the findings of his/her previous investigation. The complainant and the Headteacher both have the right to submit any further documents they perceive to be relevant to the complaint. Both parties should send their documentation to the Clerk to the Local Governing Body at least three school days before the complaint hearing so that it can be circulated to all participants; documentation received after this point cannot be considered.

5.6.10 The Complaints Panel will take the following points into account, bearing in mind that each party will be given the opportunity to state their case and ask questions, and any written material will be seen by all parties:

- The hearing will be as informal as possible but will be clerked
- Witnesses are only required to attend for the part of the hearing in which they give their evidence
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses
- The Headteacher may question both the complainant and the witnesses after each has spoken
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses
- The complainant may question both the Headteacher and the witnesses after each has spoken
- The panel may ask questions at any point
- The complainant is then invited to sum up their complaint
- The Headteacher is then invited to sum up the school's actions and response to the complaint
- The Chair explains that both parties will be written to within 10 school days of the hearing, setting out the panel's decision(s)
- Both parties leave together while the panel decides on the issues

5.6.11 In reaching a decision, the panel can:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur

5.6.12 The decision, findings and recommendations of the Complaints Panel will be shared via a letter with the complainant and, where relevant, the person complained about. They will also be made available to the Trust Board and Headteacher. The letter to the complainant will also explain what the complainant needs to do if he/she wishes to take the matter further (although it should be noted that the decision of the Complaints Panel is final - the school and Partnership cannot revisit the same complaint).

6. Making a complaint against a Headteacher

6.1 Where a formal complaint is made against the Headteacher, this should be submitted in writing to the Partnership Chief Executive Officer (CEO), contactable via the Partnership central offices.

6.2 The CEO will determine whether the complaint is about the Headteacher directly or concerned more generally with the school's policies, systems and procedures. If it is the latter, the CEO may refer the complaint back to the school to investigate under Stage 2. If it is the former, the CEO will manage the complaint under Stage 2. If the CEO has previously been involved in the complaint, perhaps by advising the Headteacher through the process at Stage 2, the complaint may instead be referred to the Chair of the relevant Local Governing Body.

7. Making a complaint against a member of the Partnership Central Team

- 7.1 A formal complaint against the Chief Executive Officer should be submitted in writing to the Chair of Trustees. This will be managed under Stage 2 provided that the complainant has attempted to resolve the matter under Stage 1. If the complaint is escalated to a Stage 3, the Complaints Panel will be composed of Trustees rather than Local Governors.
- 7.2 A formal complaint against any other member of the Partnership's central team should be submitted in writing to the Chief Executive officer. Such complaints will be managed in line with Stage 2 provided that the complainant has attempted to resolve the matter under Stage 1. If the complaint is escalated to a Stage 3, the Complaints Panel will be composed of Trustees rather than Local Governors.

8. Making a formal complaint about a Local Governor or Trustee

- 8.1 Formal complaints about individual Local Governors should be directed to the Chair of the relevant Local Governing Body; if the complaint relates to the Chair, it should be directed to the Vice Chair. These individuals can be contacted via the relevant school office. Complaints which relate to a Local Governing Body as a collective should be directed to the Chair of the Trust Board, contactable via the central CLP office.
- 8.2 Formal complaints about individual Trustees should be directed to the Trust Board Chair; if the complaint relates to the Chair, it should be directed to the Vice Chair. These individuals can be contacted via the central CLP office. Complaints which relate to The Trust Board as a collective should be directed to the ESFA as per paragraph 9.1.

9. Exhausting the complaints procedure

- 9.1 The complaints procedure has been exhausted if a complainant has worked through the adopted procedure and has an outcome from a Complaints Panel at Stage 3. The complainant has no further recourse with the school or Partnership at that stage. Should a complainant feel dissatisfied with the Stage 3 outcome and wish to take this further, they are entitled to refer their complaint to the Department for Education (DfE). The DfE will only investigate the complaint in limited circumstances. Further details can be found [here](#).
- 9.2 A complaint can be taken to Ofsted if:
- A complainant has followed the Partnership complaints policy, and the issue has not been resolved;
 - The complaint is about things that affect the whole school, not individuals.

Further details about making a complaint to Ofsted can be found [here](#).

10. Managing serial and persistent complaints, complaints pursued in an otherwise unreasonable manner and 'complaint campaigns'

- 10.1 Where a complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full, and we have:
- taken every reasonable step to address the complainant's concerns; and
 - given the complainant a clear statement of our position and their options,

we will write to the complainant to advise that the complaints procedure has been exhausted and that we will not be responding to any further correspondence in relation to these matters. We will remind the complainant of their entitlement to escalate their concerns to the Department for Education.

10.2 The Office of the Independent Adjudicator defines the characteristics of a ‘frivolous’ or ‘vexatious’ complaint as:

- Complaints which are obsessive, persistent, harassing, prolific, repetitious
- Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- Insistence upon pursuing meritorious complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress that lack any serious purpose or value

Examples include but are not limited to:

- refusal to articulate a complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refusal to co-operate with the complaints investigation process;
- refusal to accept that certain issues are not within the scope of the complaints procedure;
- insistence on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
- introducing trivial or irrelevant information which they expect to be taken into account and commented on;
- raising large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- making unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changing the basis of the complaint as the investigation proceeds;
- seeking an unrealistic outcome, such as the inappropriate dismissal of staff;
- making excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
- knowingly providing falsified information;
- publishing unacceptable information on social media or other public forums.

Where the complainant’s behaviour or language towards staff, governors or others is aggressive, abusive, offensive, discriminatory or threatening or insulting personal comments are made about, or threats are made towards, staff, we may:

- inform the complainant that we consider their complaint to be vexatious or the manner in which they are pursuing their complaint to be unreasonable and why, and ask them to desist;
- conduct the Complaints Panel on written submissions only i.e. not hold a hearing;
- refuse to consider the complaint any further and inform the complainant how they can refer their complainant directly to the Department for Education.

10.3 The Partnership may also consider introducing a tailored communication strategy to manage persistent correspondents whose behaviour is causing a significant level of disruption (regardless of whether or not they have raised a complaint). For example, they can:

- Restrict the individual to a single point of contact via an identified email address, not responding to communication through any other channel
- Limit the number of times they can make contact, such as a fixed number of contacts per term, not responding to communication which exceeds this limit
- restricting telephone calls to specified days and times or number of contacts
- banning the individual from the premises

Where the complainant's behaviour is so extreme that it threatens immediate safety and welfare of anyone in the school community, will consider other options - for example, reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

- 10.4 The Partnership will not refuse to investigate a complaint solely on the basis that they consider an individual is difficult to deal with or asks difficult questions.
- 10.5 For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with the Partnership) which are all based on the same subject.
- 10.6 In such a situation, the Partnership will recognise that the issues being raised by those complaints require serious consideration, just as any other complaint. However, it may not be appropriate or possible for the school to work through the complaints process in full for every separate complainant.
- 10.7 In such circumstances, we will consider deviating from the procedure set out in this policy and instead:
- Send a single, template response to all complainants; and/or
 - Publish a single response on the relevant website.

Appendix 1: Complaint Form

Your name:
Child' name:
Your relationship to the child / young person:
Your address:
Daytime telephone number:
Evening telephone number:
Email:
Please give concise details of your complaint, what do you think the school did wrong or did not do. Include dates, names of witnesses etc.

What action, if any, have you already taken to try to resolve your complaint? (Who have you spoken with or written to and what was the outcome?).

What do you think the school should do to resolve matters at this stage?

Please list any paperwork you are attaching.

Signature:

Date:.....

Appendix 2: Summary of procedure and timeframes

Stage 1: Informal concerns	Complainant brings complaint to attention of member of staff
	Issue to be resolved within 15 school days
	Where no satisfactory solution has been found, complainant to be advised that they can proceed to Stage 2
Stage 2: Formal written complaint	Complaint must be put writing
	Complaint to be acknowledged within 3 school days
	(If required by the Headteacher) Meeting with complainant within 10 school days
	Response to the complaint sent within 15 school days
Stage 3: Complaints panel	Complainant to request hearing within 10 school days of receiving notice of the outcome of Stage 2
	Request to be acknowledged within 5 school days
	Hearing to take place within 20 school days of receipt of request
	Notification of date, time and place of the hearing and details of the panel members present sent at least 5 school days before the hearing
	Headteacher and complainant to submit evidence in support of their case to Clerk at least 3 school days before the hearing
	Complaints Panel decision sent not more than 10 school days after the hearing
CLP complaints process exhausted Complainant can refer their complaint to the Department for Education here .	

‘School days’ excludes weekends and school holidays and periods of partial or total school closure.

Where a complaint is received outside of term time, it will be considered to have been received on the first school day following the holiday period.

Appendix 3: Outline School Complaints Procedure Flowchart

