Complaints, Concern and Compliments Policy

Approved by NOS Operational Board on behalf of
Thomas Keaney, CEO and Schools' Proprietor

Date of next formal review, August 2027

This policy applies to National Online School

We never give up.
We never exclude.

Policy Name
TTL Complaints, Concern & Compliments Policy

Department
Families and Schools Together (FaST)

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Reviewed by:
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E & D Policy Disclaimer
This policy has been reviewed in line with the Equality Act 2010 which recognises the following categories of individual as Protected Characteristics: Age, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex (gender), Sexual orientation and Disability. We will continue to monitor this policy and to ensure that it has equal access and does not discriminate against anyone, especially any person/s listed under any protected characteristic.

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Policy Overview

Introduction

Teaching Talent are committed to providing safe, nurturing and inspiring online learning environments which enable our pupils to thrive and achieve best outcomes; and our vision is to be recognised as experts in delivering therapeutic education, health and care solutions for children and young people with complex and additional needs. We recognise that service development is central to attaining this aim and we welcome all comments, suggestions and complaints from stakeholders, as they can help us to improve our school.

Teaching Talent's stance on complaints is so vital to our ethos of openness, transparency, and the importance of the voice of the pupil, parent/carers, stakeholders, and staff that we have employed a dedicated company complaint lead, to ensure that the process empowers people to use their voice when things go wrong. Teaching Talent will ensure that complainants never face reprisals from our organisation or anyone acting on behalf of our organisation.

The Independent School Standards and the Department for Education do not distinguish between 'concerns' and 'complaints'. Any matter about which a parent/carer, pupil, stakeholder or other persons is unhappy and seeks action by Teaching Talent is a complaint and is in the scope of this Policy.

Teaching Talent's management of all complaints is in accordance with the Online Education Accreditation Scheme (DfE 2022, as overseen by Ofsted).

Teaching Talent's compliance is under OEAS standards

Aims of the Complaints Policy

The aim of this policy is to ensure that every parent/carer, pupil and stakeholder has access to a policy and procedure that supports and enables them to share compliments, raise concerns or complain about any aspect of our school and understand the manner in which complaints are handled.

Teaching Talent complaints procedure will;

- Be easily accessible and publicised.
- Be simple to understand and use.
- Be impartial and non-adversarial.
- Allow complaints to be made and considered initially on an informal basis.

- Allow swift handling with established timescales for action and escalation.
- Fairly address all the points at issue and provide an effective response and appropriate redress, where necessary.
- Ensure a full and fair investigation by an independent person where necessary.
- Respect people's right to confidentiality.
- Provide information to Teaching Talent senior management team for the purpose of school development and organisational change.

Who is allowed to complain?

This policy may be used by anyone (except staff whose concern or complaint is about their contract of employment or employee relationships) that has a concern or complaint about any aspect of the school. This includes but is not limited to stakeholders, pupils or the parents or carers of the school's pupils, but may include the Local Authority, contractors, partner agencies, or any other members of the community.

Staff members who have concerns or complaints relating to their contract or employment or employee relationships, are expected to raise these through the Teaching Talent staff grievance procedure. Any other concern or complaint should be raised according to this complaints procedure.

Effective and fair resolution of concerns usually requires that they are brought to the schools attention promptly, which should normally be within three months of the relevant event(s). In exceptional circumstances, complaints may be heard after this time at the discretion of the Company Complaints Lead.

Publicity

It is a legal requirement to publicise our complaints procedures. This policy will be included within the school information in many ways:

- This policy will be published on the National Online School and Great Minds' websites.
- This policy will be given to new parents/carers when their child joins our schools or services.
- This policy will be disseminated to parents/carers and staff on a termly basis.
- Home - bulletins and/or newsletters will remind parents/carers about the policy.

All Teaching Talent staff will be made aware of the complaints procedure and the various stages involved. Where there is an active initial concern or formal complaint, everybody involved will be clear about what is happening and their responsibilities within this.

Confidentiality

Confidentiality is vital. All conversations and correspondence in respect of concerns and complaints will be treated with discretion. We would ask Complainants to also respect confidentiality and allow the full complaints process to be completed. Complainants have the right to know what use will be made of personal information and accordingly, personal information will only be shared between Teaching Talent staff on a 'need to know' basis. All complaint correspondence will be stored confidentially and in accordance with Teaching Talent GDPR Policy.

(The exception to this is the requirement of the school to provide parents and other interested parties with information about the number of complaints registered under the formal procedure during the preceding year, and to inspectors conducting inspections under section 162A of the education act 2002, as amended by schedule 8 of the education act 2005, or to the Secretary of State, should they ask for such records.)

Equal access, accompaniment, and representation

Steps will be taken to ensure that all individuals have the opportunity to raise their concerns or submit a complaint to Teaching Talent. This includes the right to be accompanied or represented by a friend or relative at discussions and/or to submit complaints which have been written by another individual on their behalf. Should any meeting need to be held where any parties would have difficulties in terms of access, the Principal or Senior Clinical Leads, and Company Complaints Lead will assist with providing an appropriate venue.

It is an expectation that equal respect will be granted to each person involved within the process and that differences between people will be respected.

Summary

This policy sets out the procedures which the school and Teaching Talent will follow whenever it receives a complaint. A summary of the various stages is given below:

Primary Responsibility:

- Informal discussion and resolution (informal procedure) – **School/Service Staff**
- Complaint made followed by investigation by Principal – **Principal**
- Complaint not resolved following the school's response – **Executive Headteacher**
- Complaint remains unresolved **– Chair of Governors**
- Complaint remains unresolved **- CEO**
- Complaint response unsatisfactory – **Independent panel**

All staff (including volunteers and associates) have a responsibility to ensure that complaints relating to Teaching Talent are handled appropriately. Complaints received, whether written or spoken, should be escalated to the Provision Manager in the first instance.

The role of the Company Complaints Lead

The role of the Company Complaints Lead (the Director of Safeguarding) is to initially attempt to bring all parties together and to facilitate an informal resolution to initial concerns. If this is not possible, then the Company Complaints Lead will facilitate the complaints process, ensure it is understood by the Parents/Carers at each stage and to ensure that Teaching Talent service meets complaints deadlines at all stages. All staff (including volunteers and associates) have a responsibility to ensure that complaints relating to Teaching Talent are handled appropriately. Complaints received, whether written or spoken, should be escalated to the School Business Manager or Senior Clinical Leads in the first instance, with the Company Complaints Lead copied into all related correspondence.

Complaints not in scope of the procedure

The procedures outlined within this policy covers all complaints about any provision of facilities or services by Teaching Talent with the exceptions listed below, for which there are separate (statutory) procedures.

Exceptions:

- Admissions to schools in relation to admissions, assessments, and school.
- Statutory assessments of Special Educational Needs (SEN) should be raised directly with Local Authorities.
- School re-organisation proposals.

- Exclusion of children from school - information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.
- Whistleblowing - see Teaching Talent Group whistleblowing policy and procedure for employees and voluntary staff. The DfE is also a prescribed body for whistleblowing in education.
- Staff grievances and disciplinary - these matters will invoke the Teaching Talent grievance resolution procedures. Complainants will not be informed of the outcome of any investigation.
- Complaints that relate to safeguarding matters, including low level concerns and/or allegations against staff – these matters will be handled in accordance with Teaching Talent Safeguarding policy and relevant statutory guidance.
- Complaints about services by other providers who may use Teaching Talent premises or facilities – these providers should have their own complaints procedure to deal with complaints about their service(s). Please contact them directly.

Issues related to child/adult protection, criminal investigations and employee grievances will be handled separately from this policy.

This complaints policy is distinct from formal staff disciplinary proceedings, and this should be made clear to all concerned. There may be occasions where a complaint gives rise to disciplinary procedures which put the complaints process on hold. If and when this occurs, the complainant should be informed. Any non-disciplinary aspects of the complaint should continue to be dealt with through the usual complaints procedures. If another policy is more appropriate than this complaints policy for any given situation then it should be used in preference to it.

Informal procedure: Concerns

Concerns

At the outset of any concern being raised, the difference between a concern and a complaint will be identified. We believe that taking concerns seriously at the earliest stage will reduce the need for formal escalation. All concerns are tracked and monitored within Teaching Talent, and oversight of this process is provided by the Company Complaints Lead.

We understand that concerns are often caused by misunderstandings, miscommunications or thoughts and feelings that have not been aired or acknowledged and we anticipate that these and other issues can be quickly and informally resolved through improved communication and swift, purposeful response. At other times, or if a concern is not resolved to the complainant's satisfaction, it may be necessary to use the formal complaints procedure. It is important that this choice is always made available to the complainant.

Where possible staff should resolve issues or concerns 'on the spot'. It may be appropriate to offer one or more of the following:

- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that the event of concern will not recur.
- An explanation of the steps that have been taken to ensure that it will not happen again.
- An apology.

Concerns procedure

Individuals can raise concerns with any Teaching Talent staff member, depending on their wishes and the type of issue they would like to discuss. A brief note of all such issues will be kept and maintained by the NOS School Business Manager or Senior Clinical Lead.

There are no specific time scales for dealing with concerns at this stage. However, as at all stages, issues will be considered and dealt with as quickly and effectively as possible.

The individual who raised the concern will be informed of any action to be taken to resolve the issue and if appropriate, in writing. They will also be advised that they can request that their concern be dealt with as a formal complaint in accordance with this policy.

Formal procedure: Complaints

Monitoring complaints

At all stages of the formal complaints procedure, the following information will be recorded:

- The name of the complainant and the nature of their relationship with Teaching Talent.
- The date and time at which complaint was made.
- The details of the complaint.
- The desired outcome of the complainant.
- How the complaint is investigated (including written records of interviews held).
- Results and conclusions of investigations.
- Any action taken.
- The complainant's response (satisfaction or further pursuit of complaint).

The NOS School Business Manager is responsible for working closely with the Company Complaints Lead, maintaining a record of complaints, and ensuring that all pupils, parents/carers and staff, are aware of and comply with this policy. In the event that the NOS School Business Manager is the subject of the complaint, the responsibility of maintaining the record of the complaint will be upheld by the Principal.

On behalf of the Schools' Proprietor, the Company Complaints Lead is responsible for the quality assurance of Teaching Talent's handling of complaints in accordance with this policy.

Formal procedures

If a Stakeholder, pupil, or parent/carer is dissatisfied at the outcome of discussing an initial concern, they can make a formal complaint. Our first action will always be to ensure, that the complainant is given a copy of the Complaints, Concerns and Compliments Policy and is made aware of Teaching Talent's complaints procedure.

We aim to resolve all formal complaints and reach a fair resolution that is satisfactory to all parties.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage during the resolution of the complaint.

School level complaint handling

1. When a complaint is made it must always be recorded in the 'Complaints Folder', to show the date and time of the complaint being made; the name of the person making it and their relationship to Teaching Talent; the nature of their complaint; any response required/given; and the name of the person(s) dealing with it and the complaint reference number (based upon the date the complaint is received, the name of the person dealing with it, the name of the education site involved and the initials of the person making the complaint).

For example: Complaint reference number - 300923/PR/NOS/CI. Details of any complaint must always be carefully recorded, along with any supporting information such as to whom the complaint was made or evidence in support of the complaint. Administration staff must be informed that a complaint has been made, and a complaints checklist must be immediately opened. This must then be completed at every stage of the complaint process.

2. Information about any complaint made must be passed immediately to the Head Teacher (or their deputy in their absence) for them to make an initial assessment and to monitor how complaints are being handled. This information should also be shared with the company complaints lead.

3. A decision must also be made at this stage as to how and when to inform any third party who may be the subject of the complaint.

4. The reference number and name of person dealing with the complaint must be given to the person making the complaint within **24 hours or one working day** of the complaint being received. Within this communication, they should also be given a

copy of this policy and advised of the stage at which their complaint is being handled in accordance with this policy.

5. The Principal must ensure, when they investigate complaints, that they:

   - Meet with the complainant or contact them to personally discuss their complaint.
   - Clarify what the complainant feels would put things right.
   - Establish what has happened so far, and who has been involved.
   - Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
   - Conduct the interview with an open mind and be prepared to persist with questioning.
   - Keep detailed notes of all interviews, meetings and/or correspondence related to the complaint.

   This procedure will identify areas of agreement between the parties and clarify any misunderstandings that may have occurred to ensure a positive atmosphere in which to discuss any outstanding issues.

6. Whilst the complaint is being investigated, the Principal will prioritise the pupil's wellbeing by ensuring there is a meeting with the class teacher and any other professionals working with the pupil. This meeting will consider the pupils' individual needs such as their general wellbeing, therapeutic needs, attendance, and engagement whilst the complaint is yet to be resolved. A pupil discussion during the school Clinical and Inclusion Meeting or PSM may be held in lieu of a class teacher meeting.

7. The School Business Manager will be the point of contact for the complainant whilst awaiting a resolution.

8. The matter should then be looked into and responded to, if not in full, within ten working days, providing written details of how the

matter has been dealt with or the timescale during which it will be investigated and fully addressed. This should include a specific reference to whether the complaint has been *upheld*, *partially upheld* or *not upheld*.

9. A written record will be kept throughout detailing all communication and actions planned or taken, so that the progress of any investigation can be monitored. The records will indicate whether the complaint was resolved satisfactorily at the preliminary stage or preceded to the next stage.

10. If the response is not accepted by the complainant, the subsequent stages of the complaint process are followed at outlined below.

11. The Company Complaints Lead will be provided with an update in writing at the end of each stage of the complaint or at the point when the complaint is fully resolved. The complainant may be asked by the Company Complaints Lead to discuss the process in terms of continuous improvement and organisational learning.

Complaint stages (for the Complainant)

Stage One: Principal

Within 24 hours' (1 working day) from receipt of your complaint, the complainant will be contacted and given a reference number.

The Principal will contact the complainant to discuss the details of their complaint and clarify the complainants desired resolution. It is important to note that at this stage, the Principal may be unable to provide assurances that the complainants desired resolution will be enacted.

A full response will be provided to the complainant by the Principal within 10 working days (within term time). The process of investigation and response should not exceed 10 working days (within term time) except in rare and exceptional circumstances. If there are rare and exceptional circumstances, we will extend the investigation process by a further 5 working days (within term time). In these instances, it is essential that the Complainant is kept fully informed of the progress of their complaint.

The stage one written response will state if, following investigation, the complaint has been upheld, partially upheld or not upheld, and will include details of any actions

taken or due to be taken by the school. Where appropriate, the written response will also include details of any school changes identified as a result of the complaint.

Stage Two: Director of Education

Should the matter remain unresolved to the Complainant's satisfaction, they have the right to appeal the outcome within 10 working days (within term time) of the stage one response being sent. Complainants will be asked to explicitly outline in writing, which aspect(s) of their complaint they deem to be unresolved as this will help to ensure that the stage 2 response is considered and purposeful.

The complainant will be informed of this stage with an acknowledgement letter within 24 hours or 1 working day, and a stage two response provided within 10 working days (within term time). If there are rare and exceptional circumstances, we will extend the investigation process by a further 5 working days (within term time). In these instances, it is essential that the Complainant is kept fully informed of the progress of their complaint.

Stage Two investigations are conducted by the Executive Headteacher and will include a review of the complaint and the stage one investigation and response. If appropriate, additional investigations may be conducted and to support this process, the complainant may be asked to provide further information or evidence relevant to the complaint.

The Stage Two written response will address the complaint in full and confirm any revisions to the initial stage one judgement of upheld, partially upheld or not upheld.

Stage Three: Director allocated by Company Complaints Lead

Should the matter remain unresolved to the complainant's satisfaction, they have the right to appeal the outcome within 10 working days (within term time) of the stage one response being sent. Complaints will be asked to explicitly outline in writing, which aspect(s) of their complaint they deem to be unresolved as this will help to ensure that the stage 2 response is considered and purposeful.

The complainant will be informed of this stage with an acknowledge letter within 24 hours or 1 working day, and a stage two response provided within 10 working days (within term time). In these instances, it is essential that the complainant is kept fully informed of the progress of their complaint.

Stage Three investigations will include a review of the complaint and the stage one and two investigation and response. If appropriate, additional investigations may be

conducted and to support this process, the complainant may be asked to provide further information or evidence relevant to the complaint.

The Stage Three written response will address the complaint in full and confirm any revisions to the initial stage one judgement of upheld, partially upheld or not upheld.

Stage Four: Chair of Governors

Should the matter remain unresolved to the Complainant's satisfaction, they have the right to appeal the outcome within 10 working days (within term time) of the stage three response being sent. Complaint will be required to explicitly outline which aspect(s) of their complaint they deem to be unresolved as this will help to ensure that the stage 3 response is considered and purposeful.

The complainant will be informed of this stage with an acknowledgement letter within 24 hours or 1 working day, and a stage three response provided within 10 working days (within term time). If there are rare and exceptional circumstances, we will extend the investigation process by a further 5 working days (within term time). In these instances, it is essential that the Complainant is kept fully informed of the progress of their complaint.

To support the Chair of Governors, stage four investigations are conducted by the Director of education and Company complaints lead will include a review of the complaint and the stage one, two, three investigations and responses. All complainants will be invited to meet with the Director of Education and Company Complaints Lead on behalf of the Chair of Governors or in some instances the Chair of Governors will want to undertake this meeting themselves, as part of the stage four investigation process. The complainant will be asked to provide further information or evidence relevant to the complaint to enable a full and fair investigation of the facts.

Stage Five: Schools' Proprietor

If the complainant remains dissatisfied with the complaint response, they have the right to appeal the outcome within 10 working days (within term time) of the stage four response being sent. Stage four appeals are subject to the claimant providing new additional information and/or evidence relevant to the complaint. Complainants are also required to explicitly outline which aspect(s) of their complaint they deem to be unresolved as this will help to ensure that the stage four response is considered and purposeful.

The complainant will be informed of this stage with an acknowledgement letter within 24 hours or 1 working day, and a stage four response provided within 10 working days (within term time). If there are rare and exceptional circumstances, we will extend the investigation process by a further 5 working days (within term time). In these instances, it is essential that the Complainant is kept fully informed of the progress of their complaint.

Stage Five investigations will be conducted by the schools proprietor and will include a review of the complainant and the previous investigations and responses to date.

Where appropriate, the complainant may be invited to meet with the Schools' Proprietor.

The Stage Five written response will address the complaint in full and outline any additional organisational learning and/or changes that have occurred as a result of the complaint.

Stage Six: Panel Hearing

If the complainant believes that they have not had a satisfactory response, or that their concerns have not been addressed, they have the right to appeal the outcome within 10 working days (within term time) of the stage four response being sent.

The complainant will be informed of this stage with an acknowledgment letter within 3 working days.

The complaint will be reviewed by a panel of no less than three individuals. Teaching Talent will strive to ensure that where there is a panel hearing of a complaint, the panel will include a sitting governor, and an independent Local Authority (LA) representative. In any case, at least one panel member will be independent of the management and running of the relevant school.

The panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainants' 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 occasions when legal representation is appropriate.

Upholding or not upholding complaints.

At each stage of the complaints procedure, the conclusion will be either:

- That the complaint is upheld (in part or in full) and, where appropriate, some form of action is taken.
- That the complaint is not upheld and reasons for this are clearly given. In addition, the complainant will be told how to proceed to the next stage of the procedure when their complaint is not upheld.

Changes to time scales and deadlines

In general, the time scales and deadlines contained within this policy will be stringently adhered to. However, in certain circumstances it may be inappropriate or impossible to meet this standard. Where a complaint leads to criminal proceedings this will always be the case.

If and when it becomes necessary to alter the time scales and deadlines set out within this policy, the complainant will be told and given an explanation as to why this has been the case.

Escalation, complaint closure and appeals

Although each of the stages within the procedure should occur consecutively, it is not necessary for each stage to immediately follow the last. Complainants are granted 10 working days from receipt of the complaint response to decide whether they wish to pursue the matter any further, and if so, lodge an appeal and request escalation to the subsequent stage.

If no appeal is received from the complainant within this timeframe, the complaint will be closed by Teaching Talent.

In exceptional circumstances, complaints may be reopened at the discretion of the Company Complaints Lead. In these instances, the complainant should contact the Company Complaints Lead to request that the complaint is reopened.

Company Complaints Lead

complaints@tces.org.uk

020 8543 7878

If at any stage, as the result of a complaint, a decision or course of action is taken with regards to an individual (apart from the complainant) which they feel is ungrounded,

unjustified, or incorrect they have the right to appeal. Teaching Talent complaints procedure will facilitate this.

Following the conclusion of Teaching Talent complaints procedure, should the complainant believe

a. the school did not handle their complaint in accordance with this published procedure; or

b. the school acted unlawfully or unreasonably in the exercise of their duties under education law complainants can refer the matter to the Department for Education (DfE).

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

Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the school deals with serious failings. For more information or to refer a complaint, please visit www.gov.uk/complain-about-school

Malicious and/or vexatious complaints policy and procedure

Introduction

Teaching Talent is committed to responding with patience and sympathy to the needs and views of all stakeholders, including when they have a complaint. We will deal with such matters fairly, ensuring that we provide clear and timely response; and Teaching Talent Complaints, Concerns and Compliments Policy & procedure is enforced to ensure that this is the case.

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.

In certain cases people may pursue their complaints in a way that is unreasonable. They may behave unacceptably or be unreasonably persistent in their contacts and submission of information. This can impede investigating their complaint (or complaints by others) or otherwise disproportionately impact on the operational capacity of the school or senior management team. These actions can occur either while their complaint is being investigated, or when the complaint investigation is finished.

To be able to distinguish between complainants who, make a number of complaints with good cause, because they really think things have gone wrong, and those who are unreasonably complaining without sufficient cause, Teaching Talent will:

- Consider each complaint on its own terms and evaluate each written or spoken submission in accordance with this policy to decide whether it is genuine or malicious and/or vexatious.
- Ensure that, if someone has made malicious and/or vexatious complaints in the past, it is not assumed that any subsequent complaint from them also falls into this category.
- Review the written reasons given by the complainant for appealing and therefore moving through the complaint stages and explore the reasons why the complainant remains unsatisfied with the decisions reached at each stage.
- If Teaching Talent feel that each matter has been addressed fully and that the written reason for an appeal or movement through the

stages is not appropriate or justified, Teaching Talent reserve the right to call a meeting to discuss their concerns rather than automatically move to the next stage.

- At this meeting, the Malicious and Vexatious Complaints procedure will be discussed with the complainant to clarify any concerns and to review the definition of malicious and/or vexatious complaints (see below).
- In the event that Teaching Talent feel after this minuted meeting that it has gone as far as it can to resolve the complaint and the complainant is meeting some of the criteria set out below for defining malicious and/or vexatious complaints, it will write a formal response to the complainant ending the complaints process and will liaise with the Local Authority Commissioning services and/or LADO representatives for that LA to explain in writing its decision, which will be final.

Teaching Talent cannot commit significant time responding to unreasonable complainant behaviour but will try to avoid inflaming such situations.

This policy outlines how Teaching Talent aim to ensure a proportionate approach when responding to complaints and complainant behaviour. It supports staff (including volunteers and associates) to understand clearly what is expected of them, what options for action are available, and who can authorise these actions.

Defining malicious and/or vexatious complaints

This policy covers unreasonable complainant behaviour, which may include one or two isolated incidents, as well as unreasonably persistent behaviour, which is usually a buildup of incidents or behaviour over a longer period.

The Office of the Independent Adjudicator defines the characteristics of a '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

This policy defines malicious and/or vexatious complaints as those which, because of the nature or frequency of the complainant's contacts, impede the school's consideration of their or other people's complaints or otherwise disproportionately impact on the operational capacity of the school.

Single incidents may be unacceptable in themselves, but more often, the difficulty is caused by unreasonably persistent behaviour that is time consuming to manage and interferes with proper consideration of the complaint. The following are examples of some of the actions and behaviours which Teaching Talent consider malicious and/or vexatious (this list is not exhaustive):

- Refusing to specify the grounds of a complaint, despite offers of assistance.
- Refusing to cooperate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of Teaching Talent complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with Teaching Talent complaints procedure.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage which they expect to be considered and commented on.
- Raising many detailed but unimportant questions and insisting they are all answered often immediately or to the complainant's timescales.
- Submitting falsified documents from themselves or others.
- Several complainants pursuing parallel complaints on the same issue; or one complainant pursuing parallel complaints on the same issue with various multi-agencies, Teaching Talent professionals or via multiple channels (including but not limited to emails, phone calls and social media).
- Making excessive demands on staff time and resources with lengthy phone calls, emails to numerous staff or detailed letters whilst the complaint is subject to investigation in accordance with this policy.

- Submitting repeat complaints with minor additions/variations which the complainant insists make these 'new' complaints.
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- Refusing to accept the findings of the investigation into a complaint where Teaching Talent's complaint procedure has been properly implemented. This includes repeatedly arguing points without the provision of new or relevant evidence; and repeatedly appealing the complaint response without the provision of new or relevant evidence.
- Using the five different stages of the Complaints policy to escalate the complaint for the sole purpose of meeting more senior staff, and not specifically for the purpose of appealing unanswered or unresolved issues.
- Making unjustified complaints about staff who are trying to deal with the issues, and/or seeking to have them replaced.
- Harassing or bullying staff.
- Using threats to intimidate.
- Using abusive, offensive or discriminatory language or violence
- Publishing defamatory or negative information on social media or other public forums whilst the complaint is still being investigated.

Considerations prior to taking action

Prior to taking action under this policy, the Company Complaints Lead must conduct a thorough review of the complaint and be satisfied that:

- The complaint is being or has been investigated properly.
- Any decision reached on it, is the right one.
- Communications with the complainant have been adequate in accordance with the terms outlined within the Complaints Policy.
- The complainant is not now providing any significant new information that might affect the school's view on the complaint.

Designating a complaint as malicious and/or vexatious

The Company Complaints Lead will decide when a complaint is to be designated as 'malicious and/or vexatious'. They will base this decision on whether some, or all of the terms outlined within Defining malicious and/or vexatious complaints are met, and if the nature and/or frequency of the complainant's contacts is impeding Teaching Talent consideration of their or other people's complaints, or otherwise disproportionately impacting on the operational capacity of the school.

Action against malicious and/or vexatious complaints

On behalf of the Schools' Proprietor, the Company Complaints Lead will consider and approve the option for action to be taken for malicious and/or vexatious complaints. External advice will be sought as necessary.

Whenever possible, the Company Complaints Lead will discuss any concerns with the complainant informally before applying a 'malicious and/or vexatious' marking. During this discussion, the Company Complaints Lead will explain that the complainant behaviour is unreasonable and ask them to change it. If changes in the complainant behaviour are not immediately observed by the Company Complaints Lead, further action will be taken.

Any actions taken by Teaching Talent will be proportionate to the nature and frequency of the complainant's current contacts. The following options may be suitable, taking the complainant's behaviour and circumstances into account:

- Placing limits on the number and duration of contacts with staff per week or month.
- Offering a restricted time slot for necessary calls or written communications.
- Limiting the complainant to one medium of contact (telephone, letter, email etc.).
- Requiring the complainant to communicate only with one named member of staff.
- Requiring any personal contacts to take place in the presence of a witness and in a suitable location.
- Refusing to register and process further complaints about the same matter.

- Declining to further investigate complaints that Teaching Talent consider resolved unless relevant new information is provided that indicates that grounds for escalation have been met.
- Teaching Talent reserves the right to seek full legal redress where it feels that defamatory or inappropriate or biased information is placed into the public arena. The level of this legal response will be commensurate with the level of the attempts to reputationally damage the social enterprise.

The Schools' Proprietor will consider and agree the option/s proposed prior to any action being taken; if relevant, an appropriate time limit on any restrictions will also be agreed.

Managing complainant communication

Having designated a complaint as malicious and/or vexatious and decided on appropriate option/s for action (e.g. restricted access), the Company Complaints Lead will send the complainant a formal letter, which will include a copy of the policy and will explain:

- That this represents the full and final decision in respect of the raised complaint.
- Why the decision has been taken.
- What it means for their contact with the school.
- How long any restrictions will last.

In order to ensure ongoing complaint contacts are managed, the Company Complaints Lead may also decide to adopt one or more of the following approaches:

- Setting up a strategy meeting to agree a school-wide approach.
- Informing all relevant staff that contact with a named complaint is being restricted.
- Appointing a key officer to coordinate the schools response(s).
- Contacted the LA Commission senior management and /or their LADO or the regulatory body in respect of malicious and vexatious complaints.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing.

Where a full and final decision on the complaint has been reached and communicated, the complainant will be told that future correspondence will be read and placed on file but not acknowledged unless it contains new information. A designated member of staff will be identified who will read future correspondence to pick up any significant new information.

Recording feedback and learning from complaints will be managed in accordance with Teaching Talent Complaints, Concerns and Compliments Policy.

Compliments

Positive feedback in the form of comments and compliments are appreciated by Teaching Talent. The school will collect such information and display these as appropriate. NOS use compliments to self-evaluate our work and help up understand how our existing systems, processes or practices are received by stakeholders.

Compliments can be shared verbally with any member of staff, or in writing via email or using the Appendix B: Teaching Talent Compliments Form. Positive comments received via parent/carer questionnaires, pupil questionnaires, during annual reviews or other meetings are also welcomed.

In addition, parents and carers are also invited to access Parent View, for Teaching Talent via the Ofsted website.

Complaints Policy – Guidance and Sources

From September 2003, Section 29 of the Education Act 2002, it is stated that schools must have in place a procedure to deal with complaints.

This policy has been developed after consulting:

- The Education (Independent School Standards) (England) Regulations 2003 Standard 7
- Best Practice Guidance for School Complaints Procedures 2020
- School complaints procedures: guidance for maintained schools

This policy should be read in conjunction with the following Teaching Talent policies:

- Teaching Talent Safeguarding Policy
- Teaching Talent Supporting Positive Relationships – Behaviour Policy
- Teaching Talent E-Safety/Acceptable Use/ICT Policy
- Teaching Talent Whistleblowing Policy
- Teaching Talent GDPR Policy.

Appendix A: Teaching Talent Complaints form

	Complaint Reference Number [FOR OFFICE USE ONLY]
Date	
Full Name	
Email address	
Address	
Please write the details of your complaint You can attach further sheets if required	

Where to send your form:

Teaching Talent
Beacon House, 1st Floor 26-28 Worple Road Wimbledon SW19 4EE Tel: 020 8545 4957 Email: NOSComplaints@TCES.org.uk
Company Complaints Lead
Beacon House, 3rd Floor 26-28 Worple Road Wimbledon SW19 4EE Tel: 020 8543 7878 Email: complaints@tces.org.uk

Appendix B: Teaching Talent Compliments form

	Compliment Reference Number [FOR OFFICE USE ONLY]
Date	
Full Name	
Email address	
Address	
Please write the details of your compliment Where relevant, please name individual staff You can attach further sheets if required	