Avenue

CENTRE FOR EDUCATION

Complaint's procedure 2026 - 2029

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1. Introduction and Principles

The Management Committee and Headteacher are committed to providing the highest standard of education and care for all pupils at the Avenue Centre for Education (ACE).

We recognise that, despite our best efforts, concerns or complaints may arise. We welcome these as an opportunity to:

- listen and respond
- resolve concerns quickly and fairly
- strengthen relationships with families and the community
- improve our provision

We are committed to ensuring complaints are handled:

- **promptly and respectfully**
- **fairly and impartially**
- **with transparency and openness**
- **in a non-adversarial manner**
- **all complaints are handled confidentially**

This policy is based on the Department for Education's statutory guidance: School Complaints Procedures. As such, the use of AI to generate complaints is discouraged due to the risks of relying on inaccurate legislation and data.

2. Our Approach to Complaints (Relational Practice)

ACE adopts a **relational approach** to complaints. This means we aim to:

- resolve issues at the earliest possible stage
- listen actively and acknowledge concerns and emotions
- communicate clearly and respectfully
- avoid unnecessary escalation
- work collaboratively towards resolution

We understand that concerns often arise from anxiety about a child's wellbeing or education. We will treat all complainants with courtesy and sensitivity.

We also expect that all parties will:

- communicate respectfully
- avoid abusive, aggressive or threatening behaviour
- avoid publishing complaints or details of ongoing complaints procedures on all forms of social media
- allow staff the opportunity to investigate concerns fully

If a complainant makes details of a complaint public, including via the use of social media, whilst the process is still ongoing, ACE reserves the right to pause the internal investigation until the material has been removed, as this may prejudice a fair investigation.

3. Who Can Make a Complaint

This procedure is open to:

- parents and carers
- pupils
- members of the public
- any individual or organisation

Complaints may be made about any aspect of ACE's provision, unless covered by separate statutory procedures.

4. Definitions:

The difference between a concern and a complaint is:

- **Feedback** may take the form of an observation, suggestion or positive comment about any aspect of ACE which helps ACE to review and improve its practice. Feedback is welcomed as part of our partnership with parents and other bodies, helps us improve our practice and does not require a formal investigation or resolution.
- A **concern** may be defined as 'an expression or 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'.

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 complaint's procedure. As such, ACE welcomes feedback

ACE 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 Complaints Officer at businessmanager@avenuecentre.co.uk 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, ACE will attempt to resolve the issue internally, through the stages outlined within this complaint's procedures.

5. Accessibility and Support

ACE is committed to ensuring this procedure is accessible to all.

We will:

- provide information in alternative formats upon request
- offer translation or interpretation support
- support individuals with SEND or additional needs
- assist with completing complaint forms if required

This policy is available on our website and in hard copy on request.

6. Scope of the Policy

This policy covers complaints about:

- education provision
- school processes
- staff conduct (non-disciplinary outcomes only)
- facilities and services

It does **not** cover matters subject to separate statutory procedures, including:

- admissions

- exclusions
- safeguarding/child protection
- staff grievances
- whistleblowing
- SEND tribunal matters

Complainants will be directed to the appropriate process where necessary.

7. Time Limits

Complaints should be raised:

- within **3 months** of the incident
- or within **3 months of the last incident** in a series

Complaints outside this timeframe may be considered in exceptional circumstances.

ACE will consider complaints received out of term time to have been received on the first working day after the holiday period.

8. Anonymous Complaints

ACE will not normally investigate anonymous complaints.
However, the Headteacher or Chair may determine whether investigation is appropriate.

9. Expectations of Behaviour

We are committed to respectful communication. We will not tolerate:

- abusive or threatening language
- harassment or intimidation
- persistent or vexatious contact
- publication of complaints on social media during investigation

Where behaviour is unreasonable, ACE may:

- limit communication
- require communication through a single point of contact
- refer to the Managing Serial and Unreasonable Complaints Policy

10. How to Raise a Concern or Complaint

General feedback and suggestions about the policies, processes and work of ACE are encouraged and can be shared informally with any member of staff, in person, by phone or by email and helps ACE to continuously monitor our performance and consider further improvements. These do not require a formal written response from ACE and the timescales mentioned within this policy would not apply.

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.

Complainants should not approach individual Members (Governors) 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 4 of the complaint procedures.

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher at head@avenuecentre.co.uk or in writing to Headteacher, Avenue Centre for Education, Cutenhoe Road, Luton, LU1 3NJ. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed directly to the Chair of Management Committee at chair@avenuecentre.co.uk or in writing to Chair of Management Committee, Avenue Centre for Education, Cutenhoe Road, Luton, LU1 3NJ. Please mark them as Private and Confidential.

Complaints about the Chair of Management Committee, any individual Member (Governor) or the whole Management Committee should be addressed under the Managing Complaints Against Members Policy at https://avenuecentre.co.uk/managing-complaints-against members-policy/

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact ACE at telephone number 01582 359370. 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.

11. Complaints Procedure

Stage 0: Informal feedback to ACE

ACE welcomes feedback at any time, in person, by phone or by email, to any member of ACE staff. Feedback is valued as it allows ACE to continuously self-monitor, self-assess and improve over time. Feedback to ACE is an informal process and sits outside the formal Complaint Policy and Timescales but is recommend as an initial starting point in the majority of cases.

Stage 1: ACE based Informal Resolution

Many enquiries and concerns expressed by Parents/Carers and others about the Pupil Referral Unit can be dealt with satisfactory by a class teacher, Headteacher of Department or other more senior members of staff without the need to resort to the formal complaint's procedures. We value informal meetings and discussions, and encourage Parents/Carers to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

If any concerns raised are not resolved after discussions with the complainant, the staff member has a duty to inform the Headteacher. Parents/Carers should be encouraged to settle the matter with the Headteacher or designated member of staff. The majority of straightforward complaints and problems are likely to be resolved at this point.

Outcomes: A written response will be given which outlines

- the decision made
- an explanation of the reasons behind this decision
- the actions that are to be taken
- next steps that are open to the complainant.

Timescale: It is reasonable that Parents/Carers seeking to resolve matters of concern to them should receive a response within 5 - 10 school days of making initial contact, unless there is a good reason not

to do so. The response should offer the complainant a full explanation or set out the steps that are proposed to resolve the complaint.

Stage 2: Formal Complaint (Investigation)

If the complainant is dissatisfied with ACE's initial response, the person concerned may then submit a formal complaint to the Headteacher.

This must be done in writing, making it clear that it is a formal complaint and specifying its nature as exactly as possible and details of how the matter has been dealt with so far, attaching any documents the complainant wishes to rely on. The complainant should also include a clear statement of how he or she would like to resolve the complaint.

If the Headteacher undertakes the investigation at Stage 2, they will be exempt from sitting on any Complaints Committee convened to hear a complaint escalated to Stage 3. The outcome at this stage may be:

- The decision reached and the reason for it.
- Any action taken or proposed including the details of any request made to those complained against.
- What actions will be taken to resolve the complaint.
- The next steps that can be taken if the complainant is still dissatisfied

In such instances where the complaint falls outside the scope of the Complaints Policy, the decision of the Headteacher is final. If the complaint is about the Headteacher and outside the scope of the Complaints Policy, then the decision of the Chair of the Management Committee is final.

Timescale: A written acknowledgement of the complaint should be received by the complainant within 3 school days and a response within 15 - 20 school days from receipt of the complaint.

Stage 3: Complaints Panel (Final Stage)

if the complainant is dissatisfied with the outcome of the Stage Two response, then they should put this is writing to the Governance Clerk at clerk@avenuecentre.co.uk within 10 school days of receiving any decision at Stage Two.

The referral should include all documentation the complainant wishes to rely on. The complainant should set out the reason(s) why they believe the action or actions taken by ACE in relation to the complaint during the first two stages of the Complaints Policy are insufficient.

The governance Complaints Panel will meet within 10 school days of the complaint being received by the Governance Clerk.

A governance Complaints Panel of at least three members, who have had no prior involvement and consisting of at least one independent member who is not a member of staff or a member of the management committee and is independent of the day-to-day management of ACE. All panel members must have no conflict of interest in relation to the matter they are considering. This panel, acting with delegated powers would convene to hear the complaint at a meeting attended by the complainant, the Headteacher and witnesses.

Written evidence is submitted in advance to all parties and verbal evidence given at the hearing. Complainants have the right to be accompanied by a friend / advocate / translator

The outcome will be one of the following:

- Dismiss the complaint in whole or in part;

- Uphold the complaint in whole or in part;

A written response will be given which outlines

- the decision made
- an explanation of the reasons behind this decision
- the actions that are to be taken
- next steps that are open to the complainant.

If the complaint is about the Headteacher, it should be referred to the Chair of the Management Committee under Stage Three.

Timescale:

A written acknowledgement of the complaint should be received by the complainant within 3 school days and a response within 15-20 school days from receipt of the complaint.

The Chair of the Management Committee will consider complaints against the Headteacher as quickly as possible.

If in their view, the complaint falls outside the scope of the Complaints Policy, the Chair will advise the complainant of any other recourse they may have.

If it is clear that the investigation of the relevant complaint is complex and will take some time, the Chair will notify the complainant of this fact and of progress during consideration of the complaint.

12. Escalation beyond the School

Following the governance Complaints Panel review of the complaint at Stage Three, it is open to the complainant to pursue their complaint with the Local Authority (LA). The governance Complaints Panel will give full consideration to any recommendations or directions the LA may make. The complainant will be advised of this course of action should they remain dissatisfied with a decision made by the governance Complaints Panel.

If the complainant believes the school and the Local Authority 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, then as the next formal stage, they can contact the Department for Education directly.

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

13. Resolving Complaints

At each stage in the procedure, ACE wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part and keep a record of these decisions and the lessons learnt and actions to be taken as a result. 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.

14. Withdrawal of Complaint

Complaints may be withdrawn at any stage.
This should be confirmed in writing.

15. Learning from Complaints

ACE is committed to continuous improvement.

The Management Committee will:

- receive regular anonymised reports on complaints
- monitor the trends, frequency and themes of any complaints
- ensure appropriate actions are taken
- be aware to and act upon any safeguarding implications from this complaints or the trends they indicate.

This supports accountability and service improvement.

16. Record Keeping

ACE will:

- keep accurate records of complaints including
    - if the complaint was upheld or dismissed
    - the stage at which the complaint was resolved
    - what actions were to be taken at the resolution
- store information securely
- comply with data protection legislation

Appendix A – Stage 2: Formal Complaint Form

Please complete and return to the Headteacher at head@avenuecentre.co.uk who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Day time telephone number:** **Evening telephone number:**
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Date:

Appendix B – Stage 2: Formal Complaint Procedures Checklist

TASK	Comments	RAG Rating
Enter date stage 2 formal complaint received	Date:	
Headteacher or Chair of Management Committee to acknowledge receipt of the complaint to the complainant within ***3 working days.*** **Notes:** Within this response, the Headteacher/Chair will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher/ Chair can consider whether a face to face meeting is the most appropriate way of doing this.	Date:	
Enter final date to inform complainant of the outcomes of the formal complaint. ***Maximum 15 – 20 working days.***	Date:	
Enter date investigation commenced. Note: The headteacher may delegate the investigation to another member of ACE's Senior Leadership Team 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.	Date:	
Enter date investigation concluded and the Headteacher/Chair updated.	Date:	
Enter the date the Headteacher/Chair provided a formal written response, within ***15 – 20 working days*** of the date of receipt of the complaint. **Note:** 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 ACE will take to resolve the complaint. The Headteacher/Chair will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome	Date:	
If the Headteacher/Chair is unable to meet the deadline to issue a formal written response to the claimant, they will provide the complainant with an update. Enter date of update to claimant.	Date:	

Appendix C – Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- Explain the complaint in full as early as possible.
- Co-operate with the Pupil Referral Unit in seeking a solution to the complaint.
- Respond promptly to requests for information or meetings or in agreeing the details of the complaint.
- Ask for assistance as needed.
- Treat all those involved in the complaint with respect.
- Refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:
    - Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved.
    - Interviewing staff and children/young people and other people relevant to the complaint.
    - Consideration of records and other relevant information.
    - Analysing information.
- Liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- Conduct interviews with an open mind and be prepared to persist in the questioning.
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.
- Ensure that any papers produced during the investigation are kept securely pending any appeal.
- Be mindful of the timescales to respond.
- Prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or Complaints Committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

(This could be the Headteacher / Designated Complaints Governor or other staff member providing administrative support)

The complaints co-ordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure.
- Liaise with staff members, Headteacher, Chair of Management Committee, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure.
- Be aware of issues regarding:
    - Sharing third party information.
    - Additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person.
- Keep records.

Governance Clerk

The Governance Clerk is the contact point for the complainant and the Committee and should:

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

Complaints Committee Chair

The Committee's Chair, who is nominated in advance of the complaint meeting, should ensure that:

- Both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting.
- The meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy.
- Complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person.
- The remit of the committee is explained to the complainant.
- Written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

  If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting.
- Both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself.
- The issues are addressed.
- Key findings of fact are made.
- The committee is open-minded and acts independently.
- No member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- The meeting is minuted.
- They liaise with the Clerk (and complaints co-ordinator, if the school has one).

Complaints Committee Member

Committee Members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so no governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.

- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting.
- Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting.
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The committee should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests. The welfare of the child/young person is paramount.

Appendix D – Stage 3: Governance Complaints Panel Checklist
(Final Stage of the Complaints Procedure)

TASK	Comments	RAG Rating
Governance Clerk to enter date stage 3 formal complaint received.	Date:	
Was the stage 3 formal complaint received within ***10 working days*** of the stage 2 formal complaint response letter? **Note:** Requests received outside of this time frame will only be considered if exceptional circumstances apply.	Yes / No	
Governance Clerk to acknowledge receipt of the stage 3 formal complaint to the complainant within ***3 working days.***	Date:	
Governance Clerk to put together a governance Complaints Panel consisting of a minimum of 3, impartial, Members who are available. The Members should have no prior knowledge of the complaint. **Note:** If there are fewer than three governors from ACE available, the Governance Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.	Member 1: Member 2: Member 3:	
Governance Clerk to liaise with Members to arrange a convenient date, time and venue for the governance Complaints Panel to meet. **Note:** The meeting must take place within ***10 working days*** from the date the Governance Clerk received the stage 3 formal complaint.	Date of Complaints Panel Meeting date, time and venue:	
Governance Clerk to write to the complainant to inform them of the date, time and venue of the meeting within ***5 working days*** from the date the Governance Clerk received the stage 3 formal complaint and request copies of any further written material to be submitted to the committee. **Note:** If the complainant rejects the offer of three proposed dates, without good reason, the Governance 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.	Date Complainant Notified:	

TASK	Comments	RAG Rating
Governance Clerk to circulated any written materials to all parties at least ***3 working days*** before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. **Note:** The committee will also 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.	Date:	
Complainant to inform the Governance Clerk if they are bringing 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 committee meeting. However, there may be occasions when legal representation is appropriate.	Name of Complainant's Support:	
Prior to the meeting, the Members will elect a Chair of the governance Complaints Panel.	Chair:	
Governance Clerk to email governance Complaints Panel Terms of Reference, Complaints Policy and Procedures to the Members.	Date:	
The governance Complaints Panel will consider the complaint and all the evidence presented. The committee can: • uphold the complaint in whole or in part • dismiss the complaint in whole or in part.	Decision:	
If the complaint is upheld in whole or in part, the governance Complaints 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.	Decision:	
The Chair of the Complaints Panel will provide the complainant and ACE with a full explanation of their decision and the reason(s) for it, in writing, within 5 working days of the Complaints Panel meeting. **Note:** The letter to the complainant will include details of how to contact the LA if they are dissatisfied with the way their complaint has been handled by ACE.	Date:	