



## ALTERNATIVE PROVISION

# Concerns and Complaints Policy

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Approved by: [RAISE-AP Educational Directors](#)

Approval Signatures

*RAISE-AP  
Directors*

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## Introduction

This policy is addressed to all members of [RAISE AP](#) staff and, on request, to parents.

This policy can be made available in large print or other more accessible format, if required. If you require assistance with making a complaint, for example because of a disability, please contact [RAISE AP](#) who will be happy to make appropriate arrangements.

The policy has been approved by [RAISE AP](#) educational directors. It provides guidelines for handling concerns and complaints. It takes account of paragraph 25 of schedule 1 to the Education (Independent School Standards) (England) Regulations 2010 (SI 2010/1997). The policy takes account of the public sector equality duty set out in section 149 of the Equality Act 2010.

The policy applies to all sections of [RAISE AP](#). The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case. Certain of the procedures can only be carried out during term time.

Separate procedures apply in the event of a child protection issue, or in relation to admissions or exclusions.

It includes a current parent or legal guardian or education guardian, and may at our discretion include a parent whose child has recently left [RAISE AP](#).

This policy describes a four stage procedure:

- Stage 1: informal raising of a concern or difficulty notified orally or in writing to a member of staff
- Stage 2: a formal complaint in writing to the Head of Provision
- Stage 3: a renewed complaint in writing to the [RAISE AP](#) educational directors
- Stage 4: a reference to the Complaints Panel

[RAISE AP](#) aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to Working Days, we mean Monday to Friday, when [RAISE AP](#) is open during term time. The dates of terms are published on the provision's website.

A concern about the safety of your child should be notified immediately to the person you believe is best placed to take urgent action and should be confirmed in writing to the Head of

Provision.

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## Aims

The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and pupils' confidence in our ability to safeguard and promote welfare.

We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to relationships and also to our culture. Parents and pupils should never feel (or be made to feel) that a complaint will be taken amiss or will adversely affect a pupil or his / her opportunities at this provision. The policy, however, distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation.

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## Management of Complaints

The Head of Provision has appointed a senior member of staff (Complaints Co-ordinator) to be responsible for the co-ordination and administration of the Complaints Procedure. If the Complaints Co-ordinator is unavailable or is the subject of the complaint, his / her duties will be carried out by the Head of Provision or one of the **RAISE AP** education directors. The main responsibilities of the Complaints Co-ordinator are to:

- be the first point of contact while the matter remains unresolved and keep records
- co-ordinate the complaints procedures across the provision
- arrange assistance for parents who require this, for example, because of a disability
- maintain an on-going training programme for all provision employees in relation to complaints
- monitor the keeping, confidentiality and storage of records in relation to complaints

- report regularly to the Head of Provision with respect to complaints.

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## **Stage I – Concerns and Difficulties**

We expect that most concerns, where a parent or pupil seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include a dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the provision’s systems or equipment. Complaints of discrimination, harassment or victimisation are taken very seriously and may need to be dealt with at Stage 2 without action at Stage 1.

If appropriate, please raise the concern initially with the specific teacher or member of staff. We will acknowledge a written notification by telephone, e-mail or letter within two Working Days of receipt during term time and as soon as practicable in the holidays. A matter raised orally will not necessarily be acknowledged in writing, but a note will be kept by the appropriate member of staff.

A concern which has not been resolved by informal means within fifteen Working Days should be notified in writing as a formal complaint which will be dealt with in accordance with Stage 2 below.

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## **Stage II – Formal Complaint**

An unresolved concern under Stage 1, or a complaint which needs investigation, or a dissatisfaction with some aspect of the provision’s policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and your full contact details to the Head of Provision and Complaints Co-ordinator.

There is a form at the end of this policy, in Appendix I, you may wish to use for this purpose. Your complaint will be acknowledged by telephone, e-mail or letter within two Working Days during term time, indicating the action that is underway and the likely time scale.

The Head of Provision may ask a senior member of staff to act as Investigator and / or may involve one or more **RAISE AP** education directors. The outcome of the investigation will be reported to the Head of Provision who will then notify you by telephone, e-mail or letter of his decision and the reasons for it. Written records will be kept of all meetings and interviews held in relation to your complaint.

The Head of Provision’s aim would be to inform any complainant of the outcome of an investigation and the resolution to the complaint within 28 Working Days from the receipt of the complaint. Please note that any complaint received within one month of

the end of term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel.

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## **Stage III – Reference to RAISE AP Education Directors**

If you are dissatisfied with the Head of Provision's decision under Stage 2, your complaint may be renewed in writing to the [RAISE AP](#) education directors.

should write to the [RAISE AP](#) education directors within five Working Days of receiving the Head of Provision's decision. Your letter to the [RAISE AP](#) education directors should give full details of your complaint and enclose all relevant documents and your full contact details. Your letter will normally be acknowledged by telephone, e-mail or letter within four Working Days during term time, indicating the action that is being taken and the likely time scale.

The [RAISE AP](#) education directors will arrange for your complaint to be investigated following procedures equivalent to those described in Stage 2 (above). When the [RAISE AP](#) education directors are satisfied that they have established all the material facts and relevant policies, so far as is practicable, they will notify you in writing of their decision and the reasons for it. They will aim to provide a response within ten Working Days of receiving your letter. If you are not satisfied with the [RAISE AP](#) education director's decision, you may ask for the complaint to be referred to the Complaints Panel, by writing to the [RAISE AP](#) education directors – [contact@raiseap.co.uk](mailto:contact@raiseap.co.uk).

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## **Stage IV – Reference to the Complaints Panel**

A Complaints Panel (Panel) Hearing (the Hearing) is a review of the decisions taken by the Head of Provision and [RAISE AP](#) education directors. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

The Panel's task is to establish the facts surrounding the complaints that have been made by considering:

- the documents provided by both parties and
- any representations made by you, the Head of Provision or the [RAISE AP](#) education directors

If, after establishing the facts, the Panel consider that the complaint is made out, they will uphold the complaint. If the Panel consider that the complaint is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities.

It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils, or parents. The Panel may make recommendations on these or any other issues to the Head of Provision or the [RAISE AP](#) education directors as appropriate.

We have constituted a Complaints Panel comprising school Governor members and independent members who are independent of the governance, management and running of the [RAISE AP](#).

To request a Hearing before the Complaints Panel please write to the [RAISE AP](#) education directors within five Working Days of the decision complained of. Your request will usually only be considered if you have completed the procedures at Stages 1 and 2 and, where appropriate, Stage 3. Please ensure that a copy of all relevant documents and your full contact details accompany your letter to the [RAISE AP](#) education directors. Please state in your letter the outcome that you desire and all the grounds of your complaint. Please also send the [RAISE AP](#) education directors a list of the documents which you believe to be in the school's possession and wish the Panel to see. [RAISE AP](#) education directors will acknowledge your request in writing within five Working Days. If you require assistance with your request, for example, because of a disability, please contact the [RAISE AP](#) education directors who will be happy to make appropriate arrangements.

[RAISE AP](#) education directors will convene the Complaints Panel as soon as reasonably practicable, but the Panel will not normally sit during half terms or school holidays. The Panel will consist normally of a minimum of three individuals who have no detailed prior knowledge of the circumstances of the complaint. One member of the Panel will be an independent member. You may ask the [RAISE AP](#) education directors to tell you who has been appointed to sit on the Panel.

Every effort will be made to enable the Panel Hearing to take place within ten Working Days of the receipt of your request. As soon as reasonably practical and in any event, at least five Working Days before the Hearing, the [RAISE AP](#) education directors will send you written notification of the date, time and place of the Hearing, together with brief details of the Panel members who will be present.

You will be invited to attend the Hearing and may be accompanied by one other person such as a relative, teacher, or friend. It is not necessary for that person to be legally qualified but if you do wish to be accompanied by a legally qualified person, acting in their professional capacity, please notify the [RAISE AP](#) education directors at least seven Working Days before the Hearing. Your child aged thirteen and above may attend part or all of the Hearing at the discretion of the Chair of the meeting (Hearing). Copies of additional documents you wish the Panel to consider should be sent to the [RAISE AP](#) education directors at least three clear Working Days prior to the Hearing.

The Hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.

All statements made at the Hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. A handwritten minute of the proceedings will be taken during the Hearing.

The Chair will conduct the Hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The Hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

All those attending the Hearing are expected to show courtesy, restraint and good manners or, after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. If terminated, the original decision will stand. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and his / her comment will be minuted.

The Chair may, at his / her discretion, adjourn the Hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

After due consideration of the matters discussed at the Hearing, the Panel shall reach a decision unless there is an agreed position. The Panel's decision, findings and any recommendations may be notified orally at the Hearing or subsequently and shall be confirmed in writing to you by electronic mail where appropriate within seven Working Days. If you do not wish to receive the decision by electronic mail, a copy will be given or posted to you. The decisions, findings and any recommendations will be available for inspection on the [RAISE AP](#) premises by the [RAISE AP](#) education directors and Head of Provision. Reasons for the decision will be given. The decision may include recommendations and will be sent to you, the [RAISE AP](#) education directors, the Head of Provision and, where relevant, any person about whom the complaint has been made.

A Hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

A written record will be kept of all complaints. The number of complaints registered under the formal procedure during the preceding academic year is kept on file.

Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by paragraph 25(k) of schedule 1 to the Education (Independent School Standards) (England) Regulations (SI 2010/1997), that is where access is requested by the Secretary of State or where disclosure is required in the course of the provision's inspection or under other legal authority. In accordance with data protection principles, details of individual complaints will normally be

destroyed following each inspection. In exceptional circumstances, some details will be retained for a further period as necessary.

If you believe **RAISE AP** did not handle your complaint in accordance with the published complaints procedure or that they acted unlawfully or unreasonably in the exercise of their duties under education law, you can contact the Department for Education if you have exhausted the stages in this policy.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made. They will consider whether the provision 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](http://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.

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## Managing Serial or Unreasonable Complaints

**RAISE AP** is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. The provision is extremely committed to promoting positive relationships with all members of the school community regardless of age, gender, culture, faith, viewpoint or ability and we actively welcome the opportunity to resolve issues that arise.

There are rare occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns and complaints. We cannot expect our staff to tolerate unacceptable behaviour and will take appropriate action to protect staff from that behaviour, including any that is abusive, offensive or threatening.

**RAISE AP** defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the provision, or which hinders the day to day running of the provision, or which impacts on the wellbeing of colleagues or young people in our community.

Unreasonable conduct within a complaint may include, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure

- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces irrelevant or anecdotal information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the provision's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate or uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable, defamatory or confidential information on social media or other public forums.

Complainants should try to limit their communication with the provision 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 a timely manner for all parties.

If it is felt there is 'unreasonable' conduct within a complaint, whenever possible, the Head of Provision or [RAISE AP](#) education directors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Head of Provision will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact [RAISE AP](#), the Head of Provision or other member of staff, causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression, violence or verbal abuse, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from [RAISE AP](#).

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## Raise Values

Our [RAISE-AP values](#) (Resolve, Attitude, Invest, Social Skills and Education) are key in everything we do, specifically with attitudes (modelling and expectations), invest (tailoring setup for our young people) social skills (becoming part of a community) which are linked to our Accessibility policy.

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## Appendix I

Please complete and return to [the Complaints Co-ordinator and Head of Provision](#). Hand this document into the school for her attention or attach it to an email to [contact@raiseap.co.uk](mailto:contact@raiseap.co.uk).

They will acknowledge receipt and pass it to the Headteacher.

Your name:
Pupil name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Contact Number:
Contact Email:
Please give details of your complaint, including whether you have spoken to anybody at the provision about it previously and your understanding of what has been attempted to date: