



KINGSDALE FOUNDATION SCHOOL

CONCERNS & COMPLAINTS

POLICY

1. Introduction

At Kingsdale Foundation School we work hard to improve the services we provide and your comments help to shape the service you receive, whether matters are dealt with formally or informally.

We aim to provide the highest quality services so are pleased to hear your suggestions on how we can improve.

There may also be times when the service you receive does not meet your expectations or indeed our own. Although staff can usually sort out most problems straight away, without you having to make a formal complaint, if you do want to complain, we have tried to make it as easy and fair to all sides as possible.

This Concerns & Complaints procedure is limited to parents or carers of children that are registered at the school.

Nevertheless, any person, including members of the public, may raise a concern or make a complaint to us about any provision of facilities or services that we provide. We will handle complaints from people who are not parents or carers of children at the school respectfully and expediently. However, we are not obliged to follow this Concerns & Complaints procedure.

We ensure that any third-party supplier has its own complaints procedures in place if they are using our premises or facilities to offer community facilities or other services. In the event of a complaint about third party provision (i.e. a party that hires our facilities for private use) their own complaints procedure must be used, and advice will be provided as to how this can be done.

This Policy explains how you can raise a concern or make a complaint about our services.

1.1 The Difference Between a Concern and a Complaint

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

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

It is in everyone's interest that concerns and complaints are addressed or resolved at the

earliest possible stage and at the lowest possible level. Most concerns can be resolved, without the need to use our Concerns & Complaints procedure. Kingsdale Foundation School takes concerns seriously and will make every effort to address the matter as quickly as possible, including by providing reassurance to the person/s raising the concern.

If you have difficulty discussing a concern or a complaint with a particular member of staff, we will respect your views. In these cases, the Headteacher, or appropriate person may refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern or a complaint, the Headteacher or appropriate person may refer you to another staff member; the member of staff may be more senior but does not have to be. The ability to secure the confidence of the person raising the issue and to consider the concern or complaint objectively and impartially are of primary importance.

However, we understand that there are occasions when individuals would like to raise a complaint more formally. In this case, Kingsdale Foundation School will attempt to resolve the issue internally, through the stages outlined within this Concerns & Complaints procedure.

1.2 How to Raise a Concern or a Complaint

A concern or a complaint can be received by any member of staff in the school. A concern or complaint can be made in person, in writing or by telephone. Specific conditions apply to complaints about the Headteacher, Chair of Governors and other trustees/governors as outlined in this policy.

Concerns or complaints can also be raised by a third party acting on behalf of a dissatisfied stakeholder or *complainant, as long as they have appropriate consent to do so.

Dissatisfied persons or complainants should not approach individual governors to raise concerns or complaints. Governors have no power to act on an individual basis and it may also prevent them from considering complaints at a later stage of the Concerns & Complaints procedure.

Complaints against or concerns raised about school staff (except formally against the Headteacher) should be made in the first instance, to the Headteacher, via the school office. Please mark them as Private and Confidential. Informal concerns can be raised with any appropriate manager at a more senior level or indeed the member of staff directly. Complainants can also use our dedicated email address [complaints orconcerns@kingsdale.southwark.sch.uk](mailto:complaints.orconcerns@kingsdale.southwark.sch.uk) to register their concern or complaint.

Formal complaints that involve or are about the Headteacher must be addressed to Mrs A. McGregor (Chair of Governors), and delivered in person/by post via the School Office. This is to ensure confidence in the preservation of confidentiality. Such correspondence must be marked as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body must be addressed to the independent Governing Body HR Advisor, and delivered in person/by post via the School Office. This is to ensure confidence in the preservation of confidentiality. Such correspondence must be marked as Private and Confidential.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this Concerns & Complaints procedure. For instance, providing information in alternative formats.

If the Academy Trust or the school believe it is the focus of a complaints campaign and receive numerous or large volumes of complaints all based on the same subject from complainants who are not parents or carers of children that are registered at the school or who are unconnected to the school we reserve the right to:

- Send a template response to all complainants
- Publish a single response on the school's website

Unless complaints are dealt with under separate statutory procedures such as for employees, appeals relating to exclusions or admissions (please see Section 1.4 below), we will use this Concerns & Complaints Policy.

1.3 Anonymous Concerns and Complaints

We will not normally investigate anonymous concerns or complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether such a concern or complaint warrants an investigation. However, no feedback will be provided anonymously.

Scope of the Concerns and Complaints Procedure

This procedure covers all concerns or complaints about any provision of community facilities or services by Kingsdale Foundation School, other than concerns or complaints that are dealt with under other statutory procedures, including those as outlined in Appendix 1.

Some types of concerns or complaints are outside of the scope of this policy and must be dealt with through other prescribed procedures. These will include but are not limited to concerns or complaints about:

- Admissions to the school (to be dealt with by, for example, the school's Admissions Officer, an independent appeal Panel, In-Year Fair Access Panel or SEND Tribunal)
- External Examinations (JCQ Complaints Procedure) or school Examination Officer
- Criminal Investigations (Police)
- Judicial or administrative proceedings such as Civil action/Employment Tribunals (Courts/Tribunals)
- Exclusions (Exclusion Disciplinary Panel)
- Safeguarding/Child Protection (e.g. Safeguarding Officer, Local Authority Designated Officer [LADO], Police)
- Whistleblowing (Concerns to be addressed via the school's Whistleblowing policy)

If other bodies are investigating aspects of a complaint, for example the Police, Local Authority (LA) Safeguarding Officers, Ofsted, Department for Education (DfE) or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. In some circumstances such independent investigations will supersede our own procedures and may render them redundant; in such instances the overlapping aspect of the complaint will be deemed to be or to have moved outside of the scope of this procedure (subject to there being an appeals process in accordance with ACAS guidelines) and the third-party procedure will replace our own i.e. any aspect of the complaint considered under legitimate third-party procedures may be determined to be the final stage of this Concerns &

Complaints procedure. *The complainant (the person making the complaint or raising a concern) will or may not be permitted to revive, continue or revert to this procedure after opting to pursue their complaint through a legitimate third-party process such as the Department for Education (DfE)' complaints procedure.

If a complainant commences legal action against or makes use of, intends to make use of or threatens to make use of legal representation in correspondence with Kingsdale Foundation School in relation to their complaint, we will have the right to consider whether to suspend our concerns and complaints procedure, in that regard, until those legal proceedings or representations have been concluded, withdrawn or set aside.

The Concerns & Complaints procedure must also not be used for the following matters:

- In normal circumstances this Concerns & Complaints procedure must not be applied prior to the completion of another defined course of action such as an investigation e.g. a complaint about the manner in which an investigation is conducted should be dealt with as part of that investigatory process.
- The Concerns & Complaints procedure must not be instigated to attempt to access confidential investigatory material during the course of an investigation.
- It is normally not permissible or desirable to allow two separate procedures to run concurrently over-related matters which may prejudice each other i.e. for the complainee to attempt to resort to the use of the Concerns & Complaints Policy to complain about a complainant during due process.

It is at the Headteacher's or the Governing Body's discretion to decide under which school's procedure an issue should be properly dealt with. The Headteacher's decision as to whether or not the Concerns & Complaints Policy is applicable is final. However, the Headteacher has the authority to grant a right of representation over such decisions to the Chair of Governors as s/he sees fit.

The submission of a concern or complaint about the application of the Concerns & Complaints Policy will not suspend the operation of the Concerns & Complaints procedure or prejudice the Headteacher/Governing Body's right to continue to use the procedure but should be raised by the complainant during and as part of the complaints process itself. The Headteacher or the Governing Body has the right to interpret any aspect of the Concerns & Complaints Policy in a manner which could be considered by an impartial third party to be reasonable, objective or rational. There is no right of appeal over such determinations.

There is no requirement for agreed minutes. To prevent any later challenge or disagreement over what was said or determined, adequate summary notes of meetings and telephone calls should be taken at the informal stage and must be taken at a formal stage of the procedure.

1.4 Timing

A complaint must normally be submitted no later than 30 working days after the act or omission complained of, or no later than 30 working days after the last act or omission in a series of timely linked events, unless there is a just and equitable reason for the delay as determined by the Headteacher.

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

It shall be at the discretion of the Headteacher/Chair of Governors to determine whether or

not a complaint submitted outside of this time scale shall be considered under this procedure. The longer the delay in submitting a complaint, in accordance with this paragraph, the more likely it will be that it will be deemed ineligible to be considered under this Concerns & Complaints Policy or at all. When reaching a decision in this regard, the school will undertake this in line with the principles of administrative law and the seven principles of public life (please refer to Appendix 2).

In the interests of conflict resolution and the child, the school reserves the right to consider 'out of time' complaints informally or on an ad hoc basis using part of this, any other prescribed procedure or otherwise, at the sole discretion of the Headteacher/Chair of Governors. In such circumstances the complainant has no automatic right or no right at all to escalate to the next stage of the Concerns & Complaints Policy i.e. no right to be given the opportunity to use the prescribed stages of this complaints procedure in full.

1.5 Resolving Concerns and Complaints

At each stage of the procedure, Kingsdale Foundation School wishes to resolve the concern or complaint. If appropriate, we will acknowledge that the concern or complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that we will try to ensure the event complained of will not recur.
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made.
- An undertaking to review school policies in light of the concern or complaint.
- An apology.

Where a complaint is upheld in full and the school acknowledges and concedes all of the preceding resolution options including the outcome being sought by the complainant, then the complaint will be deemed vexatious if the complainant subsequently still chooses to escalate the complaint to the next stage where no further material outcomes are possible or are being sought i.e. the complaint is only being escalated because there is a right to do so.

1.6 Withdrawal of a Complaint

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

1.7 Record Keeping

A written record of complaints received, the progress of a complaint and any outcome of a complaint, will be maintained by Kingsdale Foundation School, as well as a record of any action taken, regardless of whether or not a complaint is upheld.

Correspondence, statements and records relating to individual complaints will be kept confidential except where required by the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Education & Skills Act.

2. MAKING A COMPLAINT

THE INFORMAL STAGE

- 2.1** A concern or a complaint can be received by any member of staff from the school and can be oral or written subject to the exemptions in clause 1.2. It is recognised that many concerns or complaints may be resolved by informal discussion without recourse to any formal procedure and that such discussion forms an important part of dispute resolution. It is our expectation that reasonable attempts are made by the complainant to seek resolution at the lowest possible level. This part of the process is called the Informal Stage.

During the Informal Stage it is expected that the *complainant (the person making the complaint or raising a concern) and the complainee (the person complained about or the subject of the complaint) will attempt to resolve the issues directly, if appropriate, or via mediation through a mutually agreeable third party. The aim at this stage is to reach resolution in the most amicable fashion and to avoid exacerbating the issue whilst minimising any administrative burden on all sides.

- 2.2** The person responsible for managing the informal complaints process, or their nominated representative, is expected to provide a written or oral acknowledgement to the complainant within 5 working days of receiving the informal complaint. The acknowledgement may contain a brief explanation of Kingsdale's Concerns & Complaints Policy and give a target date for dealing with the complaint respectfully and expediently.
- 2.3** Written notes and communications are not required at this stage but are not prohibited and where this occurs may be referred to at a later stage but only if both sides agree to allow this. A minimum of 10 working days from receipt of a concern or a complaint should be allowed to resolve any concern or complaint at the informal stage unless all concerned parties agree to reduce or extend this timescale. **Please be advised that 'hearsay evidence' may be considered at the informal stage by mutual agreement of all concerned parties i.e. the complainant, mediator and the complainee.*

**Hearsay evidence is the evidence of those who relate, not what they know or have seen or heard themselves, but what they have heard from others.*

- 2.4** An informal complaint cannot be revived or escalated more than 10 working days after non-response from a complainant, an outcome meeting, communication or letter of (proposed or provisional) resolution if a further concern or objection has not been raised, unless there is a just and equitable reason for the delay as determined by the Headteacher/Chair of Governors.
- 2.5** If the concern or complaint cannot be resolved immediately or at the Informal Stage then it may be necessary to proceed to Stage 1 of this policy. The complainant must write using the Stage 1 Section of the KFS Complaints Pro (subject to the provisions of the Equality Act) to confirm that they do not believe their complaint can be resolved at the Informal Stage and wish to progress matters to Stage 1 of the Concerns & Complaints Policy. If a complainant wishes to raise a formal complaint, we will not insist on seeking an informal resolution first.
- 2.6** Information about, evidence related to or the details of a complaint should only be shared with staff and third parties on a 'need to know basis'. This is to protect the probity of any potential future enquiry and the rights and reputations of all persons concerned.

- 2.7 All complainants are entitled to progress their complaint through each Stage up to Stage 3 (final Stage) where a resolution has not been agreed, subject to following the prescribed procedures to do so specified within this policy.

3. DEALING WITH STAGE 1 COMPLAINTS

- 3.1 The Stage 1 Section of the KFS Complaints Pro Forma (Appendix 3) must be completed subject to the provisions of the Equality Act. Assistance will be provided on request to do so.
- 3.2 It is good practice for the Headteacher to be made aware of any complaint that cannot be resolved at the Informal Stage. Any oral complaint should be summarised in writing on the attached Stage 1 KFS Complaints Pro Forma by the member of staff who receives it and should include the name and address of the complainant. If possible or necessary, the complainant will be asked to sign the summary to endorse its contents, and a copy of the summary should be retained by the complainant and the school.

The easiest way to make a complaint is to telephone the school and ask to speak to an appropriate person. Alternatively, you can write or email telling us as much as you can about your problem, for example:

- *What went wrong*
- *When it happened*
- *Who you dealt with*

In order for a complaint to be considered at Stage 1, the Stage 1 Section of the KFS Complaints Pro Forma must be completed (subject to the provisions of the Equality Act). Assistance will be provided on request to do so. It must be stated:

How the complainant would like the matter settled i.e. what outcome is being sought at Stage 1.

In order for a complaint to be considered at Stage 1, it must be stated:

- How the complainant would like the matter settled i.e. what outcome is being sought

Please be advised that our Concerns & Complaints Policy is an evidence-based process with the onus on the complainant to prove their case as opposed to the subject of the complaint 'proving' their innocence'. Please also be advised that in line with normal quasi-judicial processes that 'hearsay' evidence will not be considered at the formal stages of this procedure. Whilst complainants can submit a complaint to whomsoever they choose, they have no right to determine who will investigate their complaint or not; however, complainants are entitled to express an evidence-based view over the suitability of any designated investigator.

Putting things right

If we have got it wrong, we will:

- Apologise and put things right as far as is reasonable or possible
- Explain what went wrong and learn from our mistakes

- 3.3 The person investigating the complaint has the right to determine how the matter will

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be investigated, the investigatory procedure and what information will be shared throughout the process (including investigatory notes). There is no entitlement for a complainant to receive a running commentary during an investigation or to demand notes/minutes of proceedings or exchanges. The person responsible for managing the complaints process, or a nominated person on their behalf, is expected to provide a written or oral acknowledgement to the complainant within 5 working days of receiving the complaint. The acknowledgement should contain a brief explanation of Kingsdale's Concerns & Complaints Policy and give a target date for providing a response to the complaint, which should normally be within 10 working days. If this target cannot be met, a communication from the school is expected to be made within 10 working days explaining to the complainant the reason for the delay and providing a revised target date.

- 3.4** Complaints about the Headteacher must be addressed to Mrs A. McGregor (Chair of Governors), in writing (hard copy – not email) to be delivered in person/by post via the School Office to ensure confidence in the preservation of confidentiality. Such complaints must be marked as Private and Confidential. Complaints about a member of the Governing Body (including the Chair or Vice-Chair) must be addressed to the independent Governing Body HR Advisor in writing (hard copy – not email) to be delivered in person/by post via the School Office to ensure confidence in the preservation of confidentiality. Such correspondence must be marked as Private and Confidential.
- 3.5** If the complaint is about the Headteacher, or a member of the Governing Body (including the Chair or Vice-Chair), a suitably skilled Governor or qualified independent person will be appointed to complete all of the actions at Stage 1.
- 3.6** If the complaint is jointly about the Chair and Vice-Chair, the entire Governing Body or the majority of the Governing Body, Stage 1 will be considered by an independent investigator appointed by the Governing Body. At the conclusion of their investigation, the independent investigator will provide a formal written response.
- 3.7** The person responsible for managing the complaints process, or their nominated representative, is expected to provide a written or oral acknowledgement to the complainant within 5 working days of receiving the appeal. The acknowledgement should contain a brief explanation of Kingsdale's Concerns & Complaints Policy and give a target date for providing an initial response to the appeal, which should normally be within 10 working days. If this target cannot be met, a communication from the school is expected to be made within 10 working days explaining to the complainant the reason for the delay and providing a revised target date.
- 3.8** The person investigating the complaint should seek to speak or meet with all appropriate people in order to establish the facts relating to the complaint. This may include the complainant, staff, students and any other person.
- 3.9** Once all of the relevant facts have been established, the person investigating the complaint should then produce a written response to the complainant, or may wish to meet the complainant to discuss/resolve the matter directly.
- 3.10** The person investigating the complaint may choose to provide an initial provisional response to allow the complainant an opportunity to correct or raise any factual, administrative or material errors prior to reaching a final determination. The intention here is to minimise the potential need for future correspondence or escalation over matters which are not in dispute or unintentional mistakes. No more than 5 working days will be set aside for this purpose.

3.11 A written response should contain an outline of the complaint and a summary of the response to the complaint including any actions taken to investigate the complaint, the decision reached and the reasons for it. Where appropriate, this should also include what action the school will take to resolve the complaint.

The response should also inform the complainant that should they wish the complaint to progress to Stage 2 of this Policy (an appeal) then they must send a written request (subject to the provisions of the Equality Act) in accordance with clause 3.12 stating this to the Headteacher within **10 working days** of the response being sent.

3.12 The complainant must set out any ground(s) for appeal at Stage 2 in writing, for one or more of the following reasons, why they believe the person investigating the complaint:

- Made an irrational, unreasonable or unjustifiable decision
- Failed to take proper account of relevant evidence
- Took account of irrelevant or inaccurate evidence
- Was biased; or
- Otherwise unlawfully discriminated concerning one or more aspects of the complaint

In order for a complaint to be considered at Stage 2, the Stage 2 Section of the KFS Complaints Pro Forma must be completed (subject to the provisions of the Equality Act). Assistance will be provided on request to do so. It must be stated:

How the complainant would like the matter settled, i.e. what outcome is being sought at Stage 2.

It may be helpful for the complainant to explain why they would expect a different outcome from Stage 1.

It is not sufficient for a complainant to simply want a complaint to progress to Stage 2 without following the stipulated procedure. In such circumstances, the appeal would not be eligible to be escalated to Stage 2 until the prescribed procedure was followed or adopted.

The outcome(s) sought by the complainant must be deemed possible i.e. not impossible and must be different to any mutually agreed outcome already determined at Stage 1 e.g. a school apology.

The grounds of appeal should not be deemed to be impossible to achieve. However, in such circumstances the appeal will be allowed to proceed. The grounds of appeal should seek to be proportionate regarding costs, as the school has a statutory responsibility to use public money judiciously (e.g. if a complainant is seeking reimbursement for lost property to the value of a few pounds versus convening a hearing for many hundreds of pounds or more). If a determination is made not to convene an in-person Stage 2 panel hearing, then the Stage 2 complaint will be considered in writing by the Headteacher/Chair of Governors/Stage 2 panel or other authorised person. Where such a determination is made the complainant has a right to make representations to the Headteacher/Chair of Governors to convene an in-person Stage 2 panel hearing.

Please be advised that the purpose of a Stage 2 hearing is not to reinvestigate the *original or a new complaint but to consider the admissible grounds of appeal only. New or unrelated complaints will only be considered either at the Informal Stage or Stage 1.*

3.13 If no further communication is received from the complainant within 10 working days, it will be determined that the complaint has been resolved and the complaint will be laid to rest. Subsequently, should the complaint or any part of it be raised again or revived, it will require exceptional circumstances as determined by the Headteacher/Chair of Governors to be considered under this Policy and would normally be dismissed. However, it is at the discretion of the Headteacher/Chair of Governors to determine whether any new material evidence presented will be reviewed and should this be the case, how such evidence will be used.

3.14 If the complaint cannot be resolved at Stage 1 then it may be necessary to proceed to Stage 2 of this Policy. Prior to an appeal progressing to Stage 2 it is a requirement to inform the Headteacher or the Chair of the Governing Body, if the complaint/appeal is against the Headteacher, to allow the opportunity for direct intervention by a third party in an attempt to resolve the complaint or dispute at this Stage.

3.15 If the complainant remains dissatisfied they must follow the relevant procedure outlined in clause 3.12, and inform the Headteacher in writing (subject to the provisions of the Equality Act) that they do not believe their complaint can be resolved at Stage 1 or with the direct intervention of another party other than the Headteacher or Chair of Governors (as appropriate) and wish to progress matters to Stage 2 of this Concerns & Complaints Policy.

4 DEALING WITH STAGE 2 COMPLAINTS (APPEALS)

Complaints/Appeals dealt with by the Headteacher or his/her representative

4.1 If you are not happy with the way that your Stage 1 complaint has been dealt with, you can lodge a Stage 2 appeal using the Stage 2 Section of the KFS Complaints Pro in compliance with relevant paragraphs in clause 3.12. Stage 2 appeals will be dealt with in the first instance by the Headteacher or his/her representative.

4.2 The aim of a Stage 2 appeal is to resolve the complaint and achieve reconciliation between the establishment and the complainant. The person investigating the appeal will not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with informally or from Stage 1 of this procedure.

4.3 The written appeal or written summary of the appeal to be considered at Stage 2 should be promptly referred to the Headteacher or appropriate person. Please be advised that this may be an amended or revised grounds for appeal less aspects of the (original) complaint that may have been resolved at an earlier Stage.

4.4 The Headteacher or an appropriate person will decide whether to delegate the investigation of the complaint to another member of staff/person or whether to undertake the investigation him/herself.

4.5 In exceptional circumstances, such as an incident which could or has resulted in material personal injury, the Headteacher must be informed immediately and may consider referring the matter for investigation direct to the Chair of the Governing Body. In cases of a serious complaint against the Headteacher, the matter must be referred to the Chair of the Governing Body.

4.6 The person responsible for managing the appeal process, or their nominated representative, is expected to provide a written or oral acknowledgement to the complainant within 5 working days of receiving the appeal. The acknowledgement

should contain a brief explanation of Kingsdale's Concerns & Complaints Policy and give a target date for providing an initial response to the appeal, which should normally be within 10 working days. If this target cannot be met, a communication from the school is expected to be made within 10 working days explaining to the complainant the reason for the delay and providing a revised target date.

- 4.7 The person investigating the appeal should seek to speak or meet with all appropriate people in order to establish the facts relating to the appeal. This may include the complainant, staff, students and any other person.
- 4.8 Once all of the relevant facts have been established, the person investigating the appeal should then produce a written response to the complainant or may wish to meet the complainant to discuss/resolve the matter directly.
- 4.9 The person investigating the appeal may choose to provide an initial provisional response to allow the complainant an opportunity to correct or raise any factual, administrative or material errors prior to reaching a final determination. The intention is to minimise the potential need for future correspondence or escalation over matters which are not in dispute or unintentional mistakes. No more than 5 working days will be set aside for this purpose.
- 4.10 A written response should contain an outline of the appeal and a summary of the response to the appeal including any actions taken to investigate the appeal, the decision reached and the reason(s) for the determination. Where appropriate, this should also include what action the school will take to resolve the appeal. This letter or report **must** be endorsed by the Headteacher.

The response should also inform the complainant that should they wish the appeal to progress to Stage 3 of this Policy then they must follow the procedure outlined in clause 3.12 and send a written request (subject to the provisions of the Equality Act) stating this to the Headteacher within **10 working days** of the response being sent.

- 4.11 If no further communication is received from the complainant within 10 working days, it will be determined that the appeal has been resolved and the appeal will be laid to rest. Subsequently, should the appeal or any part of it be raised again or revived, it will require exceptional circumstances as determined by the Headteacher/Chair of Governors to be considered under this policy and would normally be dismissed. However, it is at the discretion of the Headteacher/Chair of Governors to decide whether any new material evidence presented will be reviewed and should this be the case, how such evidence will be used.
- 4.12 The complainant must set out any ground(s) for appeal at Stage 3 in writing, for one or more of the following reasons, why they believe the person investigating the complaint:
 - Made an irrational, unreasonable or unjustifiable decision
 - Failed to take proper account of relevant evidence
 - Took account of irrelevant or inaccurate evidence
 - Was biased; or
 - Otherwise unlawfully discriminated concerning one or more aspects of the complaint

In order for a complaint to be considered at Stage 3, the Stage 3 Section of the KFS Complaints Pro Forma must be completed subject to the provisions of the equality act. Assistance will be provided on request to do so. It must be stated:

How the complainant would like the matter settled, i.e. what outcome is being

sought at Stage 3.

It may be helpful for the complainant to explain why they would expect a different outcome from Stage 2.

It is not sufficient for a complainant to simply want a complaint to progress to Stage 3 without following the stipulated procedure. In such circumstances, the appeal would not be eligible to be escalated to Stage 3 until the prescribed procedure was followed or adopted.

The outcome(s) sought by the complainant must be deemed possible i.e. not impossible and must be different to any mutually agreed outcome already determined at Stage 2 e.g. a school apology.

The grounds of appeal should not be deemed to be impossible to achieve. However, in such circumstances the appeal will be allowed to proceed. The grounds of appeal should seek to be proportionate regarding costs, as the school has a statutory responsibility to use public money judiciously

- 4.13 If the complainant remains dissatisfied they must follow the relevant procedure outlined in clause 3.12, and inform the Headteacher in writing (subject to the provisions of the Equality Act) that they do not believe their complaint can be resolved at Stage 2 or with the direct intervention of another party other than the Headteacher or Chair of Governors (as appropriate) and wish to progress matters to Stage 3 of this Concerns & Complaints Policy.

Please be advised that the purpose of a Stage 3 hearing is not to reinvestigate the original or a new complaint/appeal but to consider the admissible grounds of appeal only. New or unrelated complaints will only be considered either at the Informal Stage or Stage 1.

5 DEALING WITH STAGE 3 COMPLAINTS (APPEALS)

Appeals referred to the Chair of the Governing Body

- 5.1 If you are not happy with the way that your Stage 2 appeal has been dealt with, you can lodge a Stage 3 appeal using the Stage 3 Section of the KFS Complaints Pro in compliance with relevant paragraphs in clause 3.12. Stage 3 appeals will be dealt with by an Appeals Panel (AP) as constituted in this Section (5).
- 5.2 The aim of a Stage 3 appeal is to make a final determination about the complaint, to make findings and recommendations. The AP will not consider any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with informally or from Stage 1 of this procedure.
- 5.3 The written grounds of appeal or written summary of the grounds of appeal to be considered at Stage 3 should be promptly referred to the Chair of Governors or appropriate person. Please be advised that this may be an amended or revised appeal less aspects of the Stage 2 appeal that may have been resolved at Stage 2.
- 5.4 On receipt of an admissible written request using the Stage 3 Section of the KFS Complaints Pro Forma in compliance with clause 3.12 by the complainant (appellant), the appeal will proceed to Stage 3, and the procedure outlined below will be followed.

- 5.5 The Chair of the Governing Body will refer the appeal to a properly constituted Appeals Panel (AP). See clause 5.6. In cases of a serious complaint against the Chair of the Governing Body, the matter will be referred to a duly convened AP.

If a serious complaint/appeal is jointly about the Chair and Vice-Chair, the entire Governing Body or the majority of the Governing Body, Stage 3 will be held by a committee of independent, qualified persons who may be co-opted to the Governing Body for this purpose.

The Clerk to the Governing Body/HR advisor or their representative should write to the complainant to acknowledge receipt of an admissible written request for the complaint/appeal to be heard at Stage 3. The acknowledgement will normally be sent within **5 working days** and should also inform the complainant that the complaint/appeal is to be heard by an AP within **20 working days** of receiving the complaint.

- 5.6 The letter will explain that the complainant has the right to submit any further documents relevant to the complaint/appeal or to invite witnesses prepared to give evidence on their behalf. The complainant will be invited to attend the meeting of the AP in person and to be accompanied if they wish, by a family member, friend or appropriate representative. Documents and the names of any potential witnesses must be received within **10 working days** of the target date for response from the Chair of the Governing Body or an AP hearing to allow adequate time for the documents to be investigated and circulated to relevant parties.
- 5.7 The AP should consist of the Chair and/or Vice-Chair of the Governing Body and one/two other panel member(s). One member of the panel must be a person deemed independent of the management and running of the school i.e. not a member of senior management team, trustee, trust Member, employee. It is a matter for the Academy to identify suitably independent individuals who can fulfil the role and responsibility of being an independent member. No member of the panel should have had any prior material involvement in the complaint or previous appeal. However, the Headteacher is entitled to attend as an advisor or an observer if not the subject of the complaint.
- 5.8 The Chair of or clerk to the panel will write and inform the complainant (appellant), Headteacher, any relevant witnesses, and members of the AP, at least 5 working days in advance, of the date, time and place of the meeting. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend, advocate or interpreter. If the complainant rejects the offer of two proposed dates, without good reason, the Chair 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.
- 5.9 The Chair of the Governing Body will normally invite the Headteacher to speak to the panel and/or prepare a written report for the AP in response to the complaint. If the Headteacher prepares a written report, a copy of this report will normally be sent to the complainant at least **5 working days** before the date of the meeting. The Headteacher may also invite members of staff directly involved in matters raised by the complainant to respond in writing or in person to the complaint. Any relevant documents relating to the complaint should be received at least **5 working days** prior to the hearing.
- 5.10 These committees are not a form of legal proceedings. It is at the discretion of the committee to determine if any legal representation will be permitted and if so, sufficient notice must be given to allow both parties to be represented in an equitable fashion. Representatives from the media are not permitted to attend.

- 5.11 The involvement of staff other than the Headteacher is subject to the discretion of the Chair of the AP.

6 Hearing a Complaint/Appeal at an AP (Appeals Panel)

- 6.1 The panel is mindful that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the panel. The Chair of the panel will attempt to ensure that the proceedings are as informal as possible.
- 6.2 In the interest of natural justice, the introduction of previously undisclosed evidence or witnesses is not admissible. Should a request be made for an adjournment by either party on the aforementioned grounds, it is for the panel alone to decide whether to proceed or in exceptional circumstances adjourn the meeting so that the other side has time to consider and respond to any new evidence. An adjournment will only be contemplated by the panel where new evidence is deemed by it to be material, compelling and a plausible reason has been provided as to why it could not have been presented earlier. Should the panel decide to proceed, undisclosed new evidence will not be accepted as grounds for appeal.
- 6.3 The AP meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before any recording of meetings or conversations take place. Consent will be recorded in any notes taken.
- 6.4 The recommended conduct of a AP meeting is as follows:
- i) The Chair of the panel will welcome the complainant (appellant), introduce the panel members and explain the procedure.
 - (ii) The Chair of the panel will invite the complainant or advocate representative) to explain the complaint.
 - (iii) The AP may question the complainant about the appeal and the reason why it has been made.
 - (iv) The Headteacher will be invited by the Chair of the panel to question the complainant about the appeal and why it has been made.
 - (v) The Chair of the panel will invite the Headteacher to make a statement in response to the complaint. At the discretion of the Chair of the panel, the Headteacher may invite members of staff involved in the complaint to supplement his/her response.
 - (vi) The AP may question the Headteacher and/or members of staff about the response to the complaint.
 - (vii) The Chair of the panel will invite the complainant or advocate to question the Headteacher and/or members of staff about the response to the complaint.
 - (viii) Any party has the right to call witnesses, subject to the approval of the AP.
 - (ix) The AP, the Headteacher and the complainant have the right to question any such witnesses.
 - (x) The Headteacher will be invited by the Chair of the panel to make a final

statement.

- (xi) The complainant or advocate will be invited by the Chair of the panel to make a final statement.
- (xii) The Chair of the panel will explain to the complainant and the Headteacher that the decision of the panel will now be considered and a written decision will normally be sent to both parties within **15 working days**. The Chair of the panel will then ask all parties to leave except for members of the AP and any advisor(s).
- (xiii) The AP will then consider the complaint/appeal and all the evidence presented and:
 - (a) The AP can uphold the complaint in whole or part, or dismiss the complaint in whole or part.
 - (b) If the complaint is upheld in whole or part, the AP will decide on an appropriate action to be taken to resolve the complaint and where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

- 6.5 The notes of the meeting will be recorded and kept on file by the school. A copy of the notes of the meeting will be made available to all parties on request.
- 6.6 Where appropriate, a copy of relevant aspects of the AP's determination statement will also be provided to the person or persons complained about. A copy of the findings of the panel will be retained on the school premises for inspection by the Headteacher on request.
- 6.7 The statement sent to the complainant will provide a full explanation of the decision and the reason(s) for it. It will also explain that the decision of the AP is final and provide details of how the complainee can contact the Department for Education if they are dissatisfied with the way their complaint has been handled.
- 6.8 The school must ensure that as well as a copy of all correspondence and notes, the AP's findings and recommendations are securely retained and available for inspection on the school premises by the Academy Trust/Chair of Governors and the Headteacher.

7. Serial, Unreasonable, Vexatious or Persistent Complaints

- 7.1 Kingsdale Foundation School is committed to dealing with all complaints fairly, proportionately and impartially and to providing a high-quality service to those who complain. We will not normally limit the amount or type of contact complainants can have with the school but have the power to do so under particular conditions. We will not allow staff to have to tolerate unacceptable behaviour and will take action to protect staff from this type of conduct e.g. that which is abusive, offensive, time- wasting, prejudicial, disproportionate, potentially harassing or threatening.
- 7.2 We shall also deem the taking or use of unauthorised/clandestine/undeclared recordings/pictures of staff, students or other concerned party unreasonable and/or unacceptable (evidence gathered in such a manner is not admissible and will not be considered under this Policy).
- 7.3 Kingsdale Foundation School will do its best to be helpful to people who contact us with a complaint or concern or a request for information. However, in cases where the school

is contacted repeatedly by or on behalf of an individual making the same point(s) or who persistently asks us to reconsider his/her (evolving) position and/or to review our own determination(s), we will need to act appropriately in accordance with Section 7 of this Policy.

- 7.4 Kingsdale Foundation School defines an unreasonable complaint as 'that which, due to the frequency or nature of contact with the school, hinders our consideration of a complaint or other parties' complaints, entitlements or needs. We take the deliberate or inadvertent misuse of staff time (human & financial resources) very seriously as directing the energy and focus of (senior) staff/Governors away from professional school business/priorities has the potential to impact adversely on the efficient and effective running of the organisation, school and student outcomes.
- 7.5 There will be occasions when, despite all stages of the complaints procedure having been available for application or followed, the complainant remains dissatisfied. It is a poor use of the school's time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. In such circumstances it is permissible under this policy for the school to choose not to respond.
- 7.6 If a complainant or his/her representative(s) contacts the school again about an issue over which there has already been a final determination, then the correspondence may be viewed as 'serial' or persistent' and the school may choose not to respond. This may be particularly pertinent where having followed due process and exhausted available and statutory options the complainant repeatedly seeks or attempts to reinitiate the use of the Concerns & Complaints Policy (or similar), for example by attempting to use a different advocate to raise the same complaint.
- 7.7 The decision to stop responding will never be taken lightly. This decision will be taken if the school believes it can say yes to all of the following:
- i. The school has taken every reasonable step to address the complainant's needs in accordance with our Concerns & Complaints Policy.
 - ii. The complainant has been given a clear statement of the school's position and his/her options (if any); and
 - iii. The complainant or representative(s) is/are contacting the school repeatedly but making substantially the same point(s) each time.
 - iv. The complainant insists upon pursuing unmeritorious complaints and/or unrealistic outcomes (beyond all reason) or insists upon pursuing meritorious complaints in an unreasonable manner

The application of a 'serial or persistent' marking is against the subject or complaint itself and not against the complainant. The school will continue to respond and engage with non-vexatious correspondence received in accordance with the prescribed implementation of the Concerns & Complaints Policy.

- 7.8 The case is even stronger, for taking a decision not to respond, if the school agrees with one or more of the following statements:
- i. The school has reason to believe the individual is contacting us or promoting contact with us with the intention of causing disruption or inconvenience i.e. deliberately or materially misleading his/her own representatives(s) including by the omission of evidence which would significantly undermine the complaint

or a reasonable person would expect to be declared.

- ii. The complainants' letters/emails/telephone calls/communications are often abusive or aggressive.
- iii. The complainant makes insulting personal comments about or threats towards staff.
- iv. The complainant takes an action which is overtly prejudicial, offensive, defamatory or unnecessary which could undermine an objective enquiry, e.g. circulating sensitive, confidential or questionable information to parties not authorised to investigate or receive it which may be detrimental to the interests of concerned persons or a breach of the data protection act.
- v. The complainant attempts to prematurely escalate a complaint or insists on doing so prior to the completion of due process at an appropriate level within the remit of the Concerns & Complaints Policy.

7.9 A complaint may be regarded as unreasonable when the person making the complaint:

- i. Refuses to articulate the complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- ii. Refuses to co-operate with the complaints investigation process or our Concerns & Complaints Procedure whilst still wishing the complaint to be resolved.
- iii. Raises by letter, email, in person or otherwise the same (essential) complaint concurrently with different staff; multiple complaints of this type will be treated as a single complaint for the purpose of this policy. A decision will be made by the school as to the most suitable person to address a complaint sent for the attention of more than one party. In such circumstances, other potential respondents will not consider the complaint, especially where there is the potential for prejudicing the complaints procedure at a future stage. Where possible a party not directly involved in addressing a complaint will either not be presented with the complaint i.e. even if it is sent for their attention or will not retain or consider any information received at a stage which does not require that person's involvement. The school has a duty to attempt to protect the impartiality of those involved with dealing with complaints especially at the formal stages 1, 2 & 3 of this Policy and will endeavour to fulfil this obligation. The complainant will be informed of the name of any designated investigator and his/her right to progress the complaint further in accordance with our Concerns & Complaints Policy.
- iv. Refuses to accept that certain issues are not within the scope of our Concerns & Complaints procedure.
- v. Insists on the complaint being dealt with in ways which are incompatible with the adopted Concerns & Complaints procedure or with good practice.
- vi. Introduces trivial or irrelevant information which the complainant expects to be taken into account and adjudicated/commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and within their own arbitrary timescales.

- vii. Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.
- viii. Changes the basis of the complaint as the investigation proceeds.
- ix. Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- x. Refuses to accept the findings of the investigation into a complaint where the school's Concerns & Complaints procedure has been fully and properly implemented and completed.
- xi. Seeks an unrealistic outcome.
- xii. Insists on a criminal level of proof (beyond reasonable doubt) not consistent with natural justice or on the balance of probability.
- xiii. Demands to see or insists on having access to evidence, witness information prematurely or such evidence which the complainant is not entitled to receive which could prejudice the school's, governor's or third party (including the Police) current or future investigation(s).
- xiv. Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in one or more of the following ways: in person, in writing, by email and by telephone, whilst the complaint is being dealt with in accordance with due process.
- xv. Attempts to raise or revive a complaint at a lower level following a determination at a higher one.
- xvi. Ignores advice or determinations by other authorised statutory bodies such as the Police, Local Authority/Safeguarding Board or Department for Education (DfE).

7.10 A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone, in writing or electronically:

- (i) Maliciously
- (ii) Aggressively
- (iii) Obsessively
- (iv) Using threats, intimidation or violence
- (v) Using abusive, offensive or discriminatory language
- (vi) Knowing it to be false
- (vii) Using falsified information
- (viii) Publishing unacceptable information in a variety of media such as on social media websites and newspapers
- (ix) In an attempt or having attempted to pervert or influence the course of an objective investigation
- (x) Discloses information which has been shared with them in confidence or should not be shared with third parties
- (xi) Makes it impossible or difficult to conduct a fair and impartial investigation
- (xii) Colludes or conspires with one or more parties to obstruct, divert, restrict or mislead the course of the investigation
- (xiii) Acts dishonestly, deceitfully or with a lack of integrity

(xiv) Attempts to intimidate, bully or unduly influence a witness, advisor or investigator

(xv) Attempts to bring the name of the school or individuals within it into disrepute

- 7.11 Complainants should try to limit the number of communications with the school while a complaint is being progressed unless it is really necessary. It is not usually helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could be counterproductive and result in a delay to an outcome being reached.
- 7.12 The Headteacher, Chair of Governors or Investigating Officer, may discuss any concerns with the complainant informally before applying an 'unreasonable' complaint judgment. In such circumstances the complainant has the right to ask for this determination to be reviewed by the Headteacher, Chair of Governors, or representative of an AP. Any such determinations will be final and binding on all parties.
- 7.13 If the unreasonable behaviour continues the Investigating Officer may write to the complainant explaining that their behaviour has been deemed unreasonable and ask them to change it. For complainants whose excessive contact over the same complaint causes a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This may be reviewed periodically e.g. every 6 months. The school reserves the right not to respond to complaints deemed unreasonable under this Policy.
- 7.14 Complainants who may have been restricted in their communications with the school may be advised to ask a third party to act on their behalf, such as the local Citizen's Advice Bureau but are asked and expected to inform any such representative of the restrictions prevailing under this Policy and the reasons for the determination in advance.
- 7.15 Although fulfilling a public function, Kingsdale Foundation School is a private place. The public has no automatic right of entry. Kingsdale Foundation School will therefore act to ensure it remains a safe place for pupils, staff and other members of the school community.
- 7.16 If a complainant's/parent's behaviour is a cause of concern, we may ask him/her to leave the school premises.
- 7.17 In response to any serious incident of aggression or violence, the concerns and actions taken may be put in writing immediately and the Police informed. More serious action may include exclusion from our premises and/or seeking a prohibition order with respect to entering the Kingsdale Foundation School environs.
- 7.18 The decision to bar will then be reviewed, taking into account any representations made by the complainant/parent and either confirmed or lifted. If the decision is confirmed the parent will be notified in writing, explaining how long the bar will be in place.
- 7.19 Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own Concerns & Complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice should therefore be sought.

** Please be advised our policy with respect to serial and persistent complainants is based on 'Best Practice Advice for School Complaints Procedures 2016' (updated 2021) published by the DfE.*

8 Further Information

For further information about the School's Concerns & Complaints Policy please contact:

The Clerk to the Senior Management Team
Kingsdale Foundation School
Alleyn Park
Dulwich
London SE21 8SQ

Tel: 020 86707575
Fax: 020 86707051
Email: info@kingsdale.southwark.sch.uk

Next Steps

If a complainant believes the school did not handle their complaint in accordance with the published Concerns & Complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

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

- A complainant can refer their complaint to the Department for Education/ESFA online at: [www.education.gov.uk/contact us](http://www.education.gov.uk/contact-us) / [school complaints form](#) or by writing to:

*Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.*

Appendix 1

Exceptions to the scope of the concerns and complaints procedure

Exceptions	Who to contact
• Admissions to schools	Concerns about admissions should be addressed in the first instance to the school's Admissions Officer who will advise on the appropriate course of action.
• Statutory Assessments of Special Educational Needs • Schools' re-organisation proposals	Concerns about statutory assessments of Special Educational Needs should be raised with the Academy's Learning Support Faculty in the first instance and/or with Southwark Authority via 0207 525 500. Schools' re-organisation proposals should also be raised with this body.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance in the first instance. If you continue to have serious concerns, you may wish to contact the Southwark Designated Officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH) via 020 7525 1921.
• Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action which may be taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
• Complaints about services provided by other providers who may use school premises or facilities	Providers have their own complaints procedure to deal with complaints about its service. Please contact the school for further advice.

Appendix 2

A. Principles of Administrative Law

To comply with the principles of administrative law, a decision is:

- Lawful – it complies with education and other law, including human rights and equality law, such as the Human Rights Act 1998 accessible [here](#) and the Equality Act accessible [here](#):
- Rational
- Reasonable
- Fair
- Proportionate

B. The 7 Principles of Public Life

<https://www.gov.uk/government/publications/the-7-principles-of-public-life>

- Selflessness
- Objectivity
- Integrity
- Accountability
- Openness
- Honesty
- Leadership

KFS COMPLAINTS PRO FORMA TO BE USED FOR ALL FORMAL STAGES OF KINGS DALE FOUNDATION SCHOOL CONCERNS & COMPLAINTS POLICY

**Please complete the relevant section of the pro forma (as clearly as possible) relating to the Stage of the procedure for which you wish your complaint to be considered.*

Complainant's Name	
Complainant's Contact Details Please provide a contact number and email address where applicable	<i>Please also include contact details for a complainant's advocate (where applicable)</i>
Please select the category of the Complainant from the list	<i>Parent/Carer of a Child at the School</i> <i>Other (Please specify below)</i>
Date of Submission	
<i>Date of Receipt (Office use only)</i>	

Please only complete the applicable sections of this pro forma i.e. that which is relevant to the stage you wish your formal complaint to be considered.

*Please read the school's published Concerns & Complaints Policy available on our website [here](#), including the information on concerns or complaints not covered by this policy, before completing this form.

A failure to complete relevant sections of this pro forma may result in a delay to the consideration of your complaint.

Please let us know if any assistance is required to complete this form and we will be happy to help.

STAGE 1 COMPLAINTS – Please continue on a separate sheet if necessary. All sections must be fully completed for a complaint to proceed in a timely manner.

(i) Nature of the Stage 1 Complaint

Please write down or attach details of your specific complaint(s) you wish to be considered at Stage 1. You include any supporting documents with this completed pro-forma.

(ii) Please provide details of any attempts to resolve matters at an Informal Stage

i.e. name of person who dealt with the complaint, reason it was unsuccessful, any other information you wish to share.

(iii) Outcomes Sought

Please state what outcome(s) you are seeking.

(iv) Late Submission of a Stage 1 Complaint

If you wish a late Stage 1 complaint to be considered i.e. after 3 calendar months of the act or omission complained of, or later than 3 calendar months after the last act or omission in a series of linked events, please provide a just or equitable reason why you believe your complaint should be considered in accordance with the specific guidance for late submissions set out within Concerns & Complaints Policy.

Completed proformas can be emailed to complaintsorconcerns@kingsdale.southwark.sch.uk Alternatively, please refer to Page 2 of the Schools Concerns & Complaints Policy for other ways to submit a complaint.

STAGE 2 APPEAL – Please continue on a separate sheet if necessary. All sections must be fully completed for a complaint to proceed.

A new complaint can only be submitted at the Informal Stage or at Stage 1 of the formal process. An existing complaint can only be referred to Stage 2 once Stage 1 has been completed. *Please read the school's published Concerns & Complaints Policy available on our website [here](#) before completing.

(i) Escalation of an Existing Complaint

If you are escalating an existing Stage 1 Complaint to a Stage 2 Appeal, please state below the grounds for escalation and the reason by you believe the person investigating the complaint:

- Made an irrational, unreasonable or unjustifiable decision
- Failed to take proper account of relevant evidence
- Took account of irrelevant or inaccurate evidence
- Was biased; or
- Otherwise unlawfully discriminated concerning one or more aspects of the complaint

(ii) Please provide details of any attempts to resolve matters at Stage 1 i.e. name of person who dealt with the complaint, reason it was unsuccessful, any other information you wish to share.

(iii) Outcomes Sought

Please state what outcome(s) you are seeking.

(iv) Supporting Information

Please provide/attach information which you believe is relevant to your Stage 2 Appeal.

(v) Late Submission of a Stage 2 Appeal

If you wish an existing Stage 1 complaint to be considered at a Stage 2 Appeal after the expiry of 10 working days from receipt of the school's official response, please provide a just or equitable reason why you believe your complaint should be considered in accordance with the specific guidance for late submissions set out within Concerns & Complaints Policy.

Completed proformas can be emailed to complaintsorconcerns@kingsdale.southwark.sch.uk Alternatively, please refer to Page 2 of the Schools Concerns & Complaints Policy for other ways to submit a complaint.

STAGE 3 APPEAL – Please continue on a separate sheet if necessary. All sections must be fully completed for a complaint to proceed.

A new complaint can only be submitted at the Informal Stage or at Stage 1 of the formal process. An existing complaint can only be referred to Stage 3, once Stage 2 has been completed. *Please read the school's published Concerns & Complaints Policy available on our website [here](#) before completing.

(i) Escalation of an Existing Complaint

If you are escalating an existing Stage 2 Appeal to a Stage 3 Appeal, please state below the grounds for escalation and the reason you believe the person investigating the complaint:

- Made an irrational, unreasonable or unjustifiable decision
- Failed to take proper account of relevant evidence
- Took account of irrelevant or inaccurate evidence
- Was biased; or
- Otherwise unlawfully discriminated concerning one or more aspects of the complaint

**Please note that admissible Stage 3 Appeals will be allowed to proceed with or without the above information but are more likely to be unsuccessful without it.*

(ii) Please provide details of any attempts to resolve matters at Stage 2 i.e. name of person who dealt with the complaint, reason it was unsuccessful, any other information you wish to share.

(iii) Outcomes Sought

Please state what outcome(s) you are seeking.

(iv) Supporting Information

Please provide any other information which you believe is relevant to your Stage 3 Appeal.

(v) Late Submission of a Stage 3 Appeal

If you wish an existing Stage 2 Appeal to be considered at a Stage 3 Appeal after the expiry of 10 working days from receipt of the school's official response, please provide a just or equitable reason why you believe your complaint should be considered in accordance with the specific guidance for late submissions set out within Concerns & Complaints Policy.

Completed proformas can be emailed to complaintsorconcerns@kingsdale.southwark.sch.uk Alternatively, please refer to Page 2 of the Schools Concerns & Complaints Policy for other ways to submit a complaint.