



COMPLAINTS PROCEDURE

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Reviewed by the SLT MAT Board

“The Trustees of the Southport Learning Trust are committed to safeguarding and promoting the welfare of children and young people at every opportunity and expect all staff and volunteers to share this commitment”

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1. Introduction

The aim of this policy is to resolve complaints or concerns about Southport Learning Trust (the “Trust”, any School within the Trust or any individual connected with the Trust, in a fair, thorough and transparent way. The Trust takes complaints seriously and views them as a chance to learn and improve for the future.

2. Who can make a complaint?

Anyone can make a complaint, but a different process applies depending on whether the person raising the complaint is a parent/carer¹ of a current pupil at a School within the Trust. Please refer to Part A below if you are a parent of a current pupil, otherwise please see Part B.

Please note that complaints about matters where an alternative complaints/appeal process exists will not be generally dealt with under this policy. These are set out below in Part C.

Requests for reasonable adjustments to the process set out below will be considered to ensure that Complainants can access and complete the process.

The complaint procedures set out in this policy do not apply to and are not intended for use by pupils.

3. 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 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. The Trust School 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 Headteacher or Deputy Headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher or Deputy Headteacher 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, the Trust School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

4. How to raise a concern or make a complaint

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.

Complaints against School staff (except the Headteacher) should be made in the first instance, to the Headteacher via the School office or enquiries email stated on the School website. Please mark them as Private and Confidential.

Complaints that involve or are about the head teacher should be addressed to the Chair of Governors, via the School office. Please mark them as Private and Confidential.

¹ References to ‘parents’ in this policy include carers.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to The Clerk to the Local Governing Body via the School office or enquiries email stated on the School website. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to the Chair of Southport Learning Trust, via the trust office. Please mark them as Private and Confidential. For ease of use, a complaint form is included at the end of this procedure. If you require help in completing the form, please contact the School office. You can also ask a third-party organisation for example 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.

5. Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of the Local Governing Body, if appropriate, will determine whether the complaint warrants an investigation.

6. Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

7. Complaints received outside of term time

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

8. Scope of this complaint's procedure

This procedure covers all complaints about any provision of community facilities or services by The Trust School High School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions to Schools	Concerns about admissions should be handled through a separate process via the local authority who deal with our admissions.
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. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) at 0151 934 3783 who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH) at 0151 934 4013 / 0151 934 4481
Exclusion of children from School*	Further information about raising concerns about exclusion can be found at: www.gov.uk/School-discipline-exclusions/exclusions . <i>*complaints about the application of the Behaviour for Learning policy can be made through the School's complaints procedure.</i>
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus .

	Volunteer staff who have concerns about our School should complain through the School's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
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 taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams 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. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against the Trust School in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

9. Resolving complaints

At each stage in the procedure, the Trust School wants to resolve the complaint. If appropriate, we will acknowledge that the 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 complaint
- an apology.

10. Withdrawal of a complaint

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

Part A – Complaints procedure for parents/carers of current pupils²

11. Informal Resolution

Any matter of concern or complaint should be raised, and attempted to be resolved, on an informal basis. Generally, it is expected that, where the matter relates to a pupil, it will have been raised with the pupil's form tutor and, where applicable the Head of Year before a request is made to deal with it under the formal stages of this policy.

The School will seek to resolve matters at the informal stage within 15 School days³ of the issue being raised by the parent.

Where the matter is not resolved at the informal stage, it may be elevated to the formal stage as set out below.

² School days in this policy refers to days when the School is open to pupils for teaching and does not include INSET days.

³ School days in this policy refers to days when the School is open to pupils for teaching and does not include INSET days.

12. Stage 1 – Formal Resolution with Headteacher

If a complaint cannot be resolved informally, the next step would be to make formal complaint to the Headteacher using Appendix 1.

The concern or complaint should be raised with the School or Trust within 3 months of the incident or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. Complaints made outside of this time frame may not be considered unless exceptional circumstances apply.

Stage 1 complaints must be set out in writing, using the form available at Appendix 1, within 10 School days of the informal meeting response and addressed to the Headteacher. If the complaint relates to the Headteacher, in this case please refer to the section headed 'Complaints against specific role-holders' below.

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within five School days.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

The complaint should set out briefly the grounds of the complaint, stating what it is that the parent considers should have been done or where the School or Trust has not met reasonable expectations and confirming the outcome sought.

An investigation will be carried out by a nominated individual identified by the Headteacher /Chair of the Local Governing Body as appropriate, who will acknowledge the complaint within 5 School days and may offer the parent a meeting. The investigator will speak to others involved. Whenever reasonably possible, any meeting with the parent will take place within 15 School days of the written complaint being received.

The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 School days of any meeting with the parent; if no meeting is arranged it will be within 25 School days of the written complaint being received.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 the Trust School will take to resolve the complaint.

Where the parent remains dissatisfied, he or she may request that the complaint be escalated to Stage 2.

13. Stage 2 – Formal resolution: investigation by a Chair of Governors

If a complaint cannot be resolved at Stage 1, the next step would be to escalate the complaint to the Chair of Governors or another Governor representative from the School if there is a conflict of interest.

Stage 2 complaints must be set out in writing, using the form available at Appendix 1, within 10 School days of the Stage 1 meeting response and addressed to the Clerk to Governors for School complaints and the Governance Professional for Trust complaints.

If the complaint relates to the Chair of Governors, in this case please refer to the section headed 'Complaints against specific role-holders'.

The Clerk to Governors will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within five School days. Whenever reasonably possible, any meeting with the parent will take place within 15 School days of the written complaint being received.

Within this response, the Chair of Governors will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Chair of Governors can consider whether a face-to-face meeting is the most appropriate way of doing this.

The complaint should set out briefly the grounds of the complaint, stating what it is that the parent considers should have been done or where the School or Trust has not met reasonable expectations and confirming the outcome sought and why they are not satisfied with the outcome from Stage 1.

The Chair of Governors will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 School days of any meeting with the parent; if no meeting is arranged it will be within 25 School days of the written complaint being received.

If the Chair of Governors is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 the Trust School will take to resolve the complaint.

Where the parent remains dissatisfied, he or she may request that the complaint be escalated to Stage 3.

14. Stage 3 – Formal resolution: Complaints Panel Meeting

Stage 3 complaints must be set out in writing, stating where the parent remains dissatisfied and the outcome sought, and lodged with the Trust Governance Professional within 10 School days of the Stage 2 response using Appendix A.

The Trust Governance Professional will acknowledge the Stage 3 complaint within 5 School days and will convene a Complaints Panel.

The Complaints Panel must comprise of at least three people, which will include one person who is independent of the management and running of the School.

The Complaints Panel may include, but is not limited to, one or more persons from the following categories:

- a member of a Local Governing Body from another School within the Trust;
- a member of the Board of Trustees from the Trust;
- a person not connected with the School but is employed within the Trust such as a Headteacher from another Trust School.
- a professional not connected to the School or the Trust.

None of the members of the Complaints Panel will have been directly involved in the matters detailed in the complaint.

The independent panel member may be a member of a Local Governing Body or Headteacher from another School within the Trust as long as they have no conflict and no prior knowledge of the complaint.

The Governance Professional will invite the School to put in writing its response to the Stage 3 complaint within 15 School days of receiving the request. Whether or not the School has responded, the Governance Professional will convene a meeting of the Complaints Panel. That meeting will be held on School or Trust premises as quickly as practicable given the need to find a date that is reasonably convenient for the parent, the School and the members of the Complaints Panel. Whenever possible, the meeting will be held within 20 School days of the end of the School response time. The meeting date, time and location will be confirmed to all parties at least 10 School days in advance. Evidence from both the School and the complainant will be circulated to all parties 5 School days before the date of the scheduled Complaints Panel Meeting.

The meeting is not a court case; it will be held in private and will be as informal as circumstances allow. For this reason, electronic recordings of meetings or conversations are not permitted unless a parent's disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before the recording of the meeting takes place.

Consent will be recorded in any minutes taken. The parent will have the opportunity to put forward her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The Complaints Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The parent and the School/Trust will have the opportunity to put forward their respective version and views of events and each side, and the Complaints Panel members will be able to ask questions.

The parent will have the opportunity to make final comments to the Complaints Panel.

The committee 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.

If the complaint is upheld in whole or in part, the committee 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.

The Complaints Panel may make findings and recommendations, and a copy of those findings and recommendations will be:

- sent by electronic mail or otherwise provided in writing to the parent and, where relevant, the School or person complained about; and
- available for inspection on the School premises by the Trust, the Headteacher and the Chief Executive Officer.

The Complaints Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 School days, and the Clerk will notify all concerned.

At any meeting, the parent will be entitled to bring a companion along to provide support. Legal representation will only be permitted in exceptional circumstances. Representatives from the media are not permitted to attend.

If the parent fails to attend the Complaints Panel Meeting on the day without compelling reasons, the Complaints Panel will still proceed in their absence and the process will continue to its conclusion.

Note: Complaints about staff conduct will not generally be handled under this complaint's procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Any further attempt to re-open the matter will be considered as falling under the "Serial or persistent Complainants" section as set out below.

15. Department for Education

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a request for a Stage 3 Complaints Panel Meeting within the time stated in the policy) the matter is closed. If the Complainant is still not satisfied, then they may contact the Department for Education (DfE). There is an online procedure at:

<https://www.gov.uk/complain-to-dfe>

The Complainant may also write to the DfE at:
Ministerial and Public Communication Division
Department for Education
2nd Floor, Piccadilly Gate
Manchester M1 2WD

16. Complaints against specific role-holders

Complaints against the Headteacher

Any complaint relating to the Headteacher of the School must be raised in the first instance with the Chief Executive Officer who will, if an informal resolution cannot be reached, designate a member of the Local Governing Body to investigate the complaint as per Stage 2.

Complaints against the Local Governing Body

Where a complaint is brought against a member of the Local Governing Body, it should be raised with the Chair of the Local Governing Body, who will investigate the complaint (or appoint another member of the Local Governing Body to do so) in the same way as in the first stage of the formal process at Stage 2. If the complaint is against the Chair of the Local Governing Body, then the Vice Chair of the Local Governing Body will investigate the complaint (or appoint another member of the Local Governing Body to do so) in the same way as in the first stage of the formal process at Stage 2.

In exceptional circumstances the Chair of Trustees may at his or her absolute discretion determine that a complaint against a member of the Local Governing Body should be dealt with at Trust Board level and, if so determined, the Chair of Trustees will oversee Stage 2.

Complaints against individual Trustees/the Board of Trustees

If the complaint is against a Trustee, then it should be raised with the Chair of Trustees by writing to the Clerk to the Board of Trustees. In the case of a complaint against either the Chair or the Board of Trustees as a whole, then it should be put in writing to the Clerk to the Board of Trustees who will refer it to the Members. In such cases, the Chair of Trustees/the Members will investigate the complaint or appoint an appropriate person to do so in the same way as in the first stage of the formal process at Stage 2.

Where the complaint moves to Stage 3, the Chair of Trustees/the Members (as applicable) will determine how the Complaint Panel is to be constituted but will ensure that at least one person is independent of the management and running of the School.

Complaints against the [Chief Executive Officer] or other Trust office staff

If the complaint is against a member of Trust staff, then it should be raised with the [Chief Executive Officer], (or, in the case of a complaint against the [Chief Executive Officer], the Chair of Trustees), who will investigate the complaint (or appoint another member of the Board of Trustees to do so) in the same way as the first stage of the formal process at Stage 2.

Part B Complaints raised by those who are not parents/carers of current pupils

17. Process for complaint

Complaints made by those who are not parents of current pupils, which includes complaints made by parents of former pupils after they have left the School, will be dealt with as follows:

- Complainants should first attempt to address their complaint to the relevant School or the Trust (as appropriate) informally by raising the matter with a relevant member of School or Trust staff, within 3 months of the incident or,

- where a series of associated incidents have occurred, within 3 months of the last of these incidents. The School/Trust (depending on the nature of the complaint) will seek to resolve the matter informally within 15 School days.

If it is not possible to resolve the matter informally, the complaint may be submitted in writing, using the form available at Appendix 1, to the Chief Executive Officer, or, where the complaint relates to the Chief Executive Officer, to the Chair of Trustees.

The complaint will be acknowledged within 5 School days, and a final written response will be issued within 15 School days.

The general provisions set out in Part C below apply.

Part C – General provisions

18. Complaints that will not be considered under this policy

Usually, complaints relating to the matters set out in the table below will not be considered under this policy as they have their own appeal or complaint processes. Where necessary, the Trust will exercise its discretion.

Complaints may be raised under this policy about staff conduct, however, any action taken under the Trust's internal disciplinary procedures is confidential and Complainants will not be provided with information about this.

Matter	Route for raising concern/complaining
Admissions	Admissions Appeal – see Admissions Policy and Statutory Admissions Appeal Code, or complaint to DfE
Exclusions	Statutory review process – see Suspension and Exclusions Policy
Statutory SEN assessments	SEND Tribunal (and see SEN Code of Practice)
Matters likely to require child protection investigation	Raise with Designated Safeguarding Lead or a direct referral can be made to the Multi-Agency Safeguarding Hub (MASH) and/or Local Authority Designated Officer (LADO) - see Child Protection & Safeguarding Policy
Data protection/FOIA	Raise with Data Protection Officer (DPO) at dpo@southportlearningtrust.org in the first instance – see Data Protection Policy, Freedom of Information, Subject Access Request Policy, Privacy Notice for Pupils, Privacy Notice for Parents & Carers. Complaints may also be raised with the Information Commissioner's Office but we ask that you try to resolve these via the DPO first.
Staff Grievances and Disciplinary matters⁴	Staff Grievance & Disciplinary Policy
Whistleblowing	Whistleblowing Policy
Third party contractors/suppliers	Third party complaints process

Complaints relating to fulfilment of the Early Years Foundation Stage (“EYFS”) requirements

In order to comply with the statutory framework, written concerns or complaints relating to the fulfilment of the EYFS requirements will be dealt with in accordance with the following process:

The written concern/complaint will be acknowledged within 5 School days;

⁴ Note that where complaints relate to staff conduct, these may be dealt with under both this Complaints Policy and the Staff Grievance & Disciplinary Policy. In such circumstances Complainants will not be informed of the outcome of any Staff disciplinary investigation or processes.

- The Headteacher will investigate the concern or complaint, which may include meeting with the Complainant and the Head of Early Years. A written response notifying the Complainant of the outcome of the investigation will be sent within 28 School days of the complaint being received.
- Where the Complainant remains dissatisfied, the Clerk will ensure that a formal Complaints Panel will be convened in accordance with Stage 3 of this policy.

A record of the written complaints and their outcome will be maintained and made available to Ofsted on request.

Parents are further advised that, where they have concerns regarding the School meeting EYFS requirements, they may contact Ofsted on 0300 123 4666.

19. Complaints received outside of term time

The School/Trust (as appropriate) will consider complaints made outside of term time to have been received on the first School day after the holiday period.

Withdrawal of a complaint

If a Complainant wants to withdraw their complaint, they will be asked to confirm the withdrawal in writing.

Record keeping and confidentiality

A written record will be kept of all complaints that reach the formal stage, whether they are resolved following Stage 2 or proceed to a Panel hearing (Stage 3), and any action taken by the School as a result (regardless of whether they are upheld). Complaint records will be maintained securely and in line with the data protection and retention policy by the designated staff member within each School. For Trust complaints these will be maintained by the Governance Professional. Correspondence, statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection requests access to them.

The Complainant should also keep all correspondence, statements and records relating to their complaint confidential and should not disclose (by way of electronic communication, social media or otherwise) any information or documents relating to their complaint.

20. Anonymous complaints

Where an anonymous complaint is received, the School/Trust will use its reasonable endeavours to consider the complaint as best as it reasonably can. However, the School/Trust will not be required to consider the complaint pursuant to any specific process and will handle anonymous complaints on a case-by-case basis.

21. Complaint campaigns

Where the School/Trust receives a number of complaints all based on the same subject which, in its reasonable opinion, may be deemed a 'complaint campaign', it will deal with the complaints in the following way: individual responses will not be sent to Complainants in such cases. Instead, either a template response will be sent to all Complainants, or a single response will be published on the School/Trust's website at the discretion of the Headteacher/ CEO /Chair of Trustees.

Where the complaint campaign involves Complainants who are parents, they will be entitled to escalate the complaint to a Panel hearing if they are dissatisfied with the School/Trust's response. The School/Trust will consider how best to manage Panel hearings in such circumstances.

22. Serial or Persistent Complainants

If at any level a Complainant or connected party attempts to reopen an issue or a closely related issue that has already been dealt with under this Complaints Policy, the Chair of Trustees may write to the Complainant to inform him/her that the procedure has been exhausted, the matter is closed and that the Trust will therefore not respond to any further correspondence on this issue or a closely related issue.

23. Vexatious complaints

Complaints with the following characteristics may be deemed to be vexatious:

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

In such cases, the Chair of Trustees may write to the Complainant to inform him/her that the complaint is deemed to be vexatious and that the Trust will not respond to any further correspondence on this issue or a closely related issue.

24. Legal proceedings

If a Complainant threatens or commences legal action against the School/Trust (including the issuing of a letter before claim) in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Appendix 1 – Southport Learning Trust Complaints form

This form should be used to raise a formal complaint only after a matter has been raised informally under either Part A or Part B of the Complaints Policy and you are not satisfied with the response. Please refer to the Complaints Policy when completing this form.

Your details	
Name	
Email	
Address	
Name of pupil, year group and your relationship to them (if applicable)	
Complaint details	
School name (if complaint relates to a specific School)	
Grounds of complaint	

What steps have been taken to resolve the complaint informally (including details of who the matter was raised with, when and what solution was offered)

Why have the steps taken so far failed to resolve the complaint?

(including what you consider should have been done/where the School or Trust has not met reasonable expectations in its response)

Outcome sought

What action would you like taken to resolve the matter?

Signed Date

Please send completed forms to complaints@southportlearningtrust.org or hand in to the School office in a sealed envelope marked for the attention of the relevant addressee (generally, this will be the Headteacher when instigating a Stage 1 formal complaint or the Clerk to the Governors for a Stage 2 complaint. All complaints about the Trust, should be addressed to the Governance Professional. However, please refer to the Complaints Policy and in particular paragraph 6, 'Complaints about specific role-holders', for further information.

Appendix B – Flow Chart for Complaints Procedure

