

Shenington Church of England Primary School

Stocking Lane, Shenington, Oxon OX15 6NF
Telephone 01295 670273 Fax: 01295 678726
Email: office.5200@shenington.oxon.sch.uk

Excellence Through Endeavour
"Let your Light Shine" – Matthew 5:16

Shenington C of E (VA) Primary School



Complaints Policy

Date adopted: November 2025

Review date: November 2027

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Introduction

Shenington C of E (VA) Primary School is committed to providing the very best education for all children in a safe environment where they achieve their full potential. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community, working closely together in the best interests of every child.

We are aware that there may be occasions where people have concerns or complaints. Shenington C of E (VA) Primary School is committed to taking any concerns seriously at the earliest stage and resolving them to the satisfaction of all parties as quickly as possible. However, on the rare occasions when a concern cannot be resolved, this policy outlines our formal complaints procedure.

Legal framework

This policy has due regard to statutory legislation, including, but not limited to, the following:

- The Education Act 2002
- The Freedom of Information Act 2000
- The Immigration Act 2016
- The Equality Act 2010
- The General Data Protection Regulation (GDPR)
- The Data Protection Act 2018
- The School Information (England) Regulations 2008
- The Education (Pupil Information) (England) Regulations 2005

This policy also has due regard to guidance including, but not limited to, the following:

- DfE (2019) 'Best practice guidance for school complaints procedures 2019'
- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'

This policy will be implemented in accordance with the following school policies:

- Records Management Policy
- Child Protection and Safeguarding Policy
- Grievance Policy

Aims and Principles of the Policy

This Policy aims to:

- Ensure that complaints are dealt with quickly, fully and fairly to bring them to a satisfactory conclusion for all parties.
- Make clear the process for an individual or family who wish to make a formal complaint.
- Deal with complaints in a manner which ensures that good relationships between the school and all stakeholders can be upheld.

Where a concern is raised, the school intends for this to be dealt with fairly, openly and promptly. Where appropriate, the school may offer mediation to resolve a concern or complaint at any stage of the process. The school may also use an independent person to investigate an issue and to report back to the Head Teacher or Chair of Governors (depending on which stage of the process the complaint is being dealt with).

Throughout the process, the school will be sensitive to the needs of all parties involved and make any reasonable adjustments needed to accommodate individuals.

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Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A concern is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will seek to resolve concerns through day-to-day communications as far as possible.
- A complaint is defined as “an expression of dissatisfaction however made about actions taken or a lack of action”
- A ‘grievance’ is an issue raised by a member of staff where they feel the school has not implemented a policy or process fairly or properly. Grievances will be dealt with in line with the school’s Grievance Policy.

DFE Guidance

Scope of this Complaints Procedure

School Governing Boards are required under Section 29(1) of the Education Act 2002 to have in place a procedure for dealing with complaints relating to the school. This procedure covers all complaints about any provision of community facilities or services by Shenington C of E (VA) Primary School other than complaints that are dealt with under other statutory procedures, including those listed below:

Exceptions	Who to contact
Admissions to schools	Oxfordshire Admissions Team
Statutory assessments of Special Educational Needs under Children & Families Act 2014	Oxfordshire Local Authority
School re-organisation proposals	Oxfordshire Admissions Team
Matters likely to require a Child Protection Investigation or in relation to safeguarding	LA designated officer (LADO) or the Multi-Agency Safeguarding Hub (MASH). 01926 414144
National Curriculum	www.education.gov.uk/contactus
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline exclusions/exclusions. *complaints about the application of the behaviour policy can be made through the school’s complaints procedure. Please find Behaviour Policy on the School website.
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 whistleblowers 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

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	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.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
Collective Worship	Please see the school collective worship policy
External providers	Please contact the school office for details of external companies

Exceptional circumstances

The DfE and Ofsted expect complainants to have completed the school's complaints procedure before directing a complaint to them. The exceptions to this include when:

- Pupils are at risk of harm
- Pupils are missing education
- A complainant is being prevented from having their complaint progressed through the school's complaints procedure
- The DfE has evidence that the school is proposing to act or is acting unlawfully or unreasonably.

Making a complaint

Complaints are not restricted to parents of attending pupils. The school will consider all complaints. The school will ensure that all aspects of the complaints' procedure are:

- Easily accessible and publicised on the school's website.
- Simple to understand and put into practice.
- Impartial and fair to all parties involved.
- Respectful of confidentiality duties.
- Fairly investigated, by an independent person when necessary.
- Used to address all issues to provide appropriate and effective responses where necessary.

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Timescales

Complaints are expected to be made as soon as possible after an incident arises to amend the issue in an appropriate timescale. The school upholds a one month time limit (three months for exceptional circumstances) in which a complaint can be lodged regarding an incident. Complaints made outside this time limit will not be automatically refused and exceptions will be considered. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.

All formal complaints must be provided in writing in hard copy and addressed to the Head Teacher.

All complainants are given the opportunity to fully complete the complaints procedure.

Any complaint made against a member of staff will be initially dealt with by the Head Teacher, and then by a committee of the governing board.

Any complaint made against the Head Teacher shall be initially dealt with by a suitably skilled member of the governing board and then by a committee of the governing board.

Any complaint made against the chair of governors or any other member of the governing board should be made in writing to the clerk to the governing board.

Any complaint made against the entire governing board, or complaints involving the chair and the vice chair, should be made in writing to the clerk. The clerk will then determine the most appropriate course of action, depending on the nature of the complaint.

Information about a complaint will not be disclosed to a third party without written consent from the complainant with the exception of advice being sought from Oxfordshire Legal Services where necessary.

Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager. The interviewer will not express opinions in words or attitude, so as to not influence the interviewee. The interviewee will sign a copy of the transcription of the interview.

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Recording a complaint

The school will hold all records of complaint, centrally and securely. The "Complaint File" should include:

- A written record of any complaint made, detailing the main issues and, where appropriate, the outcome(s) being sought at the "Raising Concern" meeting
- **Formal Stage 1:**
 - Complainant's written letter to the head and any documentation submitted
 - The Head's written reply and all appropriate evidence: correspondence including emails.
 - Whether complainant is satisfied by the actions taken by the school as a result of the complaint (regardless of whether the complaint was upheld).
- **Formal Stage 2:**
 - Complainant's written letter to the Chair of Governors
 - Chair of Governor's reply
 - Whether complainant satisfied by the actions taken by the Governing Body as a result of the complaint (regardless of whether the complaint was upheld).
- **Appeal Panel:**

CAP's letter explaining the panel's findings and recommendations

All records are made available for inspection on the school premises by the Head Teacher and proprietor.

Where there are communication difficulties or disabilities, the school may provide recording devices to ensure the complainant is able to access and review the discussions at a later point. Recording devices will not be used without the prior consent of all parties. Where the school allows complainants to record meetings, the following will be considered:

- How any decision to allow recordings may affect any third parties called to act as witnesses
- The impact and consequences on the individuals involved in the complaint if recordings are lost or leaked

Details of any complaint made shall not be shared with the entire governing board. The exception to this is when a complaint is made against the whole governing board and they need to be aware of the allegations made against them, to respond to any independent investigation. Complainants are likely to have a right to access copies of these records under data protection legislation.

DFE Guidance

Raising a Concern

If an individual has a concern regarding any aspect of the school or their child's education or wellbeing, we invite them to raise this with their child's class teacher in the first instance. Ideally the class teacher will be able to address the concerns immediately or can arrange a meeting with them to discuss the issue.

If the individual does not feel their concerns have been addressed, they are welcome to raise their concern with the Head Teacher. If the individual feels that their concern has still not been addressed, the following formal complaints procedure should be followed:

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FORMAL STAGE

Stage 1

All complainants should receive a suggested template (appendix 1) for their Stage 1 complaint and a flowchart (appendix 2) of the complaints process

The complaint is submitted to the Head Teacher in writing marked "PRIVATE AND CONFIDENTIAL" outlining the nature of their complaint. The individual may wish to meet with the Head Teacher to provide details of their complaint. Within 5 working days the Head Teacher will acknowledge receipt of the complaint and after investigation will provide a full written response to the complainant within 20 working days. If the individual remains dissatisfied on receipt of their response, they should escalate to stage 2 within 10 days.

It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated.

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 Shenington C of E (VA) Primary School will take to resolve the complaint. The complainant will be advised of any escalation options.

If the complaint is about the Head Teacher, the individual or family should submit their complaint in writing to the chair of governors via the clerk to governors. The Chair of Governors will acknowledge receipt of the complaint and provides a full written response within 20 school days.

Stage 2

The individual should submit their complaint in writing to the Chair of Governors via the clerk to governors within 10 school days of receiving the response confirming they remain dissatisfied and requesting further investigation of their complaint. The Chair will acknowledge receipt and provide a full written response within 20 school days. If the complaint is not resolved at this stage, the complaint should be escalated to stage 3 within 10 days.

Stage 3 – COMPLAINTS APPEAL PANEL (CAP)

The individual or family will write to the Clerk of the Governing Board within 10 school days of receiving the response, requesting an appeal to be heard by a Complaints Appeal Panel. The clerk will need the details of the complaint, as well as details from the complainant on how they feel the previous stages of the procedure have not addressed their complaint sufficiently. The Clerk will acknowledge receipt of the complaint within 5 school days and will arrange for a CAP to meet within 20 school days. The Clerk will enclose a copy of this Complaint Procedure with the acknowledgement. The complaints appeal panel will consist of three impartial governors.

The Complaint Appeal Panel members will decide whether to deal with the complaint by inviting parties to a meeting or through written representations. If it is not possible to convene the meeting within 20 school days, the Clerk will provide an anticipated date and keep the complainant informed.

Representatives from the media are not permitted to attend.

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If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence based on written submissions from both parties. If the whole governing board is aware of the substance of a complaint before the CAP has been completed, an independent panel should be arranged to hear the complaint.

To appoint a governor from another school onto an independent complaints appeal panel, the governing board does not have to enter into, or already be in, a formal arrangement under the School Governance (Collaboration) (England) Regulations 2003.

Appeal Panel

Where appropriate, the clerk will ask for support from Governor Services at the LA. At least 10 school days before the meeting, the Clerk should confirm and notify all parties of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible. Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The CAP will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The CAP will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. Prior to the hearing, the chair of governors will have written to the complainant informing them of how the review will be conducted. The Head Teacher will also have a copy of this letter.

At the hearing, all participants will be given the opportunity to put their case across and discuss any issues. The CAP will consider issues raised in the original complaint and any issues which have been highlighted during the complaints procedure. The CAP 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 meetings or conversations take place. Consent will be recorded in any minutes taken. The Clerk will record the proceedings in the form of minutes. The typed minutes are a summary of the procedure followed and the discussions taking place at the meeting but will not include the deliberations of the panel. Notwithstanding this, full and comprehensive notes of the decision taken by the CAP should be taken. The minutes are the property of the governing board.

The CAP

- will consider the complaint and all the evidence presented, they can:
- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

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If the complaint is upheld in whole or in part, the CAP 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 Chair of the CAP will provide the complainant and Shenington C of E (VA) Primary School with a written response explaining the panel's findings and recommendations within 15 school days. This letter will also explain whether there are any further rights of appeal and to whom they need to be addressed. Where relevant, the person complained about will receive an approved summary of the panel's findings and recommendations. They will also receive a copy of the minutes, subject to any necessary redactions under the Data Protection Act 2018 and the GDPR.

Final stage – Appeal

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the DFE (Department Of Education) which investigates complaints relating to maintained schools on behalf of the Secretary of State. The DFE will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The DFE also looks at whether the school's statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

DFE Guidance

Roles and responsibilities

As a school, we ask that the individual or family who wish to make a complaint:

- Co-operate with the school in seeking a solution to the complaint, including attending meetings with the Head Teacher and/or governor representatives at a mutually convenient time.
- Promptly respond to any requests for information or meetings.
- Ask for assistance if required
- Treat all those involved in the complaint with respect and without prejudice
- Refrain from publicising the details of their complaint on social media and respect confidentiality of all parties involved.

The Head Teacher will deal with the complaint in the first instance and will:

- Ensure that all parties involved in the complaint are fully updated throughout each stage of the procedure.
- Ensure that all parties involved in the procedure are aware of any relevant legislation, including the Equality Act 2010, GDPR, Data Protection Act 2018 and Freedom of Information Act 2000.
- Keep up-to-date records throughout the procedure –these will be retained in line with the school's Records Management Policy.
- Inform the chair of Governors in a timely manner of the complaint.
- Be aware of issues regarding sharing third party information.
- Understand the complainant's need for additional support, including interpretation support, and be aware of any issues concerning this.

The Investigator will:

- Provide a sensitive, open, transparent and thorough interviewing process of the complainant to establish what has happened and who is involved.
- Consider all records, evidence and relevant information provided.
- Interview all staff and children and other people that are involved in the complaint.

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- Conduct interviews with an open mind and be prepared to persist in the questioning.
- Analyse all information in a comprehensive and fair manner.
- Liaise with the complainant and complaints co-ordinator to clarify an appropriate resolution to the problem.
- Keep notes of interviews or arrange for an independent note taker to record minutes of meetings.
- Ensure that any papers produced during the investigation are kept securely pending any appeal.
- Be mindful of timescales and ensuring all parties involved are aware of these timescales.
- Prepare a comprehensive report for the Head teacher or Complaints Appeal
- Panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- Respond to the complainant in plain and clear language.

The Chair of the Complaint Appeal Panel will:

- Ensure that both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- Ensure written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- Ensure that minutes of the hearings are taken on every occasion.
- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease individuals involved who are not used to speaking at such hearings, particularly any pupils involved.
- Ensure that everyone is treated with respect and courtesy.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the school the opportunity to state their case and seek clarity without undue interruption.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the clerk and complaints co-ordinator to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

All Complaint Appeal Panel Members will remember that:

- The review panel hearing is independent and impartial.
- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain reconciliation between the parties involved.
- Reconciliation between the school and complainant is not always achievable, and that it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.

DFE Guidance

Anonymous complaints

Shenington C of E (VA) Primary School will not normally investigate anonymous complaints. However, the Head teacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Vexatious Complaints

There will be occasions when, despite all stages of the procedures being followed and investigated, the complainant remains dissatisfied. If the complainant tries to re open the same issue, the Chair of Governors will inform them in writing that procedure has been exhausted and that the matter is now closed.

Managing unreasonably persistent complaints or harassment

In the event of unreasonably persistent complaints or harassment, Shenington C of E (VA) Primary School reserves the right to adapt the Complaints procedure as necessary. Please see the Managing Serial and Unreasonable Complaints

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Policy.

In such circumstances the following are examples of steps that may be taken:

- Informing the complainant informally that their behaviour is now considered to be unreasonable or unacceptable, and requesting a changed approach;
- Requiring that all future meetings with a member of staff are conducted with a third person present with notes taken;
- Informing the complainant that, except in emergencies, the school will respond only to written communication;
- Placing restrictions on the complainant's access to school and/or school staff;
- Ceasing all correspondence and communication with the complainant other than that necessary for the health and safety of any child/adult in school;

Multiple Complaints

In the event of complaints received from different complainants concurrently, or a complaint raised by a group of individuals, we reserve the right to adapt the complaints procedure, for example providing a template letter of response.

Third party providers

Where a complaint is about something for which the school is not responsible, the complaint should be re-directed, and the complainant informed without delay.

Serial Complaints

We expect complainants to act reasonably and not in a manner which hinders the consideration of a complaint.

Duplicate complaints

There may be some cases where at the end of the complaints procedure Shenington C of E (VA) Primary School receives a duplicate complaint on the same subject from a complainant's spouse, partner, grandparent or child. The new complainant will be advised to contact the DfE if they are dissatisfied with the handling of the original complaint.

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If the complainant continues to contact the school in a disruptive way, as outlined in the parent behaviour policy, Shenington C of E (VA) Primary School reserves the right to:

- Give the complainant a single point of contact via an email address;
- Limit the number of times the complainant can make contact, such as a fixed number per term;
- Ask the complainant to engage a third party on their behalf, such as Citizens Advice;
- Stop responding to the complainant

The school will not deny any individual access to information that they have a right to under the Education (Pupil Information) (England) Regulations 2005.

Stopping responding

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make. In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

Complaint campaigns

Occasionally, a school may become the focus of a complaint campaign and receive large volumes of complaints. For the purpose of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with the school) which are all based on the same subject.

Depending on the subject in question, Shenington C of E (VA) Primary School may deviate from the procedure set out in this policy and would follow the advice of Oxfordshire Local Authority and the DfE.

If Shenington C of E (VA) Primary School receives a large number of complaints about the same subject from complainants who are connected to the school, e.g. parents, each complainant will receive an individual response. If complainants remain dissatisfied with the school's response, they will be directed to Oxfordshire Local Authority.

Barring from school premises

School premises are private property and therefore any individual can be barred from entering the premises. If an individual's behaviour is cause for concern, the Head Teacher can ask the individual to leave the premises.

The Head Teacher will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and the reasons why, subject to any representations that the individual may wish to make. If the school refers this to Oxfordshire Legal Services, they will write to the parents on the school's behalf.

The individual involved will be given the opportunity to formally express their views regarding the decision to bar them. This decision to bar will be reviewed by the chair of governors or a committee of governors, considering any discussions following the incident.

If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place, they will also be informed of when the decision will be reviewed.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including email, to the Head Teacher or chair of governors.

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Social Media

For complaints to be resolved as quickly and fairly as possible, Shenington C of E (VA) Primary School requests that complainants do not discuss complaints publicly via social media including, but not limited to, Facebook, WhatsApp and Twitter. Complaints will be dealt with confidentially for those involved, and Shenington C of E (VA) Primary School expect complainants to also observe confidentiality.

Parental responsibility

Conflict between estranged parents over the application of parental responsibility is a common cause of complaints made to schools. Understanding and dealing with issues relating to parental responsibility contains specific advice about how to approach issues concerning parental responsibility. Shenington C of E (VA) Primary School will adhere to this advice as well as following this policy.

Complaints that Result in Staff Capability or Disciplinary

If at any formal stage of a complaint it is determined that staff disciplinary or capability proceedings are necessary, the details of any action will remain confidential to the Head Teacher and/or the individual's line manager. The complainant is not entitled to participate in the process or receive any detail about the proceedings.

Complaints about our fulfilment of the Early Years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements and notify the complainants of the outcome within 28 days of receiving the complaint. Shenington C of E (VA) Primary School will keep a record of the complaint and make this available to Ofsted on request. Parents / carers can notify Ofsted if they believe that the school is not meeting the Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

Withdrawal of a Complaint

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

Reviewing and Monitoring Arrangements

The Governing Board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Governing Board will review any underlying issues raised by complaints with the Head teacher, where appropriate and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practices to help prevent similar events in the future.

The complaints procedure will be reviewed every 2 years, considering the latest guidance issued by the DfE.

A copy of this policy will be published on the school website in accordance with the School Information (England) Regulations 2008.

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Appendix 1

Complaints Form

Your name:

Pupil's name (if relevant):

Your relationship to the pupil (if relevant):

Day time telephone number:

Evening telephone number:

Email address:

Key points of your complaint – Please summarise the key issues for you

Timeline – please *summarise* the sequence of events – in date / time order

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Your desired outcome(s) – What are you hoping to achieve? What are you hoping to achieve? What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? *Please give clear references and indications of documents, records, policies, and any other documents that will help us to understand your point of view and your complaint*

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Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

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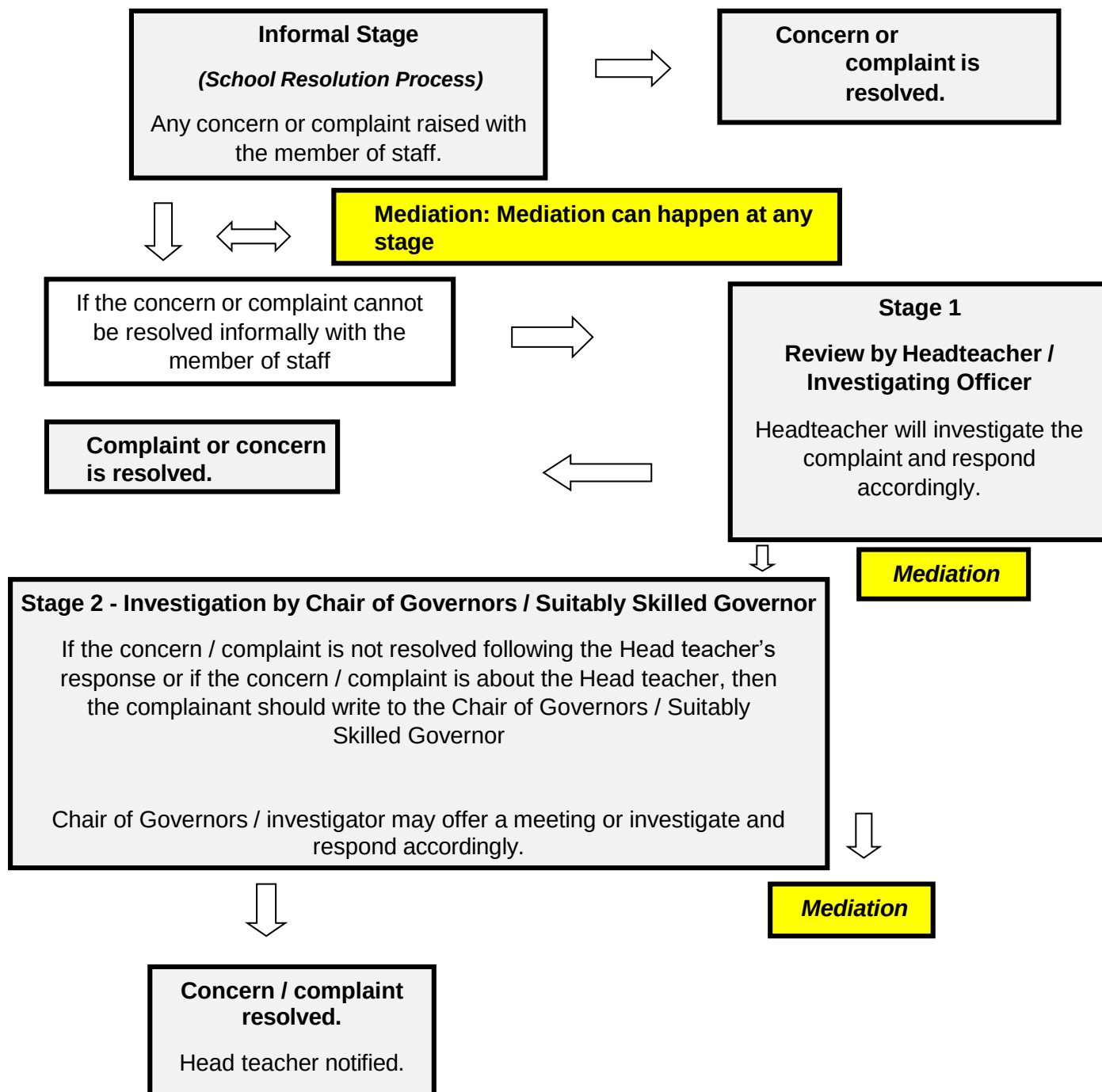
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APPENDIX 2

School Complaints Procedure Flowchart



Head Teacher: Miss Sarah Reynolds

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Stage 3 – Governing Board Review Committee

If the concern / complaint is not resolved following the Chair of Governor's / Suitably Skilled Governor's response, the Complainant may request a Governing Board Review Committee Meeting. Escalate within 10 days.



Following the Governing Board Review Committee Meeting the Chair notifies the Complainant and School of the outcome and any recommendations.



If the Complainant believes the school did not handle their complaint in accordance with the published complaints procedure, they acted unlawfully or unreasonably, they can contact the DfE / ESFA