

Complaints and Compliments Management Policy – Schools

Reference Number	QS-0010
Version Number	3.1
Latest Revision	October 2025
Policy Owner	Education / Assurance and Compliance
Policy Lead	Head of Incidents and Complaints
Ratified	ELT, September 2025
Next Review	October 2027

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Purpose

The National Autistic Society is committed to providing high quality, transparent and accessible services to everyone we support across adult and children services and other support networks. To do this we need you to tell us when we do things well and when we get things wrong.

- We want to help resolve all complaints as quickly as possible.
- We will handle any expression of dissatisfaction with our services which calls for a response as a complaint.
- We will listen to your complaints, treat them seriously, and use any feedback received from complainants to enable us to develop and improve our services.

Scope

Our policy covers complaints about:

- The standard and quality of service you should expect from us
- The behaviour and professional conduct of our staff in delivering that service
- any action, or lack of action, by our staff or others engaged on National Autistic Society business

This policy applies to all National Autistic Society employees, trustees, stakeholders, families of the pupils supported in our schools and people the National Autistic Society provides support to.

This policy also covers situations where feedback is received from those not employed by the National Autistic Society, for example:

- Someone supported in a National Autistic Society Service or Student Support or receiving any service from the National Autistic Society including access to online forums
- On behalf of those who are unable to complete the process independently (as defined by the Mental Capacity Act 2015 or the Adults with Incapacity (Scotland) Act 2000 or the Mental Capacity Act 2016 Northern Ireland)
- A person who has been asked to do so by the person affected
- A National Autistic Society Member or member of an organisation related to the National Autistic Society; a funding organisation / fund raiser.
- A member of the public
- National Autistic Society volunteers
- Pupils supported by National Autistic Society volunteers

This policy does not apply to situations where staff wish to make a complaint about another staff member or internal process. In these instances, staff will be referred to the Grievance Policy, staff may also report their concerns anonymously through Safecall.

Legal framework

Compliance with this policy will ensure that National Autistic Society operate a robust complaints process which meets the applicable standards and operates in accordance with:

- Education Act 2002, Section 29(1)
- Department for Education (DfE)
- The Education (Pupil Information) (England) Regulations 2005
- The School Information (England) (Amendment) Regulations 2016
- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009
- Health and Social Care Act 2008
- The Disability Discrimination Act 1995
- Human Rights Act 1998
- The Equality Act 2010
- The Mental Capacity Act 2005 (MCA)
- Mental Capacity Act (Northern Ireland) 2016 (UK)
- Adults with Incapacity (Scotland) Act 2000
- The Online Safety Act 2023

Roles and Responsibilities

Chief Executive Officer

The Chief Executive Officer (CEO) holds overall responsibility for the Complaints and Compliments Management Policy. As the accountable officer, the CEO oversees the organisation's management and ensures that effective systems are in place to support service delivery and operational continuity.

Effective complaints management is central to this responsibility, helping to ensure that policies, procedures, and training are appropriate, up to date, and aligned with continuous improvement and lessons learned.

Executive Leadership Team

The Executive Leadership Team (ELT) supports this policy by coordinating actions to address organisation-wide risk management issues, for example, approving additional financial resources to enhance services or undertaking remedial actions identified through complaint investigations.

Head of Incidents and Complaints

The Head of Incidents and Complaints is responsible for coordinating the complaints investigation process, ensuring consistency, quality, and compliance across the organisation. Key responsibilities include:

- Recording all complaints and compliments received via email on the digital reporting system.
- Acknowledging and responding to complaints received via email, or confirming they have been acknowledged by the relevant service or department.
- Appointing an investigator to carry out a Stage 2 investigation when a complaint outcome has been appealed.
- Quality assuring the overall complaint investigation process.
- Reviewing and quality assuring the response letter drafted by the investigating officer.
- Developing and assigning an action plan based on the investigation's findings and recommendations.
- Acknowledging Stage 3 Panel meetings following an appeal of a Stage 2 outcome.
- Coordinating and managing Stage 3 Panel meeting where the outcome of a Stage 2 investigation carried has been appealed.
- Reviewing and quality assuring the outcome of a Stage 3 Panel meeting.
- Drafting and sending the Stage 3 outcome response.
- Ensuring that organisational lessons learned are effectively disseminated following each investigation.
- Provides update to ELT as appropriate (and/or relevant Director).

Principals and Deputy Principals

Principals and Deputy Principals are responsible for the effective management of complaints within their areas. Their key responsibilities include:

- Appointing an investigator when a complaint is made.
- Ensuring that all complaints are reported, thoroughly investigated, and that findings are clearly documented.
- Managing risks identified through the complaint's resolution process.
- Disseminating lessons learned to relevant staff and incorporating them into ongoing discussions aimed at continuous improvement.
- Overseeing the timely implementation of actions arising from the Complaints Resolution process.

Commissioning Officer (where this is not the Head of Incidents and Complaints)

- Reviews Stage 1 complaints and determines if another department is required for the investigation (i.e. HR involvement).
- Appoints Investigator.
- Supports the investigator to write the Terms of Reference.
- Meets with investigator mid-way through investigation for update, and escalating any concerns identified to the Head of Incidents & Complaints.
- Meets with investigator and Head of Incidents and Complaints at end of investigation to receive final report and agree action plan.
- Writes up (or delegates as appropriate) Organisational Learning and brief ensuring this is distributed to relevant audiences and where appropriate shared with the Head of Incidents and Complaints for presentation at the Central Integrated Management Meeting.

Investigating Officer

The Investigating Officer is responsible for:

- Requesting evidence of authority or consent for the subject of the complaint (as appropriate)
- Obtaining evidence of consent or authority (if appropriate).
- Organising interviews for individuals who are identified through the investigation process.
- Collating and reviewing evidence and compiling the investigation report, ensuring that recommendations are made based on the findings of the investigation.
- Drafting the response letter following the completion of the investigation.

Definitions

Complaint

A complaint is an expression of dissatisfaction, whether justified or not.

Compliment

A compliment is an expression of admiration or praise.

Complainant

Complainants are the people making the complaint, whether on behalf of themselves, or a pupil attending a National Autistic Society School.

The complainant/ complainants may be:

- A pupil
- A third party; someone acting on behalf of the pupil, with their written consent e.g. an advocate, relative, Member of Parliament.
- Parents, carers or legal guardians of a pupil
- An appointee: someone acting on behalf of a pupil, who is unable to represent his or her own interests, provided this does not conflict with the pupil's right to confidentiality or a previously expressed wish

Vexatious Complaint

A vexatious complaint is usually deemed as a complaint that is made without reasonable justification, often intended to cause annoyance, disruption, or harassment even if it appears to lack merit. These complaints are typically unreasonable, repetitive, or aimed at prolonging interaction without offering any new or relevant information. Examples of vexatious complaints include:

- Complaints that are baseless or lack substantive evidence.
- Persistent pursuit of a complaint that has already been addressed or found to be unsubstantiated.
- Repeatedly raising concerns or altering the nature of the complaint to unnecessarily extend the process.
- Making unreasonable or excessive demands for information or responses, placing undue strain on organisational resources.
- Continuously bringing up matters that have already been investigated and resolved.
- Shifting the focus or content of the complaint to delay resolution.
- Complaining repeatedly about trivial or insignificant issues.

- Ignoring investigation outcomes and continuing to pursue the same complaint.

There is no exhaustive list of behaviours that may be considered unreasonable, as each case should be assessed on its own individual circumstances.

Stage 1 Complaint

When a complaint is first raised with the National Autistic Society, it will be handled as a Stage 1 Complaint. These complaints are investigated at a local level. The investigation will be overseen by the Principal or Deputy Principal of staff within the school.

Stage 2 Complaint

If the complainant is dissatisfied with the outcome of the Stage 3 investigation, they may appeal the decision in writing. In such cases, a Stage 2 Complaint process will be initiated. The process will be overseen by the Head of Incidents and Complaints and reviewed by the Director of Assurance and Compliance.

Stage 3 Panel Meeting

If the complainant remains dissatisfied with the outcome of the Stage 2 investigation, they may request that the complaint is reviewed in a Stage 3 Panel meeting. The Complaints Panel will comprise of at least three people who were not directly involved in the matters detailed in the complaint. One Complaints Panel member will be independent of the running of the school. A member of the School Governance Group (SGG), provided they have no conflict of interest, may sit as an independent Complaints Panel member.

Our standards for handling complaints

If you have a concern about a National Autistic Society service or team, the easiest way to get your concern resolved will be to raise it directly with the appropriate service manager (if your complaint is connected with an adult service). If your complaint is about a different part of our charity the easiest way to get your concern resolved will be to raise it directly with the appropriate team manager in the first instance. Your complaint will be documented, ensuring that the outcome and any identified actions are recorded.

We accept complaints via telephone, letter, or email. Where necessary, we can also accommodate alternative methods of communication to meet reasonable adjustment needs. All complaints are taken seriously and handled with the upmost care and respect.

You can expect to be treated with courtesy, respect and fairness at all times. We expect that you will also treat our staff dealing with your complaint with the same courtesy, respect and fairness.

Any information that you give will be shared on a need-to-know basis only, in line with our charity's Data Protection policy.

You have the right to anonymity but if you wish to remain anonymous, we may not be able to update you on the outcome of your complaint or offer you the opportunity to feedback your experience.

We will deal with your complaint promptly:

- We will acknowledge receipt of a Stage 1 complaint within 5 working days where we have return details and you can expect to have a full reply within 28 working days.
- In a few cases we may not be able to send a full reply within 28 working days of receipt, for example, if your complaint is very complex. If this happens and we have your contact details we will tell you the reason why and let you know when we will be able to reply in full, keeping you fully informed of progress.

We will not treat you less favourably than anyone else because of your:

- Sex or legal marital or same-sex partnership status: this includes family status, responsibility for dependents, gender (including gender reassignment, whether proposed, commenced or completed) and sexual orientation
- Colour or race: this includes ethnicity, national origin or nationality
- Disability
- Class, economic or social status
- Religious or political beliefs, or trade union affiliation
- Any other unjustifiable factors, for example language barriers, age, pregnancy and maternity

Investigations may be cross referenced with other parties, where relevant, when external organisations are implicated in the concern raised.

Making a Complaint on Behalf of Someone Else

If you are submitting a complaint on behalf of another individual or individuals, particularly where the concern relates to a person we support, we are required to carry out appropriate checks to ensure we have the legal authority to share personal and confidential information with you.

Where the person (or persons) we support has capacity, you must provide written evidence of their consent. If written consent cannot be obtained, we will liaise directly with the individual to confirm their authorisation for us to communicate and share information with you regarding their care and the complaint. In these instances, we will record the authorisation details provided.

Where the person (or persons) we support lacks capacity, we will verify whether you have the legal authority to act on their behalf. You may be required to provide evidence of this authority (e.g. a Court of Protection Order, Power of Attorney or relevant legal documentation).

In all cases, consent or proof of authority must be received in order for us to proceed with sharing the outcome of our investigation.

If consent or the necessary authorisation is not received within 10 working days of our initial acknowledgment of the complaint, the case will be closed. A written notification will be issued confirming the closure of the complaint due to insufficient authorisation.

There may be circumstances where a supported person's consent is not required to pass on information, for example:

- A deceased person.
- When not revealing such information would be breaking the law.
- Where there is a risk of harm to an individual or themselves.
- Information is requested by the police, H.M. Coroner, a court or tribunal.
- There are reasonable grounds to suspect abuse of a child or vulnerable adult as per our organisational safeguarding policies and procedures.

Involving the People We Support in the complaints process

It is essential to consider the views and opinions of the people we support throughout the complaint management process. Actively involving them is a crucial step toward enhancing service quality, ensuring accountability and transparency, and identifying areas for improvement within the National Autistic Society. This

approach also fosters trust, empowers those we support, and promotes a culture of learning and positive change.

Mental Capacity

Where a person we support has been deemed to have capacity, we will follow their communication plan (where applicable) to ensure that they are fully involved in the complaints process.

Where a person we support has been deemed not to have capacity, we will ensure that the nominated individual/guardian is fully involved in the complaints process. We will support the person to make their views and opinions heard according to their support plan. On occasions, we may ask for an additional mental capacity assessment to be completed for specific situations.

Safeguarding

If there is a concern about safeguarding an adult or child, or there is a belief that someone may be at risk of serious harm, the National Autistic Society will immediately refer the case to the appropriate statutory agency for adult or children's protection. If there is a safeguarding concern, we will manage this under the appropriate Safeguarding Policy and not through this complaints policy.

Where a complaint is about the manner in which a safeguarding matter has been handled then that complaint will be addressed through this policy.

Please refer to the National Autistic Society website for more information.

Persistent or vexatious complaints

The National Autistic Society operates on the principle that all complaints are made in good faith. Each complaint is assessed on its individual merits. Even if someone has previously submitted a vexatious or malicious complaint, we do not automatically assume that future complaints from the same individual will be of a similar nature.

If a complaint is deemed persistent or vexatious, we will follow our internal procedures for managing such cases and will provide the complainant with a clear explanation of our decision.

How to complain to us

There are a variety of ways that people can make complaints:

- Telephone call to your local service / team
- In writing to your local service/ team
- Email: Your.Views@nas.org.uk

Alternatively, you can send your complaint in writing to:

The Head of Incidents and Complaints
The National Autistic Society
Weston House
42 Curtain Road
London EC2A 3NH

Please note, our offices are for administrative purposes only and are not open to the general public.

Your Rights

If you are dissatisfied with the outcome of a complaint investigation, you have the right to appeal.

The National Autistic Society allows a period of 10 days from the date of receipt of the outcome letter for an appeal to be submitted. Appeals must be made in writing and addressed to the Head of Incidents and Complaints via email at your.views@nas.org.uk.

Upon receipt of an appeal, the National Autistic Society will acknowledge the request and may seek additional information to support the review process.

All appeals will be reviewed in accordance with Stage 2 of the Complaints Process. A formal response will be provided within 28 calendar days of the appeal being

acknowledged. If additional time is required to complete the review you will be notified in writing with an updated timeline.

The National Autistic Society is committed to ensuring that all appeals are managed in a manner that is fair, transparent, and timely.

What happens if I am still unhappy?

If you are not satisfied with our Stage 2 response, you have the right to request a Stage 3 Panel Meeting to review the outcome of the investigation.

To do so, please submit your request in writing to the Director of Assurance & Compliance at your.views@nas.org.uk within 10 calendar days of receiving the Stage 2 outcome letter. Your request should explain why you remain dissatisfied and outline the remedies you are seeking. Please include any supporting evidence with your submission.

The Stage 3 Panel will consist of three individuals who have not been directly involved in the matters raised in your complaint. Where appropriate and without conflict of interest, one panel member may be drawn from the School Governance Group. One member will be appointed as Chair.

You are welcome to attend the Stage 3 Panel Meeting and may be accompanied by one other person, such as a relative, friend, or colleague. Please note that legal representation is generally not considered appropriate. The Principal may also attend the meeting and may be accompanied by one other person.

Please be aware that the Complaints Panel will not accept, as evidence, any recordings of conversations that were obtained covertly and without the informed consent of the Chair.

If you are not satisfied with the outcome of the Stage 3 Panel

In the event that you remain dissatisfied with the outcome of the Stage 3 Panel response, you have the right to raise your concerns with the Local Authority responsible for funding the placement. Alternatively, you can raise your concerns with Ofsted. See Appendix 1 for further information.

Comments and Compliments

Quality of service is an important measure of our effectiveness. Learning from complaints, comments and compliments is a powerful way of helping continuous improvement at our charity and enable us to better deliver to our values and standards.

As well as learning from your complaints we would like to hear about:

- Ideas you have on how we might do things better
- When we do things well

Your comments and compliments will be passed on to the relevant team or school and we will use them to help improve the way we do things.

You can make your comments and compliments by contacting any member of our staff or you can e-mail: Your.Views@nas.org.uk

Related documents

Ref	Document name
QS-0001	Incident Management Policy
QS-0001-001-0523	Incident Management Procedure
SO-0194	Safeguarding Adults Policy
SO-0188	Safeguarding Children and Young People (Child Protection) Policy
IGP 02	Data Protection Policy
IGPR01	Identification and Verification Procedure for Individual and Third-Party Requests
IGPR02	Authority to Discuss Information with a Nominated Individual

Appendices

Appendix 1 - Regulatory Bodies

Organisation	Contact Details
Ofsted	0300 123 1231 https://www.gov.uk/government/organisations/ofsted enquiries@ofsted.gov.uk Please note: If you think a child is at risk, contact the children's social care team at their local council or call your local police on 101. If a child is in immediate danger, call 999.
For Data Breaches	
Information Commissioners Office (ICO)	0303 123 1113 www.ico.org.uk Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5A