



COMPLAINTS POLICY

Last Review Date	September 2026
Policy Reviewer	Director – Kane Wilson
Version	V2 23/09/26
Changes since last review	-
Next Review Date	September 2027

1. PURPOSE

The Ark Smallholding welcomes feedback and aims to resolve concerns fairly, promptly and proportionately. This policy explains how a person can raise a concern or complaint about The Ark's services, how The Ark will investigate and respond, and how a dissatisfied complainant can request a final internal review. It also explains when another route – especially safeguarding, whistleblowing, grievance, disciplinary or data-protection procedures – must take priority.

2. SCOPE AND STATUS

The Ark is an independent non-school alternative provision in Leeds. Pupils are placed by commissioning schools or other commissioning organisations and attend for outdoor alternative-provision activities including animal care and forest-school activities. This policy applies to complaints about facilities, services, communication, operational decisions and conduct for which The Ark is responsible.

School-specific complaints legislation and governance structures do not automatically apply to The Ark. The Ark nevertheless adopts the fairness, accessibility, timeliness and learning principles in DfE complaints guidance as relevant good practice and to meet Leeds commissioning expectations. Nothing in this policy limits a person's right to contact a safeguarding agency, police, regulator, commissioner, court or other body where that route is legally available.

3. WHO CAN RAISE A CONCERN OR COMPLAINT

- parents and carers of pupils attending or formerly attending The Ark;
- pupils, directly or with support from a trusted adult, advocate, parent/carer or commissioning school;
- commissioning schools, local authorities and other placing organisations;
- staff, volunteers and contractors in relation to service matters that are not more appropriately a grievance or whistleblowing disclosure;

- members of the public where the complaint concerns The Ark's facilities, services, conduct or impact.

A person may use a representative where The Ark is satisfied that the representative is authorised to act. The Ark will not insist on a particular form where the substance of a complaint is clear.

4. CONCERN, COMPLAINT AND THE RIGHT ROUTE

A concern is an expression of worry or doubt for which reassurance, clarification or early action is sought. A complaint is an expression of dissatisfaction, however made, about an action taken, a failure to act, the quality of a service, treatment, communication or another matter for which The Ark may be responsible.

ISSUE	USE THIS ROUTE
Ordinary service/communication/operational dissatisfaction	This Complaints Policy.
Child harmed, at risk, abused, neglected, exploited or unsafe	Safeguarding & Child Protection Policy immediately.
Adult may have harmed a child / committed a relevant offence / pose a risk / be unsuitable to work with children	Safeguarding allegations and Leeds LADO route immediately.
Adult conduct below expected safeguarding standards but apparently below harm threshold	Low-Level Concerns / Staff Code of Conduct route.
Wrongdoing raised in the public interest	Whistleblowing Policy; safeguarding route also applies where relevant.
Employee's own employment dispute	Grievance Policy.
Personal-data handling or exercise of data rights	Data Protection Policy / Data Protection Lead, alongside any non-data complaint issue.
Decision made by commissioning school/LA rather than The Ark	Commissioning school/LA complaints or statutory process, with The Ark cooperating as appropriate.

5. SAFEGUARDING TAKES PRIORITY

A complaint that raises a safeguarding concern must not be handled solely through the ordinary complaints process. The complaint recipient must immediately consider whether the information indicates harm or risk of harm, abuse, neglect, exploitation, unsafe practice, an allegation about an adult, a low-level concern, criminal conduct or another safeguarding issue.

- Immediate protective or referral action must not wait for completion of a complaint stage.
- The DSL or Deputy DSL must be informed promptly in accordance with the Safeguarding & Child Protection Policy.
- Where the concern may meet the adult harm threshold, the Leeds LADO procedure must be followed. Staff must not conduct a substantive internal investigation that could compromise LADO, police or Children's Social Care enquiries.
- If a child is in immediate danger, call 999. Practitioners can contact Leeds Duty and Advice on 0113 376 0336; out of hours, Children's Emergency Duty Team on 0113 535 0600. Current contact details must be checked at the time of an incident.
- The ordinary complaint may be paused, narrowed or run in parallel, depending on external-agency advice and what can safely be addressed without prejudicing safeguarding action.

6. COMPLAINTS, WHISTLEBLOWING AND GRIEVANCES

A complaint usually concerns the quality of service, treatment of a pupil, communication, an operational decision or conduct. Whistleblowing concerns suspected wrongdoing disclosed in the public interest. A grievance normally concerns an employee's own employment, workplace treatment, terms/conditions or personal workplace dispute.

The title given by the person raising the issue is not decisive. The Ark will route the matter according to substance and may use more than one procedure where necessary. A person will not be required to repeat safeguarding information unnecessarily simply because the concern also constitutes a complaint.

7. HOW TO RAISE A COMPLAINT

Complaints may be raised verbally or in writing.

METHOD	DETAILS
Email	info@thearksmallholding.co.uk – mark the subject "Complaint – Private and Confidential" where appropriate.
Telephone	07754 315 387. A verbal complaint will be written up and checked with the complainant where practicable.
Post	Complaints, The Ark Smallholding Ltd, The Ark Smallholding, Main Street, Collingham, Leeds, LS22 5AS.
In person	Ask to speak with the Lead Complaints Coordinator or another senior member of staff. A private meeting will be arranged where appropriate.

Ordinary complaints should normally be addressed to the Lead Complaints Coordinator. If the complaint concerns that person, the Director, the DSL or another person who would normally receive or determine the complaint, it should be addressed to "Alternative Complaints Reviewer – Private and Confidential" using the same contact details. The Ark will then allocate a conflict-free reviewer. If no suitable internal reviewer exists, The Ark will appoint an appropriately independent external person.

8. WHAT INFORMATION IS HELPFUL

- complainant's name and preferred contact details, unless they wish to remain anonymous;
- pupil's name and commissioning school, where relevant;
- what happened, including dates, locations and people involved where known;
- what has already been done to try to resolve the issue;
- the outcome or remedy sought;
- copies or descriptions of relevant documents or evidence.

A complaint will not be rejected solely because information is missing, because it is verbal, or because the complainant has not used The Ark's complaint form.

9. ACCESSIBILITY, EQUALITY AND SUPPORT

The Ark will make reasonable adjustments where required and will seek to make the process accessible to people with disabilities, SEND, communication needs, literacy needs or language barriers. Adjustments may include support to put a verbal complaint in writing, Easy

Read or alternative formats, translated information, a longer response period for the complainant, an advocate/supporter, accessible meeting arrangements or another reasonable method.

Requests for adjustment will be considered individually. Equality and safeguarding needs may justify flexibility from ordinary procedural targets.

10. COMPLAINTS FROM PUPILS

- A pupil may speak to any trusted Ark adult and say that they are unhappy, worried or want to complain.
- Staff should not require a pupil to use formal language or complete a written form.
- The pupil should be offered support from a trusted adult, parent/carer, advocate or commissioning-school professional where appropriate and safe.
- Communication must take account of SEND, disability, speech/language needs, trauma, age and preferred communication method.
- Any safeguarding content must be escalated immediately. A pupil must not be told to wait for the complaints process before safeguarding action is taken.
- The pupil should receive an age-appropriate explanation of what will happen next and, where possible, the outcome.

11. INFORMAL RESOLUTION

Where appropriate, The Ark encourages early resolution through discussion, clarification, apology, practical remedy, correction of information or an agreed action. The person dealing with the concern should listen, clarify the issue and ask what would help resolve it.

Informal resolution is not suitable where doing so would minimise or delay a serious safeguarding concern, a possible harm-threshold allegation, criminal conduct, serious health-and-safety risk, or another matter requiring formal/statutory action. A complainant may also ask to move directly to Stage 1.

12. STAGE 1 – FORMAL COMPLAINT

- Receipt will be recorded on the date received. Where contact details are available, The Ark will normally acknowledge the complaint within 3 working days.
- The complaint handler will confirm the issues to be considered, the desired outcome and any immediate safeguarding, safety, data-protection or conflict-of-interest issues.
- The handler may investigate personally or appoint a suitably impartial investigator. The person who determines the Stage 1 outcome must have sufficient authority and no material conflict of interest.
- The investigation may include reviewing records, speaking with the complainant, staff, pupils or other relevant people, and obtaining information from a commissioning school where necessary and lawful.
- Interviews and records will be handled sensitively. Children will not be questioned in a way that conflicts with safeguarding advice or causes unnecessary repetition of an account.
- The Ark aims to issue a written Stage 1 outcome within 15 working days of receipt. If this is not reasonably possible, the complainant will be given an update, the reason for delay and a revised target date.

- The outcome will state whether the complaint is upheld, partially upheld, not upheld, or cannot be determined on the available evidence; explain the reasons as far as confidentiality permits; identify any remedy or service improvement; and explain how to request Stage 2.

13. STAGE 2 – FINAL INTERNAL REVIEW

A complainant dissatisfied with Stage 1 may request a final review, normally within 10 working days of the Stage 1 outcome. Requests outside that period will be considered where there is a reasonable explanation, including disability, SEND, illness, bereavement, communication difficulty, delayed access to records or another fairness reason.

- The Ark will normally acknowledge the Stage 2 request within 3 working days.
- The reviewer must not have made the Stage 1 decision and must be sufficiently independent of the events complained of.
- Where no suitable conflict-free internal reviewer exists – including where the complaint concerns the Director or the available directors are materially involved – The Ark will appoint a suitably independent external reviewer. This may be an experienced education, safeguarding, HR or governance professional who has no prior involvement and no material interest in the outcome.
- The review will consider whether the Stage 1 process was fair and adequate, whether relevant evidence was considered, whether the decision was reasonable on the evidence, and whether any further action is required. The reviewer may carry out limited further enquiries where necessary.
- The Ark aims to issue the final internal response within 20 working days of accepting the Stage 2 request. If more time is reasonably required, the complainant will be updated with reasons and a revised target.
- The final response will explain the decision, any further remedy or learning, and the appropriate external routes relevant to the subject matter. Stage 2 is the end of The Ark's internal complaints process.

14. TIMESCALES AND COMPLAINTS RAISED LATE

The timescales in this policy are target service standards unless expressly identified as legal requirements. Working day means a day on which The Ark is ordinarily open for business, excluding weekends and bank holidays. A complaint received while the provision is closed is still logged on the date received; the response target begins on the next working day.

Ordinary complaints should normally be raised within three months of the incident, or the last event in a series. The Ark may consider older complaints where it is fair and reasonably practicable to do so, including where the person only later became aware of the issue, there are safeguarding implications, disability/SEND or trauma affected the ability to complain, or records remain available. The three-month target is not a statutory limitation period and must never be used to refuse or delay a current safeguarding referral, police report, data-protection right or other legal process.

15. COMPLAINTS INVOLVING STAFF

A complaint about staff may remain a service complaint, but it may also trigger safeguarding, low-level-concern, disciplinary, capability, health-and-safety or other employment procedures. The Ark will decide the correct route after initial triage and may run processes in parallel where lawful and fair.

The complainant will normally be told that the matter has been considered and, where appropriate, whether action has been taken to address the issue. They will not normally receive

confidential details of warnings, disciplinary sanctions, medical information or other private employment information.

16. COMPLAINTS ABOUT THE DIRECTOR, DSL OR NORMAL COMPLAINT RECIPIENT

No person will determine a complaint about their own conduct or a matter in which they have a material conflict of interest. The complaint must be passed to another suitable senior person/director. If no impartial internal reviewer is available, an independent external reviewer will be appointed. Safeguarding complaints about the DSL or Director must also follow the alternative safeguarding/LADO route in the Safeguarding & Child Protection Policy.

17. COMPLAINTS INVOLVING COMMISSIONING SCHOOLS OR THE LOCAL AUTHORITY

The Ark will first identify which organisation made or controls the decision complained of. The existence of a placement does not make The Ark responsible for every decision affecting the pupil, and it does not make the commissioning school responsible for every Ark operational decision.

TYPICAL ISSUE	LIKELY RESPONSIBILITY / ROUTE
Quality or safety of activities delivered by The Ark; Ark staff communication; Ark staff conduct; Ark site arrangements	The Ark complaints process, with safeguarding/other routes where applicable.
Decision to refer/place a pupil; school curriculum decision; school disciplinary/exclusion decision; school attendance registration	Commissioning school or relevant statutory school process.
EHCP content, statutory assessment/review, LA SEND decision, EOTAS decision or LA funding decision	Local authority SEND/statutory route, not The Ark's complaints process.
Transport arranged by school/LA	The organisation arranging/commissioning transport, unless the complaint concerns conduct by The Ark.
Information The Ark failed to share, or Ark handling of personal data	The Ark process and, where personal data is involved, Data Protection Policy.
Information the commissioning school failed to provide or placement-ending decision made by commissioner	Commissioning school/LA route; The Ark may provide records or evidence.
Safeguarding concern spanning both settings	Safeguarding leads must coordinate immediately; do not wait for allocation of complaint ownership.

Where a complaint materially affects the safety, suitability or continuation of a pupil's placement, The Ark will share necessary and proportionate information with the commissioning school/LA. This does not mean sharing confidential employment information or the entire complaint file.

18. ANONYMOUS COMPLAINTS

Anonymous complaints and concerns will be considered proportionately. The Ark will assess seriousness, credibility, available evidence, risk to children or others, and whether the information can be corroborated. Lack of contact details may limit questions, updates or the ability to reach a finding. Anonymous safeguarding concerns must still be recorded and assessed under safeguarding procedures.

19. REPEATED, PERSISTENT OR UNREASONABLE CONTACT

The Ark will not label a complaint “vexatious” merely because it is persistent, strongly expressed, inconvenient or ultimately not upheld. A complainant should ordinarily be allowed to complete the process. After the procedure has been completed, or where contact becomes abusive, threatening, discriminatory, excessively repetitive or seriously disruptive, The Ark may adopt a proportionate communication plan.

- The plan may specify a single contact point, reasonable frequency, communication method or consolidation of duplicate correspondence.
- Restrictions must be explained in writing, be time-limited or reviewable, and go no further than necessary.
- A restriction must never prevent a new safeguarding concern, new material evidence, a data-protection right, a whistleblowing disclosure or contact with an external authority from being raised.
- Threats of violence or immediate danger may be reported to police and managed under site-safety procedures.

20. CONFIDENTIALITY AND INFORMATION SHARING

Complaints will be handled on a need-to-know basis. Confidentiality cannot be absolute where information must be shared to safeguard a child, investigate possible criminal conduct, comply with law, obtain professional advice, enable a fair process, cooperate with a commissioner, insurer or regulator, or respond to legal proceedings.

The Ark will minimise disclosure of third-party information and confidential staff/pupil information. Complaint responses will not reproduce unnecessary safeguarding, health, disciplinary or personal information.

21. DATA PROTECTION COMPLAINTS, SARS AND RECORDS

A complaint that personal data has been handled unlawfully or improperly must be referred to the Data Protection Lead under the Data Protection Policy. From 19 June 2026, data protection law requires organisations to have a process for handling data-protection complaints. The Ark’s normal 3-working-day acknowledgement target is more stringent than the legal requirement to acknowledge a data-protection complaint within 30 days.

- The Data Protection Lead will take appropriate steps to investigate the data-protection complaint, keep the complainant informed and provide a final response without unnecessary or unjustifiable delay.
- A subject access request or other data-rights request embedded in a complaint must be recognised and handled under the separate legal timetable for that right. The complaint and the rights request are related but are not the same process.
- Third-party data, safeguarding information, legal privilege, crime/investigation information and other exemptions may limit what can be disclosed in response to a SAR or complaint.
- Complaint records will be securely stored with access limited to those who need it. Retention will follow The Ark’s controlled retention schedule and Data Protection Policy rather than an arbitrary period in this policy.

22. COMPLAINT RECORDS AND REGISTER

The Ark will maintain an appropriate complaint record/register. For each complaint, it will record, as relevant:

- date received and method of receipt;

- complainant and pupil/placement details where relevant;
- issue(s) raised and desired outcome;
- safeguarding, LADO, police, data-protection, health-and-safety or other parallel route triggered;
- investigator/reviewer and conflict-of-interest checks;
- key actions, evidence considered and material communications;
- outcome, remedy and date communicated;
- Stage 2 request and final outcome;
- information shared with the commissioning school/LA or another authority and the reason;
- learning actions, policy/risk/training changes and follow-up.

23. LEARNING FROM COMPLAINTS

Complaints are a source of organisational learning. The Director/Lead Complaints Coordinator will periodically review complaint themes for recurring service issues, safeguarding themes, communication failures, training needs, policy gaps and repeated operational risks. Significant findings may result in policy updates, risk-assessment review, staff training, supervision, management action or changes to commissioning arrangements.

Where a complaint involves safeguarding or staff practice, learning may be reflected in safeguarding supervision or management review while protecting confidential employment and child information. Safeguarding patterns must be escalated when identified and must not wait for a routine review cycle.

24. OUTCOMES AND REMEDIES

Depending on the findings, The Ark may:

- provide an explanation or clarification;
- acknowledge that something could have been handled better;
- apologise where appropriate;
- correct inaccurate information or communication;
- take practical action to address the pupil's current situation;
- review a risk assessment, support plan, operational arrangement or placement communication process;
- provide training, supervision or management guidance;
- review or amend a policy/procedure;
- refer a matter to another appropriate process or external body.

An apology or acknowledgement that a situation could have been handled better is not, by itself, an admission of legal liability.

25. EXTERNAL ROUTES

External escalation depends on the subject of the complaint. There is no single external body that acts as a general merits appeal against every decision made by The Ark.

ISSUE	POSSIBLE EXTERNAL ROUTE
Safeguarding / child protection	Leeds Duty and Advice / Children's Social Care; Leeds LADO for allegations about adults; police where crime or immediate danger is involved.
Placement/commissioning decision	Commissioning school's complaints procedure and/or Leeds City Council/SEND Commissioning where the LA made or controls the decision.

Data protection	Information Commissioner's Office after the matter has been raised with The Ark, subject to the ICO's current process.
Employment grievance / workplace rights	Internal grievance/appeal and, where relevant, ACAS, employment tribunal or legal advice. These routes are not part of the parent/public complaint process.
Suspected operation as an unregistered school or another matter within Ofsted/DfE regulatory remit	The relevant regulator or Department route, where that body actually has jurisdiction. This is not a routine appeal against The Ark's complaint outcome.
Criminal conduct or immediate threat	Police: 999 in an emergency; 101 where appropriate for non-emergency police matters.

26. NO RETALIATION

No pupil, parent/carers, staff member or other person should be disadvantaged for raising a genuine concern or complaint in good faith, seeking support to complain, or participating as a witness. This does not prevent proportionate action in response to abusive, threatening, discriminatory, knowingly false or otherwise unlawful conduct.

27. PUBLICATION AND ACCESSIBILITY

The Ark will publish this Complaints Policy and Procedure on its website and make it available on request in an accessible form. For The Ark's current status, this is recorded as a Leeds SEND Commissioning expectation and strong good practice rather than a school-specific statutory website publication duty. The published version should include current complaint contact details and signpost safeguarding and data-protection routes.

28. RESPONSIBILITIES

ROLE	RESPONSIBILITY
Directors	Overall accountability; ensure a fair complaints system, conflict-free review arrangements, resources, learning and policy review.
Lead Complaints Coordinator	Receive/log complaints, acknowledge, triage route, coordinate investigation, communicate timescales and maintain the complaints register.
DSL / Deputy DSL	Lead safeguarding triage and referrals; coordinate with commissioning-school DSL, LADO, Children's Social Care and police as required.
Data Protection Lead	Handle data-protection complaints, SAR/data-right issues, complaint-record privacy/retention and ICO liaison where necessary.
Investigator / reviewer	Act impartially, establish relevant facts, keep adequate records, respect safeguarding/confidentiality restrictions and explain decisions.
All staff / volunteers	Listen respectfully, record and pass complaints promptly, recognise safeguarding/whistleblowing/grievance routes, preserve confidentiality and do not retaliate.

29. REVIEW

This policy will be reviewed at least annually and sooner after a significant complaint, safeguarding incident, commissioning change, change in The Ark's legal/regulatory status, or material change in law/guidance.