



# COMPLAINTS POLICY

This is a statutory policy. It must be published on the school and Trust's websites.

Last review date	June 2024
Date approved by the Chief Executive Officer (on behalf of Trust Board)	June 2024
Date for next review	June 2025

## Document History

Document version numbering will follow the following format. Whole numbers for approved versions, eg 1.0, 2.0, 3.0 etc. Decimals will be used to represent the current working draft version, eg 1.1, 1.2, 1.3 etc. For example, when writing a procedural document for the first time the initial draft will be version 0.1.

The table below provides details of the changes made to this document, to inform those reviewing and approving the document.

Version No.	Date of Review	Section	Details of Change	Ratification/ Approval	Date Approved
2	26/04/22	Introduction	Values updated from six Es to three	Trust Board	Values approved 14/09/21
2	28/04/22	All	References made to 'Clerk' amended to 'Trust Governance Professional'	Trust Board	
2	28/04/22	How to raise a complaint (page 8)	Inclusion of Trust central office address and general enquiries email.	Trust Board	
2	28/04/22	Stage 2 – Formal Complaints	Procedure regarding complaints about the Headteacher amended (Chair of Governors replaced with Executive Team).	Trust Board	
2.1	June 2024	All	Reviewed by the Trust Governance Professional in accordance with Browne Jacobson guidance and model policy.		
3.0	June 2024	All	Approved by Chief Executive Officer in line with Scheme of Delegation.	CEO	21/06/2024

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## Introduction

The Leading Edge Academies Partnership (the 'Trust') is a team of school leaders that aim to be Leading Edge and pioneering in their approach to education and well-being. We are a growing family of like-minded schools that offer a values-based education to the communities we serve and welcome staff, workers, pupils, parents/carers and volunteers from all different ethnic groups and backgrounds.

The term 'Trust Community' includes all staff, trustees, governors, students, parents/carers, volunteers and visitors.

We are a values-based Trust, which means all action are guided by our three 'Es' as follows:

- **Excellence** – 'Outstanding quality'
- **Evolution** – 'Continuous change'
- **Equity** – 'Fairness and social justice'

This policy is based on the value of 'Equity'

The Trust strives to ensure that everyone in our Trust community treats each other with respect, responsibility and builds positive relationships. If harm is done, then the relationship is restored.

### Related policies

This Complaints Policy should be read in conjunction with other Trust policies, including:

- Safeguarding and Child Protection Policy
- Admissions policy
- Exclusion policy
- Equality and Diversity Policy
- Staff Code of Conduct
- Safer Recruitment Policy
- Staff Discipline and Grievance Procedures
- Whistleblowing Policy

## Legislation and Guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that the Trust must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

Information on [making complaints about schools](#) is also available from the Department for Education.

## Policy Aims

The aims of this policy are to ensure that concerns and complaints are dealt with:

- thoroughly
- in an open, honest and fair manner
- fully and fairly and within clearly defined time limits

Each school within the Trust welcomes feedback, both positive and negative, about how it is doing. We value good home/school relations and will do everything we can to establish and maintain them.

Where someone has a concern or complaint, each school will endeavour at all times to deal with the issues responsively and reasonably and, if necessary, put things right as quickly as possible.

We will treat all concerns and complaints seriously and courteously and will advise parents/carers and others of the Trust's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the Trust Community. In particular, any disagreement with the Trust should not be expressed inappropriately or in front of pupils.

This policy is not intended to replace the normal discussions on day-to-day concerns which take place in any school within the Trust. We aim to resolve concerns or complaints by informal means wherever possible. Where this is not possible, and a complainant remains dissatisfied with the outcomes from such discussions, the formal procedures outlined in this policy will be followed. The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Treat complainants with respect and courtesy
- Ensure that any decision we make is lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Provide appropriate redress where necessary
- Consider how the complaint can feed into school improvement evaluation processes

Reasonable adjustments will be made to this procedure where required to ensure that all complainants can access and complete this complaints procedure. For example, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## **Policy Principles**

### **Who can raise a concern or make a complaint?**

This complaints procedure is not limited to parents or carers of children or young people that are registered at any school within the Trust. Any person, including members of the public, may make a complaint to an individual school within the Trust, or the Trust itself, about any provision of facilities or services that we provide.

A concern or complaint can also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Complainants should not approach individual governors or Trustees to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them from considering complaints at later stages.

In the event a complaint concerns the wellbeing or safety of a child, schools have a duty to report this to the Local Authority and any action taken will be in accordance with the Trust's Safeguarding and Child Protection Policy (which is available on all websites across the Trust).

If it is determined that staff disciplinary or capability proceedings are required to resolve an issue, the complainant will only be informed that action is being taken and the outcome of any such action. The complainant will not be entitled to participate and details of the proceedings will remain confidential to the Headteacher and/or the individual's line manager.

### **Anonymous complaints**

Anonymous concerns or complaints will not normally be investigated under these procedures. However, the CEO, Headteacher, a member of the Executive Team or Chair of the Trust Board, as

appropriate, will determine whether there are exceptional circumstances to warrant conducting an investigation into the issues raised.

### Scope of this Complaints Policy

This procedure does not apply to concerns and complaints relating to the matters listed below:

Excluded Matters	Signposting
Admissions	The process for challenging admissions decisions is set out in our admissions policy in accordance with relevant statutory guidance.
Child protection matters	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) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
Exclusions	The process for challenging exclusions decisions is set out in the DfE's statutory guidance and information can be found at: <a href="https://www.gov.uk/government/guidance/school-suspensions-and-permanent-exclusions">School suspensions and permanent exclusions - GOV.UK (www.gov.uk)</a>
National Curriculum content	Please contact the Department for Education at <a href="https://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>
School re-organisation proposals	Where concerns are not adequately addressed by the academy, complaints can be raised direct with the Department for Education.
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.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Certain complaints about staff may need to be dealt with under the academy'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.
Statutory assessments of Special Educational Needs (SEN)	Concerns about statutory assessments of special educational needs should be raised directly with the local authority.
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 whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="https://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> Volunteer staff who have concerns should complain through the school's complaints procedure. You may also be able to complain direct to the Department for Education (see link above),

depending on the substance of the complaint
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Arrangements for handling concerns and complaints from parents of children with special educational needs (SEND) about a school's support are within the scope of this policy. Our SEND policy includes information about the rights of parents of pupils with disabilities who believe that the Trust, or a school within the Trust, has discriminated against their child.

### **The difference between a concern and a complaint**

The DfE guidance explains 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'*.

From time-to-time parents will raise concerns about their child's education or school experience; these are dealt with as a matter of routine, without formal procedures, normally by the class teacher and are not generally regarded as 'complaints' in the formal sense.

Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Taking concerns seriously and dealing with them quickly can reduce the number of formal complaints. All Trust schools take concerns seriously and will make every effort to resolve the matter as quickly as possible.

### **Timescales**

Concerns or complaints should be brought to our attention as soon as possible. The complainant must raise a complaint within **3 months** of the relevant incident (or, where a series of associated incidents have occurred, within 3 months of the last of these incidents).

We will consider exceptions to this timeframe in circumstances where there are valid reasons for not making a complaint at the time and the complaint can still be investigated in a fair manner for all involved, or the complaint is about a particularly serious matter.

Where a complaint is made out of term time, we will consider it to have been received on the first school day following the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

If other bodies are investigating aspects of the complaint, for example the Police, Local Authority (LA) safeguarding teams or Tribunals, this may have an 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 a complainant commences legal action against a school 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.

Where a complaint is raised but we do not have clarity from the complainant on the issues and/or desired outcomes, we will inform the complainant what information we need to progress the complaint and pause this procedure until reasonable clarity is achieved.

### **Withdrawal of a complaint**

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

## **Records of complaints**

Complaints will be treated confidentially with written records being securely retained. A record will be kept of all written formal complaints, including at what stage they were resolved and action taken by us as a result of those complaints regardless of whether they were upheld.

All correspondence, statements and records relating to individual complaints will be kept confidential, except where:

- access is requested by the Secretary of State;
- disclosure is required in the course of a academy inspection;
- an individual has a legal right to access their own personal data contained within such documentation; or
- under other legal authority.

## **Policy Procedures**

The complaints procedure is formed of three stages:

- Stage 1: Informal concerns
- Stage 2: Formal written complaints
- Stage 3: Referral to the Complaints Panel

### **Stage 1: Informal concerns**

We aim to resolve concerns or complaints by informal means wherever possible. Most enquiries and concerns can be dealt with satisfactorily by the class teacher or other members of staff, for example the Head of Year, without the need to resort to the formal procedure. The Trust values informal meetings and discussions and encourages parents/carers to approach staff with any concerns they have, with the aim to resolve all issues with open dialogue and mutual understanding.

An informal concern can be raised in writing, in person or by the telephone. It is always helpful if you can fully explain the nature of the concern and identify the outcome you are looking for. Where appropriate, you may be invited to an informal meeting with the member of staff most appropriate for dealing with that concern.

Schools will respect the views of a parent who indicates that they would have difficulty discussing a concern with a particular member of staff. In this case, the Headteacher/Principal will refer the parent to another designated member of staff. Similarly, if the member of staff directly involved in the circumstances leading to the concern feels too compromised to deal with it, the Headteacher/Principal may consider referring the parent to another member of staff. The member of staff may be more senior, but this is not essential.

If the matter is brought to the attention of the Headteacher/Principal they may decide to deal with your concerns directly at this stage.

If the concerns are about the Headteacher/Principal these should be referred directly to the Trust Governance Professional under Stage 2 (see section below).

There is no fixed timescale for resolution at this stage (informal concerns), given the importance of dialogue through informal discussion. However, it is expected that most concerns will be resolved within 10 school days. The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. This may be put in writing if appropriate. You will also be made aware of how you can submit a formal complaint under Stage 2 if you remain dissatisfied and wish your concerns to be considered further.



Staff members should log all informal concerns on the school's nominated management systems and inform the Headteacher/Principal of any serious concerns, adhering to the school and Trust's safeguarding policies and procedures.

## Stage 2: Formal written complaints

Where concerns are not resolved under Stage 1, they should be put in writing and sent to the **Headteacher/Principal** via email, post or the school office, unless any of the following applies:

- Complaints about the Headteacher, or where the Headteacher has already considered the complaint under Stage 1, should be addressed to the Trust Governance Professional at the Trust's central office (Unit H, Pattern Shop, Trevoarn, Hayle, TR27 4EZ) or via email to [info@leadingedgeacademies.org](mailto:info@leadingedgeacademies.org).
- Complaints about the Chair of the Local Academy Committee ('LAC'), any individual governor or the whole Local Academy Committee should be addressed to the Clerk to the respective LAC via the school office.
- Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust should be addressed to the Trust Governance Professional at the Trust's central office (Unit H, Pattern Shop, Trevoarn, Hayle, TR27 4EZ) or via email to [info@leadingedgeacademies.org](mailto:info@leadingedgeacademies.org).
- Complaints about staff in the Trust central team should be sent to the Chief Operations Officer (COO) at the Trust's central office (Unit H, Pattern Shop, Trevoarn, Hayle, TR27 4EZ) or via email to [info@leadingedgeacademies.org](mailto:info@leadingedgeacademies.org), unless the complaint is about the COO in which case the complaint should be addressed to the CEO at the central office.

In all cases your written complaint must include:

- the nature of the complaint;
- details of how the matter has been dealt with so far;
- the names of potential witnesses, dates and times of events and copies of all relevant documents; and
- a clear statement of the actions that you would like us to take to resolve your complaint.

You are strongly encouraged to use the Complaint Form provided as an appendix to this policy to submit your complaint. If you require help in completing the form, please contact the school office. You can also ask third party organisations like Citizens Advice to help you.

The Headteacher/Principal (or person receiving the complaint) will acknowledge receipt of the complaint in writing (either by letter or email) within **5 school days**. Within this acknowledgement the Headteacher/Principal (or person receiving the complaint) will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. A face-to-face meeting will be considered where this is appropriate. The acknowledgement will also give a brief explanation of the complaints procedure and a target date for providing a response to the complaint. This will normally be within **20 school days of receipt**. If at any point it becomes apparent it will not be possible to meet this timescale, the complainant will be provided with an update and revised response date.

An investigating officer will be appointed to investigate the complaint, which will usually be the Headteacher/Principal, but depending on the nature and subject of the complaint may be the CEO, a member of the Trust executive team, or a Trustee. Where a complaint is about the Trust Board as a whole, or is particularly serious or complex, the Trust Governance Professional will arrange for the matter to be independently investigated.

Where the complaint is being dealt with by the Headteacher/Principal, he or she may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the Headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those about which a complaint has been made, allowing them to be accompanied if they wish; and
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher (or investigator) will provide a formal written response which will state whether each element of the complaint is upheld in whole or in part.

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 the actions the school/Trust will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2 and wish the complaint to be heard by the Complaints Panel at Stage 3.

### **Stage 3: Panel Hearing**

If the complainant is dissatisfied with the outcome at Stage 2, they may request that a Complaints Panel be convened to consider the complaint. The Complaints Panel will principally consider how the complaint was handled at the previous stages but has discretion to review other aspects of the complaint as it sees fit. The Complaints Panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Trust Governance Professional at the Trust's central office (Unit H, Pattern Shop, Trevoarn, Hayle, TR27 4EZ) or via email to [info@leadingedgeacademies.org](mailto:info@leadingedgeacademies.org) **within 10 school days** of receipt of the Stage 2 response. Requests received outside of this timeframe will only be considered if exceptional circumstances apply. You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you are looking for.

The Trust Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) **within 5 school days**.

The Trust Governance Professional will arrange for a Complaints Panel to be convened consisting of at least three people who were not directly involved in the matters detailed in the complaint. Two will be Trustees and one will be someone who is independent of the management and running of the school – this will usually be a governor at a different school within the Trust. One of the three will be appointed by the Governance Professional to act as Chair of the Panel.

Every effort will be made to enable the hearing to take place within **20 school days** of the receipt of the request. The Trust Governance Professional will provide the complainant with an anticipated date and keep the complainant informed. However, the Appeal Panel reserves the right to convene at their convenience rather than that of the complainant. If the complainant rejects the offer of three proposed dates, without good reason, the Trust Governance Professional will decide when to hold the meeting. It will then proceed in the complainant's absence based on written submissions from both parties.

As soon as reasonably practicable and in any event at least five school days before the hearing, the Trust Governance Professional will write to the complainant to inform them of the date, time and location of the panel hearing, together with brief details of the committee members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the committee. The notification will also include the name of the person who will be presenting the case on behalf of the school/Trust (referred to in this policy as the 'school representative').

A complainant may be accompanied to a hearing by a friend, relative or interpreter and should notify the Governance Professional if they intend to bring anyone to the hearing. Generally, we do not encourage either party to bring legal representatives to the panel hearing. The Panel itself may take legal advice and/or be supported by a legal advisor at the hearing on matters of law and procedure.

Representatives from the media are not permitted to attend.

Any written material will be circulated to all parties by the Trust Governance Professional at least **3 school days** before the date of the meeting. The 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 Panel reserves the right not to consider any documentation presented by either party less than 3 school days before the hearing.

The meeting will be held in private. The Trust Governance Professional will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it and must only be used for the personal reference of the complainant. Prior knowledge and consent of all parties will be required before any recording takes place. Consent will be recorded in any minutes taken.

The hearing will be conducted to ensure that each party has the opportunity to address the Complaints Panel. The procedure to be followed during the hearing will be explained to the parties in writing in advance of the hearing.

Unless otherwise stated, the procedure for the Stage 3 hearing is as follows:

- the complainant and school representative will enter the hearing together;
- the Chair of the Panel will introduce the Panel members and outline the process;
- the complainant will explain the complaint;
- the school representative and Panel members will have an opportunity to ask questions of the parent;
- the school representative will explain the school/Trust's actions;
- the complainant and the Panel members will have an opportunity to ask questions of the school representative;
- the complainant will sum up their complaint;
- the school representative will sum up the school/Trust's actions;
- the Chair of the Panel will explain that both parties will hear from the Panel within ten school days;
- both parties will leave together while the Panel deliberates;
- the Governance Professional, and any legal advisor assisting the Panel (if applicable), will stay to assist the Panel with its decision making.

The Governance Professional and/or Complaints Panel reserves the right to modify the above procedure at their sole discretion.

A Complaints Panel may be adjourned if the Panel requires further evidence or in exceptional circumstances (for example, if clarification sought by the Panel is essential to the proceedings). The adjourned date must be as soon as possible.

Within **10 school days** of the date of the hearing, the Panel Chair will provide a formal written response (made available to all parties) which will state whether each element of the complaint is upheld in whole or in part. The response will provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of the actions the school/Trust will take to resolve the complaint and/or recommend any changes to school or Trust systems to prevent a similar issue happening again.

The response will also advise the complainant of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled.

### **Stage 3 complaints that are jointly about the Chair and Vice Chair, or the majority of or entire Trust Board**

Stage 3 complaints that are jointly about the Chair and Vice Chair, or the majority of or entire Trust Board, will be heard by a completely independent Complaints Panel.

## Referring complaints to the Education and Skills Funding Agency (ESFA)

If the complainant is unsatisfied with the outcome of the Trust complaints procedure, they can refer their complaint to the ESFA. The ESFA will only investigate whether the complaint was handled properly and in accordance with education legislation and any statutory policies connected with the complaint.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy>

Or you can contact the ESFA on **0370 000 2288** or by writing to:

Academy Complaints and Customer Insight Unit  
Education and Skills Funding Agency  
Cheylesmore House  
5 Quinton Road  
Coventry  
CV1 2WT

## Repetitious and/or vexatious complaints and complaints pursued in an unreasonable manner

In exceptional circumstances we may deviate from the procedures in this policy. These include, but are not limited to, the circumstances below.

### Repetitious, including serial and/or persistent, complaints

Where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full and we have:

- taken every reasonable step to address the complainant's concerns; and
- given the complainant a clear statement of our position and their options;

we will write to the complainant to advise that the complaints procedure has been exhausted and that we will not be responding to any further correspondence in relation to the matter. The complainant will be referred to the ESFA if they are dissatisfied with our original handling of the complaint.

### Vexatious complaints

The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific or 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; and
- demands for redress that lack any serious purpose or value.

Examples include but are not limited to:

- refusal to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refusal to co-operate with the complaints investigation process;
- refusal to accept that certain issues are not within the scope of the complaints procedure;
- insistence on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;

- introducing trivial or irrelevant information which they expect to be taken into account and commented on;
- raising large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- making unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changing the basis of the complaint as the investigation proceeds;
- seeking an unrealistic outcome, such as the inappropriate dismissal of staff;
- making excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
- knowingly providing falsified information;
- publishing unacceptable information on social media or other public forums.

In such cases we may put communications strategies in place. This may include:

- Giving the complainant a single point of contact
- Limiting the number of times the complainant can make contact
- Asking the complainant to engage a third party to act on their behalf, such as Citizens Advice.
- Putting any other strategy in place as necessary.

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns.
- We have provided a clear statement of our position and their options.
- The complainant contacts us repeatedly and we believe their intention is to cause disruption or inconvenience.

Where we stop responding, we will inform the individual that we intend to do so on the basis that we consider their complaint to be vexatious or the manner in which they are pursuing their complaint to be unreasonable. We will also explain that we will still consider any new complaints they make.

### **Complaints pursued in an unreasonable manner**

Where a complainant's behaviour or language towards staff, governors, trustees or members is aggressive, abusive, offensive, discriminatory or threatening or insulting personal comments are made about, or threats are made towards, staff, the behaviour will be addressed through the Trust's 'Managing Aggressive Behaviour From Parents and Visitors to Our Schools' Policy.

This may include restricting the complainant's access to the school, e.g. requesting contact in a particular form (for example, letters only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times or number of contacts or banning the complainant from the school's premises.

Where the complainant's behaviour is considered to present a risk to other parties, we reserve the right to conduct the Complaints Panel stage on basis of written evidence only i.e. not hold a hearing.

In exceptional circumstances we will inform the complainant that we are refusing to consider the complaint any further on the basis that we consider the manner in which they are pursuing their complaint to be unreasonable, and refer the complainant directly to the ESFA.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing.

### **Complaint campaigns**

Where the school receives three or more complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school/Trust may deviate from these procedures and:

- Publish a single response on the school website; and/or

- Send a template response to all of the complainants.

If complainants are not satisfied with the school/Trust's response and wish to pursue the complaint further, the normal procedures will apply.

## **Monitoring and Evaluation**

The Complaints Panel will review any underlying issues raised by complaints with the Headteacher/Trust Executive team/Trustees where appropriate and respecting confidentiality. This will determine whether there are any improvements the school/Trust can make to its procedures or practice to help prevent similar events in the future.

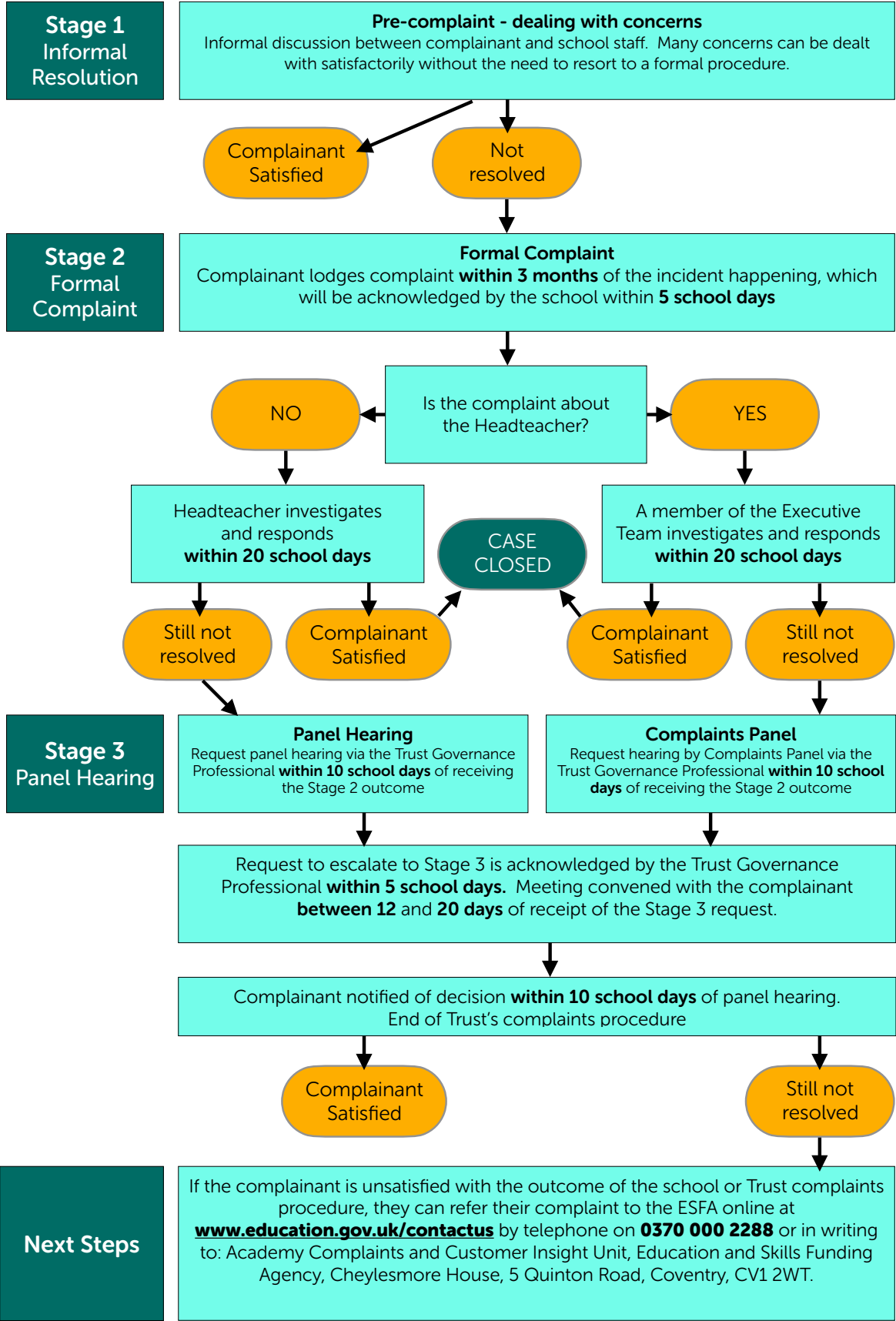
The Trust will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Finance and Resources Committee will track the number and nature of complaints and review underlying issues as stated above.

It is the responsibility of the CEO and Board of Trustees to ensure that the procedures outlined above are closely followed and a review of these procedures should be made in the light of any formal action to ensure that any parties involved feel confident that they have been fairly represented.

This policy will be reviewed by the Trust Governance Professional annually. At each review, the policy will be approved by the CEO in line with the Scheme of Delegation.

# Appendix 1: Summary of the Complaints Procedure

## Complaint Procedure Flowchart







What actions do you feel might resolve the problem at this stage?	
Are you attaching any supporting paperwork? If so, please give details.	
If it has been more than three months since the incident, please explain the delay in making your complaint.	
Signature:	
Date:	

<b><i>For official use only</i></b>	
Date acknowledgement sent:	
By whom:	
Complaint referred to:	
Date:	

## **Appendix 3: Roles and Responsibilities**

### **Complainant**

Complainants are asked to:

- explain the complaint in full as early as possible
- co-operate with the school/Trust in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality

### **Trust Governance Professional**

The Trust Governance Professional is the contact point for the complainant and the Complaints Panel, and should:

- ensure that the complainant is fully updated at each stage of the procedure;
- liaise with staff, Headteacher/Principal, the Chief Executive Officer, Trustees and governors (as applicable) to ensure the smooth running of the complaints procedure;
- be mindful of the timescales to respond to complaints;
- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR);
- ensure that the Complaints Panel has access to legal advice, where appropriate;
- set the date, time and venue of the meeting, taking reasonable steps to find a date that is convenient to all parties and that the venue and proceedings are accessible;
- collate any written material relevant to the complaint and send it to the parties in advance of the meeting within an agreed timescale;
- minute the meeting;
- notify all parties of the Complaint Panel's decision;
- assist the Panel Chair in issuing a summary letter to the complainant.

### **Headteacher/Principal or other party investigating the complaint at Stage 2**

The investigator's role is to conduct a comprehensive, open, transparent and fair consideration of the complaint. They should:

- ensure that the complainant is fully updated at each stage of the procedure;
- meet the complainant, if appropriate, to establish what has happened and what would put things right;
- consider and analyse records and other relevant information;
- interview staff and children/young people and other people relevant to the complaint;
- conduct interviews with an open mind;
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting;
- ensure that any papers produced during the investigation are kept securely pending any appeal;
- be mindful of the timescales to respond;
- determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

## Panel Chair

The Panel Chair, who is nominated in advance of the complaint hearing, should ensure that:

- both parties are asked (via the Trust Governance Professional) to provide any additional information relating to the complaint by a specified date in advance of the meeting;
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy;
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person;
- the remit of the Panel is explained to the complainant;
- 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;
- key findings of fact are made, and that any issues not previously mentioned in writing should not be raised at the meeting and, if they are mentioned at the meeting, these should not be noted or considered by the Complaints Panel;
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself;
- the Panel is open-minded, acts independently, and no member of the Panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted;
- they liaise with the Trust Governance Professional to communicate the decision to the complainant.