

# **Complaints Policy**

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**Ambition, learning, and enrichment for all**

## 1. Background

The Trust aims to meet its statutory obligations when responding to complaints from parents/carers of pupils at the school, in line with the [Education \(Independent School Standards \(England\) Regulations 2014](#) Schedule 1, Part 7, which sets out how complaints procedures should be drawn up and used effectively to handle complaints from parents of pupils.

This policy also gives consideration to the current [best practice guidance for academies complaints procedures](#) published by the Department for Education (DfE).

## 2. Introduction

The Trust aims to provide an outstanding service to the young people and families it serves, as well as the local community it operates in. The Trust is committed to working in partnership with students, parents/carers and other concerned individuals to ensure it continues to improve and takes account of the views of all its stakeholders. However, individuals may have occasion to express concern or make a complaint. The purpose of this document is to outline how concerns and complaints should be resolved.

When responding to complaints, we aim to:

- be impartial and non-adversarial
- facilitate a full and fair investigation
- treat complainants with respect
- keep complainants informed of the progress of the complaints process
- keep records pertaining to the investigation of the complaint confidential
- consider how the complaint can feed into school and trust improvement evaluation processes.

## 3. Definitions and scope

3.1. 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 sort.*”

A **complaint** is defined as “*an expression of dissatisfaction however made, about actions taken or a lack of action.*”

The Trust takes both concerns and complaints seriously and will make every effort to resolve the matter as quickly as possible. Where possible, issues raised will be resolved informally, without the need to use the formal stages of the complaint procedure.

We understand however, that there may be occasions when complainants would like to raise their concerns formally, this policy outlines the procedure relating to handling such complaints.

- 3.2. **This complaints procedure applies specifically to parents and carers of children who are currently registered at schools within the Trust.** It is designed to offer a clear and practical process for addressing concerns that directly affect a student's experience or wellbeing. Unless a complaint falls under separate statutory procedures, as outlined in Section 3 of this policy, it will be managed in accordance with the procedures set out herein.

While any individual, including members of the public, may raise concerns regarding the facilities or services provided by the Trust or its schools, such concerns do not fall within the scope of this complaints policy. In cases where the concern is not related to a specific student, the school/Trust will consider the most appropriate way to respond, which may involve alternative procedures or channels.

- 3.3. This policy does not cover complaint procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Matters likely to require a child protection investigation
- Allegations against staff
- Exclusions
- Whistleblowing
- Staff grievances
- Staff discipline
- Data protection

Please see our separate policies for procedures relating to these types of complaint.

## 4. Role and responsibilities

### 4.1. The complainant

In order to provide an effective and timely response complainants are asked to:

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

### 4.2. The investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely

- Prepare a comprehensive report to the headteacher or complaints panel, which includes the facts and potential solutions

#### 4.3. The complaints lead

The complaints lead is the person within school who will be responsible for ensuring the concern or complaint is handled appropriately throughout the process. It can be the headteacher or any other staff member providing administrative support.

The complaints lead will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the headteacher, chair of governors, and governance professional
- Be aware of issues relating to:
  - Sharing third-party information
  - Additional support needed by complainants; for example, interpretation support or where the complainant is a child or young person
- Keep records
- Notify the Trust of complaints received as appropriate

#### 4.4. Governance professional

The governance professional works with the governing body and will:

- Be the contact point for the complainant and the complaints panel, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints panel hearing
- Record and circulate the minutes and outcome of the hearing

#### 4.5. Committee chair

The chair of the complaints panel will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case
- Ensure that the outcome of the hearing is clearly communicated to the complainant with adequate detail including reasons for the decision reached.

### 5. Raising a concern or complaint

- 5.1. A complaint must be raised within **three months** of the incident, or where a series of associated incidents have occurred, within three months of the last occurrence. Complaints outside of this time frame may only be considered under exceptional circumstances.
- 5.2. We will not normally investigate anonymous complaints. However, in consultation with the Headteacher and Chair of Governors, the CEO and/or Chair of Trustees, will determine whether the complaint warrants an investigation.

- 5.3. We will consider complaints made outside of term time to have been received on the first school day after the holiday period.
- 5.4. Complaints should be submitted in writing using the Complaint Form provided in Appendix One. If you require reasonable adjustments to access the complaints process, please let us know. All complaints should be addressed to the appropriate person (as outlined below) and submitted via the school office. Please ensure they are clearly marked Private and Confidential.

| Complaint about:  | Raise with:                       |
|---|-----------------------------------|
| School staff  | Headteacher                       |
| Headteacher   | Chair of Governors                |
| Chair of Governors, an individual governor, the school's local governance committee | Governance professional           |
| Trust central services staff  | Trust CEO                         |
| Trust CEO   | Chair of Trustees                 |
| Chair of Trustees, any individual trustee or the whole Trust Board                  | Governance Lead, via Trust office |

- 5.5. For ease of use, a template complaint form is included at the end of this procedure (Appendix One). This will assist the school/Trust in understanding the complaint and how it might be resolved. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example Citizens Advice, to help you.
- 5.6. In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaint procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.
- 5.7. Except in exceptional circumstances, the recording via audio or video of any meeting which forms part of the complaint procedure is not permitted. In any event, a recording will only be permitted with the consent of all those present at the meeting.

## 5.8. Stage 1: Informal stage

- 5.8.1. Parents/Carers should feel free to raise their concerns with the Head of Year/Class Teacher or other appropriate member of staff either in person, by telephone or in writing. They may also be made by a third party acting on behalf of a complainant, as long as they have the appropriate consent to do so. Other parties should raise their

complaint with the school/Trust office. If calling in person or telephoning, the complaint will be recorded onto the attached Complaint Form (Appendix One).

- 5.8.2. Complainants must not approach individual governors to raise concerns or complaints. Governors have no power to act on an individual basis, and it may also prevent them from considering complaints at stage 3.
- 5.8.3. The Trust and its schools are committed to responding as quickly as possible to any issues raised i.e. staff will listen to parents' concerns and seek to reach a speedy and satisfactory resolution.
- 5.8.4. Complainants will, where possible, receive a response to their concern **within 10 school days**. If it is not possible to meet this deadline they will be informed of when a response will be made.
- 5.8.5. A written record will be made, and retained, of informal complaints received and any action taken. A Complaint Form is attached to this policy (Appendix One).
- 5.8.6. If, after attempting to resolve the issue informally, a complainant remains dissatisfied with the outcome they will be provided with information about the formal complaint procedure (stage 2).

## 5.9. Stage 2: Formal complaints

- 5.9.1. Formal complaints should be raised to the appropriate person as laid out in clause 5.4 **within 10 school days** of the completion of stage 1.
- 5.9.2. Receipt of the complaint will be acknowledged **within 5 school days** and will specify how the complaint will be investigated, by whom and the timescale within which a full response will be made.
- 5.9.3. The Headteacher may nominate a senior member of staff, who has had no prior involvement with the complaint, to take on the role of Investigating Officer.
- 5.9.4. The Headteacher/Investigating Officer will ensure that a full response is made **within 15 school days**. If the timescale needs to be extended, parents/carers will be informed.
- 5.9.5. During the investigation the Headteacher/Investigating Officer, may contact the Complainant to clarify the details of the complaint and speak to other persons as necessary.
- 5.9.6. A complainant will be allowed the opportunity to meet with the Investigating Officer and to be accompanied by a friend or relative who may with the Complainant's agreement speak on their behalf or help them make their case.
- 5.9.7. The Headteacher/Investigating Officer will interview relevant witnesses and take statements from those involved.

- 5.9.8. If the complaint involves a pupil, he/she should also be interviewed, normally with a parent/carer present. In some cases, this might not be possible and a member of staff with whom the pupil feels comfortable should attend the interview.
- 5.9.9. The Headteacher/Investigating Officer should keep written records of all meetings and telephone conversations undertaken as part of the investigation together with any other relevant documentation.
- 5.9.10. Where the Trust considers the scope of the complaint warrants it, external independent investigating support may be engaged. This will be strictly at the discretion of the panel and any invitations to attend panel hearings or meetings will be by the invitation of the panel only.
- 5.9.11. If the complaint is about the Headteacher, CEO or a member of the local governing body or the Trust board (including the Chair or Vice-Chair), a suitably skilled governor or trustee will be appointed to complete all the actions at stage 2, this may be a governor from another school within the Trust.
- 5.9.12. If the complaint is:
- jointly about the Chair and Vice Chair or
  - the entire local governing body/Trust board or
  - the majority of the local governing body/Trust board

Stage 2 will be considered by an independent investigator appointed by the local governance committee/Trust board.

- 5.9.13. A full written response will be made to the Complainant, detailing any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school or Trust will take to resolve the complaint.
- 5.9.14. The Complainant will be advised that if they are dissatisfied with the outcome, they may take the matter further by escalating it to stage 3. This request should be made **within 10 school days** of receipt of the letter detailing the outcome of stage 2, which will confirm where to address any further correspondence.

## 5.10. Stage 3: Panel hearing

- 5.10.1. If the Complainant is dissatisfied with the outcome of stage 2 there will be a further and final right of appeal to a specially convened panel of governors, this may include governors from another school within the Trust.
- 5.10.2. Appeals should be lodged with the Chair of the local governing body/ Trust board **within 10 school days** of receipt of the stage 2 decision.



- 5.10.3. The panel will meet **within 20 school days** of receiving the appeal and the Complainant and the person(s) who is/are the subject of the complaint will be informed of the date, time and venue of the hearing.
- 5.10.4. The Complainant will receive, at least five school days before the panel meets, a written reply from the Investigating Officer explaining how the decision at stage 2 had been made, unless this has already been provided under 5.9.13 above. The Complainant must submit any additional materials by the deadline stated in their invitation letter.
- 5.10.5. The panel will comprise of at least 2 governors who have had no previous knowledge of, or involvement in, the case. The panel will additionally include a person who is independent of the management and running of the school. This may be a governor from another school within the Trust. The panel should not include teaching or staff governors/trustees.
- 5.10.6. The panel will appoint its own Chair, normally the Chair or Vice-chair of the local governing body/Trust board. The Chair of the panel will ensure that the appeal hearing is minuted. The meeting will be held in private.
- 5.10.7. The panel will consider the evidence that has been presented alongside the way the complaint has been investigated and handled. The panel will carry out a review of the investigation carried out at stage 2. It will hear the report of the Investigating Officer at stage 2 and any submissions on that report by the Complainant.
- 5.10.8. The panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints should be raised informally at stage 1 first and then proceed to stage 2 if required.
- 5.10.9. The panel can decide to:
  - uphold the complaint
  - uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint), or
  - dismiss the complaint entirely.

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint

Regardless of the outcome of the complaint, where appropriate, the panel can recommend changes to the school's systems or procedures to prevent similar issues in the future.

- 5.10.10. The Complainant may be accompanied by a friend or relative for support, though that person may only contribute to the meeting with the agreement of the panel. The panel may refuse the attendance of a representative in exceptional circumstances where it appears to prejudice the efficient and fair hearing of the complaint.

5.10.11. Where the Trust considers the scope of the complaint warrants it, external independent investigating support may be engaged. This will be strictly at the discretion of the panel and any invitations to attend panel hearings or meetings will be by the invitation of the panel only.

5.10.12. Legal representatives are not encouraged for either party. The appeal hearing is not a form of legal proceeding. The aim of the panel hearing is reconciliation and to put right things that may have gone wrong.

5.10.13. If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire local governance committee/Trust board or
- the majority of the local governance committee/Trust board

Stage 3 will be heard by a wholly independent committee.

5.10.14. The decision of the panel is final and will be communicated in writing to the Complainant and the Headteacher **within 5 school days**.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school or Trust will take to resolve the complaint. The response will also advise the Complainant of how to escalate their complaint should they remain dissatisfied (see clause 6).

## 6. Next steps

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the DfE. The DfE will check whether the complaint has been dealt with properly by the school. The DfE will not overturn a school's decision about a complaint, but will intervene if a school has:

- Breached a clause in its funding agreement
- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage: [Complain about a school to the Department for Education - GOV.UK](#)

## 7. Withdrawal of complaints

If a complainant wishes to withdraw their complaint at any stage, we will request them to confirm it in writing.

## 8. Unreasonable and persistent complaints

### 8.1. Unreasonable complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to co-operate with the complaints investigation process
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- Changes the basis of the complaint as the investigation proceeds
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed, including referral to the DfE
- Seeks an unrealistic outcome
- Makes 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
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums

**Please note:** the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.

Complainants should try to limit their communication with the school while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

### **Steps we will take**

We will take every reasonable step to address the complainant's comments and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

Whenever possible, the headteacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, we may:

- 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 to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

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 school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

## **8.2. Serial/persistent complaints**

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern

### **8.3. Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If a duplicate complaint is raised which in the view of the school warrants further consideration, the procedure outlined in this policy will be repeated.

### **8.4. Complaint campaigns**

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

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

## **9. Record keeping and confidentiality**

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and stored securely. As deemed appropriate and subject to any necessary redactions in line with UK GDPR the material will be viewed only by those involved in investigating the complaint or on the review panel. This is except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and School Records Management Policy.

## **10. Learning lessons**

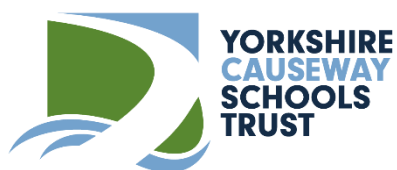
The Trust/local governing body will review any underlying issues raised by complaints with the headteacher or appropriate member of the senior leadership team where appropriate, and

respecting confidentiality, determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

**Associated documents:**

- Child Protection Policy
- Managing Allegations Against Staff Policy
- Admissions Policy
- Behaviour Policy
- Exclusions Policy
- Resolving Issues at Work Policy
- Code of Conduct
- Whistle-blowing Policy
- SEN policy and information report
- Lettings Policy

## Appendix One - Complaint form



### Complaint Form

Please complete and return, via the school/Trust office, to the Headteacher, CEO, Chair of Governors, Chair of Trustees or Governance Professional, as appropriate, marked Private and Confidential.

|  |
|--|
| Your name:   |
| Pupil's name (if relevant):  |
| Your relationship to the pupil (if relevant):  |
| Address:   |
| Post Code:   |
| Telephone number:  |
| Please give details of your complaint, including whether you have spoken to anyone about it already: |

|   |
|---|
| What actions do you feel might resolve the problem at this stage? |
| Are you attaching any paperwork? If so, please give details.      |
| Signature:  |
| Date:   |
| <b>Official use only</b>  |
| Date acknowledgement sent:  |
| Name of sender:   |
| Complaint referred to for action and date:                        |
| Outcome:  |



## Appendix Two - Complaints timescales for parents/carers



### Complaints Process for Parents/Carers

We are committed to resolving concerns quickly and fairly. This leaflet outlines the steps you can take if you have a complaint.

#### Stage 1: Informal resolution

- Raise your concern with the Headteacher, Head of Year, Class Teacher, or appropriate staff member.
- You may do this in person, by phone, or in writing.
- A response will be provided within 10 school days.
- If unresolved, proceed to Stage 2.

#### Stage 2: Formal Complaint

- Submit a written complaint within 10 school days of the informal response.
- You will receive an acknowledgment within 5 school days.
- A full response will be provided within 15 school days.
- If still dissatisfied, proceed to Stage 3.

#### Stage 3: Panel Hearing

- Submit an appeal within 10 school days of the Stage 2 outcome.
- A panel will meet within 20 school days.
- You will be informed of the outcome in writing within 5 school days.

#### Further Action

If you remain dissatisfied that the complaints process has not been followed appropriately, you may contact the Department for Education (DfE):

- Online: [Complain about a school to the Department for Education - GOV.UK](https://www.gov.uk/complain-about-a-school)

#### For information:

- Complaints must be made within three months of the incident, or of the last in a series of related incidents.
- Complaints submitted during holidays will be treated as received on the first school day after the break.
- If no response is received from the complainant within the given timeframe, the complaint will be closed.
- If deadlines cannot be met, revised timelines will be provided. Extensions may be granted in exceptional cases.