COMPLAINTS PROCEDURE

This procedure is reviewed every two years

History of Document

Issue No	Author/Owner	Date Written	Approved by Governors on	Comments
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Issue 2	Simon Martin	Apr 2026		First Trust Issue

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1. Statement of Intent

Heart of Suffolk Education trust aims to resolve complaints at the earliest possible stage and, where possible, informally, and is dedicated to continuing to provide the highest quality of education possible in the Schools throughout the procedure.

This policy has been created to handle complaints relating to any aspects of the provision of facilities or services against:

- Any member of staff;
- The School;
- The Trust
- Members of Local Governing Bodies
- Individual trustees or the board of trustees.

It is designed to ensure that the Trust's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality, and delivers an effective response and appropriate redress.

This policy outlines the procedure that the complainant and the Trust will follow. Once a complaint has been made, it can be resolved or withdrawn at any stage.

The Headteacher, CEO and/or Chair of Trustees/Governors will delegate an appropriate person to be the first point of contact during the complaints procedure.

2. Legal framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Freedom of Information Act 2000
- Education Act 2002
- Equality Act 2010
- The Education (Independent School Standards) Regulations 2014
- Immigration Act 2016
- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'
- DFE (2021) 'Best practice guidance for academies complaints procedures'
- DFE (2023) 'School trust handbook 2023'

This policy operates in conjunction with the following school policies:

- Admissions Policy
- Child Protection and Safeguarding Policy
- Behaviour Policy
- Whistleblowing Policy
- Grievance Policy
- Data Protection Policy

3. Definitions

For the purpose of this policy, a "**complaint**" is defined as 'an expression of dissatisfaction' towards the actions taken or a perceived lack of action. Complaints can be resolved formally or informally.

A "**concern**" is defined as 'an expression of worry or doubt' where reassurance is required. For the purpose of this policy, concerns will be classed and addressed as complaints.
Any complaint or concern will be taken seriously, whether raised formally or informally, and the appropriate procedures will be implemented.

The definition of "**unreasonable complaints**" is outlined in the 'Managing unreasonable complaints' section of this policy.

For the purpose of this policy, "**duplicate complaints**" are identical complaints received from a complainant's spouse, partner or child. These complaints will not be addressed again and the individual making the second complaint will be informed that the complaint has been dealt with on a local level. If the individual is dissatisfied with the result, they can appeal to the DFE, as outlined in 'The role of the DfE' subsection of this policy. Any new details provided by a complainant's spouse, partner or child, however, will be investigated and managed in line with the complaints procedure.

For the purpose of this policy, "**complaints campaigns**" are where the School receives large volumes of complaints that are all based on the same subject.

For the purposes of this policy, having **"independence"** from the School or Trust is defined as having no association with the School or Trust, including through being a member, trustee or employee, and having no clear connection with any of the Schools or Trust, including through being an employee or solicitor. Independent panel members will meet the Trust's and DfE's definition of independence.

4. Making a complaint

Any parent and/or carer of a pupil in a School will be able to make a complaint about the provision of facilities or services that the School provides. Any complaints made by other parties may be handled via different procedures to those outlined in this policy. This includes complaints made by a third party on behalf of a parent or carer of a pupil in an School.
The Trust will not normally investigate anonymous complaints.

Individuals making complaints about issues relating to separate statutory procedures will be referred as follows:

- **Admissions** – referred to the appeals process outlined in the Admissions Policy.
- **Child protection** – referred to safeguarding procedures outlined in the Child Protection and Safeguarding Policy.
- **Exclusion** – referred to the procedures outlined in the Behaviour Policy
- **Whistleblowing** – referred to the internal whistleblowing procedures outlined in the Whistleblowing Policy.
- **Staff grievances** – referred to the internal grievance procedures outlined in the Grievance Policy.
- **Staff conduct** – referred to the internal disciplinary procedures.

All other complaints will be directed towards the procedures laid out in this policy.

Complainants may make complaints in person, in writing or by telephone. Complaints can be emailed to enquiries@hoset.org.uk marked for the attention of the relevant person, as set out below.

Complaints are expected to be made as soon as possible after an incident arises to amend the issue in an appropriate timescale. The Trust upholds a **three-month** time limit in which a complaint can be lodged regarding an incident. Complaints made outside this time limit will only be considered in exceptional circumstances. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner. Complaints received outside of term time will be treated as **being received on the first school day after the holiday period**.

A complaint can progress to the next stage of the procedure even if it is not viewed as "justified". All complainants will be given the opportunity to fully complete the complaints procedure.

Complaints about School Staff or Trustees

Complaints against staff will:

- Be dealt with by the Headteacher;
- Follow the complaints procedure, including a panel hearing where applicable.

Complaints against a Headteacher will:

- Be dealt with by the CEO or chair of trustees where the CEO is also the headteacher;
- Follow the complaints procedure, including a panel hearing where applicable.

Complaints against trustees will:

- Be made in writing to the clerk, who will arrange for them to be heard;
- Be dealt with by the chair of trustees;
- Potentially involve escalation to conduct an investigation;
- Involve a panel hearing where applicable.

Complaints against the chair of trustees or the Board of Trustees as a whole will:

- Be made in writing to the clerk, who will determine the most appropriate course of action dependent on the nature of the complaint.

5. Roles and responsibilities

The complainant will be responsible for:

- Cooperating with the School or Trust in seeking a solution to the complaint;
- Expressing the complaint and their concerns in full at the earliest opportunity;
- Clearly articulate the resolution being sought;
- Promptly responding to any requests for information and meetings;
- Asking for assistance as needed;
- Treating anyone involved in the complaint with respect.

The role of the investigator will differ depending on the nature of the complaint and who it is directed at. This means that:

- For complaints against staff, the investigator will be a senior manager;
- For complaints against the Headteacher, CEO or chair of trustees where the CEO is also the headteacher;
- For complaints against members of Local Governing Bodies , the investigator will be the chair of Governors;
- For complaints against trustees, the investigator will be the chair of trustees;
- For complaints against the chair of trustees or the board of trustees, the clerk will appoint an appropriate person to be the investigator.

The investigator of the complaint will be responsible for:

- Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved;
- Considering all records, evidence and relevant information provided;
- Interviewing all parties that are involved in the complaint, including staff and pupils;
- Analysing all information in a comprehensive and fair manner;
- Liaising with the complainant and clarifying an appropriate resolution to the problem;
- Identifying and recommending solutions and courses of actions to take;
- Being mindful of timescales and ensuring all parties involved are aware of these timescales;
- Responding to the complainant in a clear and understandable manner.

Where complaints are escalated to a panel hearing, all complaints panel members will be aware that:

- The review panel hearing is independent and impartial;
- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel;
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain reconciliation between the parties involved;
- Reconciliation between the School/Trust and complainant is not always achievable, and that it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously;
- The panel can:
  - Dismiss or uphold the complaint, in whole or in part;
  - Decide on appropriate action to be taken;
  - Recommend changes that the trust can make to prevent reoccurrence of the problem;
- Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible;
- When a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child's view is represented equally.

The panel chair will:

- Ensure that minutes of the hearings are taken on every occasion;
- Explain the remit of the panel to the complainant;
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence;
- Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any pupils involved;
- Conduct the hearing in a manner that ensures everyone is treated with respect and courtesy;
- Ensure that the room's layout and setting is non-adversarial, yet still sets the appropriate tone;
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings;
- Give both the complainant and the trust the opportunity to state their case and seek clarity without undue interruption;

- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material;
- Organise a short adjournment of the hearing if required;
- Continuously liaise with the clerk to ensure the procedure runs smoothly;
- Help to provide the support necessary where the complainant is a child.

The role of the DfE

If a complainant remains dissatisfied once the complaint procedure has been completed, they have the right to refer their complaint to the Secretary of State. If a complainant wishes to escalate a complaint, the School will refer them to the relevant contact form, and prompt them to follow the instructions on this form to submit a complaint to the Secretary of State.

The DfE will not overturn the School/Trust or panel's decision about a complaint or re-investigate the original complaint. The DfE will only intervene following a complaint if it believes the School has:

- Breached a clause in its funding agreement;
- Failed to comply with education law or acted unreasonably when exercising related education functions.

When making a final decision about a complaint, the School reserves the right to seek advice from the DfE on whether they are acting reasonably and lawfully; however, they will not be able to advise on how to resolve the complaint.

6. Complaints procedure

The Trust will ensure that the complaints procedure is:

- Easily accessible and publicised on its website;
- Simple to understand and put into practice;
- Impartial and fair to all parties involved;
- Respectful of confidentiality duties;
- Continuously under improvement;
- Fairly investigated, by an independent person where necessary;
- Used to address all issues to provide appropriate and effective responses where necessary.

a. Complaints Overview

This procedure is for the benefit of students and parents/carers of students, at Schools within the Trust. It will be relied upon in respect of all complaints by parents/carers made against the School/Trust except in respect of; child protection allegations where the Safeguarding Policy applies.

The Trust expects that most complaints can be resolved informally through discussion with the relevant manager. If this is not possible, then discussion with a member of the

Senior Leadership Team will ensure they use their best endeavours to resolve any complaints or concerns that are made informally on that basis. Where appropriate or necessary this will then be dealt with by the Senior Leadership Team with any relevant staff or students.

If informal procedures fail to resolve the issue, a first formal complaint about any matter aside from the above mentioned exception, must be submitted in writing, using the form attached in Appendix 1 to the Headteacher and will be dealt with under this Complaints Procedure.

The letter should be submitted to the Headteacher with exact details and nature of the complaint and how they expect their complaint to be remedied. At this formal stage:-

- The Headteacher will respond within five School days, that they have received the complaint;
- The Headteacher will undertake an investigation of the complaint;
- The Headteacher will advise of the outcome of the investigation within a maximum of fifteen School days from receipt of the letter of complaint;
- The Headteacher will write explaining what has happened as a result of the investigation or may arrange a meeting with the complainant if necessary.

Should the matter remain unresolved at this point, a further letter explaining the exact details and nature of the complaint and how they expect their complaint to be resolved should be submitted to the Chair of Governors/CEO. At this final formal stage:-

- The Chair of Governors/CEO will respond within five School days, that they have received the complaint;
- The Chair of Governors/CEO will undertake an investigation of the complaint;
- The Chair of Governors/CEO will advise of the outcome of the investigation within a maximum of fifteen School days from receipt of the further letter of complaint;
- The Chair of Governors/CEO will write explaining what has happened as a result of the investigation or may arrange a meeting with the complainant if necessary.

If the complainant remains dissatisfied with the outcome following the application of the procedures outlined above, then they should make an appeal in writing to the Appeals Committee.

This is the final stage of the complaints procedure.

If the complaint remains unresolved after the exhaustion of all the above, the complainant's only recourse thereafter is to the Education and Skills Funding Agency (**DFE).** The DFE will not normally reinvestigate the substance of the complaints or overturn any decisions but consider whether Heart of Suffolk Education Trust has adhered to our complaints procedure or acted unlawfully or unreasonably in the exercise of their duties under education law.

Every complaint shall receive fair and proper consideration and a timely response. The School will do all it can to resolve the concern and to ensure that parents/carers remain confident about the quality of education their child receives at the School. Parents/carers

can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated both seriously and in confidence.

At each stage, complainants will be informed of their options for escalation if they are unsatisfied with the outcome of their complaint. The appropriate person will communicate the details of the next stage of the process when delivering the outcome of the current stage, where applicable.
To prevent later challenge or disagreement over what was said in any in-person meetings or telephone conversations at any stage of the procedure, brief notes will be kept, and a copy of any written response will be added to the record of the complaint. Notes and paper copies of any complaints and/or responses are kept securely.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 4 of the procedure.

b. Stage One - First Informal Resolution

It is hoped that most complaints and concerns will be resolved quickly and informally.

If parents/carers have a complaint they should normally contact their child's Head of Year, appropriate Head of Faculty/Department or manager within the school. In many cases, the matter will be resolved straightaway by this means to the parents/carers' satisfaction.

The appropriate member of staff will make a written record of all concerns and complaints and the date on which they were received.

The School/Trust will use its reasonable endeavours to resolve any informal complaints within fifteen School days of them being raised.

Should the matter not be resolved as referred to in paragraph 4 above, or in the event member of staff and the parents/carers fail to reach a satisfactory resolution, then the parents/carers will be advised to proceed with their complaint in accordance with the second informal stage of this procedure.

c. Stage Two – Second Informal Resolution

If the complaint cannot be resolved on an informal basis (as set out in paragraphs 1 to 5 above), then parents/carers should put their complaint either verbally or in writing to the relevant member of the Senior Leadership Team. Parents/carers should also identify how they wish their complaint to be resolved.

The relevant member of the Senior Leadership Team will undertake an investigation of the complaint unless they deem it appropriate for the complaint to be investigated on their behalf.

The relevant member of the Senior Leadership Team will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the relevant member of the Senior Leadership Team will meet or speak with the parents/carers concerned to discuss the matter and will use reasonable endeavours to speak to or meet parents/carers within fifteen School days of the complaint being received. It is likely that for most complaints at this stage, a resolution will be reached.

The relevant member of the Senior Leadership Team will keep a written record of all meetings and interviews held in relation to the complaint.

Stage Three – First Formal Resolution

If the complaint cannot be resolved at the informal stage (as set out above), then parents/carers should put their complaint in writing to the Headteacher. Parents/carers should also identify how they wish their complaint to be resolved. This should be where possible on the School's complaint form. (Appendix 1)

The Headteacher will undertake an investigation of the complaint unless they deem it appropriate for the complaint to be investigated on their behalf.

The Headteacher will decide, after considering the complaint, the appropriate course of action to take.

The Headteacher may need to meet or speak with the parents/carers concerned to discuss the matter and if appropriate will use reasonable endeavours to speak to or meet parents/carers within fifteen School days of the formal complaint being received. It is likely that for most complaints reaching this formal stage, a resolution will be reached.

The Headteacher will keep a written record of all meetings and interviews held in relation to the complaint.

Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents/carers will be informed of this decision in writing, giving reasons for the decision. The decision should be provided no later than fifteen School days from that date of receipt of the formal complaint or after speaking or meeting with parents/carers to discuss the matter if applicable. The Headteacher may also arrange to meet with parents/carers to explain the decision.

The School will keep a written record of all internal formal complaints, including records of meetings and interviews held in relation to the complaint. This record will state if complaints were resolved at this formal stage.

Where parents/carers are dissatisfied with the outcome of the School's response to their formal complaint, the parents/carers have the opportunity to have their complaint considered by the Chair of Governors.

Stage Four – Chair of Governors/CEO

If the complaint cannot be resolved at any of the earlier stages or if the complaint is about the actions of the Headteacher then parents/carers should put their complaint in

writing to the Chair of Governors and CEO using the School Complaints Form (Appendix 1). Parents/carers should also identify how they wish their complaint to be resolved.

The Chair of Governors/CEO will undertake an investigation of the complaint unless they deem it appropriate for the complaint to be investigated on their behalf.

The Chair of Governors/CEO will decide, after considering the complaint, the appropriate course of action to take.

The Chair of Governors/CEO may need to meet or speak with the parents/carers concerned to discuss the matter and if appropriate will use reasonable endeavours to speak to or meet parents/carers within ten School days of the complaint being received. It is likely that for most complaints reaching this final formal stage, a resolution will be reached.

The Chair of Governors/CEO will keep a written record of all meetings and interviews held in relation to the complaint.

Once the Chair of Governors/CEO is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents/carers will be informed of this decision usually in writing, giving reasons for the decision. The decision should be provided no later than fifteen School days from that date of receipt of the formal complaint or after speaking or meeting with parents/carers to discuss the matter if applicable. The Chair of Governors/CEO may also arrange to meet with parents/carers to explain the decision.

The School and Trust will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint.

Where parents/carers are dissatisfied with the outcome of the School's response to their final formal complaint, the parents/carers have the opportunity to have their complaint considered by the Appeals Committee.

Stage Five – Appeal Hearing

If parents/carers seek to invoke an independent hearing following failure to reach an earlier resolution and where dissatisfied with the decision at Stage Four in respect of their formal complaint, the parents/carers may, in writing, addressed to the Chair of the Appeals Committee, request that their complaint is further considered by the Appeals Committee as appropriate for this purpose.

This request for further assessment of the complaint will, for the purposes of this Procedure, be known as an 'appeal'.

Parents/carers must lodge their appeal in writing and within ten School days of the date of the School's decision made in Stage Four of the Procedure. The parents/carers should provide a list of their complaint(s) made against the School and which they believe to have been resolved unsatisfactorily by the Stage Four Procedure, along with the remedies sought in respect of each. The Appeals Committee is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.

The Clerk provides an independent source of advice on procedure for all parties.

Once an appeal has been received by the Clerk, they will acknowledge the appeal in writing within five School days, and inform the parents/carers of the steps involved in this appeal procedure.

The Clerk will then endeavour to convene an Appeals Hearing as soon as possible to consider the matter, normally no later than twenty school days after receipt by the School of parents/carers' written notice that they wish to invoke the Stage Five Procedure, dependent upon the availability of the Panel members.

The Appeals Committee will consist of two members of the Trust Board who have not previously been involved in the complaint and one panel member who is independent of the management and running of the school.

The following are entitled to attend a hearing, submit written representations and address the Appeals:

a. The parent/s (or, if aged over 18, the student) and/or one representative;
b. The Chair of Governors and/or Headteacher of the School and/or one representative; and
c. Any other interested person whom the Appeals Committee considers to have a reasonable and just interest in the appeal and whose contribution would assist the Committee in their decision-making. Legal representation will not normally be appropriate.

Where the Appeals Committee deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Appeals Committee in support of their position, including:

a. documents in support of complaint(s);
b. chronology and key dates relating to complaint(s), and
c. written submission setting out the complaint(s) in more detail.

This evidence will be considered by the Appeals Committee, along with the initial submission that was lodged by the parents/carers.

Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the Appeals Committee members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten School days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five School days in advance of the Appeals hearing.

It is for the Appeals Committee to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Appeals Committee will resolve the parents/carers' complaint immediately without the need for further investigation. Where further investigation is required, the Appeals Committee will decide how it should be carried out.

After due consideration of all the facts they consider relevant, the Appeals Committee will reach a decision, and may make recommendations, which it shall complete within ten School days of the hearing. The decision reached by the Appeals Committee is final. Any decision reached that may have financial implications for the School will need the appropriate approval from Chair of Trustees, whilst aiming to remain compatible with the decision of the Appeals Committee.

The Appeals Committee's findings will be sent by the Clerk in writing to the parents/carers, the Chair of Governors, CEO, the Headteacher, the members of the Appeals Committee and, where relevant, the person complained of. The letter will state any reasons for the decision reached and recommendations made by the Appeals Committee.

Should the parent remain unhappy with the outcome of the appeal, they may write to:-

DfE – Academies Complaint and Customer Insight Unit
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

or contact the DFE online https://www.gov.uk/government/publications/complain-about-an-School/complain-about-an-School

The School will keep a record of all appeals, decisions and recommendations of the Appeals Committee on the Student's File and thereafter in line with standard retention requirements.

d. Complaints to the DfE

If a complainant has exhausted the trust's complaints procedure, they will be advised that they can submit a complaint to the DFE via its webpage or by writing to:

Complaints Team
Education and Skills Funding Agency
Cheylesmore House
Coventry
Quinton Road
Coventry
CV1 2WT

e. Resolving complaints

At each stage of the complaints procedure, the School is committed to resolving the complaint. Where appropriate, the trust will acknowledge that the complaint is upheld in whole or in part, and may offer one of the following:

- An explanation;
- An admission that the situation could have been handled better;
- An assurance that the trust will try and ensure the incident will not occur again;

- An outline of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which changes will be made;
- An undertaking to review trust policies in light of the complaint;
- An apology

f. Withdrawal of a complaint

Where a complainant wishes to withdraw their complaint, the School will ask them to confirm this in writing. Despite the complaint having been withdrawn, the School will still take the complainant's voice seriously and attempt to avoid causing similar distress to others in the future. The School will not under any circumstances ask, or pressure an individual, to withdraw a complaint.

g. Record keeping

A written record will be kept of all complaints that are made, regardless of the stage at which they are resolved, including any action taken by the trust as a result of those complaints whether they are upheld or not.

All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or an inspectorate requests access to them.

Trusts are data controllers in their own right and must decide for themselves how long to keep records, unless statutory regulations apply, e.g. attendance records must be kept for 3 years. The trust will retain records of complaints and related documents in line with the Data Protection Policy and Records Management Policy. Personal data will only be kept for as long as necessary.

7. Interviewing witnesses

The School/Trust will ensure that the conduction of interviews does not prejudice an investigation by the LA designated officer (LADO) or police.

The School understands the importance of ensuring a friendly and relaxed area which is free from intimidation. Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager. The interviewer will not express opinions in words or attitude, so as to not influence the interviewee. The interviewee will sign a copy of the transcription of the interview.

8. Recording a complaint

A written record shall be kept of any complaint made, whether made via phone, in person or in writing, detailing:

- The main issues raised, the findings and any recommendations;

- Whether the complaint was resolved following an informal route, formal route or panel hearing;
- Actions taken by the School/Trust as a result of the complaint (regardless of whether the complaint was upheld).

All records are made available for inspection on the School premises by the School.
Recording devices will not be used without the prior consent of all parties.

Details of any complaint made shall not be shared with the entire board of trustees. The exception to this is when a complaint is made against the whole board and they need to be aware of the allegations made against them to respond to any independent investigation.

Complainants have a right to access copies of these records under the UK GDPR and the Freedom of Information Act 2000. The trust will hold all records of complaints from each School, as well as those regarding the trust itself, centrally. Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection requests to access them.

9. Exceptional circumstances

The DFE expects complainants to have completed the trust's complaints procedure before directing a complaint to them. The exceptions to this include when:

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

If a social services authority decides to investigate a situation, the board of trustees may postpone the complaints procedure.

10. Managing unreasonable complaints

The Trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The Trust will not normally limit the contact complainants have with the Trust itself; however, the Trust does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

For the purposes of this policy, **"unreasonable complaints"** include:

- Vexatious complaints, which:
  - Are obsessive, persistent, harassing, prolific, or repetitious;
  - Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
  - Insist upon pursuing meritorious complaints in an unreasonable manner;
  - Are designed to cause disruption or annoyance;

  - Demand for redress which lacks any serious purpose or value.

- Serial or persistent complaints, which:
  - Are duplicated, sent by the same complainant once the initial complaint has been closed;
  - Are new complaints that are submitted additionally, as part of an existing open complaint, by the same complainant.

A complaint may also be regarded as unreasonable when the complainant:

- 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 cooperate with the complaints investigation process while still wishing their complaint to be resolved;
- Refuses to accept that certain issues are not within the scope of a complaints procedure;
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on, or 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 trust's complaints 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, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the complainant:

- Acts maliciously or aggressively;
- Uses threats, intimidation or violence;
- Uses abusive, offensive or discriminatory language;
- Knows the complaint to be false;
- Uses falsified information;
- Publishes unacceptable information in media such as social media websites and newspapers.

The above applies regardless of the method the complaint is made, e.g. face-to-face, by telephone, in writing or electronically.

Complainants should limit the number of communications with the trust while a 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.

Whenever possible, the member of staff or trustee leading the response to a complaint will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

Serial or persistent complaints will only be marked as 'serial' once the complainant has completed the complaints procedure. It is the complaint that will be marked as 'serial', meaning the complainant can complain about a separate issue if necessary.

If the behaviour continues, the individual handling the complaint will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the trust or any of its academies causing a significant level of disruption, the School may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

A decision to stop responding will only be considered in circumstances where the following statements are true:

- Every reasonable step has been taken to address the complainant's concerns;
- The complainant has been given a clear statement of the trust's position and their options;
- The complainant contacts the School repeatedly, making substantially the same points each time.

If the above criteria are met, in making a decision to stop responding, the School will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about or threats towards staff, or if the School believes their intent is to disrupt or inconvenience the School.

The School will not stop responding to a complainant on the basis that they are difficult to deal with or they ask complex questions.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the premises.

11. Complaints campaigns

If the School receives a large number of complaints about the same subject from complainants who are connected to the School, e.g. parents, each complainant will receive an individual response.

If complainants remain dissatisfied with the School's response, they will be directed to the DFE.

12. Barring from the premises

School premises are private property and, therefore, any individual may be barred from entering the premises.

If an individual's behaviour is cause for concern, the Headteacher will ask the individual to leave the premises.

The Headteacher will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and why, subject to any representations that the individual may wish to make. The individual involved will be given the opportunity to formally express their views regarding the decision to bar them.

This decision to bar will be reviewed by the chair of trustees and CEO where escalated, taking into account any discussions following the incident. If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place, and when the decision will be reviewed.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including via email, to the Headteacher, CEO or Chair of Trustees.

13. Standard of fluency complaints

As members of a public authority, all staff are subject to the fluency duty imposed by the Immigration Act 2016, which requires staff members to have an appropriate level of fluency in English in order to teach pupils.

The School is free to determine the level of spoken communication necessary in order for staff members to develop effective performance, but it will be matched to the demands of the role in question.

The School will be satisfied that an individual has the necessary level of fluency appropriate for the role they will be undertaking, whether this is an existing or potential new member of staff.

If a member of the school community feels that a staff member has insufficient proficiency in spoken English for the performance of their role, they are required to follow the 'Complaints procedure' outlined in this policy.

For the purpose of this policy, a **"legitimate complaint"** is one which is about the standard of spoken English of a member of staff; complaints regarding an individual's accent, dialect, manner or tone of communication are not considered legitimate complaints. All legitimate complaints regarding the fluency duty will be handled in line with the processes detailed in this policy.

In addition to the processes outlined in this policy, the trust will assess the merits of a legitimate complaint against the necessary standard of spoken English fluency required for the role in question.

To assess the merits, the School will undertake an objective assessment against clear criteria set out in the role specification or, against the level of fluency descriptors relevant to the role in question.

If the complaint is upheld, the School will consider what action is necessary to meet the fluency duty. This may include:

- Specific training;
- Specific re-training;
- Assessment;
- Redeployment;
- Dismissal.

Appropriate support will be provided to staff to ensure that they are protected from vexatious complaints and are not subjected to unnecessary fluency testing.
Records of complaints regarding fluency will be kept in accordance with the processes outlined in the 'Recording a complaint' section of this policy.

14. Transferring data

When a pupil changes school, the pupil's educational record will be transferred to the new school and no copies will be kept.

The School will hold records of complaints separate to pupil records while a complaint is ongoing, so that access to these records can be maintained.
Information that the School retains relating to a complaint will be stored securely and in line with its Records Management Policy.

15. Availability

A copy of this policy will be made available on request. It will also be published on the School's website, as recommended by the DFE.

16. Monitoring and review

The complaints procedure will be reviewed biennially, taking into account any legislative changes and the latest guidance issued by the DfE or DFE.

Responsibility for reviewing the procedure belongs to a committee of the board of trustees. All projected review dates will be adhered to.

Information gathered through reviewing the complaints procedure will be used to continuously improve and develop the process. Any changes to this policy will be communicated to all relevant stakeholders.

Appendix 1

COMPLAINT FORM

Your name:
Student's name (if relevant):
Your relationship to the student (if relevant):
Address: **Postcode:** **Day time telephone number:** **Evening telephone number:** **Email address:**
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage? **(For Stage 4 & 5 which are in addition to the resolutions at previous stages)**
Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
Official use
Date acknowledgement sent:
By whom:
Complaint referred to:
Action taken:
Date: