



The Diamond Learning Partnership Trust

Complaints Procedure

2024

Contents

| | |
|---|----|
| 1. Legislation and guidance | 4 |
| 2. Definitions and scope | 4 |
| 3. Stages for complaint | 5 |
| 4. Roles and responsibilities | 10 |
| 5. Principles for investigation | 12 |
| 6. Resolving complaints | 13 |
| 7. Withdrawal of complaint..... | 13 |
| 8. Complaints against the Headteacher, Chief Executive, a Director or The Board | 13 |
| 9. Referring complaints on completion of the school's procedure | 14 |
| 10. Persistent complaints..... | 14 |
| 11. Record Keeping | 16 |
| 12. Learning Lessons..... | 17 |
| 13. Monitoring arrangements | 17 |
| 14. Links with other policies..... | 17 |

Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we

aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures 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.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individual.

1. 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 we 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).

This policy complies with our funding agreement and articles of association.

In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

2. Definitions and Scope

2.1 Definitions

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 sought". The school will resolve concerns through day-to-day communication as far as possible
- A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action"

2.2 Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure. We take concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have any difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, we will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, we will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures

relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing Staff grievances Staff discipline
- National curriculum- content

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

Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school's support are within the scope of this policy. Such complaints should first be made to the headteacher; they will then be referred to this complaints policy. Our SEN policy and information report include information about the rights of parents of pupils with disabilities who believe that one of our schools has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

Note: Complaints about staff conduct will not generally be handled under this complaint's procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them. 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.

3. Stages for Complaint

3.1 Stage 1: Informal

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the headteacher as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office. Full contact details are given on each school website

The school will acknowledge informal complaints within five school days, and investigate and provide a response within fifteen school days.

The informal stage will involve a meeting between the complainant and the headteacher, or a member of staff delegated by the headteacher and/or the subject of the complaint, as appropriate.

If the complaint is not resolved informally, it will be escalated to a formal complaint. The headteacher (or member of staff delegated by the headteacher to deal with the informal complaint) will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

3.2 Stage 2: Formal

Formal complaints can be

raised:

- By letter or email
- Over the phone
- In person
- By a third party acting on behalf of the complainant

The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the school office, details of which are given on each school website. The school will acknowledge formal complaints within five school days.

The headteacher may seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

The headteacher (or other person appointed by the headteacher for this purpose) will call a meeting to clarify concerns, and seek a resolution within fifteen school days. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

Following this meeting, the headteacher (or other person appointed by the headteacher for this purpose) will conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within fifteen school days of the meeting. If the headteacher (or other person appointed by the headteacher for this purpose) is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 will take to resolve the complaint.

The headteacher (or other person appointed by the headteacher for this purpose) will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

3.3 Stage 3: Submit the complaint to the Chief Executive Officer (CEO)

If the complainant wishes to proceed to the next stage of the procedure, they should inform the CEO within fifteen school days of receiving the response to their complaint under Stage 2 of the procedure. The CEO can be contacted by way of their PA, for whom the contact details are:

Telephone: 01480 277490

Email: pa@diamondlearningtrust.com

Post: PA to Chief Executive Officer, The Diamond Learning Partnership Trust, Winhills Primary Academy, Off Duck Lane, Eynesbury, St Neots, PE192DX.

- By letter or email
- Over the phone in person
- Through a third party acting on behalf of the complainant

The CEO will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

The CEO or alternatively the Investigator, (the CEO may appoint an independent investigator to undertake an investigation on their behalf) will then undertake an investigation into the complaint and will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish. The complainant should inform the CEO of the identity of their companion in advance. In certain circumstances, the CEO may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.
- Keep a written record of any meetings/interviews in relation to their investigation

The written conclusion of this investigation will be sent to the complainant within twenty school days. If the CEO is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 will take to resolve the complaint

The CEO will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 3.

3.4 Stage 4: Submit the complaint to the review panel

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the Trust board in writing within fifteen school days of receipt of the response to their complaint under Stage 3 of the procedure. Requests received outside of this time frame will be considered in exceptional circumstances.

The clerk will acknowledge receipt of the request within five school days.

The clerk can be contacted through the PA to the Chief Executive Officer, for whom the contact details are: Telephone: 01480 277490

Email: pa@diamondlearningtrust.com

Post: PA to Chief Executive Officer, The Diamond Learning Partnership Trust, Winhills Primary Academy, Off Duck Lane, Eynesbury, St Neots, PE192DX.

How to escalate a complaint

Complaints can be escalated by contacting the clerk Trust Board:

- By letter or email
- Over the phone in person
- Through a third party acting on behalf of the complainant
- for whom the contact details are: Telephone: 01480 277490
- Email: pa@diamondlearningtrust.com

The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

Convening the Panel

Following receipt of the above information from the complainant, the clerk will write to the complainant to propose a date for the panel meeting and to request copies of any written material to be submitted to the panel at least five school days before the proposed meeting.

The clerk will aim to find a date within 20 school days of the request, where possible.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserve the right to convene at their convenience rather than that of the complainant.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

The review panel will consist of the first 3 members of the board available, who don't have direct knowledge of the complaint. These individuals will have access to the existing record of the complaint's progress (see section 10). The directors will select a panel chair from amongst themselves.

If not enough impartial directors are available, we will seek panel members from other schools or the local authority. We will make sure the directors we source are suitably skilled and can demonstrate that they are independent and impartial.

Any written material will be circulated to all parties at least five 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 will also 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 although the Board retains discretion to consider new complaints/unrelated evidence if they consider that it aids resolution and resolution is possible and a fair process can be followed in respect of the new complaints/unrelated evidence at the panel review meeting.

The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish. The complainant should inform the school of the identity of their companion in advance. In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment. We do not encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend. The meeting will be held in private.

Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken. Recordings will be deleted in 5 working days.

At the meeting:

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence. The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered.

Procedures normally to be followed at a Review Panel Hearing

1. Introduction: this is the procedure that will normally be followed by the Review Panel and is designed to ensure that all parties have the opportunity to present their views to the Panel.

2. Meeting format: the meeting will take the form of a "round the table" hearing, where all parties and the Panel are present in the same room/virtually throughout. Those present in the room/virtually throughout the hearing may include:

- the Panel Members;
- the Clerk to the Panel. The Clerk will take notes of the meeting. Any notes produced by the Clerk will not be verbatim and will belong to the Chair. The Chair can authorise the release of the Clerk's notes on condition that they remain confidential;

They may be released to:

- the parents who have made the complaint;
- any person that the parents have brought as a companion;
- the Headteacher;
- any other appropriate member of staff.

Note: any witnesses called by any of the above parties may be asked to make their contribution and then leave rather than staying for the whole proceeding.

The following order may, be adopted at the meeting but the panel reserves the ultimate discretion as to how it is conducted and as to order:

- The complainant and representative from the school will be invited to enter the room where the hearing is taking place together.
- Welcome and introductions by the Chair. The Chair will introduce the panel members and the clerk and outline the process to be followed.
- The complainant, or their suitable companion, will be invited to explain/present the complaint, followed by their witnesses. Where two parents are present, it is often more helpful if one parent undertakes the responsibility of presentation and answering of questions.
- The Panel and school representative may question both the complainant and the witnesses after each has spoken. Questions should be put through the Chair of the Panel who can intervene if s/he thinks that questions are inappropriate or are straying into cross examination
- The school representative will then be invited to explain the school's actions/present the school's case, followed by their witnesses
- The Panel, complainant, or their suitable companion, may question the school representative and the witnesses after each has spoken. Again, such questions should be put through the Chair who can intervene as necessary.
- The panel members may ask questions at any point
- The complainant is then invited to sum up their complaint and the school representative is then invited to sum up the school's actions and response to the complaint.
- When the Panel is satisfied that it has established facts sufficient for it to make its decision, the Chair may bring the hearing to a close and inform the parties that they will be notified in writing of the decision, normally within fifteen working days of the panel meeting
- Both parties leave together alongside any witnesses, supporters or representatives, while the panel decides on the issues. The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher and LGB Members.

Legal advice: if, during the hearing, the complainant introduces legal points on which the Panel feel they will need advice, they will consider one of two options: The Panel may decide to take a careful note of points made and to consider the advice of the Trust/School's lawyers before making their final decision; or if the Panel feel that an immediate response is required, they may adjourn the hearing to take telephone advice from the Trust's/School's lawyers.

The Outcome

The review panel can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The Clerk will inform those involved of the decision in writing within fifteen school days of the panel meeting.

The letter to the complainant will provide the complainant with a full explanation of the decision and the reason(s) for it, in writing, together with a copy of the minutes from the meeting. Where appropriate, it will also include details of actions the School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they

remain dissatisfied.

4. Roles and Responsibilities

4.1 The Complainant

The complainant will get a more effective and timely response to their complaint if they follow these procedures

- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect
- Ask for assistance as needed
- Explain the complaint in full as early as possible
- Do not publish details about the complaint in the media or 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 which includes the facts, potential solutions and recommends courses of action to resolve problems.

The investigator's role is to establish the facts relevant to the complaint by providing a comprehensive, open, transparent and fair consideration of the complaint through:

- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and others as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- 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

The headteacher or review panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

4.3 Clerk to the Board

The clerk will:

- Be the contact point for the complainant and the review panel, including circulating the relevant papers and evidence before review panel meetings (for example; stage 1

paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale.

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of the Board, and LAs (if appropriate) to ensure the smooth running of the complaint's procedure

be aware of issues regarding:

- Sharing third party information
- Additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- Keep records.
- Arrange the complaints hearing within fifteen school days of the request, where possible; set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible.
- Notify all parties of the review panel's decision.
- Record and circulate the minutes and outcome of the hearing

Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including under any 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)

4.4 Review Panel Chair

The review panel chair 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 panel and hearing, and are allowed to present their case

The review panel chair will also ensure that:

- Both parties are asked (via the Clerk) 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 and is not adversarial
- 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 review 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
- 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 issues are addressed
- Key findings of fact are made
- The review panel is open-minded and acts independently
- No member of the review 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 Clerk

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting.

4.5 Review Panel Members

Review Panel members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so
- No Trustee, may sit on the review panel if they have had a prior involvement in the complaint or in the circumstances surrounding it
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The panel members should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the panel members should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the review panel considers is not in the child/young person's best interest.
- The welfare of the child/young person is paramount.

5. Principles for Investigation

When investigating a complaint, we will try to

clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

5.1 Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or CEO, if appropriate, will determine whether the complaint warrants an investigation.

5.2 Time scales and related points

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day after the holiday period.

If at any point we cannot meet the time scales 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 safeguarding teams or Tribunals, this may impact on our ability to a) investigate and b) 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 the 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.

5.3 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

6. Resolving complaints

At each stage in the procedure, the school wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation 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 any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

7. Withdrawal of a complaint

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

8. Complaints against the Headteacher, Chief Executive, a Director or The Board

8.1 Stage 1: Informal

Complaints made against a headteacher should be directed to the Chief Executive, complaints about the Chief Executive, a director or the board should be directed to the Clerk to the Trust board in the first instance. They can be contacted through the PA to the Chief Executive Officer/Trust Leader, for whom the contact details are:

Telephone: 01480 277490

Email: pa@diamondlearningtrust.com

Post: PA to Chief Executive Officer, The Diamond Learning Partnership Trust, Winhills Primary

Academy, Off Duck Lane, Eynesbury, St Neots, PE192DX.

If the complaint is about the Chief Executive or one member of the board (including the chair or vice-chair), a suitably-skilled and impartial director will carry out the steps at stage 1 (set out in section 5 above).

8.2 Stage 2: Formal

If the complaint is jointly about the chair and vice-chair, the entire board or the majority of the board, an independent investigator will carry out the steps in stage 2 (set out in section 5 above). They will be appointed by the board and will write a formal response at the end of their investigation.

8.3 Stage 3: Review Panel

If the complaint is jointly about the chair and vice-chair, the entire board or the majority of the board, a committee of independent directors will hear the complaint. They will be sourced from local schools or the local authority and will carry out the steps at stage 3 (set out in section 5 above).

9. Referring complaints on completion of the school's procedure

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

- Whether there was undue delay, or the school did not comply with its own complaint's procedure
- Whether the school was in breach of its funding agreement with the secretary of state
- Whether the school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. 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 webpages:

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

<https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

10. Persistent complaints

10.1 Unreasonably persistent complaints

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

- Has made the same complaint before, and it has already been resolved by following the school's complaints procedure

Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive

Knowingly provides false information

Insists on pursuing a complaint that is unfounded, or out of scope of the complaint's procedure

- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaint's procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value
- introduces trivial or irrelevant information which they expect to be considered and commented on
- raised 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
- 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 Department for Education
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information in the media, on social media or other public forums

Steps we will take

We will take every reasonable step to address the complainant's concerns, 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.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. 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

Stopping responding

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. We will also explain that we will still consider any new complaints they make.

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 our school sites.

10.2 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 consider.

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 the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint. If there are new aspects, we will follow this procedure again.

10.3 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.

11. Record keeping

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 held centrally, and 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 someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act/GDPR, or where the material must be made available during a school inspection.

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

The details of the complaint, including the names of individuals involved, will not be shared with the whole board in case a review panel needs to be organised at a later point.

Where the board is aware of the substance of the complaint before the review panel stage, the Trust will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the board, who will not unreasonably withhold consent.

12. Learning Lessons

The board will review any underlying issues raised by complaints with the Chief Executive where appropriate, and respecting confidentiality, to determine whether there are any improvements that the Trust can make to its procedures or practice to help prevent similar events in the future.

13. Monitoring arrangements

The board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The board will track the number and nature of complaints, and review underlying issues as stated in section 11.

The headteachers will log all stage 2 complaints received by the school and record how they were resolved. These logs will be presented to the Local Governing Board and the CEO as part of the headteacher report.

The complaints records are logged and managed by the PA to the Chief Executive, and all stage 2 and 3 complaints must be reported to her/him.

This policy will be reviewed by the Chief Executive every three years.

14. Links with other policies

Policies dealing with other forms of complaints include:

Child protection and safeguarding policy and procedures

- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices