



Symphony Learning
TRUST

Complaints Policy & Managing serial and Unreasonable Complaints Guidance

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21 st March 2022	The difference between a concern and a complaint (Page 3)
21 st March 2022	Stage 2 - Formal Complaint (Page 7)
August 2023	All sections revised
September 2024	Revised wording for Stage 3 complaints

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Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to the school or Trust about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

Please click onto the website link for the Trust and School contact details: [Symphony Learning Trust](#)



Definition of a complaint

A complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

- Complaints against school staff (except the Head Teacher) should be made in the first instance, to the Head Teacher via the school office. Please mark them as Private and Confidential.
- Complaints that involve or are about the Head Teacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.
- Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body, via the school office. Please mark them as Private and Confidential.
- Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to Chair of Trustees, via the trust office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask a third- party organisation for example like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.



Anonymous complaints

We will not normally investigate anonymous complaints. However, the Head Teacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.



Timescales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.



Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.



Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by the school or Trust, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi- Agency Safeguarding Hub (MASH).
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the

	<p>prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer.</p> <p>Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure.</p> <p>You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
Staff grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures.
Staff conduct	<p>Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint.</p> <p>However, the complainant will be notified that the matter is being addressed.</p>
Exclusion of children from school *	<p>Further information about raising concerns about exclusion can be found at:</p> <p>www.gov.uk/school-discipline-exclusions/exclusions.</p> <p>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against the school or Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.



Complaints

At each stage in the procedure, the school / Trust want 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.



Withdrawal of a complaint

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



Stages of the Complaint Policy

Stage A: Concern/complaint heard by staff member (informal stage)	If not resolved, complainant moves to Stage B
Stage B: Complaint heard by the Head Teacher (formal stage) if complaint does not relate to or involve the Head Teacher	If not resolved, complainant moves to Stage C
Stage C: Complaint investigated by the Chair of Governors OR if it is in relation to or involves the Head Teacher (formal stage)	If not resolved, complainant moves to Stage D
Stage D: Complaint investigated by central Trust employee (formal stage)	If not resolved, complainant move to Stage E
Stage E: Complaint heard by an appointed Panel (formal stage)	If not resolved, complainant moves to Stage F
Stage F: Complaint referred to the Department for Education	



Stage A – Informal complaints

It is to be hoped that most concerns can be expressed and resolved on an informal basis. Concerns should be raised with either the class teacher, Assistant Head Teacher, Deputy Head Teacher, Head of School or Head Teacher.

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 C of the procedure.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within 10 school days of the date of receipt of the complaint.

If the issue remains unresolved and the complainant therefore wishes to progress the complaint, the next step is to make a formal complaint.

The Head Teacher will inform the complainant that the complaint is now moving to Stage B and to provide a copy of this policy to the complainant.



Stage B – Formal complaint which does not directly involve the headteacher

Formal complaints (Stage B) must be made to the Head Teacher unless it directly involves the Head Teacher, whereupon the complainant should move straight to Stage C.

This needs to be submitted via the school office. This may be done in person or in writing using the Complaint Form on page 15 of this policy.

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

Within this response, the Head Teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

The Head Teacher can consider whether a face to face meeting is the most appropriate way of doing this.

If the matter is within the scope of the complaint policy, it is important that the right person to investigate is identified. The Head Teacher will look within the resources of the school or wider Trust if appropriate, but in exceptional circumstances it may be necessary to seek an external, neutral third party to undertake this role. The Trust has discretion to appoint this person, and to notify the complainant about who the person is and reasons for the decision.

If the complaint is about an employee, a HR process will be followed. That is outside the scope of this complaints policy.

Investigation

The Head Teacher may delegate the investigation to another member of the school senior leadership team or suitable investigating officer but not the final decision to be taken.

During the investigation, the Head Teacher (or investigator) will:

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

At the conclusion of their investigation, the Head Teacher will provide a formal written response within 20 working days of the date of receipt of the complaint. If the Head Teacher 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 that will be taken to resolve the complaint.

The Head Teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage B, referring to this policy.

Records

The records of a complaint process are subject to the Data Protection Act 2018 and other statutory requirements. There is an obligation to keep appropriate records. The Investigating Officer will collect and keep records of meetings as necessary. When the investigating officer writes their report, they may decide to combine their notes into that report, and destroy original copies. They may decide to summarise their notes in the report and keep original copies. This will be specified in any report.

Schools keep necessary records and not a note of every meeting or discussion that is held between school staff or with parents, carers and pupils. To try and retain a record of every interaction or discussion about a pupil would be impossible on a daily basis. On occasion emails may also be deleted as part of the retention and information management process.

Should the complainant remain dissatisfied following the outcome of Stage B, the Head Teacher should advise the complainant of how to escalate their complaint to Stage C, referring to this policy.

The Head Teacher will inform the complainant that the complaint is now moving to Stage C and to provide a copy of this policy to the complainant.

The complainant then has to make a formal complaint within 5 working days of Stage B being concluded to the Chair of Governors. **This needs to state the reason why the complainant is dissatisfied with the outcome/s.**



Stage C – Formal complaint which has not been resolved at Stage B or directly involves the head teacher

Formal complaints (Stage C) must be made to the Chair of Governors.

These need to be submitted via the school office. This may be done in person or in writing using the Complaint Form on page 17 of this policy.

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

Within this response, the Chair of Governors will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

The Chair of Governors can consider whether a face to face meeting is the most appropriate way of doing this.

If the matter is within the scope of the complaint policy, it is important that the right person to investigate is identified. The Chair of Governors will look within the resources of the school or wider Trust if appropriate, but in exceptional circumstances it may be necessary to seek an external, neutral third party to undertake this role. The Trust has discretion to appoint this person, and to notify the complainant about who the person is and reasons for the decision.

If the complaint is about an employee, a HR process will be followed. That is outside the scope of this complaints policy.

Investigation

During the investigation, the Chair of Governors (or investigator) will:

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

At the conclusion of their investigation, the Chair of Governors will provide a formal written response within 20 working days of the date of receipt of the complaint. If the Chair of Governors 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 that will be taken to resolve the complaint.

The Chair of Governors will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage C, referring to this policy. **This needs to state the reason why the complainant is dissatisfied with the outcome/s.**

Records

The records of a complaint process are subject to the Data Protection Act 2018 and other statutory requirements. There is an obligation to keep appropriate records. The Investigating Officer will collect and keep records of meetings as necessary. When the investigating officer writes their report, they may decide to combine their notes into that report, and destroy original copies. They may decide to summarise their notes in the report and keep original copies. This will be specified in any report.

Schools keep necessary records and not a note of every meeting or discussion that is held
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between school staff or with parents, carers and pupils. To try and retain a record of every interaction or discussion about a pupil would be impossible on a daily basis. On occasion emails may also be deleted as part of the retention and information management process.



Stage D- Formal complaint which has not been resolved at Stage C

Should the complainant remain dissatisfied with the outcome of the Stage C complaint, they will move to Stage D and will be required to contact the Trust using admin@symphonylearningtrust.co.uk email address or in writing using the following address:-

**FAO The CEO of Symphony Learning Trust
c/o Ashby Hastings Primary School
School Lane
Ashby de-la Zouch
LE65 2AX**

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

Investigation

During the investigation, the CEO or central Trust employee will use the Stage C complaint and response from the Chair of Governors and

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

At the conclusion of their investigation, the CEO or central Trust employee will provide a formal written response within 20 working days of the date of receipt of the complaint. If the CEO or central Trust employee 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 that will be taken to resolve the complaint.

The CEO or central Trust employee will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage D, referring to this policy. This needs to state the reason why the complainant is dissatisfied with the outcome/s.

Records

The records of a complaint process are subject to the Data Protection Act 2018 and other statutory requirements. There is an obligation to keep appropriate records. The Investigating Officer will collect and keep records of meetings as necessary. When the investigating officer writes their report, they may decide to combine their notes into that report, and destroy original copies. They may decide to summarise their notes in the report

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and keep original copies. This will be specified in any report.

Schools keep necessary records and not a note of every meeting or discussion that is held between school staff or with parents, carers and pupils. To try and retain a record of every interaction or discussion about a pupil would be impossible on a daily basis. On occasion emails may also be deleted as part of the retention and information management process.



Stage E – right to seek a Panel

Following an investigation, or an outcome, either the complainant or the person complained about, can seek to take the matter to a panel hearing if they disagree with the outcome of the investigator's report and recommendations.

A request to escalate to Stage E must be made to the Chief Executive Officer, via the Trust office (contact details above), within 5 working days of the date of the email sent to the complainant which contains the Stage D response.

The CEO will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 working days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

Arrangements for the Panel

We will write to the complainant to inform them of the date of the meeting. We will aim to convene a meeting within 15 working days of receipt of the Stage E request. If this is not possible, we will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, we will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage they bring legal representatives to the meeting. If an employee is called as a witness in a complaint meeting, they may wish to be accompanied by a colleague or trade union representative. Representatives from the media are not permitted to attend.

Material for the Panel Meeting

At least 10 working days before the meeting, we will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the panel at least 7 working days before the meeting.

Any written material will be circulated to all parties at least 5 working 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.

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The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage A of the procedure.

The Panel Meeting

The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, or have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of the school. This means that the independent Complaint Panel member will not be a governor or employee of the individual school.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints 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.

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.

The committee will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

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
- where appropriate, recommend changes to systems or procedures to prevent similar issues in the future.

The Chair of the panel will provide the complainant, school and Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 working days. The letter to the complainant will include details of how to contact the Department of Education (DfE) if they are dissatisfied with the way their complaint has been handled.

The response will detail any actions taken to investigate the complaint and provide a full

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explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school / Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about.

Furthermore, they will be available for inspection on the school premises.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel meeting, along with what actions have been taken, regardless of the decision.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a Board conducting an inspection under section 109 of the 2008 Act requests access to them.

If the complainant is still dissatisfied with the outcome from Stage E, please see 'Next Steps for complainant' on page 15.



Complaints about the Trust, CEO, Centralised Trust employee or Trustee

If a complaint wishes to complain directly about the trust or a Centralised Trust employee, then the complaint should be sent to the CEO to be investigated.

The CEO will write to the complainant acknowledging the complaint within 10 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage B of this Complaints Policy (with the CEO as investigating officer) and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 10 school days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within 10 school days of the date that the letter was received, explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation

NB. Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Clerk to the Trust Board asking for the complaint to be heard before a Complaint Panel, within 15 school days.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days.

Requests received outside of this time frame will only be considered if exceptional

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circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage E request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is jointly about the Chair and Vice Chair, the entire trust board or the majority of the trust board, Stage E will be heard by a completely independent committee panel. The arrangements for the Panel are as above but one of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the Independent Complaint Panel member will not be a Trustee or an employee of the Trust.



Next steps for complainant

If the complainant believes the school / trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education (DfE) after they have completed Stage E.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by the school / Trust. They will consider whether the School has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

The complainant can refer their complaint to the DfE at:

Online- [https://form.education.gov.uk/service/Contact the Department for Education](https://form.education.gov.uk/service/Contact%20the%20Department%20for%20Education)

By post-

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

By phone- 0370 000 2288



Vexatious complaints and managing serial and unreasonable complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the

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procedures having been followed, the complainant remains dissatisfied. **If the complainant tries to reopen the same issue, the Head Teacher or central Trust officer is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.**

The school / Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive offensive or threatening.

The school / Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if 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 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.
- continually tries to dictate their own timescale/s for response.
- 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 Department for Education.
- 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 whilst the complaint is being dealt with

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- 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.

Complainants should try to limit their communication with the school related to their complaint, 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.

Whenever possible, the Head Teacher or senior Trust officer will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues the Head Teacher or senior Trust officer will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the school / Trust causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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 the school.



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 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.



Complaint campaigns

There can be occasions where the school / Trust receives large volumes of complaints from multiple sources. In these cases, we reserve our right to treat this as a complaints campaign and as such we may choose to manage these complaints as a whole and produce a single statement which is shared with all complainants.

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Although the subject matter of the complaint will be taken seriously and fully investigated, the issue will not be investigated repeatedly without good reason. In the event of a complaint which is identified as a part of a series of near identical complaints, the following process will be followed:

- The complainant begins the complaints process as usual.
- The Head Teacher or senior Trust officer identifies that this complaint is one of many very similar complaints.
- A single letter of response is prepared.
- This letter of response is shared with each complainant.
- Complainants will have an opportunity to appeal the outcome of the complaint.

As there may be a high number of complainants and therefore a high number of appeals received, appeals may also be managed as a whole and as such the procedure will be varied. It will not be possible for all complainants to attend an appeal meeting, however an opportunity to submit additional information will be provided.



Complaints about a decision to ban persons from Trust premises

Members of the public (including parents) do not have an automatic right of access or entry to school premises. The priority of the school will always be to ensure that school premises are a safe place for pupils, staff and other members of the school community.

The Head Teacher has the absolute right to request any person whose behaviour is a cause for concern to leave the school premises. Aggressive, abusive or insulting behaviour would be sufficient. The school will tell the individual in writing if they have (i) been banned or (ii) if they intend to ban them. The person whose behaviour is a cause for concern has the right to present their side. In such cases the school can either:

- ban them temporarily, until the individual has had the opportunity to formally present their side;
- tell the individual they intend to ban them and invite them to present their side by a set deadline.

After hearing the individual's side, the Head Teacher will decide on the outcome with consultation with the Trust CEO and/or Trust Senior employees.



Complaint forms

Complaint Form (to be used for Stage B complaints or if the complaint involves the Headteacher)

Please complete and return to the Head Teacher (or Chair of Governors if the complaint involves the Headteacher) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (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?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Action taken:

Date:

Complaint Form (to be used for Stage C Complaints if the complainant is dissatisfied with the Headteacher's Stage B response)

Please complete and return to the Chair of Governors who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: Email address:
Please give details of why you are dissatisfied with the outcome of the Stage B Complaint

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Action taken:

Date:



Roles and responsibilities of all persons involved in the complaints procedure

Complainant

The complainant will receive a more effective response to the complaint if they:

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

Investigator

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 the complaints co-ordinator 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
- prepare a comprehensive report for the Head Teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Head Teacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

This will be the Head Teacher, Chair of Governors, CEO ,other senior Trust member or Trustee.

The Complaints Co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Head Teacher, CEO, Chair of Governors, Chair of Trust or the Clerk and to ensure the smooth running of the complaints 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.

Clerk to the Governing Body/Trust Board

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- 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
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in
- advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should 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, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee 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.
- 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
- 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 committee is open-minded and acts independently
- no member of the committee 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

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- no governor / trustee may sit on the committee 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

Additional considerations

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 committee 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 committee 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 committee considers is not in the child/young person's best interests.

The welfare of the child/young person is paramount

