



OUR TRUST Concerns and Complaints Policy

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This procedure works in conjunction with the following OUR TRUST policies and procedures that are all available on the OUR TRUST web site

- [Equalities strategy](#)
- [Wellbeing strategy](#)
- [Capability management procedure](#)
- [Disciplinary procedure](#)
- [Grievance procedure](#)
- [Staff code of conduct](#)

OUR 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.

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1. Aims

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

The school and/or Trust 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 procedure and make it available on the school websites and the Trust website.

1. This policy statement sets out the school and/or Trust's approach to dealing with parental concerns and complaints.
2. We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.
3. As general practice we mediate when complaints involve the behaviours of children or families. We do not place families into an environment of confrontation.
4. We welcome feedback on what parents feel we do well, or not so well, as a school and/or Trust. We will carefully consider all feedback, whether positive or negative, and will review our policies and practices accordingly.
5. We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school and/or Trust's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school and/or Trust should not be expressed inappropriately or in front of pupils.
6. All staff, teaching and non-teaching; and members of governance boards, will receive a copy of this policy statement and will be familiar with the procedures for dealing with parental concerns and complaints, to which they will have access as required.
7. The procedures will be reviewed regularly and updated as necessary.
8. Staff and members of governance boards receive training in handling parental concerns and complaints as appropriate.
9. Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of our procedures have been exhausted, if this appears to be appropriate.
10. The DfE advocate resolution of parental concerns and complaints at school level wherever possible, in the interests of maintaining good home/school relations. The role of the DfE and Education and Skills Funding Agency in advising parents and schools on the handling of concerns and complaints is set out at the end of this procedure.
11. The 3 stages of dealing with concerns or complaints are as follows.
 - Stage One – Informal Registering of a Concern.
 - Stage Two – Formal Registering of a Complaint.
 - Stage Three – Registering a Complaint with the LSB or Board.

2. 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 our schools.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) 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.

3. Definitions and Scope

The DfE guidance explains the difference between a concern and a complaint.

3.1 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.

3.2 A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action in relation to their child/children. The school intends to resolve complaints informally where possible, at the earliest possible stage.

3.3 There may be occasions when complainants decide that the informal method has failed to resolve their concerns and therefore wish to raise a formal complaint. This policy outlines the procedure relating to handling such complaints.

3.6 This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistleblowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaints. Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy. Such complaints should first be made to the class teacher or the Inclusion Lead; they will then be referred to this complaints policy. Our SEND policy and information report includes information about the rights of parents of pupils with disabilities who believe that the school has discriminated against their child.

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

3.8 Personal views regarding the strategic running of the school, such as curriculum approaches, will not be considered under the complaints policy.

3.9 Our staff are not able to consider complaints that are matters of dispute between parents pertaining to court orders that are in place for childcare arrangements.

4. The Stages for Dealing with Concerns or Complaints

It is always helpful to try to talk to someone at the school first. Many concerns can be resolved in this way and it helps to maintain a good relationship with the school.

However, if this does not enable the concern to be resolved the following procedures should be followed.

Stage One – Informal Registering of a Concern.

- Any worry or concern may be raised with members of staff without any formality either in person, by telephone, e-mail or in writing.

- Every effort should be made to resolve the matter at this point. At this level the complaint is termed a 'concern' and stays within the informal stage.
- Each school operates a line management system, initially the classteacher is responsible for resolving the issue, then their line manager and finally the School Leader.

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, either in person or by letter, telephone or email. If the complainant is unclear whom to contact or how to contact them, they should contact the school office.

The school will acknowledge informal complaints within 3 school days and investigate and provide a response within 10 school days.

The informal stage may involve a meeting between the complainant and the school.

If the complaint is not resolved informally, or the complainant is not satisfied with the outcome it will be escalated to a formal complaint.

5 Stage Two – Formal Registering of a Complaint.

5.1 Roles and responsibilities

5.1.1 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
- Ask for assistance as needed
- Treat all those involved with respect
- Do not publish details about the complaint on social media

5.1.2 The investigator

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

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee, which includes the facts and potential solutions

5.1.3 The complaints co-ordinator

The complaints co-ordinator can be:

- The headteacher
- The designated complaints governor
- Any other staff member providing administrative support
- The complaints co-ordinator will:
 - Keep the complainant up to date at each stage in the procedure
 - Make sure the process runs smoothly by liaising with staff members, the headteacher, chair of governors, clerk or CEO and chair of trustees
- Be aware of issues relating to:
 - Sharing third party information

- Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person
- Keep records

5.1.4 Clerk to the governing board

The clerk will:

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

5.1.5 Committee chair

The committee 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 committee, and are allowed to present their case

5.2 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

We will address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay. This is likely if the complaint requires or is being investigated by an external body such as the police.

5.3 Time scales

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 timeframe 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 first school day after the holiday period.

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

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

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 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.

5.4 The formal procedure

If complainants need assistance raising a formal complaint, they can contact the school office

The formal stage involves the complainant putting the complaint into writing, not email or text, usually to the School Leader* and/or the subject of the complaint. This letter should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

- The school leader will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days.
- The School Leader (or other person appointed by the School Leader for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 10 days. The written conclusion is not the full investigation report which may contain confidential information.
- If the complainant is not satisfied with the response and wishes to proceed to stage 3 of this procedure, they will be advised of their right to refer the matter to the Local School Board (LSB) and should inform the clerk to the governing board in writing within 10 school days.
- The LSB must consider the complaint, correspond with the complainant and discuss any resolution or further investigation, or alternatively confirm that the complaint will be escalated to Stage 3 (see below).
- All correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

**If the complaint relates directly to the headteacher (as opposed to a decision made by the school and put into place by the headteacher) the complaint should be raised with the Trust CEO. Who will appoint an investigating officer.*

**Any complaints relating to the CEO, LSB governors or Trustees should be referred to the Trust Governance Professional in the first instance.*

6 Stage 3: Registering a complaint with the LSB (or Trust review panel if related to the CEO)

6.1 Convening the panel

- Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.
- The panel will be appointed by the CEO in conjunction with the Chair of the LSB and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the individual school. The panel cannot be made up solely of governing board members from the school , as they are not independent of the management and running of the school.
- The panel will have access to the existing record of the complaint's progress (see section 10).
- The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 25 school days of the request, where possible.
- 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.
- Any written material will be circulated to all parties at least 10 school days before the date of the meeting.
- At the review panel meeting, the complainant and representatives from the school, as appropriate, will be submit their case . Each will have an opportunity to set out a writte 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(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.
- The panel must then put together its findings and recommendations from the case. The panel will also provide a summary of their findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and School Leader.
- The school will inform those involved of the decision in writing within 10 days.

6.2 The Potential Outcomes

The committee 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 school will inform those involved of the decision in writing within 10 school days.

7 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 Education and Skills Funding Agency (ESFA).

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

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

8. Managing persistent, serial, and unreasonable complaints

Most complaints raised will be valid, and we will treat them seriously. However, there are rare circumstances where we will elect to deviate from this Complaints Procedure. Generally, this would be because the complaints fall under one of the following three categories;

- Vexatious Complaints
- Serial, Duplicate and Multiple Complaints or Complaint Campaigns
- Non-compliant Complaints

8.1 Vexatious Complaints

These occasions include, but are not necessarily limited to;

- where the complaints are deemed to be obsessive, persistent, harassing or repetitious.
- where the complainant's behaviour towards staff, Governors or Trustees is unacceptable, for example, is abusive, offensive or threatening;
- where, because of the frequency of their contact with the Trust/academy, the complainant is hindering the consideration of their or other people's complaints and/or the proper running of the Trust/academy;
- where the complaint has patently insufficient grounds; or
- where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full by the Trust.

8.2. Serial, Duplicate and Multiple Complaints (Complaint Campaigns)

These occasions include, but are not necessarily limited to;

- If a complaint is received by the Trust from the same person about the same or similar subject once the initial complaint has been completed.
- New complaints, as additions as part of an ongoing and open complaint.

- If the Trust receives a large volume of complaints that are based upon the same subject.

8.3. Non - Compliant Complaints

These occasions include, but are not necessarily limited to where the complainant

- Refuses to articulate their complaint or the outcomes sought despite offers of assistance.
- Refuses to cooperate with the complaints investigation process.
- Refuses to accept that certain issues are not within the scope of a complaints procedure.
- Insists on the complaint being dealt with in ways outside of the complaints procedure.
- Introduces trivial or irrelevant information and insists they are acted upon.
- Makes unjustified complaints about staff dealing with the complaints.
- Changes the basis of the complaint as the investigation proceeds.
- Refuses to accept the findings of a properly implemented and completed process.
- Seeks an unrealistic outcome.
- Uses falsified information.
- 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.

8.4 Steps we will take to address the above

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.

8.4.1 If the complainant continues to contact the school in a disruptive way, we may put the following 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

8.4.2 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 site.

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

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

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

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

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

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

9. Record keeping

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. It 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, 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, our privacy notices and our data retention policy.

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

Where the governing board is aware of the substance of the complaint before the review panel stage, the school 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 governing board, who will not unreasonably withhold consent.