



## **Complaints Policy**

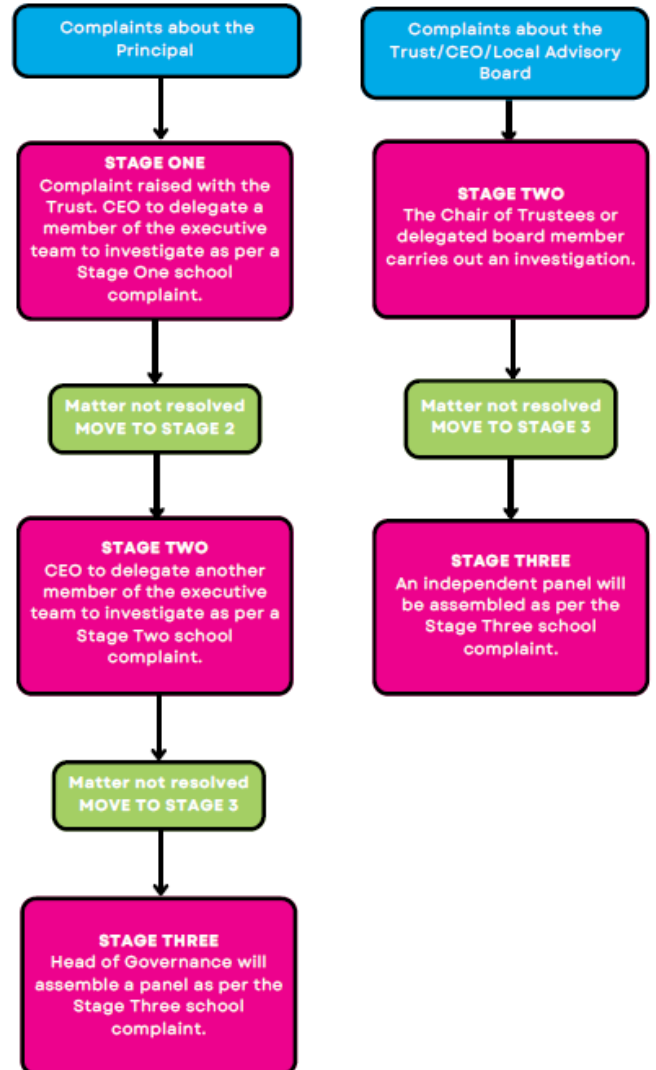
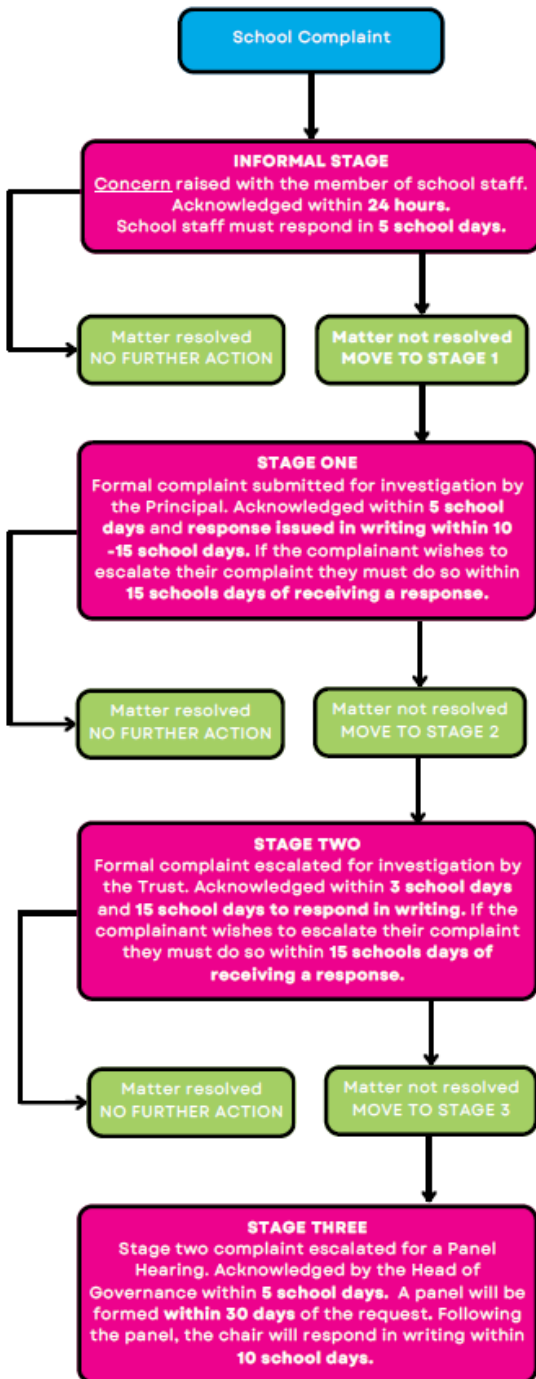
<b>Policy Owner:</b>	<b>Head of Governance</b>
<b>Approved by:</b>	<b>Trust Board</b>
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**Due to the evolving nature of The CAM Academy Trust, procedures behind this Policy will be reviewed and amended accordingly to reflect changes.**

At the heart of our work lie the six core principles of The CAM Academy Trust. These drive everything that we do.



## Flowchart of Complaints Procedure



## Aims

We aim to meet our statutory obligations when responding to complaints from parents/carers of pupils at our schools.

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
- Treat complainants with respect and courtesy
- Make sure 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 and trust improvement evaluation processes

We try to resolve 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 make sure we publicise the existence of this policy and make it available on our website, and on the websites of our schools.

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

## 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/carers of pupils in our trust.

It is also based on [best practice guidance for academies complaints procedures](#) published by the Education and Skills Funding Agency (ESFA).

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 trust's fulfilment of Early Years Foundation Stage (EYFS) requirements.

## Definitions

The Department for Education 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.”

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

### **Who can make a complaint?**

This complaints procedure is limited to parents or carers of children that are registered at a CAM Academy Trust school. A shorter complaints process for those who are not parents/carers of children at the school is set out under the subheading ‘scope of this complaints policy.’

Where the complaints process has been started (but not completed) whilst parents/carers have children registered at the school, but the children have since left, the school should continue to follow this policy. Where complaints have been started by parents/carers of former pupils after they have left the school, albeit about incidents that arose during the pupil’s time at the school, the school may use the shorter complaints policy.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint’s procedure. The Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the principal will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the principal 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.

### **How to raise a concern or make a complaint**

A concern or 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. For ease of use, a template complaint form is included at the end of this policy (Appendix A).

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.

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Cooperate 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

### **Anonymous complaints**

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

### **Time scales**

The complainant must raise the complaint **within three months** of the incident. If the complaint is about a series of related incidents, they must raise the complaint within three months of the last incident. The school will only consider complaints made outside of this timeframe if exceptional circumstances apply and the complaint can still be investigated in a fair manner for all involved.

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

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 adhere to the timescales within this policy 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/Trust in relation to their complaint, the school/Trust will consider whether to suspend the complaints procedure, in relation to their complaint, until those legal proceedings have concluded.

### **Complaints received outside of term time**

The school 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 policy applies to any matter which has been raised with a school within The CAM Academy Trust by parents/carers of pupils as a matter of concern, but which has not been capable of resolution informally and which the complainant or the school considers should be dealt with on a formal basis.

For the avoidance of doubt this policy does not apply to those who are not parents/carers of pupils at a school within The CAM Academy Trust. Complaints that fall into this category will be dealt with as follows:

Complainants should first attempt to address their complaint to the relevant school or Trust (as appropriate) informally. If this fails to resolve the situation, the complaint may be submitted in writing to the principal or Head of Governance (as appropriate) who will acknowledge receipt of the complaint and thereafter issue a final written response within **15 school days**.

Where the complaint involves the Chief Executive Officer, the Chair of Trustees will issue a final written response within the same timeframe. Stage 3 of the complaints process (panel) does not apply.

Matters listed below will not be considered under this policy as they have their own appeal/complaint process:

Exceptions	Who to contact
Admissions to schools	Concerns about admissions are covered by the school admission policy and governed by the Admissions and Appeals code. Complaints about admission appeals for academies are dealt with by independent panels.
Statutory assessments of special educational needs	Concerns about the statutory assessments of special educational needs should be raised directly with the local authority.
Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under the Trust's child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the Local Authority Designated Officer (LADO) who has local responsibility for safeguarding.</p>
Suspensions and Permanent Exclusion of children from school	<p>Concerns about exclusions are covered by the Trust's exclusion policy and statutory guidance. Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p>Complaints about the application of the behaviour policy can be made through the Trust's complaints policy.</p>
Whistleblowing	<p>The Trust has an internal whistleblowing policy for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about a school should complain through the Trust's complaints procedure. 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 Trust staff will be dealt with under the school's internal grievance procedures.
Staff conduct	<p>Complaints about Trust 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. However, the complainant will be notified that the matter is being addressed.</p>
Services provided by other providers	Complaints about services provided by other providers who use Trust premises or facilities should directly contact the provider concerned.

## Resolving complaints

At each stage in the procedure, the main aim is 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.

### **Informal stage: how to raise a concern**

Our schools will take concerns seriously and make every effort to resolve the matter quickly. It is to be hoped that most concerns can be expressed and resolved on an informal basis. It may be the case that the provision of clarification of information will resolve the issue.

The complainant should raise the concern as soon as possible with the relevant member of school staff either in person, by letter, telephone, or email. A relevant member of staff could be either a class teacher, head of year or subject, assistant head, or deputy head. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

When the concern is received in writing, by email or by telephone, staff should acknowledge the concern within **24 hours** and respond as soon as possible and in all events within **5 school days**. Concerned parties should not approach individual advisory board members to report problems. They have no power to act on an individual basis and it may also prevent them from considering complaints at a later stage of the procedure.

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

If the complainant remains dissatisfied and can articulate what remains unresolved, the matter becomes a formal complaint requiring investigation and will move to stage 1.

### **Formal Stage 1**

The complainant must put the complaint in writing (unless the complainant has a sufficient reason to request a reasonable adjustment be made to amend this), addressed to the principal of the school.

The complainant letter should provide details such as:



- Relevant dates and times
- The names of witnesses of events
- What it is that the complainant considers should have been done or where the school has not met reasonable expectations.
- What the complainant feels would resolve the complaint

The letter should be submitted alongside copies of any relevant documents.

If complainants need assistance raising a stage 1 formal complaint, they should contact the school office.

The principal 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 principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see, if not already detailed in the complaints letter. The principal can consider whether a face-to-face meeting is the most appropriate way of doing this.

An investigation will be carried out by the principal (or a nominated individual identified by the principal), who may offer the complainant a meeting. Any nominated individuals identified will not have had any prior involvement in the complaint.

*Note: if the principal delegates the investigation to another member of the school's senior leadership team, they will maintain oversight at all times and be responsible for the final decision.*

During the investigation, the principal (or nominated 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.

Whenever reasonably possible, any meeting with the complainant will take place within **5 school days** of the written complaint being received.

At the conclusion of their investigation, the principal will provide a formal written response within **10 school days** of any meeting with the complainant; if no meeting is arranged it will be within **15 school days** of the written complaint being received.

If the Principal 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 to be taken to resolve the complaint.

A request to escalate to Stage 2 must be made in writing to the Head of Governance, within **15 school days** of receipt of the Stage 1 response: [governance@catrust.co.uk](mailto:governance@catrust.co.uk) or The CAM Academy Trust, c/o Cambourne Village College, Sheepfold Lane, Cambourne, Cambridge, CB23 6FR.

## Formal Stage 2

Stage 2 involves a review and, if necessary, further investigation by a trust leader who has not been involved in stage 1. The governance team has **3 school days** in which to acknowledge the complaint and **15 school days** in which to respond in writing/by email and resolve the matter formally.

During the investigation, the 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.

Again, 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.

If the complainant remains dissatisfied, they can escalate their complaint to stage 3, a meeting with a panel. This must be done within **15 school days** of receipt of the stage 2 response.

### **Formal Stage 3: Panel Hearing**

Complaints will be escalated to the panel meeting stage if the complainant is not satisfied with the response to the complaint at stage 2. **This is the final stage of the complaints procedure.**

The complainant must put the complaint in writing, addressed to the Head of Governance. The complainant should not restate the details of the original complaint. They should explain:

- reason(s) for their dissatisfaction with the outcome of the Stage 2 complaint, including what the complainant considers should have been done or where the school has not met reasonable expectations.
- any suggested further steps to resolve the complaint.

A request to escalate to Stage 3 must be made in writing to the Head of Governance, within **15 school days** of receipt of the Stage 2 response: [governance@catrust.co.uk](mailto:governance@catrust.co.uk) or The CAM Academy Trust, c/o Cambourne Village College, Sheepfold Lane, Cambourne, Cambridge, CB23 6FR.

Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

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

The Head of Governance will aim to convene a panel meeting within **30 school days** of receipt of the Stage 3 request. If this is not possible, the Head of Governance will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of three proposed dates, without good reason, the Head of Governance 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.

The complaints panel will be appointed by or on behalf of the Trust and will comprise of at least three people, one person who is independent of the management and running of the school. The panel cannot be made up solely of Local Advisory Board members of the school where the pupil attends, as they are not fully independent of the school. A Local Advisory Board member from another school within the Trust would count as an 'independent' person. None of the members of the complaints panel will have been directly involved in the matters detailed in the complaint. They will also have no conflicts of interest.

The panel meeting will take place in person. The only exceptions to this are:

- a) the complainant does not want to meet in person, or
- b) the panel determines that there are highly exceptional circumstances in relation to personal conduct that make a remote hearing more appropriate. In making their decision the panel will be sensitive to the complainants needs.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Legal representation will only be permitted in exceptional circumstances. For instance, if an employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation. Media representatives are not permitted to attend.

*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 (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

At least **10 school days** before the meeting, the Head of Governance 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 committee at least **5 school days** before the meeting.

Any written material will be circulated to all parties at least **5 school days** before the date of the meeting. The complainant will have the opportunity to put their reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The complaints panel will **not** 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 to be included. New complaints must be dealt with from Stage 1 of the procedure.

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.

If the complainant fails to attend on the day of the panel hearing without compelling reasons, the complaints panel will still proceed in their absence and the process will continue to its

conclusion. Any further attempt to re-open the matter will be considered as falling under the “Serial or persistent complaints” section of this policy.

The panel 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 committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school’s systems or procedures to prevent similar issues in the future.

The chair of the panel will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within **10 school days**.

The letter to the complainant will include details of how to contact the Department for 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 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 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 by the proprietor and the principal.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, 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 body conducting an inspection under section 109 of the 2008 Act requests access to them.

Once the complaints process is concluded the matter is closed.

### **Referring complaints on completion of the complaints procedure**

If the complainant believes that the school or Trust did not handle their complaint in accordance with the published complaints policy 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 3.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made. They will consider whether the school or Trust 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 online at [www.gov.uk/complain-to-dfe](http://www.gov.uk/complain-to-dfe)

[DfE guidance](#) recommends that complainants contact the school to discuss a concern first, as most problems can be solved this way. Complainants may only complain to the DfE directly where a child is not getting an education, a child has been exposed to harm, or the school is stopping the complainant from following its complaints procedure.

### **Complaints against the Principal**

Any complaint relating to the principal must be sent to The Cam Academy Trust via [governance@catrust.co.uk](mailto:governance@catrust.co.uk) or The CAM Academy Trust, c/o Cambourne Village College, Sheepfold Lane, Cambourne, Cambridge, CB23 6FR. The Head of Governance will liaise with the Chief Executive Officer to appoint a member of the Trust's Executive Team who will try to resolve the issue in the first instance (stage 1). If a stage 1 resolution cannot be reached, the Chief Executive Officer will designate another member of the Trust Executive Team to investigate the complaint as per stage 2. Complaints will be escalated to stage 3 if the complainant is not satisfied with the response to the complaint at stage 2.

### **Complaints against the Chief Executive Officer / Local Advisory Board / Board of Trustees**

Complaints against the Chief Executive Officer, Local Advisory Board, or Board of Trustees should be made in writing to the Chair of Trustees via [governance@catrust.co.uk](mailto:governance@catrust.co.uk) or The CAM Academy Trust, c/o Cambourne Village College, Sheepfold Lane, Cambourne, Cambridge, CB23 6FR.

If the complaint is against the Chief Executive Officer, the Chair of Trustees will investigate the complaint (or appoint another member of the Board of Trustees to do so) in the same way as in the process at stage 2. Stage 1 does not apply.

Where a complaint is brought against a member of the Local Advisory Board, the Head of Governance will investigate the complaint (or appoint an investigating officer) in the same way as in the process at stage 2. Stage 1 does not apply.

If the complaint is against a Trustee, then the Chair of Trustees, (or in the case of a complaint against the Chair, the Vice Chair) will investigate the complaint (or appoint another member of the Board of Trustees to do so) in the same way as in the process at stage 2. Stage 1 does not apply.

If a complaint is made against the Board of Trustees, the Chair of Trustees and Head of Governance will consider the most appropriate way of handling the complaint. This may be for an independent person to investigate the matter at stage 2 and for an entirely independent panel to conduct a panel meeting at stage 3.

### **Complaints about our fulfilment of Early Years Foundation Stage (EYFS) requirements**

We will investigate all written complaints relating to the Trust'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/Trust will keep a record of the complaint and outcome 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,
- by emailing [enquiries@ofsted.gov.uk](mailto: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.

### **Serial and persistent complainants**

Our schools will do their best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where a school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, schools will need to act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for schools to recognise when they really have done everything they can in response to a complaint. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the principal or the Head of Governance can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. However, schools must be careful that they do not mark a complaint as 'serial' before the complainant has completed the procedure.

*Note: The DfE does not itself use the term 'vexatious' when dealing with serial or persistent correspondents as it could potentially be inflammatory. However, it is a recognised term. In the context of freedom of information (FOI) requests, the upper Tribunal concluded that 'vexatious' could be defined as the '...manifestly unjustified, inappropriate or improper use of a formal procedure.' An exemption therefore exists in Section 14(1) of the Freedom of Information Act 2000. However, this exemption can only be applied to requests themselves, and not the individuals who submit them.*

More information about dealing with vexatious requests for information is available on the [Information Commissioner's office \(ICO\) website](#).

Under no circumstances should an individual be marked as serial for exercising their democratic right to refer their complaint to their local MP regardless of which stage the complaint has reached. The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

### **Unreasonable complainants**

The Trust are 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. Once a complainant's behaviour has become so extreme as to be deemed unreasonable and abusive, they will not necessarily be entitled to all stages of the complaint procedure outlined above.

We define 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 cooperate with the complaints investigation process;
- refuses to accept that certain issues are not within the scope of the complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
- introduces trivial or irrelevant information which they expect to be taken into account and commented on;
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the DfE;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
- uses threats to intimidate;
- uses abusive, offensive, or discriminatory language or violence;
- knowingly provides falsified information;
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school about the 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 principal will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the principal will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing/by email. This may include barring an individual from the school.

If a complainant persists to the point that the school considers it to constitute harassment, legal advice should be sought as to the next steps. In some cases, injunctions and other court orders have been issued to complainants because of their behaviours.

### **When to stop responding to a serial complainant**

The decision to stop responding should never be taken lightly. A school needs to be able to say yes to all the following:

- The school has taken every reasonable step to address the complainant's needs;
- The complainant has been given a clear statement of the school's position and their options (if any); and
- They are contacting the school repeatedly but making substantially the same points each time.

The case is stronger if the school agrees with one or more of these statements:

- The school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience - have they said as much in a letter, email, or telephone call?
- Their letters/emails/telephone calls are often or always abusive or aggressive;
- They make insulting personal comments about, or threats towards, staff.

Schools should not stop responding just because an individual is difficult to deal with or asks complex questions. In most circumstances the subject matter is what you can refuse to respond to, not the correspondent.

Schools must provide parents with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005.

However, where an individual's behaviour is causing a significant level of disruption schools may wish to implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term. This will be reviewed after six months.

Complainants who may have been restricted in their communications with the school can also be advised to ask a third party to act on their behalf, such as the local Citizens Advice Bureau.

Complainants have a right to have any new complaint heard and failure to respond at all to a complainant could mean that the school is failing to comply with its legal obligations. A school needs to ensure that they are acting reasonably, and that any genuine complaint can still be heard.

Different procedures apply to FOI and data protection correspondence.

Once the school has decided that it is appropriate to stop responding, they will need to let the complainant know; ideally, through a hard copy letter but an email will suffice.

### **Record Keeping and Confidentiality**



A record will be kept of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome.

Correspondence, statements, and records relating to individual complaints will be kept confidential. 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 2018, 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 record retention policy.

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

### **Learning lessons**

The Board of Trustees will review any underlying issues raised by complaints with the Trust's Executive Team, 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.

### **Monitoring Arrangements**

The Board of Trustees will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The Board of Trustees will track the number and nature of complaints, and review underlying issues as stated in the section entitled 'Learning lessons'.

The complaints records are logged and managed by the Trust's Head of Governance.

This policy will be reviewed by the Trust's Head of Governance annually. At each review, the policy will be approved by the Board of Trustees.

## Appendix A: Complaint form

Please complete and return to the relevant member of staff, as per the complaints policy.

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

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

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

**Signature:**

**Date:**

**School/Trust use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Action taken:**

**Date:**