

Complaints Policy

It is the responsibility of all Cathedral Schools Trust employees and volunteers to familiarise themselves with the contents of all Trust policies and any amendments hereafter.

Changes

Version	Date	Amended by	Recipients	Purpose
1	19 September 2018	CST Trustees	Members of CST, every Trustee, each Local Governor, all Cathedral Schools Trust employees and volunteers and others at the discretion of the Chairman of the Trustees of CST. CST Website updated and emailed to parents.	Annual review - updated persistent complaints
2	22 January 2019	CST Trustees		To include St Katherine's
3	12 December 2019	CST Trustees		To include Trinity Academy and Stoke Park Primary School
4	10 December 2020	CST Trustees		Annual review taking into account the recent DfE Best Practice for Academies Guidance dated July 2020
5	05 May 2021	CST Trustees		Detailed review taking into account the recent DfE Best Practice for Academies Guidance dated July 2020
6	01 July 2021	CST Trustees		To include Hotwells
7	01 August 2021	CST Trustees		To include St Werburgh's

Alterations

This Policy may be altered, added to or repealed by a majority resolution of the Trustees of CST in a general meeting.

Approvals (Annual)

Version	Date	Approved by
1	31 October 2017	CST Trustees
2	19 September 2018	CST Trustees
3	22 January 2019	CST Trustees

4	12 December 2019	CST Trustees
5	10 December 2020	CST Trustees
6	05 May 2021	CST Trustees
7	12 July 2021	CST Trustees
8	04 August 2021	CST Trustees

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The background framework to the policy

This policy has been designed to comply with the Education (Independent Schools Standards) (England) Regulations 2014 Schedule 1, Part 7 updated 27th January 2015 and has been drafted in line with the DFE model complaints policy updated January 2021.

Availability of the policy

The policy is in writing and is available to parents/carers of pupils on the Cathedral Schools Trust website and is also held in written form within CST Academies/free schools. A written copy of the policy will be sent to parents/carers after either verbal or written request.

Definitions

- CST – Cathedral Schools Trust
- Academy – any academy/free school within CST
- Parents/Carers/You - are current parents, carers, legal guardian or education guardian of pupils at a CST Academy/free school or may at the Executive Principal's discretion include any of the above whose child has left within the last 6 months.
- Timescales – We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to school days, we mean Monday to Friday when the Academy/free school is open during term time. The dates of terms are published on the relevant Academy /free school's website.
- Unacceptable behaviour – CST will always attempt to resolve issues fairly, openly and amicably, however, it will not tolerate abusive or aggressive behaviour from any complainant and will terminate any meeting where this occurs.
- The senior staff asked to investigate a complaint at stage 2 are considered to be suitably equipped to do so by the principal/head teacher due to their experience, impartiality and seniority and where they have had no prior involvement in the matter.
- Senior members of the trust are our Trustees and Executive Principal - please see the 'Governance' section of our website for up to date names and job titles of these people.

Who can raise a concern or 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 Academy 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.

The difference between a concern and a complaint

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

How to raise a concern

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 complaints procedure. CST takes concerns seriously and will make every effort to resolve the matter as quickly as possible. If you would like to raise a concern then you can do this in writing or by telephone.

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

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, [the Academy](#) will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to make 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 of 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 the Chair of Trustees, via the trust office. Please mark them as Private and Confidential.

Complaints about the Chair of Trustees, should be addressed to the Clerk to the 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/CEO or Chair of Governors/Trustees, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

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 Academy](#), other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools 	<p>Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.</p>
<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our 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 or the Multi-Agency Safeguarding Hub (MASH).</p>
<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the academies' complaints procedure as set out in the academies behaviour policy.</i></p>
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure 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:</p>

	www.education.gov.uk/contactus . Volunteer staff who have concerns about an academy should complain through the academies 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.
<ul style="list-style-type: none"> • Staff grievances 	Complaints from staff will be dealt with under CST's internal grievance procedures.
<ul style="list-style-type: none"> • Staff conduct 	Complaints about staff will be dealt with under the CST's internal disciplinary procedures, if appropriate. 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.

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 Academy](#) in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Resolving complaints

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

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a complaint

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

Stage 1 – Informal complaints

It is hoped that most complaints can be expressed and resolved on an informal basis.

Informal complaints should be raised with either the class teacher/ year head / subject head /pastoral head or head teacher. Complainants should not approach individual governors/trustees 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 3 of the procedure.

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

If the issue remains unresolved, the next step is to make a formal complaint.

Stage 2 – Formal complaints

Formal complaints must be made to the head teacher (unless they are about the head teacher), via the school office. This may be done in person or in writing (preferably on the Complaint Form).

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 **two** 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.

Note: The head teacher may delegate the investigation to a senior member of staff or may involve one or more governors but not the 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 **ten** school 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 **the Academy** will take 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 2.

If the complaint is about the head teacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

Complaints about the head teacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be escalated to the CEO of the Trust.

For complaints about the Trust, CEO or Trustee please see the section on page X – ‘Complaints escalated to/about the Trust, CEO or Trustee’.

Stage 3 – Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within **five** school days of receipt of the Stage 2 response.

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

Requests received outside of this time frame will only be considered if exceptional 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 **fifteen** school days of receipt of the Stage 3 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 or
- the entire governing body or
- the majority of the governing body

Stage 3 will be heard by the trustees and an independent panel member.

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 school 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 the CST Employment Manual, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least **ten** school days before the meeting, the Clerk 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 **five** school days before the meeting.

Any written material will be circulated to all parties at least **three** school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee 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.

The hearing will be conducted in an informal manner, it is not a court. The Chair of the panel will decide the order in which issues are dealt with.

All those present at the hearing should have the opportunity to ask questions and make comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

All statements made at the hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. A clerk appointed by the Panel should take a handwritten minute of the proceedings.

All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the hearing may be adjourned or terminated at the discretion of the Chair.

The committee will consider the complaint and all the evidence presented. The committee 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.

All decisions made by the panel are made on the balance of probabilities, this means that the panel are tasked with deciding whether it is more likely than not that the incident or actions took place.

The Chair of the Committee will provide the complainant and **the Academy** with a full explanation of their decision and the reason(s) for it, in writing, within **five** school days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by **the Academy**.

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 Academy** 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 head teacher.

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.

Complaints escalated to / about the Trust, CEO or Trustee

If a complaint is escalated to CST “the trust” or if a complainant wishes to complain directly about the trust, then the complaint should be sent to the CEO to be investigated.

The CEO will write to the complainant acknowledging the complaint within **two school days** of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of this Complaints Policy 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 **ten school days** of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant, 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 five 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 five school days.

Requests received outside of this time frame will only be considered if exceptional 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 fifteen school days of receipt of the Stage 3 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 or
- the entire trust board or
- the majority of the trust board

Stage 3 will be heard by a completely independent committee panel.

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 Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

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.

At least ten school days before the meeting, the Clerk 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 five school days before the meeting.

Any written material will be circulated to all parties at least three school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee 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.

The hearing will be conducted in an informal manner, it is not a court. The Chair of the panel will decide the order in which issues are dealt with.

All those present at the hearing should have the opportunity to ask questions and make comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

All statements made at the hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. A clerk appointed by the Panel should take a handwritten minute of the proceedings.

All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the hearing may be adjourned or terminated at the discretion of the Chair.

The committee will consider the complaint and all the evidence presented. The committee 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.

All decisions made by the panel are made on the balance of probabilities, this means that the panel are tasked with deciding whether it is more likely than not that the incident or actions took place.

The Chair of the Committee will provide the complainant and CST with a full explanation of their decision and the reason(s) for it, in writing, within five school days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by CST.

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 CST 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 head teacher.

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.

Next Steps

If the complainant believes the Academy / 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 ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by CST. They will consider whether CST 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 ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

Complaint Form

Please complete and return to the Academy/CST 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:

Complaints Coordinator Details

Please see the contact details below should you wish to raise a complaint:

Bristol Cathedral Choir School	Paul Atkins, Head Teacher Email: info@bristolcathedral.org.uk Phone: 0117 35 35 000
Cathedral Primary School	Sara Yarnold, Head Teacher Email: admin@cathedralprimaryschool.org Phone: 0117 35 352 052
Victoria Park Primary School	Nic Bailey, Head Teacher Email: victoriaparkp@victoriaparkprimary.co.uk Phone: 0117 903 0343
Headley Park Primary School	Alex Gingell, Head Teacher Email: office@headleypark.bristol.sch.uk Phone: 0117 9031511
St Katherine's School	Justin Humphreys, Head Teacher Email: school@skdrive.org Phone: 01275 373737
Trinity Academy	Eiron Bailey, Head Teacher Email: enquiries@trinityacademybristol.org Phone: 0117 4509379
Stoke Park Primary School	Alison Lambert, Head Teacher Email: contactus@stokeparkprimary.org Phone: 0117 377 2840
Cathedral Schools Trust	Neil Blundell, Executive Principal Email: enquiries@cathedralschoolstrust.org Phone: 0117 35 35 000
Hotwells Primary School	Catherine Delor, Head Teacher Email: hotwellsp@bristol-schools.uk Phone: 0117 903 0044
St Werburgh's Primary School	Helen Faulkner, Head Teacher Email: st.werburghs.p@bristol-schools.uk Phone: 0117 9031466

Roles and Responsibilities

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 could be the head teacher or CEO / designated complaints governor or trustee or other staff member providing administrative support)

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 (and complaints co-ordinator, if the school has one).

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

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.

Appendix 1

SERIAL AND PERSISTENT COMPLAINTS

We 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 us. 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.

- 1 We adopt the Department for Education definition of unreasonable complaints as those made by persons who, because of the frequency or nature of their contact with the Academy, hinder our consideration of their own or other people's complaints.
- 2 Unreasonable complaints are taken seriously by the Academy as they put a strain on valuable resources and hinder the progress of proper investigations. The Academy may judge that a complaint is unreasonable by assessing a number of factors, including those that are outlined below.
- 4 A complaint may be regarded as unreasonable when the person making the complaint:
 - 4.1 refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
 - 4.2 refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
 - 4.3 refuses to accept that certain issues are not within the scope of a complaints procedure;
 - 4.4 insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
 - 4.5 introduces trivial or irrelevant information which they expect to be taken into account and commented on;
 - 4.6 raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
 - 4.7 makes unjustified complaints about staff who are trying to deal with the issues, and/or seeks to have them replaced;
 - 4.8 changes the basis of the complaint as the investigation proceeds;
 - 4.9 repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
 - 4.10 refuses to accept the findings of the investigation into that complaint where our complaint procedure has been fully and properly implemented and completed (including where a complaint has been referred to the Education & Skills Funding Agency);
 - 4.11 seeks an unrealistic outcome;
 - 4.12 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/or by telephone while the complaint is being dealt with.
- 5 A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:
 - 5.1 using threats to intimidate;
 - 5.2 using abusive, offensive or discriminatory language or violence;

- 5.3 while knowingly providing false information;
- 5.4 while publishing unacceptable information on social media, other public forums or in the newspapers.
- 6 Parents should try to limit their communication with the Academy about the complaint while it is being progressed, as it is not helpful if repeated correspondence is sent (either by letter, phone, email or text) which is likely to delay an outcome being reached.
- 7 A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of the formal procedure. In assessing this, the Academy shall have regard to all the circumstances of the case and the nature of the complaint itself, rather than the nature and character of the complainant. In assessing all of the circumstances of the case, the Academy will consider a range of factors including:
- 7.1 whether a complaint has a reasonable foundation;
- 7.2 the history and context of the complaint (and any evidence, where relevant);
- 7.3 whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of;
- 7.4 whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;
- 7.5 any unexplained delay in raising a complaint or issue;
- 7.6 if the purpose of the complaint is to obtain an outcome which is unavailable via the complaints procedure, such as a claim for compensation;
- 7.7 any evidence of a complaint being brought for an improper purpose.
- 8 Whenever possible, the Executive Principal/ Headteacher will discuss any concerns with the complainant informally, before dismissing a complaint as unreasonable. The dismissal, and the reasons for it, will be notified to the Parent in writing.
- 9 Where a complaint has been dismissed as unreasonable, the Parent may ask for this decision to be reviewed by the Chair of the Local Governors/Trustees by writing to the Clerk to the Local Governors/Trustees within 10 school days of the date of the letter confirming the dismissal, setting out their reasons for making the request.
- 10 The Chair of the Local Governors/Trustees will review the decision and write to the Parent with the outcome of their review within 10 school days of receipt of the request. Where the decision is reversed, the complaint will be referred for action under the relevant stage of the procedure outlined above. Where the decision is confirmed, there will be no further right of challenge under this policy.
- 11 If the Parent's unreasonable behaviour continues after warnings are given, the Executive Principal/ Headteacher will write to the Parent to inform them that their behaviour is unreasonable and ask them to change it.
- 12 For Parents who excessively contact the Academy causing a significant level of disruption, we may specify particular methods of communication, provide a single point of contact and/or limit the number of communications which may be made with the Academy in a communication plan. This will usually be reviewed after six months.
- 13 In response to any serious incident of aggression or violence, the Academy will immediately report this to the police for criminal investigation. The Academy may also withdraw the Parent's implied permission to enter or be on the Academy Trust's site(s).