



LIONHEART
EDUCATIONAL
TRUST

COMPLAINTS POLICY

**This policy applies to all schools within
the Lionheart Educational Trust**

December 2025 – 2027



Contents

We aim:	2
The difference between a concern and a complaint	2
Who can raise a complaint?.....	2
Timescales for submitting a complaint	3
School Days.....	3
Scope of this complaint procedure	3
Resolving complaints	4
Withdrawal of a complaint	5
Interpretation	5
Who to complain to.....	5
Handling complaints fairly	6
Part A Complaints Procedure for parents/carers of current pupils	6
Complaints about other specific role holders.....	9
Complaints against the Chief Executive Officer or other Trust Office staff	9
Part B Complaints raised by those who are not parents/carers of current pupils	9
Anonymous complaints.....	10
Complaint campaigns	10
Unreasonable and Persistent Complaints	10
Published data	12
Deviating from this policy.....	12
Further rights of appeal	12
Roles and Responsibilities	12
Formal Complaint Form	16



Lionheart Educational Trust is committed to working in partnership with all members of our school communities. The Trust values the role which parents and carers can play in supporting pupils' learning. Staff and governors actively encourage a positive relationship between the school and the families of pupils who attend our schools. We also desire to have good relations with our neighbours and the wider community.

We aim:

- to provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint
- to publicise the existence of our complaints procedure so that people know how to contact us to make a complaint
- to make sure all complaints are investigated fairly and in a timely way
- to make sure that, wherever possible, complaints are resolved, and relationships are repaired
- to ensure that, where appropriate, lessons are learned which lead to improvements in the schools

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'. Where any concerns are raised, we aim to resolve these as quickly and as efficiently as possible. Usually concerns that are raised can be resolved very quickly through the school's day-to-day communication between parents and the school staff.

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

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. Our 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 trust will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the trust 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 trust will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

Who can raise a complaint?

Complaints may come from any person or organisation that has an interest in the school. Whilst anyone can make a complaint, a different process applies depending on whether the person raising the complaint is a parent/carer of a current pupil at a school within the Trust. Please refer to Part A of this policy if you are a parent/carer of a current pupil, otherwise please see Part B.

The complaint procedures set out in this policy do not apply to and are not intended for use by pupils or staff. Complaints from staff should follow the relevant internal policy.

Should a complaint arise which involves a student who is an adult, due regard to data protection will be taken and the student will be recognised as an adult. They will have the right to decide whether or not their own information can be shared with their parent(s) if a parent is making a complaint against the school or Trust.



Timescales for submitting a complaint

To ensure proper investigation, any concern or complaint should be raised with the school or Trust within 3 months of the incident or, where a series of associated incidents have occurred, within 3 months of the last of these. This time limit may not apply if it can be shown that there were good reasons for not making the complaint earlier and it is still possible to investigate the complaint properly.

Timescales for responding to a complaint

This policy outlines timescales within which the school or Trust will respond. Where the complaint is particularly complex, or the relevant staff or governors are not immediately available, these timescales may need to be extended. In this case the school will contact the complainant to inform them of the reason for the delay.

‘School days’

This policy refers to ‘school days’, i.e. the days on which the school is open to pupils for teaching and does not include INSET days.

Complaints received outside of term time

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

Confidentiality

All complaint information will be handled sensitively, telling only those who need to know and follow any relevant data protection requirements. 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.

Scope of this complaint procedure

This procedure covers all complaints about any provision of community facilities or services by schools within the trust. Please note that complaints about matters where an alternative statutory procedure, policy or appeal process exists will not generally be dealt with under this policy.

Usually, complaints relating to matters set out in the table below will not be considered under this policy as they have their own appeal or complaint processes:

Matter	Route for raising concern
<ul style="list-style-type: none"> Admissions to schools 	Admissions Appeal – see Admissions Policy and Statutory Admissions Appeal Code.
<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 and should be raised with the Designated Safeguarding Lead.</p> <p>If you have serious concerns, a direct referral can be made to the Local Authority Designated Officer (LADO) who has local responsibility for safeguarding via the relevant Local Authority (Leicester City Council; Leicestershire County Council or Derbyshire County Council)</p>



<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Statutory review process – see Suspensions and Exclusions Policy. Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. <i>*n.b. complaints about the application of the Behaviour Policy can be made through the school’s complaints procedure.</i></p>
<ul style="list-style-type: none"> Statutory SEN assessments 	<p>SEND Tribunal (and see SEN Code of Practice)</p>
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through this Complaints Procedure. You may also be able to complain directly to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> Staff grievances 	<p>Complaints from staff will be dealt with under the school’s internal grievance procedures</p>
<ul style="list-style-type: none"> Staff conduct and disciplinary matters 	<p>Complaints about staff will be dealt with under the school’s internal disciplinary procedures, if appropriate. Complainants will not be informed of the outcome of any Staff disciplinary investigation or processes. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> Data protection/FOIA 	<p>Raise with Data Protection Officer (DPO) at dpo@lionhearttrust.org.uk in the first instance. Complaints may also be raised with the Information Commissioner’s Office, but we ask that you try to resolve these via the DPO first</p>
<ul style="list-style-type: none"> Services provided by third party contractors/suppliers 	<p>These should be addressed directly to the third party</p>

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

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

Resolving complaints

At each stage in the procedure, our school’s aim will be 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 chooses to withdraw their complaint, they will be asked to confirm the withdrawal in writing.

Interpretation

The term Headteacher is used in this policy as a collective reference to the individual with responsibility for leading a school. This includes those holding titles such as Associate Principal, Headteacher, Co-Headteacher, Executive Principal. The term is used for consistency and reflects the range of leadership titles across our schools.

Complaints Procedure

This Trust operates a four-stage complaints procedure outlined below.

Where any of the following procedures refer to the Headteacher, they may delegate any of these functions to a member of the senior leadership team if appropriate. In exceptional circumstances, the Headteacher may commission an independent investigator to undertake an investigation on behalf of the school. This procedure includes 4 stages:

Stage 1: Informal concern raised with a staff member (i.e. pupil's form tutor, Class Teacher or Head of Year)

Stage 2: Formal complaint to the Headteacher

Stage 3: Formal complaint to the Chair of Governors

Stage 4: Formal complaint to the Complaints Appeal Panel

The school will keep a written record of all complaints, whether they are resolved following a formal procedure or proceed to a panel hearing. The school will also record action taken as a result of those complaints regardless of whether they are upheld.

Who to complain to

- Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark them as "Private and Confidential".
- If the complaint is about the Headteacher, a formal written complaint, using the form available, should be addressed to the Chair of Governors, and sent to the email address governance@lionhearttrust.org.uk to be dealt with under Stage 3 of this procedure.
- Complaints about the Chair of Governors, individual governors or the local governing body should be raised through the Trust's "Complaints against a Trustee or Governor Policy".
- Complaints about the Chief Executive Officer (CEO), any of the central trust team, or a Trustee, should in the first instance be directed to the Head of Governance and Compliance and sent to the email address governance@lionhearttrust.org.uk

A template complaint form is included at the end of this procedure. If you require a paper version or help with this, please get in touch with the Governance Team via governance@lionhearttrust.org.uk. Handwritten copies of completed complaint forms will be accepted.

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.

Handling complaints fairly

Complainants will be treated fairly and offered a chance to state their case at each stage of the procedure.

If the school / trust has made reasonable attempts to accommodate complainants with dates for complaint meetings and they refuse or are unable to attend then the school / trust may:

- convene meetings in their absence
- reach a conclusion in the interests of drawing the complaint to a close.

Part A Complaints Procedure for parents/carers of current pupils

Stage 1: Informal resolution

Any matter of concern or complaint should be raised and attempted to be resolved on an informal basis. It is expected that where the matter relates to a pupil, it will be raised initially with either the pupil's form tutor, the class teacher or Head of Year, before a request is made to deal with it under the formal stages of this policy.

Informal concerns or complaints can be made in writing, by telephone or in person by appointment. The vast majority of concerns can be dealt with at this stage. It is helpful to identify at this point what outcome is being sought for the school to address the complaint quickly and effectively. Unless there are exceptional circumstances, staff are expected to make an initial response to an informal complaint **within 5 school days**.

Stage 2: Formal complaint to the Headteacher

If a complaint is not resolved at the informal stage, it is possible to make a formal complaint **within 10 school days** of the Stage 1 response.

Stage 2 complaints must be set out in writing using the form available and addressed to the Headteacher (unless the complaint relates to the Headteacher in which case please refer to the section headed "Who to Complain to" above).

The complainant must be clear that they are raising a formal complaint and should set out briefly the grounds of the complaint, stating what it is the parent considers should have been done or where the school or Trust has not met reasonable expectations and must specify the outcome sought.

The complaint will be acknowledged **within 5 school days** and will include an indicative date for a written response. An investigation into the complaint will be carried out. The Headteacher may delegate the investigation to another member of the school's senior leadership team but the decision rests with the Headteacher. The Headteacher or investigator may offer the parent a meeting to discuss their concerns. Whenever reasonably possible any meeting with the parent will take place **within 15 school days** of the written complaint being received.

During the investigation, the Headteacher (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 Headteacher will provide a formal written response with information on any outcomes or next steps. Whenever reasonably possible, this will be **within 15 school**



days of any meeting with the parent; if no meeting is arranged it will be **within 25 school days** of the Stage 2 written complaint being received.

Dependent upon the nature of the issues raised, the matter may continue to be dealt with through other internal procedures such as the school's disciplinary or safeguarding procedures. In this case the complainant will be informed that the matter has been handled appropriately but will not be advised of the nature or outcome of these proceedings.

Where the parent remains dissatisfied, they may request that the complaint be escalated to Stage 3.

Stage 3: Formal complaint to the Chair of Governors

If the complainant is dissatisfied with the Headteacher's response at Stage 2, or the complaint is about the Headteacher, a formal complaint can be made to the Chair of Governors.

Stage 3 complaints must be set out in writing using the form available, stating where the parent remains dissatisfied and the outcome sought and sent to the Governance Officer at governance@lionhearttrust.org.uk **within 10 school days** of the date of the Stage 2 response. The complainant should also include a copy of the original written complaint and a copy of the Headteacher's response at Stage 2. Complaint forms which are hand delivered or sent by post to the school or Trust should be marked 'Urgent – private and confidential'

The Chair of Governors will usually handle the complaint but may delegate this to a nominated governor. An investigation into the complaint will be carried out and every effort will be made to resolve the issue. The Chair may delegate the investigation to the Governance Officer or another member of the Trusts senior leadership team but the decision rests with the Chair of Governors or nominated governor who will be supported throughout by the Governance Officer.

The Governance Officer will acknowledge the Stage 3 complaint **within 5 school days** and will include an indicative date for a written response.

Complainants should be aware that the Chair of Governors is **not** an employee of the school and is not always in a position to receive correspondence daily.

The Chair of Governors; nominated governor or investigator, may offer the parent a meeting to discuss their concerns. Whenever reasonably possible any meeting with the parent will take place **within 15 school days** of the Stage 3 written complaint being received.

On conclusion of their investigation, the Chair of Governors will provide a formal written response with information on any outcomes or next steps. Whenever reasonably possible, this will be **within 15 school days** of any meeting with the parent; if no meeting is arranged it will be **within 25 school days** of the Stage 3 written complaint being received.

The findings and any recommendations of the investigation will also be shared to the person complained about where relevant.

Where the parent remains dissatisfied, they may request that the complaint be escalated to Stage 4.

Stage 4: Formal complaint to the Complaints Appeal Panel

If the complainant is dissatisfied with the response at Stage 3, they may request that it is reviewed by a Complaints Appeal Panel.

Stage 4 complaints must be set out in writing using the form available, stating where the parent remains dissatisfied and the outcome sought and sent to the Governance Officer at governance@lionhearttrust.org.uk **within 10 school days** of the date of the Stage 3 response. The complainant should also include a copy of the original written complaint, a copy of the Headteacher's response at Stage 2 and the Chair of Governors response at Stage 3. Complaint forms which are hand



delivered or sent by post to the school or Trust should be addressed to the Governance Officer marked as 'Urgent – private and confidential'

The Governance Officer will acknowledge receipt of the Stage 4 complaint **within 5 school days** and will include an explanation of the process which is to be followed and information about how the panel will operate.

The Governance Officer will convene a Complaints Appeal Panel, comprising at least three people. The panel will usually consist of two governors from the school or Trust and one person who is independent of the management and running of the school.

The Complaints Panel may include, but is not limited to, one or more persons from the following categories:

- a member of the Local Governing Body of the school where the complaint emanated.
- a member of a Local Governing Body from another school within the Trust.
- a member of the Board of Trustees.

None of the members of the Complaints Appeal Panel will have been directly involved in the matters detailed in the complaint or at Stage 2 or Stage 3 of the complaint process.

The Governance Officer will invite the school to put in writing its response to the Stage 4 complaint **within 15 school days** of receiving the request.

The Governance Officer will write to the complainant to inform them of the date of the meeting. The meeting will be held on school or Trust premises as quickly as practicable given the need to find a date that is reasonably convenient for all parties and the members of the Complaint Appeal Panel.

Whenever possible the meeting will be held **within 15 school days** of the end of the school's response time to the Stage 4 complaint.

The meeting date, time and location will be confirmed to all parties **at least 10 school days** in advance. 'The complainant' refers to a single person raising a complaint. If the complainant is a parent they may be accompanied by another who is recognised as a parent within guidelines, and this additional parent may also address the panel.

Representatives from the media are not permitted to attend.

Generally, we do not encourage either party to bring legal representatives to the panel 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.

Each party may be accompanied by a colleague or supporter who cannot act as an advocate, nor will they have the right to address the panel. The Governance Officer must be informed **at least 5 days in advance** of the meeting of any additional parent, colleague or supporter attending with either party. Each party may call witnesses directly involved in matters raised by the complainant or present written witness statements. "Expert Witnesses" are not permitted as the meeting is not a court case.

Witnesses are only required to attend for the part of the hearing in which they give their evidence and respond to questions. The Governance Officer must be informed **at least 5 days in advance** of any witnesses who will be called by either party.

Given the nature of the meeting, it would be inappropriate for a child under 18 to be asked to attend as a witness unless there are exceptional circumstances, and this would always be dependent upon parental consent.

The Complaint Appeal Panel may also consider whether it would be helpful to invite members of staff and/or other adult witnesses directly involved in matters raised by the complainant to produce a written report (if this has not already been done), or to attend the meeting.

The meeting will be held in private and will be as informal as circumstances allow. Electronic



recordings of meetings or conversations are not permitted unless a complainant's disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before the recording of meetings or conversations take place. Consent will be recorded in any minutes taken. The committee will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

During the meeting the complainant will have the opportunity to put forward their reasons for dissatisfaction and to enlarge upon them, but they may not introduce reasons that were not previously put in writing or raise new concerns.

The complainant and the school will have the opportunity to put forward their respective version and views of the events. Both parties will be given opportunity to ask questions and the Complaint Appeal Panel members will be able to ask questions.

The Complaints Panel may make findings and recommendations which may include:

- dismissing the complaint in whole or in part
- upholding the complaint in whole or in part
- deciding on the appropriate action to be taken to resolve the complaint
- recommending changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The complainant will be notified in writing of the Complaint Appeal Panel's decision, usually **within 5 school days**. The letter will confirm the end of the school's and governing body's involvement with the complaint and explain any further rights of appeal.

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a request for a Stage 4 Complaints Appeal Panel meeting within the time stated in the policy) the matter is closed. If the Complainant is still not satisfied, then they may contact the Department for Education (DfE) – see "Further Rights of Appeal" below.

Complaints about other specific role holders.

Complaints against the Chief Executive Officer or other Trust Office staff

If a complainant wishes to complain against a member of Trust Staff then it should be raised with the Chief Executive Officer and sent by email via the Head of Governance and Compliance at governance@lionhearttrust.org.uk

The CEO will investigate the complaint or appoint another member of the Trust Senior Leadership team to do so in the same way as the formal process at Stage 3 above.

If the complaint is against the Chief Executive Officer, it should be raised with the Chair of Trustees and sent by email via the Head of Governance and Compliance at governance@lionhearttrust.org.uk

The Chair of Trustees will investigate the complaint or delegate to another Trustee of the Trust Board to do so in the same way as the formal process at Stage 3 above.

Where the complaint moves to Stage 4, the Chair of Trustees/Members (as applicable) will determine how the Complaint Appeal Panel is to be constituted but will ensure that at least one person is independent of the management and running of the Trust.

Part B Complaints raised by those who are not parents/carers of current pupils

Complaints made by those who are not parents of current pupils, which includes complaints made by parents of former pupils after they have left the school, will be dealt with as follows:

Complainants should first attempt to address their complaint to the relevant school or the Trust (as



appropriate) informally by raising the matter with a relevant member of the school or Trust staff, within 3 months of the incident having occurred. The school or Trust, depending on the nature of the complaint will seek to resolve the matter informally **within 15 school days**.

If it is not possible to resolve the matter informally, the complaint may be submitted in writing, using the form available to the Chief Executive Officer or where the complaint relates to the Chief Executive Officer to the Chair of Trustees.

The complaint will be acknowledged **within 5 school days**, and a final written response will be issued **within 15 school days**.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the school/Trust may determine that the school/Trust should use its reasonable endeavours to consider the complaint as best as it reasonably can. However, the school/Trust will not be required to consider the complaint pursuant to any specific process and will handle anonymous complaints on a case-by-case basis.

Complaint campaigns

Occasionally, a school or the trust may become the focus of a campaign and receive large volumes of complaints, where the school or Trust receives a number of complaints all based on the same subject which in its reasonable opinion, may be deemed a “complaint campaign” it will deal with the complaints in the following way:

Complaints of this nature will be dealt with, in the first instance, by the Head of Governance and Compliance and the strategy for managing the complaint campaign approved by the Chair of the Trust, involving governors and/or trustees in reviewing the complaint as appropriate.

Individual responses will not be sent to Complainants in such cases. Where appropriate either a template response will be sent to all Complainants, or a single response will be published on the school or Trust's website.

Where the complaint campaign involves Complainants who are parents, they will be entitled to escalate the complaint to a Panel hearing if they are dissatisfied with the school or Trust's response. The Trust will consider how best to manage Panel hearings in such circumstances.

Unacceptable Conduct Response Policy

The Lionheart Educational Trust is fully committed to working with parents, carers and community members in a constructive partnership for the benefit of children and young people in their care.

We will not accept unreasonable, persistent, harassing or abusive behaviour towards any members of our school communities.

Unacceptable Conduct Response Policy outlines the behaviours that are unacceptable and the Trust's approach to managing those and what sanctions are available to deal with such behaviour.

Unacceptable Conduct Response Policy applies to all schools and sixth forms within the Trust and should be read in conjunction with our Complaints Policy. Where a complaint is repetitious, vexatious or pursued in an otherwise unreasonable manner, this will be dealt with in line with the procedure outlined below:

Unreasonable and Persistent Complaints

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 poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points.

If at any level a Complainant or connected party attempts to reopen an issue or a closely related issue that has already been dealt with under this Complaints Policy, the Chair of Governors (or Chair of Trustees if appropriate) may write to the Complainant to inform them that the procedure has been exhausted, the matters is closed and that the school/Trust will therefore not respond to any further correspondence on this issue or a closely related issue.

Complainants should limit the numbers of communications with a school while a 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 Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

The Trust defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- refuses to accept that certain issues are not within the scope of a complaint's procedure
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy, 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

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone, in writing or electronically:

- maliciously
- aggressively
- using threats, intimidation or violence
- using abusive, offensive or discriminatory language
- knowing it to be false
- using falsified information
- publishing unacceptable information in a variety of media such as in social media



websites and newspapers.

We do not expect our staff to tolerate unacceptable behaviour and will act to protect staff from that behaviour, including that which is abusive, offensive or threatening.

If the behaviour continues the Headteacher will involve a response in accordance with the Handling Unreasonable, Threatening or Abusive Behaviour Policy, which may include a warning asking to change the behaviour or a formal restriction such as on methods of communication.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from a school site in accordance with the Handling Unreasonable, Threatening or Abusive Behaviour Policy.

Published data

The number of complaints considered at Stage 4 in the previous academic year should be recorded on the trust website each autumn.

Deviating from this policy

As outlined in the DfE's best practice guidance: 'There may be occasions when it is necessary or reasonable to deviate from the published complaints procedure. This includes not doing something the procedure states you will, should or may do. The DfE recommends that any deviation from the published procedure is documented.

If the complaint is escalated to the DfE for consideration and the complaint is about any deviation from the published policy, the school / trust will be asked for an explanation for doing this, unless one is already included in the evidence provided.

Further rights of appeal

If the complainant believes the school / trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education (DfE) after they have completed Stage 4.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by the school or trust. They will however consider whether the school / 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.education.gov.uk/contactus, by telephone on: 0370 267 0001 or by writing to:

Complaints Team
Department for Education
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

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 comprehensive, open, transparent and fair consideration of the complaint through:
 - o where appropriate, sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - o where appropriate, interviewing staff and children/young people and other people relevant to the complaint
 - o consideration of records and other relevant information
 - o analysing information
- liaising with the complainant as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct any interviews with an open mind and be prepared to persist in the questioning
- keep notes of any 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 Headteacher, Chair of Governors or Complaints Appeal Panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- **The Headteacher, Chair of Governors or Complaints Appeal Panel** will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Governance Officer

The Governance Officer should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, CEO, Chair of Governors, Chair of Trust as appropriate to ensure the smooth running of the complaint's procedure
- be aware of issues regarding:
 - o sharing third party information
 - o additional support that may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- record the progress of the complaint and the final outcome
- record whether the case progressed to a panel hearing
- record the action taken by the school or the trust, regardless of outcome
- determine who is responsible for these records and make sure the data is kept secure

Governance officer / Clerk to the Trust Board

They are the contact point for the complainant and the Complaint Appeal Panel and should:



- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- 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
- make written minutes of the hearing
- notify all parties of the panel's decision.

Complaint Appeal Panel Chair

The Complaint Appeal Panel's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Governance Officer) 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.
- the remit of the panel is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR. If new material 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 state 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 panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure

Complaint Appeal Panel member

Complaint Appeal Panel 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 panel if they have had any 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 and the panel 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 complaint appeal panel 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 complaint appeal panel 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 complaint appeal panel considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.



Formal Complaint Form

Your name:	
Pupil's name (if applicable):	
Your relationship to pupil:	
Address:	
Postcode:	Daytime Tel:
Mobile:	E-mail:
Please give concise details of your complaint:	
What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to, when and what was the response?)	

What actions do you feel might resolve the problem at this stage? What lessons could be learned?

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

Signed:

Date: