# Complaints Procedure

| | |
|---|---|
| Document Name | Complaints Procedure |
| Document written by | Browne Jacobson |
| Date for next revision* | 1st September 2025 |
| Responsibility | Trustees |
| Approved by | Trustees |

| Version | Date | Reviewed | Approved | Signature |
|---|---|---|---|---|
| 1 | 16.10.24 | | Trustees | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

| Contents | Page No. |
|---|---|
| Introduction – Vision and Mission of the Trust | 3 |
| Aims and application | 4 |
| Key principles | 5 |
| Records of complaints | 6 |
| Part 1: Complaints procedure for parent/carers | 6 |
| Roles and Responsibilities during each stage of the complaints process | 10 |
| Part 2: Concerns or complaints from other persons | 13 |
| Part 3: Repetitious and vexatious complaints and complaints pursued in an otherwise unreasonable manner | 13 |
| Part 4: Complaint campaign | 15 |
| Annex 1: Matters excluded from the scope of this policy | 16 |
| Annex 2: Complaints Forms (Stage 2 and Stage 3) | 17 |
| Annex 3: Summary of Complaints Procedure for parent/carers | 21 |

**Introduction**
Vantage CE Academy Trust is committed to making meaningful impact by placing the children and young people we serve at the centre of all our decisions. Our work is guided by three core principles which underpin the vision and mission of our organisation:

- **Aspiration**
- **Togetherness**
- **Service**

**The Vantage Vision**
For our schools to be at the heart of their local community, places of aspiration and opportunity, where everyone flourishes as a learner and global citizen.

**The Vantage Mission**
Our mission is to support and sustain a community of exceptional schools that serve their communities well and deliver an excellent education which enables children and young people to enjoy life in all its fullness.

The Vantage CE Complaints Policy is built upon the foundations of Vantage Academy Trusts vision and mission. This policy sets out the trusts approach to handling complaints, ensuring that the vision and mission translate into practice across all our schools to ensure that all our young people benefit from being part of the Vantage family.

As an organisation, we are committed to working with integrity in an open and transparent/carer manner, fully embodying the Nolan Principles across the trust:

**Selflessness**
Holders of public office should act solely in terms of the public interest. They should not do so to gain financial or other benefits for themselves, their family or their friends.

**Integrity**
Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**Objectivity**
In carrying out public business, including making public appointments, awarding contracts, or recommending
individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability**
Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness**
Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands it.

**Honesty**
Holders of public office have a duty to declare any private interest relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership**
Holders of public office should promote and support these principles by leadership and example.

## 1. Aims and application

1.1 The aims of the procedure are to deal with complaints and concerns:

- about an academy, the academy trust ("trust") or any individual connected with it by following the correct procedure;
- thoroughly; and
- in an open, honest and fair manner.

1.2 This complaints procedure is not limited to parent/carers or carers of children who are registered at one of the academies within the trust. Any person, including members of the public, may make a complaint to an individual academy within the trust, or the trust itself, about any provision of facilities or services that we provide. Part 1 of this policy outlines how parent/carers/carers of registered pupils currently attending academies within the trust can raise a concern or complaint. Concerns or complaints from other persons will be dealt with in accordance with Part 2 of this policy.

1.3 This procedure does not apply to concerns and complaints relating to the matters listed in Annex 1.

1.4 Anonymous concerns or complaints will not normally be investigated under this procedure. The Principal or Chair of Governors f an academy, or the Chief Executive Officer (as appropriate), will determine whether there are exceptional circumstances to justify conducting an investigation into the issues raised.

1.5 All staff will be made aware of this complaints procedure and are expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of assistance when an issue is brought to their attention.

1.6 In this procedure:

- 'complaint' means an expression of dissatisfaction however made, about actions taken or a lack of action;
- 'concern' means an expression of worry or doubt over an issue considered to be important for which reassurances are sought;
- 'meeting' means an in person or virtual meeting (i.e. telephone or video conference where all parties can participate verbally), virtual meetings will only be held in the event that all parties have access to appropriate equipment to attend and are happy to do so;
- 'parent/carer' means a parent/carer, carer or anyone with legal responsibility for a child;
- 'school days' excludes weekends and academy holidays and periods of partial or total academy closure;
- 'trust' means the academy trust.

1.7 The timeframes referred to in this policy are our usual timeframes and the academy will seek to adhere to these timeframes where possible.

1.8 Reasonable adjustments will be made to this procedure where required to ensure that all complainants can access and complete this complaints procedure. For example, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## 2. Key principles

1.9 The trust expects all complainants to make reasonable attempts to seek an informal resolution.

1.10 The trust encourages parent/carers and others to approach the academy with any concerns and refrain from airing concerns about the academy and its staff on social media sites. Posting negative comments on social media can cause damage and upset and is often counter-productive to pupil education.

1.11 To investigate your complaint properly and fairly, we have implemented a staged approach. We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2 outlined below.

1.12 We expect our members of staff to be addressed in a respectful manner and for communication to remain calm at all times. The procedure under Part 3 will only be used on very rare occasions to deal with repetitious and/or vexatious complaints or complaints pursued in an otherwise unreasonable manner.

1.13 Concerns or complaints should be brought to our attention as soon as possible. Any matter raised more than 3 months after the incident being complained of (or, where a series of associated incidents have occurred, within 3 months of the last of these incidents) will not be considered unless the Principal / Chair of Governors of an academy] accepts that there are good reasons to explain the delay or the complaint is about a particularly serious matter.

1.14 Where a complaint is received outside of term time, we will consider it to have been received on the first school day following the holiday period.

1.15 On rare occasions an academy or the trust may receive complaints from a number of individuals relating to the same issue. In order to deal with these complaints efficiently the academy/trust will follow the procedure set out in Part 4.

1.16 If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly and given an explanation as to why this has been the case and provided with revised timescales. If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or tribunals/courts, 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. Where a complaint is raised but we do not have clarity from the complainant on the issues and/or desired outcomes, we will inform the complainant what information we need to progress the complaint and pause this procedure until reasonable clarity is achieved.

1.17 Complainants should not approach individual governors or trustees to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them from considering complaints at later stages.

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

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

## 3. Records of complaints

A record will be kept of all written formal complaints, including at what stage they were resolved and action taken by us as a result of those complaints regardless of whether they were upheld. Correspondence, statements and records relating to individual complaints will be kept confidential except where:

- access is requested by the Secretary of State;
- disclosure is required in the course of an academy inspection;
- an individual has a legal right to access their own personal data contained within such documentation; or
- under other legal authority.

We will make the findings and recommendations of the Complaints Committee available for inspection on the academy premises by the trust and the Principal.

## Part 1: Complaints procedure for parent/carers

**Stage 1: Informal concerns**

1.1 An informal concern can be raised in person or by telephone. Concerns may also be raised by a third party acting on behalf of a parent/carer, as long as they have appropriate authority to do so. Most enquiries and concerns can be dealt with satisfactorily by the class teacher or other members of staff without the need to resort to the formal procedure. We value informal meetings and discussions and encourage parent/carers to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.

1.2 It is always helpful if you can fully explain the nature of the concern and identify the outcome you are looking for. Where appropriate, you may be invited to an informal meeting with the member of staff most appropriate for dealing with that concern. The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. This may be put in writing if appropriate.

1.3 If the matter is brought to the attention of the Principal they may decide to deal with your concerns directly at this stage. If the concerns are about the Principal these should be referred directly to the Clerk of the Local advisory board under Stage 2.

1.4 The academy will respect the views of a parent/carer who indicates that they would have difficulty discussing a concern with a particular member of staff. In this case, the Principal will refer the

parent/carer to another designated member of staff. Similarly, if the member of staff directly involved in the circumstances leading to the concern feels too compromised to deal with it, the Principal may consider referring the parent/carer to another member of staff. The member of staff may be more senior, but this is not essential.

1.5 Staff members should log all informal concerns on the school Management Information System and inform the Principal of any serious concerns.

1.6 There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion, although it would be expected that most issues will be resolved within 15 school days. Where no satisfactory solution has been found, you will be advised that if you wish your concerns to be considered further you should write to the Principal under Stage 2 of this procedure within 15 school days.

**Stage 2: Formal written complaints**

2.1 If your concerns are not resolved under Stage 1, you are entitled to put your complaint in writing and send this to the Principal of the relevant academy.

2.2 It is very important that you include a clear statement of the actions that you would like us to take to resolve your complaint. We strongly encourage you to use the Complaint Form provided at Annex 2 of this procedure. If you require help in completing the form, please contact the academy office. You can also ask third party organisations like the Citizens Advice to help you. In all cases your written complaint must include:

- the nature of the complaint;
- details of how the matter has been dealt with so far;
- the names of potential witnesses, dates and times of events and copies of all relevant documents; and
- a clear statement of the actions that you would like us to take to resolve your complaint.

2.3 Your complaint will normally be acknowledged in writing within five school days of receipt. The acknowledgement will give a brief explanation of the trust's complaints procedure and a target date for providing a response to the complaint. This will normally be within 15 school days of receipt.

2.4 If appropriate, the Principal (or someone appointed by them) may invite you to a meeting to clarify your complaints and to explore possible resolutions. If you accept that invitation, you may be accompanied by one other person, such as a friend, relative or interpreter, to assist you. Where possible, this meeting will take place within 10 school days of receipt of the written complaint.

2.5 If necessary, witnesses will be interviewed and statements taken from those involved. If the complaint centres on a pupil, the pupil will usually be interviewed. Pupils will normally be interviewed with their parent/carer present, but if this would seriously delay the investigation of a serious or urgent complaint or if the pupil has specifically said that they would prefer that their parent/carers were not involved, another member of staff with whom the pupil feels comfortable will be present. If the matter includes a complaint relating to a member of staff, the member of staff will have the opportunity to respond to the complaint.

2.6 Once the relevant facts have been established as far as possible, you will be provided with a written response to the complaint, including an explanation of the decision and the reasons for it. This will include what action will be taken to resolve the complaint (if any). You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be heard by the Complaints Committee under Stage 3 of this procedure.

2.7 The trust may engage an independent, external person to carry out the investigation into the Stage 2 complaint or to review the investigation and response at Stage 2. This may be appropriate where the complaint is particularly complex or involves legal issues.

**Q. What if the complaint is about the Principal or the Principal has already considered your complaint under Stage 1?**

In these cases, your complaint should be sent to the Clerk of the Local Advisory Board at the academy's address who will arrange for a governor to carry out the Stage 2 procedure.

**Q. What if the complaint is about a governor on the Local advisory board?**

Complaints about the Chair of Governors or any individual governor should be addressed to the Clerk of the Local advisory board via the school office. Please mark them as Private and Confidential. The Clerk will arrange for another governor or trustee (as applicable) to investigate the concerns in accordance with Stage 2.

If the complaint is about the Clerk of the Local advisory board or the Local advisory board as a whole, you should send your complaint to the Clerk of the Trustees c/o the school office, who will then determine the most appropriate action with regards to Stage 2 and Stage 3.

**Q. What if the complaint is about the Chief Executive Officer?**

If the complaint is about the Chief Executive Officer of the trust, or if they have been closely involved at Stage 1, your complaint should be sent to the Clerk of the Trustees c/o Vantage Academies CE Trust, Newport Road, Bolton BL3 2DT who will arrange for a trustee to carry out all the Stage 2 procedures.

**Q. What if the complaint is about a trustee, Clerk of the trustees or a member of the trust?**

If the complaint is about a trustee or member of the trust, you should contact the Clerk of the Trustees c/o Vantage Academies CE Trust, Newport Road, Bolton BL3 2DT who will arrange for another trustee to investigate the concerns in accordance with Stage 2.

If the complaint is about the Clerk of the trustees, your complaint should be sent to the Chair of the trustees c/o Vantage Academies CE Trust, Newport Road, Bolton BL3 2DT.

If your complaint is about the trust board as a whole, you should send your complaint to the Clerk of the Trustees who will arrange for the matter to be independently investigated.

Please be aware that where your complaint relates to an employee a copy of the complaint may be shared with them in order to investigate the issues raised.

**Stage 3: Referral to the Complaints Committee**

3.1 If you are dissatisfied with the decision under Stage 2, you may request that a Complaints Committee be convened to consider your complaint. The Complaints Committee will principally consider how the complaint was handled at the previous stages but has discretion to review other aspects of the complaint as it sees fit. The Complaints Committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

3.2 To request a hearing before the Complaints Committee, you should write to the Clerk of the trustees at Vantage Academies CE Trust, Newport Road, Bolton BL3 2DT within 15 school days of receiving notice of the outcome of Stage 2. Requests received outside of this time frame will only be considered if exceptional circumstances apply. You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you are looking for.

3.3 Your written request will be acknowledged within five school days of receipt.

3.4 The Clerk will arrange for a Complaints Committee to be convened, made up of at least three committee members, including:

- governors of a local advisory board and/or trustees of the trust (as appropriate) with no prior involvement in the matter; and,
- one person who is independent of the management and running of the trust.
- the Clerk shall appoint one of these committee members to be the Chair of the Committee.

3.5 Every effort will be made to enable the hearing to take place within 20 school days of the receipt of your request. As soon as reasonably practicable and in any event at least five school days before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the committee members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the committee. You will also be informed of the name of the person who will be presenting the case on behalf of the academy/trust (referred to in this policy as the 'academy representative'). This may be the person who is the subject of the complaint, the person who undertook the investigation at Stage 2 and/or another person with sufficient knowledge of the matter.

3.6 If, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the Clerk may determine that the hearing proceeds on the basis of written submissions from both parties.

3.7 You have the right to be accompanied to the hearing by a friend, relative or interpreter. You should notify the Clerk in advance if you intend to bring anyone to the hearing. We do not encourage either party to bring legal representatives to the Complaints Committee meeting. Representatives from the media are not permitted to attend. The Complaints Committee itself may take legal advice and/or be supported by a legal advisor at the hearing on matters of law and procedure.

3.8 A copy of the complaint and any other documents provided by you in support of your complaint, or by the academy representative in defence of the complaint, will be provided to the Complaints Committee as soon as practicable upon receipt. Copies of these documents shall also be provided to you or academy representative (as applicable) at least 3 school days before the hearing. The Complaints Committee reserves the right not to consider any documentation presented by either party less than 3 school days prior to the hearing. The Complaints Committee is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. The committee will not normally accept recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

3.9 The hearing will be conducted to ensure that each party has the opportunity to address the Complaints Committee. The procedure to be followed during the hearing will be explained to the parties by letter in advance of the hearing. The Clerk will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed. Electronic recordings of the hearing will not normally be permitted and, in any event, would require the consent of all those present.

3.10 Unless otherwise stated, the procedure for the Stage 3 hearing is as follows:

- the parent/carer and academy representative will enter the hearing together;
- the Chair of the Committee will introduce the committee members and outline the process;
- the parent/carer will explain the complaint;
- the academy representative and committee members will question the parent/carer;
- the academy representative will explain the academy/trust's actions;
- the parent/carer and the committee members will question the academy representative;
- the parent/carer will sum up their complaint;
- the academy representative will sum up the academy/trust's actions;

- the Chair of the Committee will explain that both parties will hear from the committee within five school days;
- both parties will leave together while the committee decides;
- the Clerk, and any legal advisor assisting the committee (if applicable), will stay to assist the committee with its decision making.

3.11 The Clerk and or Complaints Committee reserves the right to modify the above procedure at their sole discretion, for example requiring the parent/carer and the academy representative to present their complaint/actions separately to the Complaints Committee in the absence of the other party.

3.12 A Complaints Committee may be adjourned if the Complaints Committee require further evidence or in exceptional circumstances (for example, if clarification sought by the Complaints Committee is essential to the proceedings). The adjourned date must be as soon as possible.

3.13 After the hearing, the Complaints Committee will consider their decision and inform you and, where relevant, the person complained about of their decision in writing within five school days. The letter will set out the decision of the committee together with the reasons underpinning that decision. The committee can (by a majority if necessary):

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the academy or trust systems or procedures to ensure that problems of a similar nature do not happen again.

**Stage 4: Referral of complaint to Education and Skills Funding Agency (ESFA)**

4.1 If you are dissatisfied with the decision of the Complaints Committee, you are entitled to refer your complaint to the Education and Skills Funding Agency (ESFA). The ESFA will only investigate whether the complaint was handled properly and in accordance with education legislation and any statutory policies connected with the complaint.

4.2 At the time of writing this procedure, details about the ESFA procedure and the ESFA academy complaints form are available at:

How ESFA handles complaints about academies - GOV.UK (www.gov.uk)

Or you can write to the ESFA at the following address:

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

## Roles and Responsibilities during each stage of the complaints process

**The role of the Clerk of the trustees**

The Clerk of the trustees is the contact point for the complainant and the Complaints Committee, and should:

- ensure that the complainant is fully updated at each stage of the procedure;

- liaise with staff, Principal, the Chief Executive Officer, Chair of Governors of an academy and Chair of the trustee board (as applicable) to ensure the smooth running of the complaints procedure;
- be mindful of the timescales to respond to complaints;
- 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);
- ensure that the Complaints Committee has access to legal advice, where appropriate;
- set the date, time and venue of the meeting, taking reasonable steps to find a date that is convenient to all parties 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;
- minute the meeting;
- notify all parties of the Complaint Committee's decision;
- assist the academy/trust in issuing a summary letter to the complainant.

**The role of the Principal (or other party investigating as applicable in accordance with the procedure) at Stage 2**

- to ensure that the complainant is fully updated at each stage of the procedure;
- to ensure that the correct procedure has been followed;
- to ensure that an investigation is carried out, and a report compiled;
- to meet the complainant, if appropriate;
- if the complaint is being referred to Stage 3, notify the Clerk of the trustees to arrange the Complaints Committee.

**The role of the complainant**

- review all relevant documents and evidence before the hearing;
- clearly understand the process and potential outcomes;
- clearly articulate the complaint and the specific issues being raised;
- keep a professional attitude throughout the hearing;
- listen respectfully to questions and responses from the panel and other parties;
- present evidence and supporting documents in a clear and organised manner;
- be prepared to explain the relevance of each piece of evidence;
- answer questions from the panel honestly and to the best of your ability;
- stay focused on the issues at hand and avoid irrelevant details;
- be open to discussing the situation and exploring potential resolutions;
- engage constructively with the panel and other participants;
- respect the confidentiality of the proceedings and do not disclose details outside the hearing.

**The role of the Chair of the Complaints Committee**

The Chair of the Complaints Committee has a key role, ensuring that:

- 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;
- the remit of the Complaints Committee is explained to the complainant;
- the 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);
- key findings of fact are made, and that any issues not previously mentioned in writing should not be raised at the meeting and, if they are mentioned at the meeting, these should not be noted or considered by the Complaints Committee;
- both the complainant and the academy/trust 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 Complaints Committee is open-minded, acts independently and no committee member has an external interest in the outcome or any involvement in an earlier stage of the procedure;
- the meeting is minuted.

## Part 2: Concerns or complaints from other persons

Part 1 of this complaints policy applies only to complaints made by parent/carers of current registered pupils of the trust. However, the trust wishes to work closely with other members of the local community and will deal with their concerns and complaints as follows:

1 **Stage 1 -** a concern regarding an academy or its operations may be made to any member of staff. That member of staff will attempt to resolve the matter immediately or may, if appropriate, refer the matter to their line manager or member of the senior leadership team (SLT) who is best placed to deal with the concern. It is expected that most concerns will be responded to orally or in writing within five school days. If a longer period is required, you will be kept informed of the progress of the investigation.

2 **Stage 2** - where a concern is not resolved at Stage 1, or you wish your concerns to be dealt with immediately as a formal complaint, you should put your complaint in writing and send this to the Principal of the relevant academy to investigate. The Principal may delegate the task of investigation and/or responding to the complaint to a member of SLT or may escalate the complaint straight to Stage 3. A formal response to the complaint will usually be provided within 15 school days of receipt of the letter of complaint although if a longer period is required to respond, you will be kept updated.

3 **Stage 3** - if you are not satisfied with the response at Stage 2, you may request a review by writing to the Clerk of the Local advisory board of the academy. You should write to the Clerk of the local advisory board within 15 school days of receipt of the letter at Stage 2. Requests received outside of this time frame will only be considered if exceptional circumstances apply. The Clerk of the local advisory board will usually arrange for a governor to consider the complaint alone or may refer the matter to the Clerk of the trustees to convene a Complaints Committee on the same terms as set out in Part 1 of this complaints policy. The decision at this stage will usually be sent to you within 15 school days of receipt of the request for a review or within five school days of the Complaints Committee hearing (as applicable).

4 **Stage 4** - if you are dissatisfied with the decision at Stage 3, you are entitled to refer your complaint to the Education and Skills Funding Agency (ESFA) as outlined in Part 1 of this complaints policy.

Concerns or complaints regarding the Principal or the trust should be referred direct to the Clerk of the trustees c/o Vantage Academies CE Trust, Newport Road, Bolton BL3 2DT who will arrange for the stages above to be considered by an appropriate person.

## Part 3: Repetitious and vexatious complaints and complaints pursued in an otherwise unreasonable manner

There are rare circumstances where we will deviate from the Complaints Procedure set out in Parts 1 and 2. These include, but are not necessarily limited to:

1 **Repetitious, including serial and/or persistent, complaints**

Where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full and we have:

- taken every reasonable step to address the complainant's concerns; and
- given the complainant a clear statement of our position and their options,

we will write to the complainant to advise that the complaints procedure has been exhausted and that we will not be responding to any further correspondence in relation to these matters. The complainant will be referred to Stage 4.

2 **Vexatious complaints**

The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific or repetitious;
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
- insistence upon pursuing meritorious complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance; and
- demands for redress that lack any serious purpose or value.

Examples include but are not limited to:

- refusal to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refusal to co-operate with the complaints investigation process;
- refusal to accept that certain issues are not within the scope of the complaints procedure;
- insistence on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
- introducing trivial or irrelevant information which they expect to be taken into account and commented on;
- raising large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- making unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changing the basis of the complaint as the investigation proceeds;
- seeking an unrealistic outcome, such as the inappropriate dismissal of staff;
- making 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;
- knowingly providing falsified information;
- publishing unacceptable information on social media or other public forums.

3 **Complaints pursued in an otherwise unreasonable manner**

Where the complainant's behaviour or language towards staff, governors, trustees or members is aggressive, abusive, offensive, discriminatory or threatening or insulting personal comments are made about, or threats are made towards, staff.

In the circumstances outlined in (2) and (3) above, we may:

- inform the complainant that we consider their complaint to be vexatious or the manner in which they are pursuing their complaint to be unreasonable and why, and ask them to desist;
- conduct the Complaints Committee on the papers only i.e. not hold a hearing;
- refuse to consider the complaint any further and refer the complainant directly to Stage 4.

We may also restrict the complainant's access to the academy, e.g. requesting contact in a particular form (for example, letters only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times or number of contacts or banning the complainant from the academy's premises.
Where the complainant's behaviour is so extreme that it threatens the immediate safety and welfare of staff, governors, trustees or members we will consider other options - for example, reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

## Part 4: Complaint campaigns

For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with the academy) which are all based on the same subject.

Depending on the subject in question, we may deviate from the procedure set out in this policy and instead:

- send a template response to all complainants; and/or
- publish a single response on the academy's website (as applicable).

## Annex 1: Matters excluded from the scope of this policy

| Excluded Matters | Signposting |
|---|---|
| Admissions | The process for challenging admissions decisions is set out in our admissions policy in accordance with relevant statutory guidance. |
| Child protection matters | Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). |
| Exclusions | The process for challenging exclusions decisions is set out in the DfE's statutory guidance and information can be found at: School suspensions and permanent exclusions - GOV.UK (www.gov.uk) |
| National Curriculum content | Please contact the Department for Education at www.education.gov.uk/contactus |
| School re-organisation proposals | Where concerns are not adequately addressed by the academy, complaints can be raised direct with the Department for Education. |
| Complaints about services provided by other providers who may use school premises or facilities | Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct. |
| Staff grievances | Complaints from staff will be dealt with under the school's internal grievance procedures. |
| Staff conduct | Certain complaints about staff may need to be dealt with under the academy'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. |
| Statutory assessments of Special Educational Needs (SEN) | Concerns about statutory assessments of special educational needs should be raised directly with the local authority. |
| Whistleblowing | 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 whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus<br><br>Volunteer staff who have concerns should complain through the school's complaints procedure. You may also be able to complain direct to the Department for Education (see link above), depending on the substance of the complaint |

# Annex 2: Complaints Form Stage 2

| |
|---|
| **Your name:** |
| **Pupil's name:** |
| **Your relationship to pupil:** |
| **Your address and postcode:** |
| **Your daytime telephone number:** |
| **Your evening telephone number:** |
| **Your email address:** |
| **Your complaint is:** (if you have more than one complaint, please number these) |
| What action have you already taken to try and resolve your complaint(s) in accordance with Stage 1 of the academy's complaints procedure?<br>(Who did you speak to and what was the response?) |

| |
|---|
| |
| What would you like as an outcome from your complaint(s)? |
| Are you attaching any paperwork? If so, give details here: |

Your signature…… Date ……

All functions of the complaints procedure must adhere to the requirements of the Data Protection Act 2018 and the Freedom of Information Act 2000.

Please complete and return to the academy office in a sealed envelope addressed to the Principal, Clerk of the local advisory board or Clerk of the trustees (as appropriate).

***Office use***

Date received .....

Date acknowledgement sent .....

Responsible member of staff .....

## Sample letter for Stage 3

*Your Name*
*Your Address*
*City*
*Email Address*
*Phone Number*
*Date*

*Recipient's Name*
*Title*
*School Name*
*Address*
*City*

Dear *[Recipient's Name],*

I am writing to formally request that my Stage 2 complaint regarding [*briefly describe the issue, e.g., "my child's educational accommodations"]* be escalated to a Stage 3 committee hearing.

Despite my efforts to resolve this matter at the Stage 2 level, I believe that further review by the committee is necessary. I appreciate the responses provided thus far, but I feel that *[briefly outline your reasons for escalating, e.g., "the issues remain unresolved" or "I require further clarification on specific points"]*.

**If appropriate:** *For your reference, I have attached copies of all relevant correspondence and documents related to my complaint.*

I kindly ask for information on the next steps in the process, including the timeline and any additional details I should be aware of.
Thank you for your attention to this matter. I look forward to your prompt response.

Sincerely,

*[Your Name]*
*[Your Relationship to the Student, e.g., "Parent/carer of [Child's Name]"]*

## Annex 3: Summary of Complaints Procedure for Parent/carers and Carers

| | |
|---|---|
| **Stage 1:**<br>**Informal concerns** | Parent/carer brings complaint to attention of member of staff |
| | Issue to be resolved (guide: within 15 school days) |
| | Where no satisfactory solution has been found, parent/carer to be advised that they should proceed to Stage 2 |
| | |
| **Stage 2:**<br>**Formal Written Complaint** | Parent/carer to put complaint in writing using Complaint Form within 15 school days |
| | Complaint to be acknowledged within five school days |
| | Meeting with parent/carers within 10 school days (where appropriate) |
| | Response to the complaint sent within 15 school days |
| | |
| **Stage 3:**<br>**Referral to Complaints Committee** | Parent/carer to request hearing within 15 school days of receiving notice of the outcome of Stage 2 |
| | Request to be acknowledged within five school days |
| | Hearing to take place within 20 school days of receipt of request |
| | Notification of date, time and place of the hearing and details of the committee members present sent at least five school days before the hearing |
| | Academy representative and parent/carers to submit evidence in support of their case to Clerk of the trustees at least 3 school days before the hearing |
| | Complaints Committee decision sent not more than five school days after the hearing |

| Version | Date | Amendments |
|---|---|---|
| **2** | **16.10.24** | • Trust values, mission and vision<br>• Nolan Principles<br>• Role of the complainant (stage 3)<br>• Sample letter at stage 3 |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |