

INCLUSIVE | MULTI ACADEMY TRUST

COMPLAINTS POLICY

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Author	James Roach
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Summary

This policy has been updated for May 2026. Key changes include:

- All references to the ESFA updated to the DfE following the closure of the ESFA on 31 March 2025.
 - A new section on handling data protection complaints
- A new section on raising a complaint well, including guidance on AI tools and our preference for face-to-face conversation
 - A new complaints coordinator role
 - Updated panel hearing provisions
 - Additional parent-facing guidance.
- Greater prominence given to telling us what outcome you are hoping for
- Strengthened encouragement to use AI and translation tools, with guidance where a complaint appears wholly AI-generated
 - Clarified distinction between vexatious complaints and high-volume communication
- Guardrail added confirming a complaint resolved at stage one can still be escalated to stage two on request
 - Confirmation that the panel chair has overall authority over panel hearing proceedings

The complaints procedure involves four stages: informal, formal, panel hearing, and second panel hearing. Complaints must be made within three months of the incident.

The policy defines unreasonable complaints and outlines strategies for managing them.

The policy emphasises the importance of maintaining confidentiality, record-keeping, and following the established procedures.

This policy is based on the model policy provided by National College

For the purpose of this policy, the term school and schools refer to schools that are part of the Inclusive Multi Academy Trust

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Statement of intent

The Inclusive Multi Academy Trust aims to resolve complaints at the earliest possible stage and, where possible, informally, and is dedicated to continuing to provide the highest quality of education possible in its schools throughout the procedure.

This policy has been created to handle complaints relating to any aspects of the provision of facilities or services against:

- Any member of staff.
- Any school within the trust.
- Individual Governors from the School Governing Committee.
- Individual Trustees or the board of Trustees.
- The trust as a whole.

It is designed to ensure that the complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality, and delivers an effective response and appropriate redress.

This policy outlines the procedure that the complainant and the school will follow. Once a complaint has been made, it can be resolved or withdrawn at any stage.

The headteacher, Chair of the School Governing Committee or Chair of Trustees will delegate an appropriate person to be the first point of contact during the complaints procedure.

Legal framework

This policy has been updated to reflect the closure of the ESFA on 31 March 2025 and the transfer of all functions to the Department for Education (DfE). All references to the ESFA have been replaced with DfE throughout. This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Freedom of Information Act 2000
- Education Act 2002
- Equality Act 2010
- Part 7 of The Education (Independent School Standards) Regulations 2014
- Immigration Act 2016
- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'
- DfE 'Best practice guidance for academies complaints procedures'
- DfE 'Academy trust handbook 2025'
- ICO 'How to deal with data protection complaints'

This policy operates in conjunction with the following school policies:

- Admissions Policy
- Child Protection and Safeguarding Policy
- Managing Aggressive Adults
- Behaviour Policy
- Suspension and Exclusion Policy
- Whistleblowing Policy
- Grievance Policy
- Data Protection Policy
- Data records management and Retention Policy
- Code of Conduct

Definitions

For the purpose of this policy, a “**complaint**” is defined as ‘an expression of dissatisfaction’ towards the actions taken or a perceived lack of action. Complaints can be resolved formally or informally.

A “**concern**” is defined as ‘an expression of worry or doubt’ where reassurance is required. For the purpose of this policy, concerns will be classed and addressed as complaints.

Any complaint or concern will be taken seriously, whether raised formally or informally, and the appropriate procedures will be implemented.

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 formal stages of the complaints procedure.

The definition of “unreasonable complaints” is outlined in the ‘Managing unreasonable complaints’ section of this policy.

For the purpose of this policy, “**duplicate complaints**” are identical complaints received from a complainant's spouse, partner or child. These complaints will not be addressed again and the individual making the second complaint will be informed that the complaint has been dealt with on a School level. If the individual is dissatisfied with the result, they can appeal to the DfE. Any new details provided, however, will be investigated in line with the complaints procedure.

For the purpose of this policy, “**complaints campaigns**” are where the school receives large volumes of complaints based on the same subject.

For the purposes of this policy, having “independence” from the school is defined as having no association with the school, including through being a member, trustee, governor or employee, and having no clear connection with any of the schools, including through being an employee or solicitor. Independent panel members will meet the school's and DfE's definition of independence.

Raising a complaint well

We want to resolve things as quickly as possible and in a way that feels right for you and your family. The guidance below is here to help you raise your concern in the most effective way.

Our preference is always a conversation first

The vast majority of concerns are resolved quickly through a straightforward face-to-face conversation with the right person. Before putting anything in writing, we would encourage you to contact the school office and ask to speak with someone. A short conversation is almost always faster, clearer and less stressful for everyone than a written exchange.

We know that is not always easy, and we will always make time for you. If you would prefer a phone call or a meeting rather than a walk-in conversation, please let the office know and we will arrange it.

What helps us respond well

The single most useful thing you can tell us is:

What outcome you are hoping for.

Telling us this early on helps us respond to you well. It also helps to include:

- What happened, as clearly and specifically as you can.
- When it happened (approximate dates are fine).
- Who was involved.
- What you have already tried to do about it, if anything.

You do not need to use formal or legal language. Write as you would speak. The detail that matters is your own genuine experience.

Using AI tools to help with your complaint

More families are using AI tools such as ChatGPT to help them write complaints. We understand why: it can feel easier than putting your thoughts into words yourself, especially if English is not your first language or if you feel anxious about the process. We actively encourage you to use AI or translation tools if they help you tell us what has happened and what you would like us to do. This is about giving you and your family a voice, not something we want to discourage.

Getting the most from AI tools

AI tools can be genuinely helpful in the following ways:

- Translation: if you want to write in your first language and then translate your complaint into English, AI can help with that.
- Simplification: if you have received a letter from the school that uses language you find difficult to follow, AI can help you understand what it says.
- Organisation: if you have lots of thoughts and are not sure where to start, AI can help you structure them into a clear account.
- Checking: if you have written something but want to make sure it reads clearly before sending it, AI can help you review it.

Where AI is less helpful is when it replaces your own voice entirely. A complaint written wholly by an AI tool tends to use formal, legal-sounding language that does not reflect your personal experience. It can make your concern harder to understand, not easier. Occasionally, it can also introduce demands or references to law that are not quite right for your situation, which can make things harder to resolve quickly. It often loses the specific detail that allows us to investigate properly.

We will always take your complaint seriously and respond to it properly regardless of how it is written. But if you have used AI to draft something on your behalf and you are not sure it reflects what you actually want to say, please do not hesitate to call or come in instead. We would always rather hear from you directly.

If a written complaint reads as though it has been entirely generated by AI, and you are not able to explain or talk us through it in your own words, we may ask you to simplify it or confirm the details yourself. This is so we understand what matters most to you and can respond properly.

Translation and interpretation support

If English is not your first language and you would like support to raise a concern or complaint, please contact the school office. We will make arrangements to ensure you can communicate clearly and feel heard throughout the process. Interpretation support is available on request.

Making a complaint

Any person, including a member of the public, will be able to make a complaint about the provision of facilities or services that the school provides. Complaints may also be made by a third party on behalf of a complainant, contingent on appropriate consent having been obtained to do so. All complaints made will be handled via the procedures outlined in this policy.

The school will not normally investigate anonymous complaints.

Individuals making complaints about issues relating to separate statutory procedures will be referred as follows:

- Admissions – referred to the appeals process outlined in the Admissions Policy.
- Statutory assessments of special educational needs – raised directly with the LA.
- Child protection – referred to safeguarding procedures outlined in the Child Protection and Safeguarding Policy.
- Exclusion – referred to the procedures outlined in the Behaviour Policy and Suspension and Exclusion Policy.
- Whistleblowing – referred to the internal whistleblowing procedures outlined in the Whistleblowing Policy.
- Staff grievances – referred to the internal grievance procedures outlined in the Grievance Policy.
- Staff conduct – referred to the internal disciplinary procedures.
- Withdrawal from the curriculum – referred to the separate complaints procedure for parents withdrawing their child from any aspects of religious education, including the daily act of collective worship.
- Third-party suppliers using school premises or facilities – referred to separate complaints procedures. The school will ensure any third-party supplier using school premises or facilities to offer community facilities or services has its own complaints procedures in place and such complaints do not fall within the scope of this policy.

All other complaints will be directed towards the procedures laid out in this policy.

Complainants may make complaints in person, in writing or by telephone. Complaints should be made using the appropriate channels of communication.

Complaints must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Complaints made outside of this time limit will be considered in exceptional circumstances. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.

Complaints received outside of term time will be treated as being received on the first school day after the holiday period.

If other bodies are investigating aspects of the complaint, for example the police, LA safeguarding teams or tribunals, this may impact on the school's ability to adhere to the timescales within this procedure or result in the procedure being suspended. If this happens, the individual concerned will be informed of a proposed new timescale.

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

A complaint can progress to the next stage of the procedure even if it is not viewed as "justified". All complainants will be given the opportunity to fully complete the complaints procedure.

Anyone requiring help in raising a complaint can contact the trust office. It is also possible to ask a third party such as Citizens Advice for help.

Complaints about staff, governors or Trustees

Complaints against staff will:

- Be dealt with by the headteacher. For the central team this will be dealt with by the COO.
- Follow the complaints procedure, including a panel hearing where applicable.

Complaints against a headteacher will:

- Be dealt with by the Chair of the School Governing Committee.
- Follow the complaints procedure, including a panel hearing where applicable.

Complaints against members of the School Governing Committee will:

- Be made in writing to the clerk, who will arrange for them to be heard.
- Be dealt with by the Chair of the School Governing Committee.
- Potentially involve escalation to conduct an investigation – this will be handled by the CEO.
- Involve a panel hearing where applicable.

Complaints against the Chair of the School Governing Committee will:

- Be made in writing to the clerk, who will determine the most appropriate course of action dependent on the nature of the complaint.

Complaints against the Trustees or Chair of Trustees will:

- Be made in writing to the clerk, who will determine the most appropriate course of action dependent on the nature of the complaint.
- Follow the complaints procedure, including a panel hearing where applicable.

Complaints against the Executive Leaders

- Be dealt with by the Chair of Trustees, with a panel hearing where applicable.

Complaints against the Trust will:

- Be dealt with by the CEO.
- Begin with stage two of the 'Complaints procedure' outlined in this policy, i.e. via a formal, written complaint.

Complaints escalated to the trust

Where a complainant wishes to escalate their complaint to the trust of the school, the complaint will be handled by the CEO.

The clerk to the Trust Board will write to the complainant to acknowledge their complaint within 15 school days of receiving it. If appropriate, the CEO will investigate the complaint and provide an initial response.

Where the complainant is not satisfied with the outcome of the initial response, they will be prompted to write to the clerk to the Trust Board to ask for the complaint to be held before a panel within 10 school days. The clerk will record the date this complaint is received and will respond within 10 school days. The panel hearing will be organised in accordance with stage three of the 'Complaints procedure'.

If a complaint is escalated beyond the panel, its resolution may involve sourcing an independent investigator to deal with the complaint. In exceptional circumstances, where it is necessary to deviate from the complaints procedure, this deviation will be appropriately documented.

Information about a complaint will not be disclosed to a third party without written consent from the complainant.

Roles and responsibilities

The complainant will be responsible for:

- Cooperating with the school in seeking a solution to the complaint.
- Expressing the complaint and their concerns in full at the earliest opportunity.
- Promptly responding to any requests for information and meetings.
- Asking for assistance as needed.
- Treating anyone involved in the complaint with respect.
- Respecting confidentiality.

The role of the investigator will differ depending on the nature of the complaint and who it is directed at. This means that:

- For complaints against staff, the investigator will be the headteacher or a senior staff member directed by the headteacher.
- For complaints against the headteacher, the investigator will be the Chair of Trustees.
- For complaints against members of School Governing Committee, the investigator will be the Chair of the School Governing Committee.
- For complaints against the Chair of Trustees or the board of Trustees, the clerk will appoint an appropriate person to be the investigator.
- For complaints against the CEO, the investigator will be the Chair of Trustees.

The investigator of the complaint will be responsible for:

- Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved.
- Considering all records, evidence and relevant information provided.
- Interviewing all parties that are involved in the complaint, including staff and pupils.
- Conducting interviews with an open mind and being prepared to persist in questioning those involved.
- Analysing all information in a comprehensive and fair manner.
- Consulting with the complainant and clarifying what they consider to be an appropriate resolution to the problem.
- Identifying and recommending solutions and courses of action to take where appropriate.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales.
- Responding to the complainant in a clear and understandable manner.

Each school, or the trust centrally, will appoint a complaints coordinator to triage and oversee complaints as they come in.

The complaints coordinator will:

- Ensure that the complainant is fully updated at each stage of the procedure.
- Consult with staff members, headteacher, CEO, Chair of Trustees or the clerk to ensure the smooth running of the complaints procedure.

- Be aware of issues regarding sharing third party information and the additional support that may be needed by complainants, including interpretation support or where the complainant is a child or young person.
- Maintain accurate and up-to-date records.

Where complaints are escalated to a panel hearing, all complaints panel members will be aware that:

- The review panel hearing is independent and impartial and should be seen to be so.
- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain reconciliation between the parties involved where practicable.
- Panel members may be taken from any of the schools across the trust.
- Reconciliation between the school and complainant is not always achievable, and that it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.

The panel can:

- Dismiss or uphold the complaint, in whole or in part.
- Decide on appropriate action to be taken.
- Recommend changes that the trust can make to prevent reoccurrence of the problem.

Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.

Where a child is present at the hearing, extra care will be taken to ensure the child does not feel intimidated and that their view is represented equally. It will be considered in advance if any support is needed.

The panel chair has overall authority and control of the proceedings at a panel hearing.

The panel chair will:

- Ensure that minutes of the hearings are taken on every occasion.
- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease individuals involved who are not used to speaking at such hearings, particularly any pupils involved.
- Conduct the hearing in a manner that ensures everyone is treated with respect and courtesy and is not adversarial.
- Ensure that the room's layout and setting is non-adversarial yet still sets the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Ensure the panel is open-minded and acts independently.
- Give both the complainant and the trust the opportunity to state their case and seek clarity without undue interruption.
- 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.
- Provide copies of any written material or evidence to everyone in attendance, ensuring that everyone has seen the necessary material provided it does not breach confidentiality or any individual's rights to privacy under the Data Protection Act 2018 or UK GDPR.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the clerk to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

The role of the DfE

If a complainant remains dissatisfied once the complaint procedure has been completed, they have the right to refer their complaint to the Secretary of State. If a complainant wishes to escalate a complaint, the school will refer them to the relevant contact form on the DfE website and prompt them to follow the instructions to submit a complaint to the Secretary of State.

The DfE will not overturn the school or panel's decision about a complaint or re-investigate the original complaint. The DfE will only intervene following a complaint if it believes the school has:

- Breached a clause in its funding agreement.
- Failed to comply with education law or acted unreasonably when exercising related education functions.

When making a final decision about a complaint, the school reserves the right to seek advice from the DfE on whether they are acting reasonably and lawfully; however, the DfE will not advise on how to resolve the complaint.

Complaints procedure

The school will ensure that the complaints procedure is:

- Easily accessible and publicised on its website.
- Simple to understand and put into practice.
- Impartial and fair to all parties involved.
- Respectful of confidentiality duties.
- Continuously under improvement.
- Fairly investigated, by an independent person where necessary.
- Used to address all issues to provide appropriate and effective responses where necessary.

The procedure operates across four stages:

- Informal – which will usually come in the form of a meeting between a representative of the school and the complainant.
- Formal – where the complaint is put in writing to the school.
- Panel hearing – where the panel includes at least three people who were not directly involved in the matters detailed in the complaint and one person who is independent of the management and running of the school.
- Second panel hearing – where another panel is set up with different panel members to re-investigate the complaint.

At each stage, complainants will be informed of their options for escalation if they are unsatisfied with the outcome of their complaint. The appropriate person will communicate the details of the next stage of the process when delivering the outcome of the current stage, where applicable.

To prevent later challenge or disagreement over what was said in any in-person meetings or telephone conversations at any stage of the procedure, brief notes will be kept, and a copy of any written response will be added to the record of the complaint. Notes and paper copies of any complaints and/or responses are kept securely on each school's ICT system, or on the central trust ICT system where the complaint is against the school as a whole or a member of the board of Trustees.

Stage one – informal complaint

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

An informal complaint may be made in person, by telephone or in writing; however, it is preferred that initial, informal complaints are made via an in-person meeting.

Where a complaint has been made about a member of staff, the complainant can discuss the concern with the headteacher, or a person delegated to hear the complaint on their behalf, to seek support. If the concern is about the headteacher, the Chair of the School Governing Committee should be informed and will need to handle the complaint.

Where a complaint is made initially to a trustee, the complainant will be referred to the appropriate person. No member of staff or trustee will act alone on a complaint outside of the procedure; if they do, they cannot be involved if the complaint is subject to a hearing at a later stage of the procedure.

Within 10 school days of notification of the complaint, the complainant and the relevant member of staff should discuss the issue in a respectful and informal manner to seek a mutual resolution.

At this initial communication stage of the complaint, the complainant will be asked for their input as to what they believe may resolve the issue about which the complaint has been made to avoid further escalation where possible.

In line with DfE guidance, complainants should note that any acknowledgement by the trust that it could have handled the situation better is not an admission of unlawful or negligent action.

If an appropriate resolution cannot be sought at this informal level, or if the complainant is dissatisfied with the outcome following the initial discussions, the person managing the response to the complaint will inform the complainant about the next level of the procedure.

A complaint being resolved, or fully upheld, at stage one does not prevent a complainant from asking for it to be considered at stage two if they wish. The trust will progress a complaint to the formal stage on request, even where it has already been acknowledged as resolved informally.

Stage two – formal complaint

Formal complaints must be made in writing. Stage two of the process will be completed within 15 school days. Where the situation is recognised as complex, and it is deemed to be unable to be resolved within this timescale, the person managing the complaint will contact the complainant to inform them of the revised target date via a written notification.

An appointment with the appropriate person for managing the complaint should be made, as soon as reasonably practical, to avoid any possible worsening of the situation.

If the complaint is against the headteacher, the complainant will initially need to write, in confidence, to the Chair of the School Governing Committee. The chair will seek to resolve the issue informally, e.g. by arranging a meeting with the complainant within 15 school days, before moving directly to stage three of the procedure.

If the complaint is jointly about the chair and vice chair, or the entire trust board or the majority of the trust board, stage two will be escalated to the CEO.

Where the appropriate person has made reasonable attempts to accommodate the complainant with dates for a complaint meeting and they refuse or are unable to attend, the meeting will be convened in their absence and a conclusion will be reached in the interests of drawing the complaint to a close.

In terms of a complaint being made against a member of staff, the headteacher will discuss the issue with the staff member in question. Where necessary, the headteacher will conduct interviews with any relevant parties, including witnesses and pupils, and take statements from those involved. All discussions shall be recorded by the headteacher, and findings and resolutions will be communicated to the complainant either verbally or in writing.

Once all facts are established, the person handling the complaint shall contact the complainant in writing with an explanation of the decision. The complainant will be advised of any escalation options (e.g. escalation to stage three) and will be provided with details of this process.

The complainant will also be provided with copies of minutes, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR. Any further action the trust plans to take to resolve the issue will be explained to the complainant in writing.

If the complainant is not satisfied with the outcome suggested, the procedure will progress to stage three. A request to escalate to stage three will be made to the clerk to the board of Trustees within 10 school days of the end of stage two, i.e. communication of an outcome. Requests made outside of this time frame will only be considered if exceptional circumstances apply.

Stage three – panel hearing

Where the complaint progresses to stage three, a panel will be constituted to hear the complaint, consisting of at least three individuals who were not directly involved in the matters detailed in the complaint, and at least one independent panel member. The independent panel member will not be a member, trustee, governor or employee of the school. The school will also ensure the independent panel member does not have any clear connection with the school.

The clerk will record the date the escalation request was received, acknowledge receipt of the complaint, and inform the complainant of the scheduled time and date of the panel hearing in writing. The meeting will be convened within 15 school days of the receipt of the escalation request where possible. Where this is not possible, the clerk will provide an anticipated date and ensure the complainant is kept up to date.

Five school days' notice will be given to all parties attending the panel hearing, including the complainant. If the complainant rejects the offer of the 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.

Prior to the hearing, the clerk will write to the complainant informing them of how the review will be conducted. The headteacher and the Chair will also have a copy of this letter. The clerk will request copies of any further written material to be submitted by all parties at least 15 school days before the meeting. Any written material will be circulated to all parties at least 15 school days before the date of the meeting.

The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The panel 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 one of the procedure.

The meeting will be held in private. Electronic recordings are not normally permitted unless a complainant's own disability or special needs requires 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.

At the hearing, all participants will be given the opportunity to put their case across and discuss any issues. The meeting will allow for:

- The complainant to be present and accompanied at the hearing if they wish.
- The complainant to explain their complaint and the individual handling the complaint to explain the reasons for their decision.
- The complainant to question the individual handling the complaint, and vice versa, about the complaint.
- Any evidence, including witnesses who have been prior approved by the Chair of the panel, to be questioned.
- Members of the panel to question both the complainant and the individual about whom the complaint was made.
- Final statements to be made by both parties involved.

Neither the complainant nor the school will bring legal representation to this hearing, unless in exceptional circumstances, where this will be agreed beforehand. A member of staff who may be a witness to the complaint can bring a union representative or legal representative if desired; this will be agreed before the hearing.

The purpose of the hearing will be reconciliation and ensuring that things that may have gone wrong are corrected.

The complainant will receive a written response explaining the panel's findings and recommendations within 15 school days. This letter will also explain whether there are any further rights of appeal and to whom they need to be addressed.

The panel will make findings and recommendations, and a copy of those findings and recommendations will be made available for inspection on the school premises by the board of Trustees and the headteacher.

Where relevant, the person complained about will receive a summary of the panel's findings and recommendations. They will also receive a copy of the minutes, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR.

Stage four – second panel hearing

Where the complainant is unsatisfied with the outcome of the panel hearing, the option for a second panel hearing will be offered to resolve the complaint. The second panel hearing will be conducted in the same manner as the first panel hearing with a different set of panel members. If, following the second panel, the outcome of the appeal is the same, the school will be satisfied that the complaint has been fully reviewed.

The complainant will receive a written response explaining the second panel's findings and recommendations within 15 school days.

Complaints to the DfE

If a complainant has exhausted the trust's complaints procedure, they will be advised that they can submit a complaint to the DfE via its webpage or by writing to:

Complaints Team
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Resolving complaints

At each stage of the complaints procedure, the school is committed to resolving the complaint. Where appropriate, the trust will acknowledge that the complaint is upheld in whole or in part, and may offer one of the following:

- An explanation
- An admission that the situation could have been handled better
- An assurance that the trust will try and ensure the incident will not occur again
- An outline 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 changes will be made
- An undertaking to review trust policies in light of the complaint
- An apology

Withdrawal of a complaint

Where a complainant wishes to withdraw their complaint, the school will ask them to confirm this in writing. Despite the complaint having been withdrawn, the school will still take the complainant's voice seriously and attempt to avoid causing similar distress to others in the future. The school will not under any circumstances ask, or pressure an individual, to withdraw a complaint.

Record keeping

A written record will be kept of all complaints that are made, regardless of the stage at which they are resolved, including any action taken by the trust as a result of those complaints whether they are upheld or not.

All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or an inspectorate requests access to them.

Academies are data controllers in their own right and must decide for themselves how long to keep records, unless statutory regulations apply, e.g. attendance records must be kept for 3 years. The trust will retain records of complaints and related documents in line with the Data Protection Policy and Records Management Policy. Personal data will only be kept for as long as necessary.

The trust will hold all records of complaints from each school, as well as those regarding the trust itself, centrally. Complainants have a right to access copies of these records under the UK GDPR and the Freedom of Information Act 2000. Details of any complaint made shall not be shared with the entire board of Trustees except where a complaint is made against the whole board.

The complaints coordinator will present an annual complaints report to the board of trustees covering formal-stage complaints, outcomes, patterns and actions taken.

Interviewing witnesses

When interviewing pupils to gather information regarding a complaint, the interview should be conducted in the presence of another member of staff or, in the case of serious complaints, e.g. where the possibility of criminal investigation exists, in the presence of their parents. All pupils interviewed will be made fully aware of what the interview concerns and their right to have someone with them.

The school will ensure that the conduction of interviews does not prejudice an investigation by the LA designated officer (LADO) or police.

The school understands the importance of ensuring a friendly and relaxed area which is free from intimidation. Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager. The interviewer will not express opinions in words or attitude, so as to not influence the interviewee. The interviewee will sign a copy of the transcription of the interview.

Recording a complaint

A written record shall be kept of any complaint made, whether made via phone, in person or in writing, detailing:

- The main issues raised, the findings and any recommendations.
- Whether the complaint was resolved following an informal route, formal route or panel hearing.

- Actions taken by the school as a result of the complaint (regardless of whether the complaint was upheld).

All records are made available for inspection on the school premises by the school.

The trust holds the right to use recording devices, where appropriate, to ensure all parties involved are able to review the discussions at a later date. Where there are communication difficulties or disabilities, the trust may provide recording devices to ensure the complainant is able to access and review the discussions. Recording devices will not be used without the prior consent of all parties. The trust will not accept as evidence any recordings that were obtained covertly and without the informed consent of all parties being recorded.

Details of any complaint made shall not be shared with the entire board of Trustees. The exception to this is when a complaint is made against the whole board and they need to be aware of the allegations made against them to respond to any independent investigation.

Complainants have a right to access copies of these records under the UK GDPR and the Freedom of Information Act 2000.

Exceptional circumstances

The DfE expects complainants to have completed the trust's complaints procedure before directing a complaint to them. The exceptions to this include when:

- Pupils are at risk of harm.
- Pupils are missing education.
- A complainant is being prevented from having their complaint progressed through the trust's complaints procedure.
- The DfE has evidence that the trust is proposing to act or is acting unlawfully or unreasonably.

If a social services authority decides to investigate a situation, the board of Trustees may postpone the complaints procedure.

Managing unreasonable complaints

The school is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The school will not normally limit the contact complainants have with the school itself; however, the school does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

For the purposes of this policy, "unreasonable complaints" include:

Vexatious complaints, which:

- Are obsessive, persistent, harassing, prolific, or repetitious.
- Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
- Insist upon pursuing meritorious complaints in an unreasonable manner.
- Are designed to cause disruption or annoyance.
- Demand for redress which lacks any serious purpose or value.

Serial or persistent complaints, which:

- Are duplicated, sent by the same complainant once the initial complaint has been closed.
- Are new complaints that are submitted additionally, as part of an existing open complaint, by the same complainant.

Repeatedly raising the same complaint after we feel it has already been resolved is treated as vexatious. Sending a high volume of communication, for example several emails before a response is realistically possible, is not necessarily vexatious, but it does need managing. In these cases the trust may set out a communication protocol, such as directing all correspondence to a single point of contact, to keep the complaint manageable for both sides.

A complaint may also be regarded as unreasonable when the complainant:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- Refuses to cooperate with the complaints investigation process while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaints 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 they expect 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 trust's complaints procedure has been fully and properly implemented and completed, including referral to the DfE.
- Seeks an unrealistic outcome.
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the complainant:

- Acts maliciously or aggressively.
- Uses threats, intimidation or violence.
- Uses abusive, offensive or discriminatory language.
- Knows the complaint to be false.
- Uses falsified information.
- Publishes unacceptable information in media such as social media websites and newspapers.

The above applies regardless of the method the complaint is made, e.g. face-to-face, by telephone, in writing or electronically.

Complainants should limit the number of communications with the trust 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 member of staff or trustee leading the response to a complaint will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

Serial or persistent complaints will only be marked as 'serial' once the complainant has completed the complaints procedure. It is the complaint that will be marked as 'serial', meaning the complainant can complain about a separate issue if necessary.

A complaint will not be marked as serial where a complainant has exercised their right to refer their complaint to their MP.

If the behaviour continues, the individual handling the complaint will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the trust or any of its academies causing a significant level of disruption, the school may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

A decision to stop responding will only be considered in circumstances where the following statements are true:

- Every reasonable step has been taken to address the complainant's concerns
- The complainant has been given a clear statement of the trust's position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time

If the above criteria are met, in making a decision to stop responding, the school will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about or threats towards staff, or if the school believes their intent is to disrupt or inconvenience the school.

The school will not stop responding to a complainant on the basis that they are difficult to deal with or they ask complex questions.

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 the premises.

Complaints campaigns

Where the trust becomes the subject of a complaints campaign from complainants who are not connected with the school, a standard, single response will be published on the school's website.

If the school receives a large number of complaints about the same subject from complainants who are connected to the school, e.g. parents, each complainant will receive an individual response.

If complainants remain dissatisfied with the school's response, they will be directed to the DfE.

Barring from the premises

School premises are private property and, therefore, any individual may be barred from entering the premises in line with trust policies.

If an individual's behaviour is cause for concern, the headteacher of the relevant school will ask the individual to leave the premises. The headteacher will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and why, subject to any representations that the individual may wish to make. The individual will be given the opportunity to formally express their views regarding the decision to bar them.

The decision to bar will be reviewed by the Chair of the School Governing Committee, or the Chair of Trustees where escalated, taking into account any discussions following the incident. If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place and when the decision will be reviewed. Anyone wishing to make a complaint regarding a barring order can do so in writing to the headteacher or Chair of the School Governing Committee.

Standard of fluency complaints

As members of a public authority, all staff are subject to the fluency duty imposed by the Immigration Act 2016, which requires staff members to have an appropriate level of fluency in English in order to teach pupils.

The school is free to determine the level of spoken communication necessary in order for staff members to develop effective performance, but it will be matched to the demands of the role in question.

The school will be satisfied that an individual has the necessary level of fluency appropriate for the role they will be undertaking, whether this is an existing or potential new member of staff.

If a member of the school community feels that a staff member has insufficient proficiency in spoken English for the performance of their role, they are required to follow the procedure outlined in this policy.

For the purpose of this policy, a "legitimate complaint" is one which is about the standard of spoken English of a member of staff; complaints regarding an individual's accent, dialect, manner or tone of communication are not considered legitimate complaints. All legitimate complaints regarding the fluency duty will be handled in line with the processes detailed in this policy.

In addition to the processes outlined in this policy, the trust will assess the merits of a legitimate complaint against the necessary standard of spoken English fluency required for the role in question.

To assess the merits, the school will undertake an objective assessment against clear criteria set out in the role specification or, against the level of fluency descriptors relevant to the role in question.

If the complaint is upheld, the school will consider what action is necessary to meet the fluency duty. This may include:

- Specific training.
- Specific re-training.
- Assessment.
- Redeployment.
- Dismissal.

Appropriate support will be provided to staff to ensure that they are protected from vexatious complaints and are not subjected to unnecessary fluency testing.

Handling data protection complaints

The trust will maintain a clear, consistent and accessible process for handling data protection complaints across all its schools, in line with legal requirements and good practice. The trust is the data controller and retains overall responsibility for compliance, although complaints may be received and managed at school level on its behalf.

The trust will treat as a data protection complaint any concern that personal data has been managed in breach of data protection law, for example rights requests, data security, collection, use, retention or accuracy of data.

Complainants will not be required to use legal terminology. Where unclear, the trust will seek clarification. Complaints primarily about service issues that include a data rights request will not automatically be treated as data protection complaints.

The trust will provide accessible ways for individuals to submit complaints and will accept complaints made through any channel. The trust will:

- Acknowledge receipt within 30 calendar days from the day after receipt.
- Confirm receipt and next steps using the complainant's preferred contact method where appropriate.
- Verify identity where necessary and request only proportionate evidence.
- Verify authority where a complaint is made on behalf of another individual before proceeding.

The trust will investigate without undue delay, including reviewing records, consulting with relevant staff and assessing compliance with policies and law. The trust will keep the complainant informed of progress and any delays.

The trust recognises that children have the same data protection rights as adults. The trust will communicate in clear, age-appropriate language and will prioritise safeguarding concerns where risk is indicated.

The trust will provide a clear outcome explaining findings, decisions and actions taken, and will inform the complainant of their right to raise concerns with the ICO.

The trust will ensure all staff are trained to recognise and escalate data protection complaints promptly, and will involve the Data Protection Officer where appropriate, particularly in complex or high-risk cases.

Transferring data

When a pupil changes school, the pupil's educational record will be transferred to the new school and no copies will be kept.

The school will hold records of complaints separate to pupil records while a complaint is ongoing, so that access to these records can be maintained.

Information that the school retains relating to a complaint will be stored securely and in line with its Data records management and Retention Policy.

Availability

A copy of this policy will be made available on request. It will also be published on the school's website, as recommended by the DfE.

Translation or interpretation support is available on request for families whose first language is not English. Please contact the school office to make arrangements.

Monitoring and review

The complaints procedure will be reviewed annually, taking into account any legislative changes and the latest guidance issued by the DfE.

Information gathered through reviewing the complaints procedure will be used to continuously improve and develop the process. Any changes to this policy will be communicated to all relevant stakeholders.