

## Complaints Policy / Procedure

<b>Date of issue:</b>	<b>2023</b>
<b>Responsible Sub Committee:</b>	Risk & Governance
<b>Linked Policies:</b>	<ul style="list-style-type: none"> <li>• Child protection and safeguarding policy and procedures</li> <li>• Admissions policies</li> <li>• Exclusions policy</li> <li>• Staff grievance policy</li> <li>• Staff disciplinary policies</li> <li>• SEN policy and information report</li> <li>• Anti-fraud Policy and Anti-fraud plan</li> <li>• Whistleblowing Policy</li> </ul>
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<b>Target audience:</b>	All stakeholders in TSAT
<b>Dissemination via:</b>	SharePoint / Website

## Updates and Amendments

Version	Section	Amendments	Date	Author
1		Rewritten following gov.uk / The Key and School Bus guidance	June 2018	HR Lead
2		Updated for: DfE policy on serial and unreasonable complaints DfE and ESFA guidance  Stage 2 and Stage 3 complaints updated to give clearer details of who deals with complaints to ensure levels of seniority and independence  Stage 3 complaints to be raised via the Trust Clerk  Clearer introduction for person making the complaint	January 2023	Deputy CEO

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# **I. Introduction**

We will give careful and prompt consideration to all concerns/complaints, taking the complaint seriously and treating the complainant with courtesy.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure.

## **I.1 The difference between a concern and a complaint**

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

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

### **Concerns**

- We take concerns seriously and will make every effort to resolve the matter as quickly as possible through communication between yourself and the school/Trust.
- A concern can be made in person, in writing or by telephone.
- If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

### **Complaints**

- We understand however, that there are occasions when people would like to raise a complaint.
- In this case, we will attempt to resolve the issue internally, through the stages outlined within the rest of this complaint's procedure.

## **I.2 How to raise a complaint**

- A complaint can be made in person, in writing or by telephone. We ask that you mark any complaint as *Private and Confidential*.
- A complaint may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.
- Informal school complaints can be raised with a relevant member of staff, or the Headteacher via school.

- Informal Trust complaints can be made to [enquiries@taptonttrust.org.uk](mailto:enquiries@taptonttrust.org.uk)
- Formal complaints should be made to the following contacts. Contact details are on the school or Trust website - [TSAT - Contact Us \(taptonttrust.org.uk\)](#)

### 1.3 Who can make a complaint?

Our complaints policy is not limited to parents or carers of children. Any person, including members of the public, may make a complaint about any facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions - see [section 4](#)), we will use this complaints policy.

Complaint about	Formal complaint Stage 2 to be sent to
Staff	Headteacher
Headteacher or School	Chair of Local Governing Board
Local Governing Board Member	CEO
CEO or Trustee	Chair of Trustees
The Trust	CEO
Chair of Trustees	Vice Chair
Jointly about Chair and Vice Chair or majority of Trust Board	Chair of Members

For ease of use, a template complaint form is included at the end of this procedure in [Appendix 2](#). If you require help in completing the form, please contact the school office. You can also ask a third-party organization, for example Citizens Advice, to help you.

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

### 1.4 Anonymous complaints

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

## **1.5 Time scales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

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

## **1.6 Withdrawal of a complaint**

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

## **1.7 Resolving complaints**

At each stage in the policy we want to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

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

## **2. Aims**

When responding to complaints we aim to:

- Be impartial and non-adversarial.
- Facilitate a full and fair investigation by an independent person or panel, where necessary.
- Address all the points at issue and provide an effective and prompt response.
- Respect complainants' desire for confidentiality.
- Treat complainants with respect.
- Keep complainants informed of the progress of the complaints process.
- Consider how the complaint can feed into Trust improvement evaluation processes.

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The Trust will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure we publicise the existence of this policy and make it available on the Trust and individual school websites.

### 3. Legislation and guidance

This document meets the requirements set out in:

- Part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), to have a complaints policy and sets out how we will address complaints/concerns raised.
- Education and Skills Funding Agency (ESFA) on [creating a regulatory compliant complaints procedure](#).
- DfE [School complaints procedures: guidance for maintained schools - GOV.UK \(www.gov.uk\)](#).
- This policy complies with our funding agreement and articles of association.
- [Early Years Foundation Stage statutory framework](#).

There may be occasions where the Trust will seek legal advice when dealing with a complaint at any of the stages of the procedure.

### 4. Definitions and scope

This policy **does not cover** complaints relating to:

Exceptions	Who to contact / relevant policy
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority. See Admissions policy on school website.
Statutory assessments of Special Educational Needs and Disabilities (SEND)	Arrangements for handling complaints from parents of children with SEND about the Trust’s support are within the scope of this policy. Such complaints should first be made to the Special Educational Needs Coordinator (SENDCO) or Headteacher; they will then be referred to this complaints policy.
Safeguarding matters or Prevent Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policies. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or

	Sheffield Safeguarding Hub 01142734855.
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .
Fraud	See the Trust Fraud Prevention, Gifts & Hospitality Received & Declaration of Interest Policy.
Whistleblowing	We have a Whistleblowing policy: <a href="http://taptitrust.org.uk">TSAT - Policies (taptitrust.org.uk)</a> The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> .
Staff grievances	Complaints from staff will be dealt with under the Grievance Policy.
Staff conduct / discipline	Complaints about staff may be dealt with under the Disciplinary Policy 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.
Complaints about services provided by other providers who use Trust premises or facilities.	Such complaints should be directed to the provider concerned.

## 5. Stages of complaint

### 5.1 Stage 1: Informal

We take informal complaints seriously and hope that most can be expressed and resolved quickly on an informal basis. This would normally involve a member of staff having an informal meeting or discussion with you to listen to your complaint. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the informal complaint as soon as possible with the relevant member of staff or the Headteacher. We ask that complainants do not approach individual governors to raise complaints as they cannot act on an individual basis and it may prevent them from being involved in any hearing should the matter escalate.

We will acknowledge informal complaints within 5 school days of receipt, and investigate and provide a response within 10 school days of receipt. If, due to the nature of the complaint, this proves to be unworkable, the complainant will be contacted and provided with an explanation for the delay and given a revised date for the provision of a response.

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

## 5.2 Stage 2: Formal

Formal complaints must be in writing (preferably by the complaints form in [Appendix 2](#)) to the relevant person / board as detailed below. Contact details are on the school or Trust website - [TSAT - Contact Us \(taptonttrust.org.uk\)](#).

Complaint about	Formal complaint Stage 2 to be sent to
Staff	Headteacher
Headteacher or School	Chair of Local Governing Board
Local Governing Board Member	CEO
CEO or Trustee	Chair of Trustees
The Trust	CEO
Chair of Trustees	Vice Chair
Jointly about Chair and Vice Chair or majority of Trust Board	Chair of Members

In the absence of the Complaint Leader this may be delegated to a suitably experienced person in their team, i.e the Headteacher can delegate to a member of the Senior Leadership Team, Chair of Governors to another Governor, Chair of Trustees to another Trustee, CEO to another member of the Core Executive team.

The Complainant:

- Should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.
- If complainants need assistance raising a formal complaint, they can contact the school office.

The Complaint Lead:

- Will acknowledge receipt of the complaint in writing within 5 working days.
- Provide their contact details.

- May ask for any further clarification on the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.
- Will consider whether a face-to-face meeting is the most appropriate way of understanding and clarifying the complaint. If a meeting is arranged the complainant may bring a companion for support. We do not recommend that this is a legal advisor, member of the press or anyone with a conflict of interest.
- Will then arrange an investigation.
- Will provide a written conclusion of this investigation to the complainant within 10 working days of receipt of the complaint. If we are unable to meet this deadline, we will provide the complainant with an update and revised response date.
- Will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

### **5.2.1 The Investigation**

The Complaint lead may be assisted in the investigation by a suitably experienced member of staff.

When investigating a complaint, we will try to clarify:

- What has happened.
- Who was involved.
- What the complainant feels would put things right.
- Consider whether there is any risk to informing the person complained about i.e. tipping off.
- Consider when and if to inform relevant bodies/authorities i.e. ESFA/Police.

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The written conclusion response will detail:

- Any actions taken to investigate the complaint
- A full explanation of the decision made and the reason(s) for it.
- Where appropriate, it will include details of actions the school/Trust will take to resolve the complaint.

If the complainant is dissatisfied with the outcome of Stage 2 they should should inform the Trust on [enquiries@taptonttrust.org.uk](mailto:enquiries@taptonttrust.org.uk) in writing within 15 working days of receipt of the written conclusion.

### 5.3 Stage 3: Review panel hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3:

Complaint about	Complaint Leader (Stage 2)	Review Panel Minimum membership (Stage 3)		
		Chair of panel	Panel members	
Staff	Headteacher	Chair of Local Governing Board	Trust Core Executive member	1 independent of the school (Chair of another School LGB, Trustee )
Headteacher / School	Chair of Local Governing Board	Independent Experienced Person *	Chair or Vice Chair of Trustees	1 independent of school (Chair of another School LGB, Trustee)**
Local Governor (not Chair)	Chair of Local Governing Board	Chair or Vice Chair of Trustees	Trustee	Core Exec
Local Governing Board or Chair of LGB	CEO	Independent Experienced Person*	Chair or Vice Chair of Trustees	1 independent of school (Chair of another School LGB, Trustee)**
CEO	Chair of Trustees	Independent Experienced Person	Trustee	Trustee
Trustee	Chair of Trustees	Independent Experienced Person	Vice Chair or a Trustee	Trust Member
The Trust	CEO	Chair of Trustees	Trustee	Independent
Chair of Trustees	Vice Chair / Chair of Sub committee	Independent Experienced Person	Trust Member	Trust Member
Jointly about Chair & Vice Chair of Trustees or the majority of the Trust Board.	Chair of Members	Independent Experienced Person	Trust Member	Trust Member

\*Independent to the Trust

\*\* In exceptional circumstances ie if a Trustee or LGB chair is not available for the panel a trust member may be a member of the panel

A request to escalate to Stage 3 must be made to the Clerk to the Trust via [enquiries@taptonttrust.org.uk](mailto:enquiries@taptonttrust.org.uk) within 15 school days of receipt of the Stage 2 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

Stage 3 is a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint.

This is the final stage of the complaints procedure.

The aim of the panel meeting shall be to resolve the complaint and achieve reconciliation between the school and the complainant. It has to be recognised, however, that whilst the intention is to ensure that any complaint which reaches this stage is seen to have been treated seriously, it may not be possible to make recommendations that fully satisfy the complainant.

The Trust Clerk will:

- Record the date the complaint is received and acknowledge receipt within 5 school days.
- Aim to convene a meeting within 20 school days of receipt of the Stage 3 complaint.
- Provide reasonable notice to the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible. If the complainant rejects the offer of proposed dates, without good reason, the Clerk reserves the right to proceed in the complainant's absence on the basis of written submissions from both parties.
- Request copies of any further written material to be submitted to the committee at least 7 school days before the meeting.
- Ask whether the complainant wishes to bring someone to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives but there may be occasions when it is appropriate i.e. if an employee is called as a witness they may wish to be supported by a union and/or legal representation. Representatives from the media are not permitted to attend.
- Circulate any written material to all parties at least 5 school days before the date of the meeting.

The review 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 1 of the procedure.

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

The panel:

- Will be appointed by or on behalf of the Trust and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. The members of the review panel will be as set out in the table in 5.3.
- Will have access to the existing record of the complaint's progress (see [section 7](#)).

### **5.3.1 At the meeting**

The meeting will be held in private. Recordings of meetings are not permitted unless a complainant's own disability or special needs require it – in such cases consent for recording will be required and will be included in the minutes of the meeting.

At the meeting:

- The complainant and representatives from the school/Trust, as appropriate, will present separately to the panel.
- Each individual will have the opportunity to give statements, present their evidence, and witnesses will be called, as appropriate, to present their evidence.
- The panel, the complainant and the school/Trust representative(s) will be given the chance to ask and reply to questions.
- Once the complainant and school/Trust representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

In the event of pupils needing to be interviewed, care will need to be taken to ensure that parental permission is obtained. In all instances a single panel member should interview the pupil and parents/carers should be given the opportunity to attend but, if they are unable to do so, a nominated member of staff should accompany the pupil/s.

The panel will consider the complaint and all the evidence presented. The panel can:

- Uphold the complaint in whole or in part.
- Dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the panel will:

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

The panel should aim to reach a unanimous decision or at least a majority decision on the complaint, deciding upon the most appropriate course of action to be taken to resolve the complaint.

The panel must then put together its findings and recommendations from the case.

### **5.3.2 Panel Hearing Decision**

The Chair of the panel will write to the complainant and School/Trust within 15 school days. The letter will include:

- A full explanation of their decision to each part of the complaint – detailing whether it is upheld, partially upheld or dismissed.
- The reason(s) for the decision.
- Where appropriate, it will include details of actions the school / Trust has been recommended to take.
- Should any action be taken against a member of staff, in order to protect their rights, the phrase 'appropriate action has or will be taken' should be used in the report.
- Details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled.

### **5.4 Referring complaints on completion of the school's procedure**

If the complainant is unsatisfied with the outcome of the panel hearing, they can refer their complaint to the ESFA.

The ESFA will check whether the complaint has been dealt with properly by the Trust. The ESFA will not overturn the decision about a complaint. However, it will look into:

- Whether there was undue delay, or the Trust did not comply with its own complaints procedure.
- Whether the Trust was in breach of its funding agreement with the secretary of state.
- Whether the Trust has failed to comply with any other legal obligation.

The ESFA will not consider complaints more than 12 months old after a decision or action is taken. The only exceptions will be if the delay in sending the complaint to them was unavoidable or if there is evidence that the school/ Trust is not currently complying with legal requirements.

The ESFA reserve the right not to consider complaints that:

- Are malicious.
- Use obscenities, racist or homophobic language.
- Contain personally offensive remarks about members of their staff.
- Are repeatedly submitted with only minor differences after they have fully addressed the complaint.

The ESFA will deal with complaints about schools/Trust in accordance with the following principles:

- Schools/Trust should be receptive to genuine expressions of dissatisfaction.
- Complaints should be dealt with promptly, fairly and proportionately, and be resolved at the most local level possible.
- In dealing with complaints they will take into account its public sector equality duty (under the Equalities Act).

If the Trust did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the Trust's complaints procedure is found to not meet regulations it will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

## **5.5 Complaints about our fulfilment of early year's requirements**

We will investigate all written complaints relating to the Trust's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. We will keep a record of the complaint and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the Trust is not meeting Early Years Foundation Stage requirements, by:

- Calling 0300 123 4234 or 0300 123 4666
- Emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk).
- An online contact form is also available at:

<https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that any of the schools in the Trust is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

## 6. The Advice and Conciliation Service

The Advice and Conciliation Service is an impartial service based within Children, Young People and Families Department and aims to help all partners and agencies become more responsive to comments, complaints, criticisms and suggestions from parents and carers, young people and other service users. They aim to investigate and resolve issues through mediation and to promote conciliation towards resolving difficulties.

The service offers support to parents and carers who are dissatisfied with the service they have received from a school. They provide information, help and advocacy to parents, carers and others by suggesting approaches and ways of dealing with issues, to reduce the number of referrals that might otherwise become formal complaints.

They provide:

- Impartial information, advice and support to parents, carers, schools and others relating to a range of educational issues.
- Advice on rights, roles and responsibilities.
- Advice on the procedures for making and responding to complaints and appeals for information.
- Independent mediation and impartial support to parties involved in conflict.

The service also aims to raise awareness by:

- Developing links and networks with schools, other agencies, professionals and organisations in order to raise awareness of parental concerns.
- Providing parents and carers with a wide range of information and training to ensure they are empowered to make informed decisions about the education of children in their care.

They can be contacted in the following ways:

- By Post: Advice and Conciliation Service, Level 3, North Wing ,Moor foot, Sheffield S1 4PL  
Telephone: 0114 2053938 or 2053939.
- Fax: 0114 2053940.
- Email: [ed-adviceandconciliation@sheffield.gov.uk](mailto:ed-adviceandconciliation@sheffield.gov.uk)

All complainants have the right to a third-party representative, such as the Citizens Advice Bureau or Advice and Conciliation Service, throughout the stages of the procedure.

Complainants also have the right to refer their complaint to their local MP.

## **7. Recording of Complaints**

The Trust / Schools will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome.

The records will also include copies of letters and emails, and notes relating to meetings and notes relating to phone calls.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of the General Data Protection Regulations, or where the material must be made available during a school inspection.

Records of complaints will be kept in line with the Trusts Data Retention Policy [TSAT - Policies \(taptonttrust.org.uk\)](https://taptonttrust.org.uk)

Review panel hearing decision letters should be shared with the Trust Board at the next Risk and Governance meeting. The details of the complaint, including the names of individuals involved, will not be shared with the whole Trust board in case a review panel needs to be organised at a later point.

Panel hearing decision letters will be available for inspection by the Trust and the Headteacher.

## **8. Response times**

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

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

## 9. Staff awareness and training

All staff are made aware of the procedures as many staff will deal with complaints at the informal stage. To be confident in doing so depends on clear information about the procedures, reassurance from senior staff and basic training in dealing with people who are upset or angry. The training is delivered at individual school level. Written guidance ([Appendix I](#)) is shared on how to listen and deal with complaints.

## 10. Repeat / Duplicate complaints

Where a complainant tries to re-open the issue after the complaints procedure has been fully exhausted and the Trust has done everything it reasonably can, we will inform the complainant that the matter is closed. This also applies if it is a duplicate complaint from the same household / family as the original complaint.

If we are satisfied that there are no new aspects, we will:

- Tell the complainant that we have already investigated and responded to this issue, and that the local process is complete.
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint.

If there are new aspects, we will follow this procedure again.

If the complainant subsequently contacts the Trust again about the same issue, the Trust can choose not to respond. The normal circumstance in which we will not respond is if:

- We have taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the Trust's position and their options (if any), *and*
- The complainant is contacting the Trust repeatedly but making substantially the same points each time.
- We have reason to believe the individual is contacting us with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff.

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint and [section 11](#) of the policy may therefore apply.

The Trust will ensure when making this decision that complainants making any new complaint are heard, and that the schools act reasonably.

## **II. Serial, persistent and unreasonable complainants**

We are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behavior and will take action to protect staff from that behavior, including that which is abusive, offensive or threatening.

We use the DfE and National Governance association definition of unreasonable behavior as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- Refuses to explain the grounds of a complaint or the outcomes sought, despite offers of assistance.
- Seeks an unrealistic outcome.
- Refuses to co-operate with the complaints investigation process or insists on the complaint being dealt with in ways which are incompatible with the complaints policy.
- Refuses to accept that certain issues are not within the scope of the complaints procedure.
- Introduces trivial or irrelevant information which they expect to be taken into account.
- 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.
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- Uses threats to intimidate.
- Uses abusive, offensive or discriminatory language or violence.
- Knowingly provides falsified information.
- Publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

Once the Trust has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

If the behavior continues, the Headteacher will write to the complainant explaining that their behavior is unreasonable and ask them to change it. For complainants who excessively contact the school or Trust causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after a term.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the School or Trust.

## **12. Complaint campaigns**

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website.
- Sending a template response to all of the complainants.

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## **13. Monitoring arrangements**

The Trust board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The CEO/Executive team will track the number and nature of complaints, and review underlying issues.

## Appendix I

### Guidance for employees on Listening to Complaints

**As soon as you realise you are listening to a complaint, remember the following points:**

- **Take responsibility**

Try not to keep transferring an angry person on from one place to another. Make sure you know the contact person for anything you cannot deal with yourself.

- **Don't be flippant**

First impressions count. You and the school may be judged on your immediate reaction.

- **Treat all complaints seriously**

However small or trivial an issue may seem to you, the complaint itself will be an important one for anyone who takes the trouble to complain.

- **Be courteous**

Be sympathetic and helpful, but do not blame other colleagues.

- **Say who you are**

If you are unknown to the complainant, introduce yourself.

- **Ask for their name and use it**

Anonymous complaints are acceptable only in exceptional circumstances.

- **Take time to figure out exactly what the problem is**

It is easy for someone to forget to tell you an important detail, particularly if they are upset or annoyed.

- **Don't take the complaint personally**

To an angry parent or carer, YOU are the school and the only one they can put their feelings to right now.

- **Stay cool and calm**

Do not argue with the complainant. Be polite and try to establish exactly what it is he or she believes the issue to be.

- **Check you are being understood**

Make certain that the parent or carer understands what you are saying. Avoid using jargon- it can cause confusion and annoyance to someone 'not in the know'.

- **Don't rush**

Take your time. Let the complainant have their say and let off steam if they need to. Listen carefully and sympathetically to their problem before replying and attempting to find a solution or suggesting the next step.

- **Refer to the procedure**

Inform your line manager/leadership team link of the conversation and next actions required.

## Appendix 2

### Complaints Procedure Form

If you have tried unsuccessfully to resolve your complaint at the informal stage and wish to take the matter to the formal stage (Stage 2), please complete this form and send it to the relevant person (see section 6 of the policy).

Name:	Address:
Pupil's name and date of birth: (if regarding a pupil at the school)	
Daytime contact number:	
Evening contact number:	
Email address:	Postcode:
Please provide details of what your complaint is concerning and what action you would like the school to take?	
Who have you discussed your complaint with at the informal stage?	
Name:	
Date/s:	
What was the outcome of the discussion?	
Signed:	Date:

## **Appendix 3 - Proforma Letter to implement a communication plan for persistent complainants**

Dear xxxxx

In response to your recent emails about xxxxx complaint.

### **Complaint**

We have fully investigated the issues raised and have done everything we reasonably can to address your complaint, and the complaints policy has been followed through to the final stage.

We have responded to the issue and as there are no new points being raised the process is complete. We have previously advised you that if you are not satisfied with this you can escalate further by contacting xxxxxxxxxxxxxxxxxxxx.

### **Communications**

We are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact to complainants. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is repetitive, harassing, abusive, offensive or threatening.

We use the DfE and National Governance Association definition of unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school.

We believe your behaviour to be unreasonable and therefore we will implement a communications plan until the end of the next school term, (DATE). The reason for this is as follows (DELETE/AMEND AS REQUIRED):

- We are receiving an unmanageable / [add number} amount of emails from you in a short period of time.
- You are emailing multiple people at the same time.
- The tone of your communication is seen as threatening / harassing behaviour towards staff.

- You have tried to use social media inappropriately by using a parent group to [push for staff to be sacked and pupils to be expelled].

The communications plan is to enable clearer communication between yourself and the school/Trust and includes (AMEND AS REQUIRED):

- [No telephone conversations will be held with the parent ]
- [Your Emails will be automatically redirected to the PA to the CEO ]
- [Responses will only be given once a week on a working day]
- We will not respond where you are raising points from your initial complaint
- If you have a new complaint it will follow our complaints policy.