Bishop Chadwick
Catholic Education Trust

Compliments, Concerns and Complaints Policy

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1. Introduction

Bishop Chadwick Catholic Education Trust (hereafter the Trust) is a family of schools inspired by Christ. We aim to enable each individual to fulfil their God given potential. Excellence for everyone through learning, respect and partnership is at the heart of our Trust.
However, if there is a compliment, concern or complaint made by any person, about any provision of facilities or services we provide, they can expect it to be treated by the Trust with care, consideration and in line with this policy.

All academies and trusts (with the exception of 16-19 academies) must have a complaints procedure that meets the requirements in the standard at the Education (Independent School Standards (England) Regulations 2014 Schedule 1, Part 7. The complaints procedure must be available to parents and carers of children attending an academy.

We will use this policy to address and respond to compliments, concerns and complaints, unless the complaint would be dealt with under separate procedures (see the list below):

Exceptions	Who to contact
• Anti-Bullying	Concerns should be handled through the school's Anti-Bullying policy. https://files.schudio.com/st-bede-s-catholic-primary/files/documents/Anti-bullying_Policy.pdf
• Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the Local Authority.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If there are serious concerns, these should be reported to the Designated Safeguarding Lead will contact the local authority designated officer (LADO), who has local responsibility for Children's Social Care.
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. *Complaints about the application of the behaviour policy can be made through the school's complaints procedure. https://files.schudio.com/st-bede-s-catholic-primary/files/documents/Compliments,_Complaints,_and_Concerns_Policy.pdf
• National Curriculum Content	For national curriculum content would that just be the gov website: National curriculum - GOV.UK (www.gov.uk)
• Personal data	Complaints regarding our processing of your personal data are handled in accordance with UK GDPR and the Data Protection Act 2018. Please refer to our Data Protection Complaints Procedure for further information:

	https://files.schudio.com/st-bede-s-catholic-primary/files/documents/Data_Protection_Policy.pdf
• SEND	This policy covers all complaints regarding SEND support to students provided by the school and by which the school are responsible for providing. This does not cover SEND provision the Local Authority are responsible for providing.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Statutory assessments	Education Health and Care Plans (EHCPs) – complaints surrounding decision not to assess or issue EHCPs of special educational needs (SEND) need to be directed to and discussed with the Local Authority. If provision in an EHCP is not being delivered, you should complain to the link responsible for that section of the EHCP, for example school for education or health and social care for other sections.
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus

Any compliments, concerns or complaints about services from external providers who use school premises, should be directed to the provider of that service.

2. Definitions within this policy

If the concern or a complaint is related in any way to a school, the completed form should be returned to the Executive Headteacher or Headteacher.

If the concern is related to a member of the Trust's Central Team, the form should be returned to the Chief Executive Officer (CEO) via enquiries@bccet.org.uk

Central Team is defined as an individual or a department that work across all schools within our Trust (Support Services or Standards).

Exceptional circumstances are defined as unusual, unexpected or out of the ordinary incidents.

Harassment is defined as aggressive pressure or intimidation.
During any contact with our staff, shouting, swearing and aggressive behaviour will not be tolerated. Meetings will be drawn to a close and we reserve the right to ask the complainant to leave the school site if such behaviour is displayed.

School days are defined as working school days that do not include school holidays.

Unreasonably, Persistent (Vexatious) complaints are defined in Appendix G.

The Trust can intervene at any point in the complaint policy.

What is a compliment?	What is a concern?	What is a complaint?
A polite expression of praise or admiration. **Examples:** • A member of staff has gone above and beyond expectations. • An external provider has made a positive impact.	An expression of worry or doubt over an issue considered to be important, and reassurances are sought. **Examples:** • Friendship issues. • Poor behaviour from a child or from a member of staff.	An expression of dissatisfaction about actions taken or a lack of action taken. **Examples:** • When it is felt a concern has not been correctly addressed. • The wellbeing of a child is at risk.

3. Clarity on the purpose of this policy

The aim of this procedure is to enable those involved to share their compliment or reach a resolution of their concern or complaint, at school level, by providing transparent and clear guidance.
When things go wrong, we endeavour to resolve concerns informally, transparently, and at the lowest possible level, to reach a swift resolution.
All concerns and complaints will be taken seriously and given full and proper consideration.
We will do this by:

- Providing named contacts and timescales for a response to be made by the School/Trust.
- Promoting confidentiality and discretion.
- Focusing on resolving concerns and complaints.
- Remaining impartial.
- Being forthright in dealing with vexatious, serial, or persistent concerns or complaints.

This procedure may be used by anyone who has a compliment, concern or complaint about any aspect of our schools or our Trust.

Any complaint will be dealt with once any other investigations from other statutory organisations have been completed e.g., the Police, Children's Social Care, the Local Authority Designated Officer (LADO) and the Teacher Regulation Agency (TRA).

4. Timelines

Complaints submitted at the end of term, at weekends, public holidays or during school holidays will be dealt with on the first day pupils return to school. Complainants can expect an acknowledgement from their point of contact to any queries submitted during an investigation, within **three school days**. The timelines for each stage of management of complaints contained within this policy are set to encourage a swift resolution. It can happen that deadlines slip for a variety of reasons, most often the unavailability of key persons involved in a complaint investigation. Any delays in the process will be shared openly with the complainant to avoid further distress and frustration. Any complaint must be raised within **three calendar months** of the incident occurring. In exceptional circumstances, consideration will be given to complaints made outside of this timeframe.

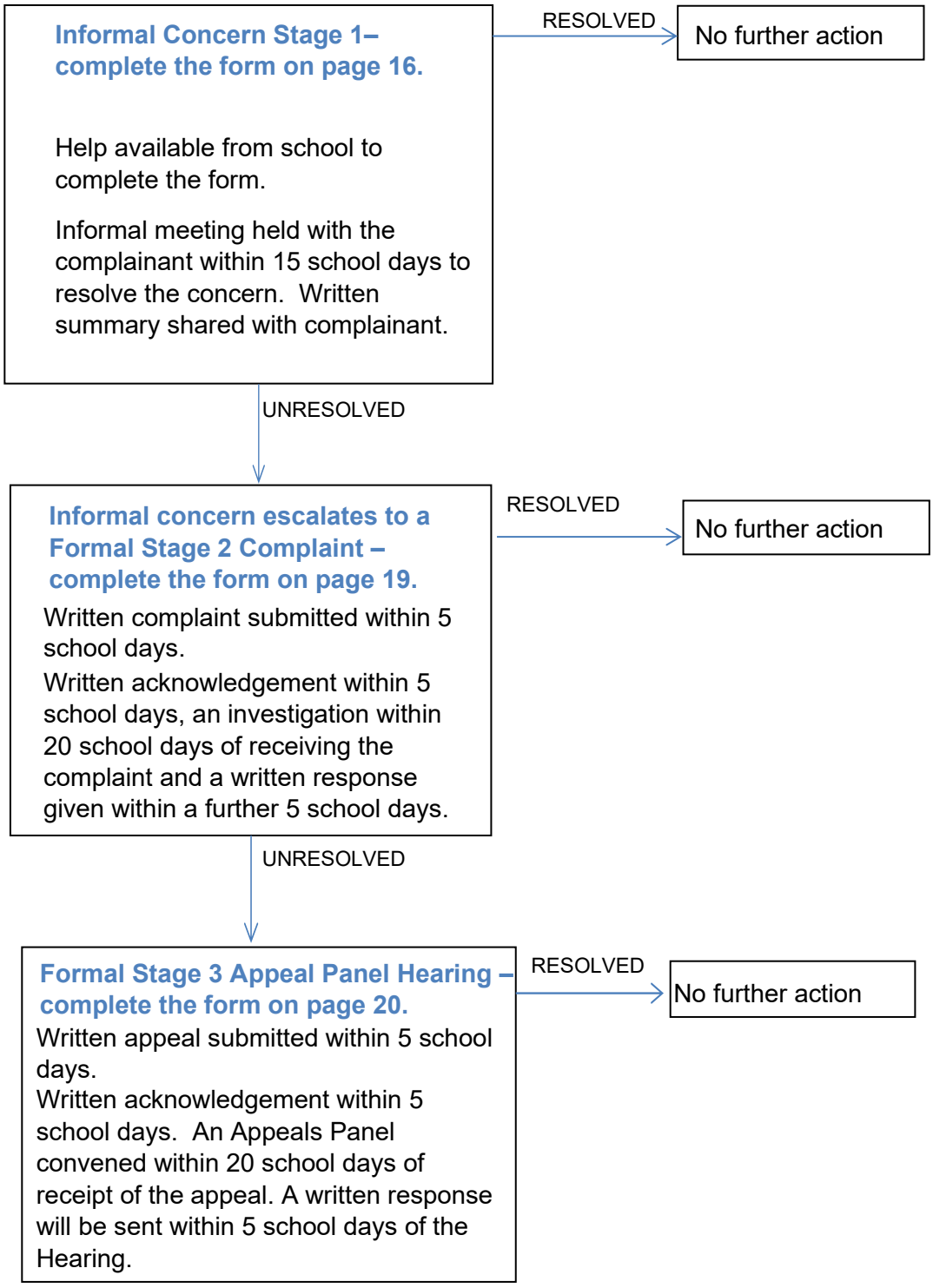
5. Paying a compliment

As aligned with the ethos of our Trust we also want to celebrate positive feedback received. When paying a compliment, we will:

- Ensure the compliment is acknowledged.
- Ensure compliments are shared with relevant individuals/teams and, their line manager.
- Ensure the recipient of the compliment is thanked and celebrated.
- Ensure that we learn from best practice and if any information in the compliment supports good practise and improves services, this will be shared with relevant colleagues across the Trust.

To submit a compliment, please complete the form (Appendix A).
If the compliment is related in any way to a school, the completed form should be returned to the Executive Headteacher or Headteacher.
If the compliment is related to the Central Team or the Trust, the form should be returned to the Chief Executive Officer (CEO) via enquiries@bccet.org.uk

6. Flow Chart of the Procedure for Handling Concerns and Complaints



7. Roles and responsibilities

A more effective response will be given to concerns if:

- The concern is explained in full, as early as possible.
- The complainant seeks to resolve the concern by working with the school.
- There are prompt responses for information.
- Prompt attendance at meetings.
- Assistance is needed by either party, this is requested.
- All those involved are treated with respect.
- Details of the concern are not shared on social media.
- Confidentiality is respected.

The appropriate staff member will:

- Arrange to discuss the complaint with the complainant at the earliest possible opportunity.
- Conduct any further internal investigations necessary to reach a judgement on the outcome.
- Review any related documentation.
- Ensure a prompt and thorough response.

The Independent Investigating Officer will be an individual, usually from within the Trust, who has not been involved with the matter to which the complaint relates, who is appointed to provide a comprehensive, open, transparent and fair consideration to the complaint by:

- Interviewing the Complainant to establish what has happened and who has been involved, in a sensitive manner.
- Interviewing staff, children and other people relevant to the complaint.
- Considering records and other relevant information.
- Analysing all information.
- Liaising with the Complainant and the Complaints Co-Ordinator to clarify what the complainant feels would put things right.

The Governance team are the contact point for the complainant from Stage 3 of the process and will:

- Ensure the complainant is fully updated at each stage of the procedure.
- Liaise with staff members, the Headteacher, the governance professional and the Trust, to ensure the smooth running of the procedure.
- Keep records.
- Be aware of issues regarding third party information and additional support.

The governance professional for the Panel Hearing at Stage 3 will:

- Ensure that statutory guidelines are adhered to.
- Set the date, time and venue of the meeting, ensuring this is convenient to all parties.
- Ensure the venue of the meeting and the meeting proceedings are accessible to all parties.
- Collate any written material and send it to all parties, no later than five school days before the meeting.
- Record the proceedings of the meeting.
- Circulate the minutes of the meeting.
- Notify all parties of the Panel's decision.

8. Stage 1 - Resolving an informal concern

There are many occasions where concerns are resolved straight away. They can be discussed informally with the appropriate member of staff. Please refer to the flow chart on page 7.

At this stage, complainants must not approach individual Governors, the Local Governing Committee, the CEO or Directors to raise a concern. This is to ensure impartiality if the concern escalates to a complaint.

Table 1 (Appendix C) explains the appropriate member of staff who will action the concern or complaint at each stage of this process.

- The complainant must not share the concern with multiple members of staff as this can lead to inconsistencies. This is to ensure members of staff remain impartial, should they be involved later in the complaints process.
- Complaining to local MPs at this stage is discouraged.
- Complaints to the DfE at this stage should not be submitted as the DfE will only consider a complaint when it has reached the end of the Stage 3 complaints process.
- Anonymous complaints will not be dealt with, but the Headteacher can determine if a complaint warrants an investigation.

If an informal concern is not able to be resolved straightaway, and a complainant wishes it to be addressed under Stage 1 of this policy, the aim at this stage is to complete the process within **15 school days** of the School/Trust being notified of the concern. The School/Trust employee will record the concern and any agreed actions with the complainant, using the form (see Appendix B). This will be kept by the school. A written summary will be provided to the complainant by the Headteacher, and the date of the informal discussion will be the conclusion date.

9. Stage 2 – Resolving a Formal Complaint

In the unlikely event that the concern cannot be resolved informally, then a formal written complaint can be made to the Executive Headteacher, Headteacher, or if the complaint involves a member of the Central Team, a Trust Officer, using the Stage 2 Complaint Form (Appendix D). This must be submitted within **5 school days** of the conclusion date of the informal concern unless exceptional circumstances apply. Where complainants submit a formal complaint via alternative means (such as email), the school or Trust (whichever is applicable) will respond, **within 5 school days**, to advise the process for submitting a complaint via the Stage 2 Complaints Form (at appendix D).

An Independent Investigating Officer (IIO) will be appointed by the Trust to investigate the complaint further. The complaint will be:

- Acknowledged within **5 school days,** with a named point of contact given to the complainant.
- Investigated with a decision on how best to resolve the complaint within **20 school days** of the complaint being received.

In most cases, the IIO will meet with the complainant to discuss the matter further, allowing them to be accompanied if they wish.

No mobile phones or recording devices are permitted during meetings and interviews, and the Trust may dismiss a complaint if this is not adhered to. At this meeting, brief confidential notes will be taken to help the IIO in their investigation. These notes will be shared with the complainant, and we ask for any notes taken by the complainant to be shared with the Trust, to encourage transparency. Where the complaint centres around a student, if at any point during the investigation, the IIO feels it necessary and appropriate to interview a student, an appropriate member of staff will be assigned to sit in the meeting. Staff witnesses may be accompanied to any meetings that take place during the investigation by a colleague or a Trade Union representative. These confidential written records of meetings and interviews are retained by the Trust in relation to the complaint and these documents will not be shared with the complainant. The complainant must respect the professional judgement of the IIO.

On completion of the investigation, the IIO will provide a written summary outlining:

- How the investigation was conducted.
- Their findings on the decisions taken and the reason(s) for it.
- Conclusions and the recommendations made to the school/Trust.
- Any recommendations made would be taken to the Local Governing Committee/Trust Directors for implementation.

The response will be issued by the Trust and signed by an appropriate Officer. This will be sent to the complainant via email and will be posted via next day recorded delivery to the address given on the submitted complaint form. Advice on the next steps if the complainant feels their complaint has not been resolved will also be detailed in the response.
A copy of the report will be held on school/Trust record and will be shared with the Governance Manager.

10. Stage 3 – Complaint Appeal Panel Hearing

If the complainant is not satisfied with the outcome at Stage 2 and wishes to take the matter further, the complaint can be escalated to Stage 3 **within 5 school days** of the outcome decision date at Stage 2, unless exceptional circumstances apply.

The Complaint Appeal Form – Stage 3 Panel Hearing (Appendix E) must be completed and returned to governance@bccet.org.uk An acknowledgement will be sent to the complainant within **5 school days** of receiving the complaint form, unless exceptional circumstances apply. The Governance department will be the contact point for the complainant. The complainant will be informed of the steps involved in the process at Stage 3.

The aim is to hold the Appeal Panel Hearing no later than **20 school days** from the date of the appeal being received by the Governance department.

Remit of the Complaints Panel
The Complaints Panel can:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Decide on the appropriate action to be taken to resolve the complaint.
- Recommend changes to the School's/Trust's systems or procedures to ensure that problems of a similar nature do not recur.

The panel will consider whether the complaint has been handled properly and reasonably in accordance with this procedure and whether the Stage 2 outcome was reasonable and appropriate.

Attendance at the Stage 3 Complaint Appeal Panel

- The complainant may attend the Panel Hearing and be accompanied by one person if they wish. This may be a relative or a friend who will be there to offer support to the complainant, not to make representation on behalf of the complainant.
- Legal representation is not encouraged as the Panel Hearing is a mechanism for reconciliation and resolving the complaint.
- Representatives from the media are not permitted to attend.
- The complainant is not required to attend the meeting. A meeting can be held on the basis of written submissions from both parties. A decision will be reached in their absence.
- If the complainant rejects the offer of three proposed dates, without good reason, the governance professional will decide when to hold the meeting on the basis of written submissions from both parties. A decision will be reached in their absence.

Other attendees

- The Headteacher and/or one colleague. If the complaint is about the Headteacher, another senior member of staff may attend.
- Two Governors and an independent Panel member not involved with the running or management of the school. If the complaint is related to the Central Team, two Directors and an independent Panel member not involved with the running or management of the Trust will be asked to attend.
- The governance professional to the Panel.
- Where a complaint relates to a pupil at the school and their attendance is requested by the Panel, parental permission must be sought if they are under the age of 18. Consideration is needed on how to support the pupil, e.g., by being accompanied by an unconnected member of staff.

Remote access considerations

The meeting will be in person. Any parties may request to join the meeting virtually, and where this is requested, agreement will be sought from all parties. Remote access must not compromise fairness and transparency.

Where a remote meeting has been agreed, clear instructions about joining the meeting will be provided. Participants need to ensure the meeting remains confidential, limiting access to anyone in the background who may be able to hear what is said. Meetings must not be recorded.

The Chair of the Panel will explain the agenda at the start of the meeting and how the meeting will run. This will include how participants should indicate they wish to speak, how an 'chat' functions should be used and what to do if they experience technical difficulties.

Arranging the Hearing

Any further written material should be submitted by the complainant within **10 days** of the Hearing date.

- The Panel will not accept as evidence any recordings of conversations that were obtained without the informed consent of all parties being recorded.
- The Panel will not accept new complaints at Stage 3 or consider evidence unrelated to the initial complaint.

Note: Complainants should limit the numbers of communications with a school while a complaint is being progressed and whilst waiting for a response. In such cases, a summary response will be given. It is not helpful if repeated correspondence is sent (either by letter, phone, email) as it could delay the outcome being reached.
If necessary, the named person at each stage of this policy (see Appendix C), will raise any concerns regarding the volume of communications from the complainant informally before applying an 'unreasonable' marking.

Evidence Pack
An evidence pack including an invitation to the meeting, a list of attendees, an agenda, the original complaint, witness statements, decisions made and rationales at previous stages and correspondence between the complainant and the school/Trust will be circulated to all parties **at least 5 days** before the meeting.
Personal data of pupils and parents will be redacted where appropriate and replaced with a consistent reference.

Procedure for the Hearing
The procedure for the Hearing is detailed in Appendix F.
The aim of the Hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the School or Trust, and the complainant.

Confidentiality
All parties involved at Stage 3 will be reminded that the discussion is confidential. All parties are bound by this confidentiality, and all attendees will be asked to agree to this as part of the meeting.

Electronic recordings of meetings or conversations are not permitted unless the School or Trust agrees this as a reasonable adjustment in respect of a complainant's own disability or special needs. Prior knowledge and consent of all parties attending must be sought before any recording would take place, provided that the recording remains confidential, and consent is recorded in the minutes of the meeting.

Stage 3 Panel Decision
The Panel will make findings and recommendations with a copy of the outcome information being provided to the complainant and, if relevant, the person complained about. A written response will be sent from the governance professional or Chair of the Panel within **5 school days** of the meeting.

A copy of the approved minutes will be shared with the complainant upon request. These will not be verbatim but will provide a record of the information and evidence considered by the Panel, what was asked and discussed, and how decisions were reached, including at the deliberation stage. The decision reached is final. The response will be sent in an email and will be posted via recorded delivery to the address given on the complaint form submitted.

Written records of the complaint including details of how they are resolved, and the action taken by the School/Trust will be stored confidentially by the School/Trust. Under certain circumstances e.g., a Secretary of State Request, Ofsted inspection and/or DfE requests, individual complaints may be shared.

11. Stage 4 - The Role of the Department for Education (DfE)

Should the complainant remain dissatisfied with the outcome of the complaint after Stage 3, the complainant is able to refer the matter to the DfE via their Customer Help Portal or in writing to:
Ministerial and Public Communication Division,
Department for Education,
Piccadilly Gate,
Store Street,
Manchester,
M1 2WD

The DfE will only consider the complaint if the complainant can provide evidence that the school or Trust:

- Does not have a complaints procedure.
- Did not provide a copy of its complaints procedure when requested.
- Does not have a procedure that complies with statutory regulations.
- Has not followed its published complaints procedure.
- Has not allowed its complaints procedure to be completed.

The DfE will inform the complainant that they are **not** able to:

- Overturn the Panel's decision.
- Re-investigate the original complaint.
- Review the accuracy of minutes taken or documents provided.
- Order that compensation is paid.
- Direct the school to discipline/exclude pupils.
- Force the school to discipline/dismiss staff.
- Instruct the school to apologise.

The DfE will intervene when a school or Trust has:

- Breached a clause in its funding agreement.
- Failed to act in accordance with its duties under education law.
- Acted (or is proposing to act) unreasonably when exercising related education functions.

In any correspondence to the DfE, please include:

- Why the response given by the Trust is not satisfactory.
- Why procedures set out in this policy were not followed.
- Why the Trust's consideration of the complaint was unreasonable.
- A copy of the letter from the Panel Hearing.

12. Complaints Campaigns

Where the Trust becomes the subject of a complaints campaign from complainants who are not connected with the Trust, a standard, single response will be published.
If the Trust receives a large number of complaints about the same subject from complainants who are connected to the Trust, for example parents, then each complainant will receive an individual response. If complainants remain dissatisfied with the Trust's response, they will be directed to the DfE.

13. Managing Unreasonable Complaints and Unreasonable Behaviour

Bishop Chadwick Catholic Education Trust is committed to dealing with all complaints fairly and impartially.
If the complainant tries to reopen the same issue, the Trust can inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the School/Trust to respond.

Please see Appendix G for further details of how Unreasonable Complaints and Unreasonable Behaviour will be dealt with and examples of complaints and behaviour which will not be tolerated.

It is important to note that any new complaints will be addressed by following the complaints procedures laid out in this policy.

14. Legal information

Recognising issues and apologising is not an admission of liability in a legal sense and Panels are not required to engage with legal arguments.

Appendix A

Compliments Form

Your name:
Relationship with Trust: (e.g., Supplier, parent)
Contact telephone number:
Email Address:
Details of the compliment (please include the school, the postcode and date and time the compliment relates to):

Signed: …… Date: ……...

Please return this form to the school office or send it to enquiries@bccet.org.uk

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Internal use:

Date form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Appendix B

Initial record of concern – Stage 1

(completed by school if the complainant needs support with this)

School/Department: *Please include the school's postcode*
Name of person raising the concern and their relationship with the School/Central Team: (e.g., Supplier, parent)
Contact telephone number:
Email Address:
Name of pupil or staff member (if relevant):
Nature of concern: What happened? When did it happen? Why did it happen? How did it happen?
What actions do you feel might resolve your concern at this stage?
External agencies involved:
Actions Taken by the School/Central Team:

Signed: …… Date: ……..……...

Staff Role: ……..…….....

Internal use:

Date concern was raised with school/Central Team staff:

Follow up actions to be completed by:

Appendix C – Table 1

Summary: Dealing with a Complaint

Complaint relates to:	**Informal Complaint Stage 1 made to:**	**Stage 2: Formal Complaint Investigation carried out by:**	**Stage 3: Appeal Panel Hearing carried out by:**
Pupils, parents or staff (other than the Headteacher)	The appropriate member of staff	Independent Investigating Officer	A Panel of two Governors or Directors and a member independent from the running and management of the school
The Head of School	The Executive Headteacher	Independent Investigating Officer	A Panel of two Governors or Directors and a member independent from the running and management of the school
The Headteacher	The CEO	Independent Investigating Officer	A Panel of two Governors or Directors and a member independent from the running and management of the school
The Executive Headteacher	The CEO	Independent Investigating Officer	A Panel of two Governors or Directors and a member independent from the running and management of the school
A Governor or Governors (other than the Chair of Governors)	The Chair of Governors	Independent Investigating Officer	A Panel of two Governors or Directors and a member independent from the running and management of the school
The Chair of Governors (or a group of governors including the Chair of Governors)	A Trust Director	Independent Investigating Officer	A Panel of two Directors and a member independent from the running and management of the school
The whole body of Governors	CEO	Independent Investigating Officer	A Panel of two Directors and a member independent from the running and management of the school
Trust officers (other than the CEO)	Their line manager	Independent Investigating Officer	A Panel of two Directors appointed by the Chair or Vice Chair of the Trust and a member independent from the running

			and management of the Trust
Trust CEO	Chair of Directors	Independent Investigating Officer	A Panel of two Directors and one member independent from the running and management of the Trust
Trust Director	Chair of Directors	Independent Investigating Officer	A Panel of two Directors and one member independent from the running and management of the Trust.
The Chair of the Trust (or a group of Directors including the Chair of Directors)	CEO	Independent investigating Officer	A Panel of two Members, Directors or Governors (completely separate from the detail of the complaint), and one member independent from the running and management of the Trust

Note: Governors or Directors cannot be part of the Stage 3 Panel if they have been involved in any of the previous complaint stages.

Appendix D

Formal Complaint Form – Stage 2

(to be completed by the complainant and returned to the Headteacher or Trust Officer)

By completing this form you are agreeing to your details being shared with a third party

School/Department: *Please include the school's postcode*
Name of complainant and relationship with the Trust: (e.g., Supplier, parent)
Home Address:
Contact telephone number:
Email Address:
Name of pupil or staff member (if relevant to your complaint):
Details of the complaint (please include the date or period of time to which the complaint relates and confirm whether you have already expressed your concerns informally; to whom and when). *Please attach copies of any additional information you have, to support your complaint such as letters or reports which were not shared at Stage 1.*
What action, if any, have you already taken to try to resolve your complaint? (Who did you speak to and what was the result?)
What actions do you feel might resolve your complaint at this stage?

Signed: …… Date: ……..……...

Internal use:

Date form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Appendix E

Complaint Appeal Form – Stage 3 – Panel Hearing

(to be completed by the complainant and returned to governance@bccet.org.uk)

By completing this form you are agreeing to your details being shared with a third party

School/Department: *Please include the school's postcode*
Name of complainant and relationship with the School/Trust: (e.g., Supplier, parent)
Home Address:
Contact telephone number:
Email Address:
Name of pupil or staff member (if relevant to your complaint):
Details of the complaint (please include the date or period of time to which the complaint relates and confirm whether you have already expressed your concerns formally; to whom and when). *Please attach copies of any further information you have, such as letters or reports which have not already been shared at Stage 2.*
What action, if any, have you already taken to try to resolve your complaint? (Who did you speak to and what was the result?)
What actions do you feel might resolve your complaint at this stage?

Signed: …… Date: ……..……...

Internal use:

Date form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Appendix F

Hearing Procedure

The role of the Panel is to give fresh scrutiny of the complaint and the previous stages of the process. This will lead to the Panel deciding whether the complaint should be upheld, upheld in part, or dismissed, as well as deciding on the appropriate action to be taken to resolve the complaint and recommending remedial action to the School or Trust systems or procedures, to ensure that problems of a similar nature do not recur.

This Hearing provides the Panel with the opportunity to look at the evidence, establish facts and hear from relevant parties through the following procedure:

1. The complainant and school's representative (usually the Headteacher), enter the room together, the Chair introduces all parties and outlines the process.
2. All parties will be reminded that the discussion is confidential. All parties are bound by this confidentiality and will be asked to agree to this as part of the meeting.
3. The complainant explains their complaint and answers questions from the Panel, including any further questions from the school's representative.
4. Any witnesses for the complainant give their account and answer questions.
5. The school's representative makes their case and answers questions from the Panel, including any further questions from the complainant.
6. Any witnesses for the school give their account and answer questions from the Panel.
7. The complainant sums up their case.
8. The school representative sums up their case.
9. Parties leave for the Panel to deliberate and make its decision. The governance professional remains with the Panel during its deliberations to clarify any issues and to take notes that will be used to draft the decision letter.

While the procedure is structured to ensure fairness, the approach taken should be informal and non-adversarial.

Sufficient time should be given for all parties to speak. However, it is reasonable for the Chair to intervene and move the meeting on if they feel this is necessary and in the interests of all concerned.

During deliberation, (point 9 above) the Panel should revisit what was discussed and the responses to questions asked, where appropriate, referring to the notes taken by the governance professional, to reach conclusions and inform their decision.

Having reached a decision, the Panel should consider carefully and seek the advice of the governance professional on the wording of the letter to the complainant and relevant parties, notifying them of the decision and the basis upon which it was reached.

If the complaint is upheld in whole or in part, then the letter should set appropriate action/s recommended by the Panel to resolve the complaint and/or prevent similar issues in the future – for example, changes to relevant policies or practices.

Appendix G

Procedure for dealing with Unreasonable, Persistent (Vexatious) Complaints

The majority of people with concerns or complaints about the School/Trust behave reasonably whilst pursuing their complaint. This means that they:

- Treat all Trust Staff with courtesy and respect.
- Respect the needs of pupils and staff.
- Avoid the use of violence (including threats of violence) towards people and property.
- Recognise the time constraints under which members of staff work and allow the School/Trust a reasonable time to respond to a complaint.
- Recognise that resolving a specific problem can sometimes take some time.
- Follow the complaints process.

We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect the wellbeing of staff from unreasonable, persistent vexatious or serial complaints or harassment.

Vexatious complaints, for example, are:

- Obsessive, persistent, harassing, prolific, or repetitious.
- Insistent upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
- Insistent upon pursuing meritorious complaints in an unreasonable manner.
- Designed to cause disruption or annoyance.
- A demand for redress which lacks any serious purpose or value.

Unreasonable, persistent complaints, for example:

- Duplicated complaints, sent by the same complainant once the initial complaint has been closed.
- New complaints that are submitted additionally, as part of an existing open complaint, by the same complainant.
- Actions that are obsessive, persistent, harassing or repetitious.
- Submit prolific correspondence or excessive email or telephone contact about a concern or a complaint.
- Have an insistence upon pursuing invalid or unmeritorious complaints and/or unrealistic or unreasonable outcomes in an unreasonable manner.
- Demand redress which lacks any serious purpose or value.

A complaint may also be regarded as unreasonable if, for example the complainant:

- Refuses to articulate their complaint or specify the outcomes sought by raising the complaint, despite offers of assistance.
- Refuses to co-operate with the complaint investigation process.
- Refuses to accept that certain issues are not within the scope of a complaint's procedure.
- Insists on the complaint being dealt with in ways which are incompatible with this complaint's procedure.
- Introduces trivial or irrelevant information which the complainant expects to be taken into account, 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 comments/complaints about staff who are trying to deal with the complaint.
- Changes the basis of the complaint as the investigation proceeds.
- Refuses to accept the findings of the investigation into the complaint where the Trust 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 either in person, in writing, by email or by telephone, while the complaint is being dealt with.
- Uses abusive, offensive or discriminatory language.
- Uses falsified information.
- Publishes unacceptable information in the media such as in social media platforms, websites, printed and online news outlets and WhatsApp groups.

Harassment is defined as aggressive pressure or intimidation, for example, the complainant:

- Appears to be targeting over a significant period, on one or more members of School/Trust staff.
- Causes ongoing unnecessary distress to individual member(s) of School/Trust staff.
- Has a significant adverse effect on the whole/parts of the School/Trust community.
- Demonstrates aggressive actions.

Actions that can be taken where a complainant is unreasonable and/or display harassing behaviour are:

1. The Executive Headteacher, Headteacher or CEO will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.
2. The Executive Headteacher, Headteacher or CEO may implement a communications plan which specifies methods of communication and frequency and/or number of contacts.
3. The Executive Headteacher or Headteacher, with the agreement of the Chair of Governors; or the CEO, with the agreement of the Chair of Directors, may deem a complaint to come within the scope of this Appendix G and will ensure that there is sufficient evidence available to justify this decision, for example:
    - Every reasonable step has been taken to address the complainant's concerns and;
    - The complainant has been given a clear statement of the Trust's position and their options and;
    - The complainant repeatedly makes contacts, making substantially the same points each time.
4. The case to stop responding to a complaint or complaints is stronger if either:
    - Letters, emails or telephone calls are often or always abusive or aggressive, or;
    - Insulting personal comments are made or there are threats made towards staff, or;
    - The Trust believes the individual is contacting school/the Trust/individuals with the intention of causing disruption or inconvenience.

Once the decision has been made that it is appropriate to stop responding, then the individual will be informed by the CEO.

5. In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police will be informed. This may include banning an individual from Trust schools.
6. We will take legal advice to confirm that the evidence is sufficient.

Serial or persistent complaints will only be marked as ‘serial’ when the complainant has completed the complaints procedure. If the same complaint is raised again after **three calendar months** of the date of the final Hearing at Stage 3, it will not be considered. It is the complaint that will be marked as ‘serial’, meaning the complainant can complain about a separate issue.