THE WHITE HILLS PARK TRUST

Complaints Policy & Procedure

Version control

Scope:	**Applicable to all Trust Schools**
Review date:	**Spring 2027**
Statutory or non-statutory:	**Statutory**
Author/Reviewer:	**James Macdonald (COO)**

Equalities

The Trust and its member schools/academies recognise their legal responsibilities under the Equality Act 2010 and this policy aims to ensure that all employees are treated with equality and fairness regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origin), religion or belief, sex and sexual orientation.

Version Control

Version	Author	Date	Changes
1.0	James Macdonald	Spring 2025	Rewritten
1.1	James Macdonald	Summer 2026	Update of logo and named contact (sec. 5.2)

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1. Introduction

This policy applies to all Trust schools/academies.

1.1. This policy statement and procedure sets out the approach of The White Hills Park Trust (WHPT), and all of its schools, to dealing with concerns and complaints. The procedure is intended to allow a concern or complaint relating to the Trust or one of its schools to be raised by a parent, carer, or anyone else.

1.2. We value good relationships with parents and carers and our wider communities and will do everything we can to establish and maintain these. This includes seeking to resolve any concerns or complaints promptly, and with the aim of reaching resolution wherever possible.

1.3. All staff, along with members of each school's Local Governing Body (LGB), will be familiar with this procedure and all those involved with dealing with complaints under this procedure will receive support, advice and appropriate training.

1.4. This procedure is available on request and is accessible via each school's and the Trust's website. It will be reviewed regularly and updated as necessary.

2. Scope

2.1. Some complaints might be dealt with in other policies, for example, complaints involving pupil admissions, child protection or pupil exclusions. A full list of issues excluded from the scope of this procedure can be found in Appendix E. Where necessary, a school will exercise its discretion. Anonymous complaints or complaints sent as part of a complaints campaign[1] will not usually be investigated. However, the Trust will determine whether the complaint warrants an investigation.

2.2. Employees of the Trust should raise any concerns relating to their employment through the appropriate staffing procedure, not through this process.

2.3. Where a complaint is against the CEO, a member of the Central Team, a Trustee or, a member of a Local Governing Body, or the Trust Board as a whole, please refer to Appendices B and C.

[1] This would include, for example, a large volume of complaints all based on the same subject from complainants unconnected with the school.

3. General Principles

3.1. We will treat all concerns and complaints seriously and courteously and will advise complainants of the procedures for dealing with their concerns. In return, we expect complainants to behave respectfully towards all members of the Trust's community. In particular, any disagreement with a school should not be expressed inappropriately or in front of pupils.

3.2. We aim to ensure that any complaint is managed sympathetically, efficiently, at the appropriate level, and is resolved as soon as possible. We will try to resolve every complaint in a positive way with the aim of putting right a matter which may have gone wrong. Where necessary, we will review our systems and procedures in light of the circumstances of the complaint.

3.3. If a complaint centres on a pupil, we may talk to the pupil concerned and, where appropriate, others who were present at the time of any incident in question.

3.4. If a complainant wants to withdraw their complaint, they will be asked to confirm this in writing. If they do not respond to this request within 15 school days, the matter will be judged to be closed.

3.5. If the matter relates to a member of staff that passes the threshold for a potential HR procedure, that will be implemented. Please note that the procedure and outcome of any HR process will not be shared with the complainant as to do so would breach the Data Privacy rights of the individual.

3.6. The details of the complaint will be shared with anyone who is being complained about unless there are clear reasons not to do so, and a summary will be provided in any event.

3.7. We do not normally accept electronic audio or video recordings as evidence when we are asked to consider a complaint. If we do accept a recording, we may also ask for the written consent of all recorded parties before it is viewed. We may accept independently notarised transcriptions of recordings. We do not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

4. Timescales

4.1. Complaints must be raised within 3 months of the incident complained about occurring or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. Complaints made outside of this time frame will only be considered if, having taken advice, the Trust CEO, the Headteacher or Chair of the Local Governing Body is of the view that exceptional circumstances apply.

4.2. Unless otherwise stated, timescales in this procedure refer to school-working days for the relevant school, excluding school holidays, In Service Training (Inset) days and Bank Holidays.

Any complaints made outside of term time will be considered to have been received on the first school-working day after the holiday period.

4.3. There may be times when the investigation takes longer than the timescales outlined in this policy. Where this is the case, we will keep the complainant informed of the revised timescales and the reasons for this.

5. The Complaints Procedure

5.1. The procedure is divided into 3 stages. How each of these stages operates is explained below.

5.2 Trust oversight of the complaints procedure will be managed by James Macdonald, Chief Operating Officer. James can be contacted via email on james.macdonald@whptrust.org.

6. Stage 1 – Resolution at a Local Level

6.1. This stage of the policy will apply to all concerns and complaints raised directly with the school. Complainants should complete the form at Annex B, and send this to the school. Concerns or complaints should initially be discussed informally with the relevant school employee or representative, for example the class teacher or form tutor, with a view to resolving the issue.

6.2. The Headteacher is responsible for overseeing Stage 1 of the process, but this may be initially or fully delegated to an appropriate member of school staff. The member of staff dealing with the concern should ensure they have a clear understanding of the issue(s), what it is that the complainant considers should have been done, or where they feel the school has not met reasonable expectations, as well as the resolution being sought.

6.3. Stage 1 gives all parties the opportunity to explore the issues causing concern and to seek to resolve them without recourse to formal stages. The Headteacher, or relevant member of school staff, may attempt resolution directly through meetings or other conversations with the complainant, or in other ways which may include involving other members of staff.

6.4. The Headteacher or relevant staff member should make a note of any agreed actions using the form at Annex A; this will be retained as a record and a copy passed on to the Trust Complaints Coordinator in case the matter proceeds to Stage 2.

6.5. In normal circumstances, resolution discussions are expected to take place within 10 school days of the school being notified of the concern or complaint. During this period, every effort should be made to resolve the situation on an informal basis and all parties will be expected to fully engage with efforts to achieve this resolution.

6.6. Despite the best efforts of all parties, there may be occasions where informal resolution is not possible, in which case the complainant may progress the issue to Stage 2, as set out below.

7. Stage 2 – Formal Investigation

7.1. If the complaint cannot be resolved informally, the complainant will be given the opportunity to progress their complaint to Stage 2. They should complete the form at Annex B, and send this to the Trust Complaints Coordinator who will acknowledge receipt within 5 school days. The complaint should be submitted in a timely way following engagement with the school at Stage 1, and in any case no more than 10 school days of the conclusion of Stage 1. The complainant must set out their request in writing, stating where the complainant remains dissatisfied and what remedies are being sought.

7.2. An Investigating Officer will then be identified by the Trust Complaints Coordinator (see Appendices B and C). Depending on who the complaint relates to, this may be the Headteacher or other senior leader within the school, a member of the school's Local Governing Body (LGB), a Local Governor at another of the Trust's schools, or a Trust employee either from a different school or from the Trust's Central Team.

In exceptional circumstances, as judged by the Trust Complaints Coordinator, a Trustee may investigate, or an external investigation may be commissioned. The Investigating Officer may seek to meet with the complainant and will speak to others involved as they deem necessary. If a meeting is arranged, the complainant may ask someone to accompany them to help them explain the reasons for their complaint and to support them. The Investigating Officer may also be accompanied by a suitable person if they wish.

7.3. Once appointed, the Investigating Officer will acknowledge receipt of the Stage 2 complaint and will usually complete their investigation within 20 school days. Once all the relevant facts have been established, the Investigating Officer will put their findings in writing. This will explain the decision and the reasons for it.

If follow-up action is needed, the Investigating Officer will indicate what they are proposing to do. The complainant will receive a copy of the findings and any recommendations, as will the Headteacher and Chair of the Local Governing Body of the school where the complaint is made, and the Trust Complaints Coordinator/Manager. Whenever reasonably possible, this will be done within 5 school-working days of completing the investigation.

7.4. The Investigating Officer will keep records of all meetings and telephone conversations and other related documentation. Following the investigation, these will be retained by the Trust Complaints Coordinator in line with the Trust's Retention Policy. Information provided with an expectation of privacy will be treated respectfully but may need to be disclosed.

7.5. Where the matter is not resolved at this stage, the complainant may progress it to a Stage 3, as set out below. The key purpose of a Stage 3 is to reach a point of reconciliation, putting right things that may have gone wrong and identifying learning relevant to the Trust more widely and reviewing whether the complaint has been handled at previous stages in accordance with this policy.

8. Stage 3 – Resolution via Formal Complaints Panel Meeting

8.1. If the complaint has not been resolved at Stage 2, and the complainant wishes to progress their complaint to Stage 3, they should notify the Trust Complaints Coordinator in writing within 10 school days of receiving the Stage 2 findings. Any such request must be set out in writing using the reporting form at Annex C, stating where the complainant remains dissatisfied and what remedies are being sought. This request will usually generate a meeting in front of a Complaints Panel. However, the White Hills Park Trust reserves the right to decline escalation of a complaint to Stage 3 of the process where it can be reasonably shown that further investigation is unlikely to result in the offer of an alternative outcome or investigation report.

8.2. On receipt of the request to have a complaint heard by a panel, we will confirm that we have received the correspondence within 5 school days and will make arrangements for a panel to be convened.

8.3. As soon as possible following this, we will inform the complainant of a date for the panel meeting. This date will take into account their availability to attend. The meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the school and panel members. The aim will be for the panel to be convened within 20 school days of receiving the request for a hearing.

However, if the complainant rejects the offer of 3 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. The complainant will be notified by letter and this letter will inform them of the date, time and location of the meeting, and provide an explanation of what will happen at the hearing.

8.4. Any meetings (including the panel hearing) may be arranged on a face-to-face basis, phone calls or online. It will be dependent on the timescale and availability of the parties. It may be necessary for one or more party to join a face-to-face meeting using a phone or online service. Where the majority of meeting participants are physically present, the attendance of one or more parties remotely will not change the status of the face-to-face meeting. This is to ensure that there is no unnecessary delay.

8.5. The complainant will be asked whether they wish to provide any further written documentation relevant to the points raised in the complaint. If they do, then this will need to be received at least 10 school days before the meeting. If a significant amount of additional information is submitted after the deadline, the panel may decide to adjourn if it is in the best interests of both parties that the panel gives the information full consideration.

8.6. The panel will comprise 3 members who have not been directly involved in the matters detailed in the complaint. These panel members may be Trustees of the Trust, Local Governors from the school concerned or Local Governors from another school within the Trust. At least

1 member of the panel will be a person who is independent of the management and running of the school concerned.

8.7. The meeting is not a court case; it will be held in private and will be as informal as circumstances allow. The Chair of the panel will bear in mind that the formal nature of the meeting can be intimidating and will do their best to put all parties at ease.

8.8. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or medical needs require it. Prior knowledge and consent of all parties attending must be sought before the recording of the meeting takes place.

Consent will be recorded in any minutes taken.

8.9. The complainant will have the opportunity to put their reasons for dissatisfaction and to expand on them but may not introduce new reasons that were not previously put in writing. The school will have the opportunity to present its case. Each side, as well as the panel members, will be able to ask questions.

8.10. The order of proceedings for a Stage 3 panel meeting can be found at Appendix D.

8.11. The panel can request additional information from other sources if necessary. All parties will receive copies of these papers at least 5 school days before the meeting.

8.12. The complainant will be entitled to bring a companion along to provide support. They are there to provide support, rather than to speak on the complainant's behalf, and will not usually be permitted to speak during the meeting except with the permission of the Chair.

8.13. If the complainant fails to attend on the day without compelling reasons, their complaint will be judged to be withdrawn, and the matter closed from the Trust's perspective.

8.14. Should the person representing the school and/or the complainant wish to invite relevant witnesses to present their evidence directly to the panel and to be questioned, they should inform the Clerk to the panel of this at least 5 school-working days before the hearing. School or Trust staff cannot be compelled to attend. Whether the panel allows such witnesses to be invited to the hearing will be decided by the Chair. Witnesses should attend the meeting only while they give their statement and take questions.

8.15. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the hearing will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.

8.16. Other than in exceptional circumstances, pupils or other children/young people will not be permitted to attend panel meetings.

8.17. The person who investigated the matter at Stage 2 may be accompanied by someone from the Trust Central Team.

8.18. The meeting will be minuted, usually by one of the Trust's Clerks, or an external Clerk may be appointed. The panel may make findings and recommendations and a copy of those findings and recommendations will be sent by electronic mail or otherwise to the complainant, the Headteacher and Chair of the Local Governing Body at the school where the complaint was made, the Trust Complaints Coordinator/Manager, and where relevant, the person complained about.

8.19. The following people will be entitled to attend the panel meeting: panel members; an advisor to the panel who may also take notes of the meeting, or may be accompanied by a minute taker (Clerk); the complainant(s) and their companion if they choose to bring one; the Investigating Officer and their companion if they choose to bring one; the Headteacher at the school concerned if appropriate; any witnesses (for the duration of their evidence).

8.20. The committee will consider the complaint, and all the evidence presented, the focus of the meeting will be on the investigation process followed at Stage 2. The complainant is expected to set out why they feel that the investigation was flawed, or why the wrong conclusion was reached. The committee 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 committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's/Central Team's systems or procedures to prevent similar issues in the future

8.21. All parties will withdraw, other than the panel members, the advisor to the panel and the note taker (Clerk), while the panel reaches a conclusion. The panel may conclude that the complaint is upheld or rejected in full, or upheld in part. The panel will also consider whether there is any appropriate action to be taken to resolve the complaint, and whether changes to school or Trust procedures in the future may be necessary. In addition, the panel will take into account whether the complaint has been handled properly and reasonably in accordance with this procedure, and whether the Stage 2 outcome was reasonable and appropriate.

If time constraints or other factors mean that a decision cannot be reached immediately, then the panel will reconvene as soon as possible. This subsequent meeting will include panel members, the advisor to the panel and note taker (Clerk) only and may take place via an electronic meeting platform such as Teams. The outcome and the reasons for the panel's decision will be communicated in writing to all relevant parties (as stated in 8.18) within 7 school days of the hearing, other than in exceptional circumstances.

9. Record Keeping

9.1. A digital record will be kept of all complaints that were resolved at Stages 2 or 3 of the complaints procedure for a period of 6 years. Records will contain details of the stage at which the complaint was resolved, closed, or withdrawn. The action taken by the school or the Trust as a result of a complaint (regardless of whether it is upheld) will also be recorded.

10. Confidentiality

10.1. Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the Education and Skills 2008 Act requests access to them.

11. Department for Education (DfE)

11.1. Although the decision of the panel is final under this procedure, if you consider that the school or Trust or their representatives did not handle your complaint in line with the published complaints procedure or they are proposing to act unreasonably, or have failed to carry out their statutory duties, you may refer your complaint to the Department for Education online at:

www.education.gov.uk/contactus

by telephone on: 0370 000 2288

or by writing to:

Academy Complaints and Compliance Unit

2nd Floor Piccadilly Gate, Store Street, Manchester, M1 2WD.

11.2. The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by the school / Trust but they will consider whether the school / Trust has adhered to education legislation and any statutory policies connected with the complaint, and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

12. Submitting a Complaint to Ofsted

12.1. Ofsted advises that 'you should complete all steps in the school's complaints procedure before you contact Ofsted'. Their advice can be accessed directly here: https://complain.ofsted.gov.uk

12.2. Ofsted cannot resolve disagreements between a complainant and a school, or affect the results of a school's complaints process.

13. Serial or Persistent Complaints

13.1. If at any level, a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the school / Trust may write to the complainant to inform them that the procedure has been exhausted, and the matter closed. Continued correspondence on the same matter would be judged as unreasonable and the school / Trust would not respond to communication(s) on that issue, or a closely related issue. Please see Appendix F.

14. Complex Complaints

14.1. There may be occasions where a complaint becomes more complex following initial investigations. Complex complaints may require additional time to investigate and understand the issues.

In some instances, a more specialist or experienced Investigating Officer may be required.

Complex complaints may also need to be assessed and reviewed with external support.

If a matter is determined to be 'complex', all parties will be notified by the Investigating Officer, with details of how the matter will be progressed.

Each complex complaint is likely to require an individually scheduled timeline, which may be outside the scope of the standard complaint timelines. It will be for the Investigating Officer, in consultation with the Complaints Coordinator/Manager or Governance Manager, to determine at what point a complaint becomes complex.

15. GDPR and Data Protection

15.1. Prior to commencing any investigation, it is necessary for the complainant to give consideration to what personal data they are content to be shared with an Investigating Officer. Attached to the complaint form is consent to share material to enable an investigation to be undertaken.

15.2. Over the course of the investigation, information may be gathered from third parties. On occasion, this information may contain personal data, but it may be given in confidence by witnesses. The Investigating Officer will have to determine if whole statements or summaries can be provided to parties and the panel.

15.3. If the complainant does not give consent to share information, it is important to note that the scope of the complaint may be limited and, therefore, the actions available to conclude the complaints process may also be limited. In some instances, the complaint may not be able to proceed. The complainant will be informed if this is the case to give an opportunity to consider consent to share the material again within 5 school days.

15.4. The investigation does not place any limits on school staff processing pupil data as required. Additionally, this can include reviewing information to prepare for interviews with the Investigating Officer or the panel.

15.5. The same complaints process will be applied to Data Protection issues. A written outcome will be provided.

15.6. The Complaints Coordinator/Manager or Chief Operating Officer is responsible for dealing with all complaints in line with this procedure. The Trust Complaints Procedure sets out the complaints process. This will be the basis for dealing with Data Protection complaints and appeals. A written outcome will be provided.

15.7. If the school/Trust does not comply with a Subject Access Request within 1 month (subject to any extension), or refuses all or part of the request, written reasons will be provided, setting out the principles for the refusal.

15.8. If you feel that the school/Trust has not dealt with your matter satisfactorily you can complain to the Information Commissioner,

By post:

Customer Contact

Information Commissioner's Office

Wycliffe House, Water Lane

Wilmslow, SK9 5AF.

Or by email: casework@ico.org.uk

More information can be found on the ICO website www.ico.org.uk

Annex A - Stage 1 - Initial record of concern/complaint

To be completed by a member of staff (may be shared with the complainant if requested)

School/Trust:	
Name of Complainant:	
Name of Child and Year Group:	
Date of Contact:	
Who the complaint is against:	
Nature of Concern	
Actions Taken ***(summarise the specific actions that have been agreed with the complainant to try to resolve the concerns/complaint)***	
Signature:	**Date:**

Annex B - Stage 1 / Stage 2 - Complainant Form

Please complete and return to the Complaints Coordinator/Manager who will acknowledge receipt and explain what action will be taken.

Stage (delete as applicable):	1 2
Your name:	
Pupil's name and year group:	
Your relationship to the pupil:	
Who the complaint is against:	
Address:	
Postcode:	
Telephone Number:	
Email:	
Please give details of your complaint:	
What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	

Please consider if you give consent to share your personal data with any investigating officer or not. Please delete either

I give my consent for information held in paper and electronic records in respect of the complaint to be made available to facilitate any investigation. I consent to this confidential and sensitive data to be shared for that specific purpose. I realise that any information held about any third party cannot be shared without their specific consent.

Should it be necessary in the view of the investigator to seek that third party consent I give my approval that they may share sufficient information with that third party to enable that person to make an informed choice about whether or not to give consent to sharing that person's information with the investigator.

OR

I do not give my consent to share my personal data to an allocated investigating officer. I acknowledge that this may limit the scope of the complaint investigation.

Signature:

Date:

Official Use Only
Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Annex C - Stage 3 Complaint Form

Your name:	
Pupil's name and year group:	
Your relationship to the pupil:	
Who the complaint is against:	
Address:	
Postcode:	
Telephone Number:	
Email:	
Please confirm that you are requesting that your complaint be taken to a Stage 3 panel.	
Please provide details of why you were dissatisfied with the outcome of Stage 2 investigation.	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Please consider if you give consent to share your personal data with any investigating officer or not. Please delete either I give my consent for information held in paper and electronic records in respect of the complaint to be made available to facilitate any investigation. I consent to this confidential and sensitive data to be shared	

for that specific purpose. I realise that any information held about any third party cannot be shared without their specific consent.

Should it be necessary in the view of the investigator to seek that third party consent I give my approval that they may share sufficient information with that third party to enable that person to make an informed choice about whether or not to give consent to sharing that person's information with the investigator.

OR

I do not give my consent to share my personal data to an allocated investigating officer. I acknowledge that this may limit the scope of the complaint investigation.

Signature:

Date:

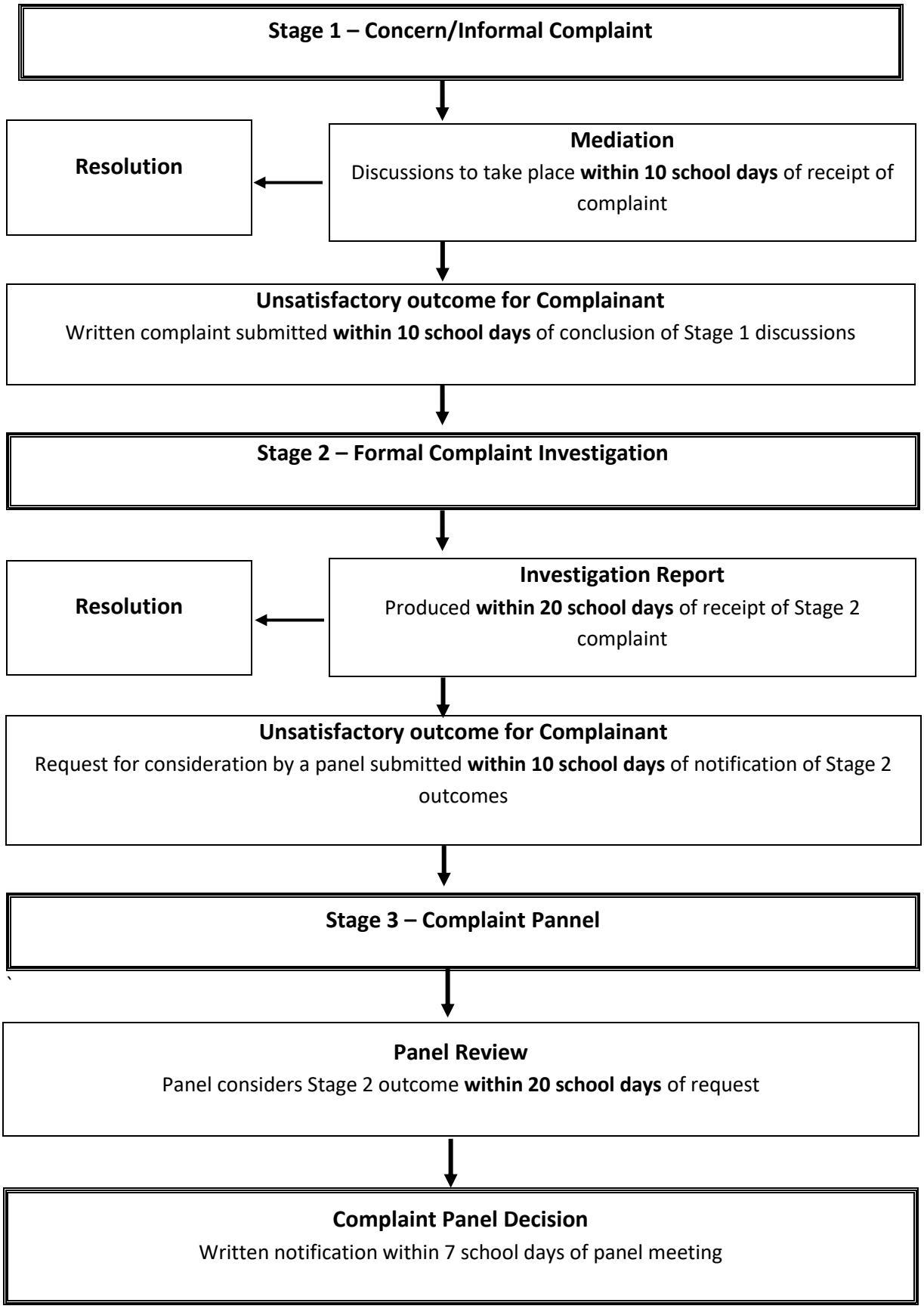
Official Use Only
Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Appendix A - Complaints Process



Appendix B - Complaints Procedure: Management of Stages within the Trust / Complaint against school or school staff

Complaint relates to	Stage 1: Informal	Stage 2: Formal Investigating Officer	Stage 3: Complaint Panel
Pupils, parents or staff (other than the Headteacher)	The appropriate member of staff	The Headteacher or other Senior Manager	Complaints Coordinator to convene a panel which will include WHPT Trustees and one member independent from the running and management of the school
The Headteacher	The Headteacher	The Chair of Governors. If not appropriate, the Chair may request that the Chair of the WHPT Board appoints another Governor independent from the running and management of the academy to carry out the role of Investigating Officer	Complaints Coordinator to convene a panel which will include WHPT Trustees and one member independent from the running and management of the school
The CEO	The Chair of Trustees	The Chair of Trustees	Complaints Coordinator to convene a panel which will include WHPT Trustees and one member independent from the running and management of the school
A Governor or Governors (other than the Chair of Governors)	The Chair of Governors	The Trust Governance Lead	Complaints Coordinator to convene a panel which will include WHPT Trustees and one member independent from the running and management of the school

Complaint relates to	Stage 1: Informal	Stage 2: Formal Investigating Officer	Stage 3: Complaint Panel
The Chair of Governors (or a group of Governors including the Chair of Governors)	The Trust Governance Lead	A Trustee appointed by the Chair of the WHPT Board	Complaints Coordinator to convene a panel which will include WHPT Trustees and one member independent from the running and management of the school
The full governing body		Chair of the WHPT Board	Complaints Coordinator to convene a panel which will include WHPT Trustees and one member independent from the running and management of the school

Note: Governors or Trustees will not be part of any Stage 3 panel if involved in any of the previous management stages.

Appendix C - Complaint against the Trust or Trust Officer

Complaint relates to	Stage 1: Informal	Stage 2: Formal Investigating Officer	Stage 3: Complaint Panel
Academy Trust Officer (other than Chief Executive Officer)	The appropriate Academy Trust Officer	Trust Chief Executive Officer (or the Chair of the Trust or other nominated Trustee)	Panel of Trustees appointed by the Chair or Vice-Chair of the Trust
Trust Chief Executive Officer	Trust Chief Executive Officer	Chair of the Trust or another nominated Trustee	Panel of Trustees appointed by the Vice-Chair of the Trust
Trustee (other than the Chair of the Trust)	Chair of the Trust	Another Trustee	Panel of Trustees appointed by the Vice-Chair of the Trust. Panel to include one member independent from the running and management of the Trust
The Chair of the Trust	Vice-Chair of the Trust	Another Trustee	Panel of Trustees appointed by the Vice-Chair of the Trust. Panel to include one member independent from the running and management of the Trust
The whole body of Trustees		Advice to be sought from DfE	Panel members to be independent from the running and management of the Trust

Note: Governors or Trustees will not be part of any Stage 3 panel if involved in any of the previous management stages.

Appendix D - Order of Proceedings (Stage 3 Panel)

1. Introductions

2. The Chair should explain to all present that the purpose of the meeting is to review the complaint, resolve any differences and where possible to achieve a reconciliation between the academy and the complainant.

3. The Chair should then outline the proposed procedure for the meeting. They should listen to any concerns about the procedure but have the final decision about the arrangements:
    (a) The complainant will outline the complaint and may call witnesses.
    (b) The Headteacher/Investigating Officer will be given the opportunity to seek clarification from the complainant and/or witnesses.
    (c) The panel may seek clarification from the complainant and/or witnesses.
    (d) The Headteacher/Investigating Officer will be given the opportunity to respond and call witnesses.
    (e) The complainant will be given the opportunity to seek clarification from the Headteacher/ Investigating Officer and/or witnesses.
    (f) The panel will seek clarification from the Headteacher/Investigating Officer and/or witnesses.
    (g) The complainant will be given the opportunity to sum up.
    (h) The Headteacher/Investigating Officer will be given the opportunity to sum up.
    (i) Both parties will then leave the room to allow the panel to deliberate. Any HR service provider representative may remain to offer technical and/or procedural advice.

4. The panel will then arrive at its decision. This will cover:
    (a) Findings on the complaint;
    (b) Appropriate action to be taken by the school;
    (c) Any recommended changes to systems or procedures.

5. The decision will be notified to all parties, in writing, within 7 school days.

Appendix E - Complaints subject to statutory procedures or out of scope of this policy

Some areas of complaint are subject to statutory procedures and there is clear guidance on how such issues should be dealt with, which lie outside of this procedure. These include:

- Admissions
- Child Protection
- Drugs
- Equal Opportunities
- Exclusions
- Health and Safety
- National Curriculum
- Religious Education and Collective Worship
- Sex Education
- Statutory Assessments of Special Educational Needs
- Staff Capability
- Staff Discipline
- Staff Grievance
- Racist Incidents [1]
- Whistleblowing
- Withdrawal from the Curriculum
- Complaints about services provided by external suppliers who may use school premises or facilities (these should be directed to the provider's own complaints procedure). • Matters likely to require a Child Protection investigation

The Trust will in most cases determine which, if any, statutory procedures apply.

If a statutory procedure needs to be invoked at some point during the investigation of a more general complaint, the complaints procedure may be suspended until the statutory procedure has been conducted.

[1] Although racist incidents are subject to a statutory procedure, the Race Relations Amendment Act 2000, this does not necessitate the complaints procedure being suspended. However, there is a duty for local authorities to monitor racist incidents, and so Academies must follow local authority procedures for recording such incidents.

Appendix F - Policy for Unreasonable and Vexatious Complaints and 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 the school. 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 abusive, offensive or threatening.

If a complaint amounts to harassment of an individual, then any future complaints may be considered as vexatious.

If a complaint or complainant is determined to be vexatious then investigations may be terminated, limited, or refused. Written reasons will be provided.

We define unreasonable complaints as

'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints or are having an unreasonably high detrimental impact on key staff being able to fulfil their duties to students'.

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

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- Refuses to accept that certain issues are not within the scope of a 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 the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- Changes the basis of the complaint as the investigation proceeds;
- Repeatedly makes the same complaint (despite previous investigations of 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 complaints procedure has been fully and properly implemented and completed, including referral to the Department for Education;

- Seeks an unrealistic outcome;
- Makes excessive demands on school/Trust 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 complainant may also be considered unreasonable or vexatious if the person making the complaint does so either face-to-face, by telephone, or in writing or electronically:

- Maliciously;
- Aggressively;
- Using threats, intimidation or violence;
- Using abusive, offensive or discriminatory language;
- Knowing it to be false;
- Using falsified information;
- Publishing unacceptable information in a variety of medium such as in social media, websites and newspapers.

Complainants should limit the number of communications with the school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Trust will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Trust will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact a school or the 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 usually be reviewed after 6 months.

If a complainant's behaviour is deemed to be vexatious and/or unreasonable under the terms of this policy, we may write to them to inform him/her that their complaint is closed and that the Trust will not respond to any further correspondence on the issue, or a closely related issue. In these circumstances, records of the unreasonable or vexatious communications would be made available to the DfE on request.

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 barring an individual from the school and Trust premises.

Appendix G - Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If an individual's behaviour is a cause for concern, a school can ask them to leave the school premises. In serious cases, the Headteacher or the Trust can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the individual may wish to make.

This is a Headteacher decision but is subject to review by the Chair of the Local Governing Body. We will always give parent/s and carer/s the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed within 5 school days, taking into account any representations made by the parent/carer. The decision will then either be confirmed or overturned. If the decision is confirmed the parent/carer should be notified in writing without delay, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or the Chair of the Local Governing Body. This will be dealt with by a formal response from the relevant person.