

Complaints Policy and Procedures

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10	September 2025	Cyclical review. Updated to reflect the current models from GovernorHub (The Key) and Schools HR and to clarify the procedures.

This policy will be subject to ongoing review and may be amended prior to the scheduled date of the next review in order to reflect changes in legislation, statutory guidance, or best practice (where appropriate).

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1. Aims

The Eden Academy (the Trust) aims to meet its statutory obligations when responding to complaints from parents/carers of pupils at the school, and others.

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
- Treat complainants with respect and courtesy
- Make sure any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school and trust improvement evaluation processes

We try to resolve 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 make sure we publicise the existence of this policy and make it available on our website, and on the websites of our schools.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents/carers of pupils in our trust.

It is also based on guidance published by the Department for Education (DfE) on [How to Complain about a school to the Department for Education - GOV.UK](#)

This policy complies with our funding agreement and articles of association.

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the trust's fulfilment of Early Years Foundation Stage (EYFS) requirements.

3. Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at one of The Eden Academy (the Trust) schools. Any person, including members of the public, may make a complaint to the Trust or one of its schools, about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

4. 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'*.

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. The Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Head¹, will ask another staff member to handle your concern. Similarly, if the member of staff directly involved feels unable to deal with your concern, the Head 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.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the Trust/school will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

5. How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Complaints against school staff, except the Head², should be made in the first instance, to the Head via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Head should be addressed to the Trust's Governance Professional board.clerk@theedenacademy.co.uk. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer, Chair of the Board of Trustees, any individual Trustee, the Board of Trustees should be addressed to the Trust's

¹ For the purposes of this policy, Head refers to the Headteacher, Head of School or Executive Head as appropriate

² If the nature of the concern or complaint relates to a member of the Trust's central team, the Head may assign the concern/complaint to the relevant service lead or director.

Governance Professional via board.clerk@theedenacademy.co.uk. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at Appendix 1. If you require help in completing the form, please contact the school office or the Trust's Governance Professional. You can also ask a third-party organisation for example like the 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 or languages, assisting complainants in raising a formal complaint or holding meetings in accessible locations, including via video call.

6. Anonymous complaints

We will not normally investigate anonymous complaints. However, the Head or Chair of the Board of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

7. Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay.

7.1. Complaints received outside of term time

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

8. Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by the Trust and its schools, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exception	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
Concerns about admissions should be handled through a separate process – either	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.

Exception	Who to contact
through the appeals process or via the local authority	If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
Exclusion of children from school Complaints about the application of the behaviour policy can be made through the complaints procedure	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for 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 . Volunteer staff who have concerns about our school should complain through this complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
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.

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 or the Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

9. Resolving complaints

At each stage in the procedure, the Trust wants 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.

10. Withdrawal of a complaint

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

11. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

11.1. Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the trust's fulfilment of the Early Years Foundation Stage (EYFS) requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. Schools will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that a school is not meeting Early Year Foundation Stage requirements, by:

- Calling 0300 123 4666
- Emailing enquiries@ofsted.gov.uk
- Using the online contact form available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>

Schools will notify parents and carers if they become aware that they are to be inspected by Ofsted. Schools will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

12. Stage 1 – Informal complaints

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

Concerns should be raised with the class teacher or Head. Complainants should not approach individual Trustees or Local Advisory Board members to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at a later stage of the procedure.

The person dealing with the complaint should provide a written acknowledgement to the complainant within **5 school days**, not including school or public holidays, of receiving the complaint. A copy of the Trust's Complaints Policy and Procedure should be provided at the same time.

On completion of the investigation, a written response to the complaint should be provided to the complainant within **10 school days**³, not including school or public holidays, of the school's written acknowledgement of the complaint to the complainant.

The written response (**which should be endorsed by the Head**) should contain an outline of the complaint, the response to the complaint, the decisions reached and the reasons for those decisions. This can include:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern was not substantiated by the evidence
- The concern was substantiated in part or in full. Some details may then be given of the action that the school may be taking to review procedures etc. but details of the investigation or of any disciplinary procedures should not be released.
- The matter has been fully investigated and that appropriate procedures are being followed which may be strictly confidential (e.g. where staff disciplinary procedures are being followed).

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

13. Stage 2 – Formal complaints

Formal complaints must be made to the Head (**unless they are about the Head**⁴), via the school office.

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 and have the matter considered by the Head (unless it is about the Head), via the school office. This may be done in person or in writing, preferably on the Complaint Form within **10**

³ All references to school days in this policy exclude school and/or public holidays

⁴ In which case they should be sent to the Trust's Governance Professional via board.clerk@theedenacademy.co.uk

school days of receiving the Stage One written response, stating their reasons for progressing to Stage Two.

The Head will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) **within 5 school days**.

Within this response, the Head will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Head can consider whether a face-to-face meeting is the most appropriate way of doing this.

Note: The Head may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the Head (or investigator) will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Head will provide a formal written response **within 10 school days** of the date of receipt of the request to escalate to Stage 2.

If the Head is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust will take to resolve the complaint.

The Head will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Head, the CEO or other senior leader, a member of the Trust's central team, a Trustee or Local Advisory Board (including the Chair or Vice/Deputy-Chair), the following will receive the complaint and assign a suitable senior leader or suitable skilled Trustee to complete all the actions at Stage 2.

Complaint about	Complaint managed by	Investigation assigned to
Head	CEO	Senior leader
A member of the Trust's central team	Service lead or relevant Director	Another service lead , Head or Director
CEO	Chair of the Board of Trustees	Suitably skilled Trustee
Other senior leader	CEO	CEO, senior leader or suitably skilled Trustee

If the complaint is about the Head, the CEO (or other senior leader), a member of the Trust's central team, a Trustee or Local Advisory Board (including the Chair or

Vice/Deputy-Chair), a senior leader or suitably skilled Trustee will be appointed to complete all the actions at Stage 2. Such complaints must be made to the Trust's Governance Professional, via email to board.clerk@theedenacademy.co.uk.

If the complaint is:

- Jointly about the Chair and Deputy Chair of the Board of Trustees,
- The majority of or the entire Board of Trustees,
- A member of the Trust's central team

Stage 2 will be escalated to the CEO of the Trust.

14. Stage 3 – 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 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Trust's Governance Professional, via email to board.clerk@theedenacademy.co.uk **within 10 school days** of receipt of the Stage 2 response.

The Trust's Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) **within 5 school days**.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Trust's Governance Professional will write to the complainant to inform them of the date of the meeting. The complainant must be notified of the date, time, and location of the review panel **at least 10 school days** in advance.

If the complainant rejects the offer of three proposed dates, without good reason, the review panel reserves the right to convene at their convenience rather than that of the complainant and it will then proceed in the complainant's absence on the basis of written submissions from both parties.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Other than in exceptional circumstances, which would need to be agreed by the review panel in advance, neither party should bring legal representatives to the committee meeting. If a school employee is called as a witness in a complaint meeting, they may wish to be supported by union representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Trust's Governance Professional, or their representative, will:

- Confirm and notify 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
- Request copies of any further written material to be submitted to the committee **at least 5 school days before the meeting**.

Any written material will be circulated to all parties **at least 3 school days before the date of the meeting**⁵. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. 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/Trust's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, **within 10 school days**.

The letter to the complainant will include details of how to contact the DfE if they are dissatisfied with the way their complaint has been handled by the Trust.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the

⁵ The Trust's Governance Professional will endeavour to circulate this at the time of notification of the meeting date, with any additional material subsequently provided made available to both parties at least 3 school days in advance of the meeting.

person complained about. Furthermore, they will be available for inspection on the school premises by the Members and the Head.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All 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 2008 Act requests access to them.

15. Complaints escalated to / about the Trust, CEO or Trustee

If a complaint is escalated to the Trust or if a complainant wishes to complain directly about the Trust, then the complaint should be sent to the CEO to be investigated.

The CEO will write to the complainant acknowledging the complaint **within 5 school days** of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome **within 10 school days** of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant **within 5 school days** of the date that the letter was received, explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Deputy-Chair for investigation.

NB. Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Trust's Governance Professional asking for the complaint to be heard before a Complaint Panel, **within 10 school days** of receipt of the Stage 2 response.

The Trust's Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) **within 5 school days**.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Trust's Governance Professional will write to the complainant to inform them of the date of the meeting. The complainant must be notified of the date, time, and location of the review panel **at least 10 school days** in advance.

If the complainant rejects the offer of three proposed dates, without good reason, the review panel reserves the right to convene at their convenience rather than that of the complainant and it will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- Jointly about the Chair and Deputy-Chair or
- The entire Trust Board or
- The majority of the Trust Board

Stage 3 will be heard by a completely independent committee panel.

The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, or have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Other than in exceptional circumstances, which would need to be agreed by the review panel in advance, neither party should bring legal representatives to the committee meeting. If a Trust employee is called as a witness in a complaint meeting, they may wish to be supported by union representation.

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Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Trust's Governance Professional will:

- Confirm and notify 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
- Request copies of any further written material to be submitted to the committee **at least 5 school days** before the meeting.

Any written material will be circulated to all parties **at least 3 school days⁶** before the date of the meeting. The committee will not normally accept, as evidence,

⁶ The Trust's Governance Professional will endeavour to circulate this at the time of notification of the meeting date, with any additional material subsequently provided made available to both parties at least 3 school days in advance of the meeting.

recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. 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 systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, **within 10 school days**.

The letter to the complainant will include details of how to contact the DfE if they are dissatisfied with the way their complaint has been handled by the Trust.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Members and the Head.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All 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 2008 Act requests access to them.

16. Next Steps

If the complainant believes the Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably

in the exercise of their duties under education law, they can contact the DfE after they have completed Stage 3.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by the Trust. They will consider whether the 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.

Details of how to refer a complaint to the DfE can be found in its guidance document, [How to Complain about a school to the Department for Education - GOV.UK](https://www.gov.uk/guidance/how-to-complain-about-a-school-to-the-department-for-education)

17. Serial, persistent, unreasonable and vexatious complainants

There will be occasions when, despite all stages of the complaints procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue, the school can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as ‘serial’ or ‘unreasonable’ or even ‘vexatious’ and the school may choose not to respond.

In these circumstances, the guidance set out in Appendix 3 should be followed.

Appendix 1: Complaint Form

Please complete and return to the Trust's Governance Professional (board.clerk@theedenacademy.co.uk) who will acknowledge receipt and explain what action will be taken.

Your name
Pupil's name (if relevant)
Your relationship to the pupil (if relevant)
Address
Postcode
Daytime telephone number
Evening telephone number
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
Signature
Date
OFFICIAL USE ONLY
Date acknowledgement sent
By whom
Complaint referred to
Date

Appendix 2: Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- Explain the complaint in full as early as possible
- Co-operate with the school in seeking a solution to the complaint
- Respond promptly to requests for information or meetings or in agreeing the details of the complaint
- Ask for assistance as needed
- Treat all those involved in the complaint with respect
- Refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - Interviewing staff and children/young people and other people relevant to the complaint
 - Consideration of records and other relevant information
 - Analysing information
- Liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- Conduct interviews with an open mind and be prepared to persist in the questioning
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- Ensure that any papers produced during the investigation are kept securely pending any appeal
- Be mindful of the timescales to respond
- Prepare a comprehensive report for the head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Head or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

This could be the Head, Regional Director, CEO / designated Trustee or other staff member providing administrative support.

The complaints co-ordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure
- Liaise with staff members, head teacher, CEO, Chair of Governors, Chair of Trust or the Trust's Governance Professional and to ensure the smooth running of the complaints procedure
- Be aware of issues regarding:
 - Sharing third party information
 - Additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- Keep records.

Governance Professional

The Governance Professional is the contact point for the complainant and the committee and should:

- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- Set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- Collate any written material relevant to the complaint (for example: stage 1/2 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- Ensure the meeting is minuted
- Ensure the minutes of the meeting are circulated
- Ensure all parties are notified of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- Both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting

- The meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- Complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- The remit of the committee is explained to the complainant
- Written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- Both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- The issues are addressed
- Key findings of fact are made
- The committee is open-minded and acts independently
- No member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- The meeting is minuted
- They liaise with the panel clerk and Governance Professional.

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Committee Member

Committee members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so

No governor / trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- Many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint.

Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- The welfare of the child/young person is paramount.

Appendix 3: Guidance on dealing with serial, persistent, unreasonable and vexatious complainants

Serial or persistent complainants

Schools (or the Trust) should not ordinarily refuse to accept further correspondence or complaints from an individual they have had repeat or excessive contact with. The application of a “serial or persistent” marking should be against the **subject or complaint** itself rather than the complainant so where a complainant contacts the school again on the same issue, that correspondence may be viewed as serial or persistent.

Unreasonable complainants

The Trust defines unreasonable behaviour as that which hinders its consideration of the complaint because of the frequency or nature of the complainant’s contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on
- 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 progresses
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the Trust’s complaint procedure has been fully and properly implemented and completed including referral to the Education & Skills Funding Agency
- seeks an unrealistic outcome
- 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.

Frivolous or vexatious complaints

The Trust defines a “frivolous” or “vexatious” complaint as having the following characteristics:

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

Dealing with serial, persistent, unreasonable, frivolous and vexatious complaints

Where a school or the Trust receives complaints considered to be serial, persistent, unreasonable, frivolous and/or vexatious it can make a decision to stop responding to the complainant. The decision to stop responding should never be taken lightly and the following considerations will apply:

- whether the school/Trust has taken every reasonable step to address the complainant’s concerns
- whether the complainant has been given a clear statement of the school/Trust’s position and their options
- whether the complainant contacts the school/Trust repeatedly, making substantially the same points each time.

The case to stop responding to the complainant is stronger where:

- the complainant’s letters, emails, or telephone calls are often or always abusive or aggressive
- the complainant makes insulting personal comments about or threats towards staff
- the school/Trust has reason to believe that the complainant is contacting the school with the intention of causing disruption or inconvenience

Once the school/Trust has decided that it is appropriate to stop responding, it will need to inform the complainant.

NB: The school should not stop responding just because the complainant is difficult to deal with or asks complex questions.

Appendix 4: Summary of Part 7 of the Education (Independent School Standards) Regulations 2014

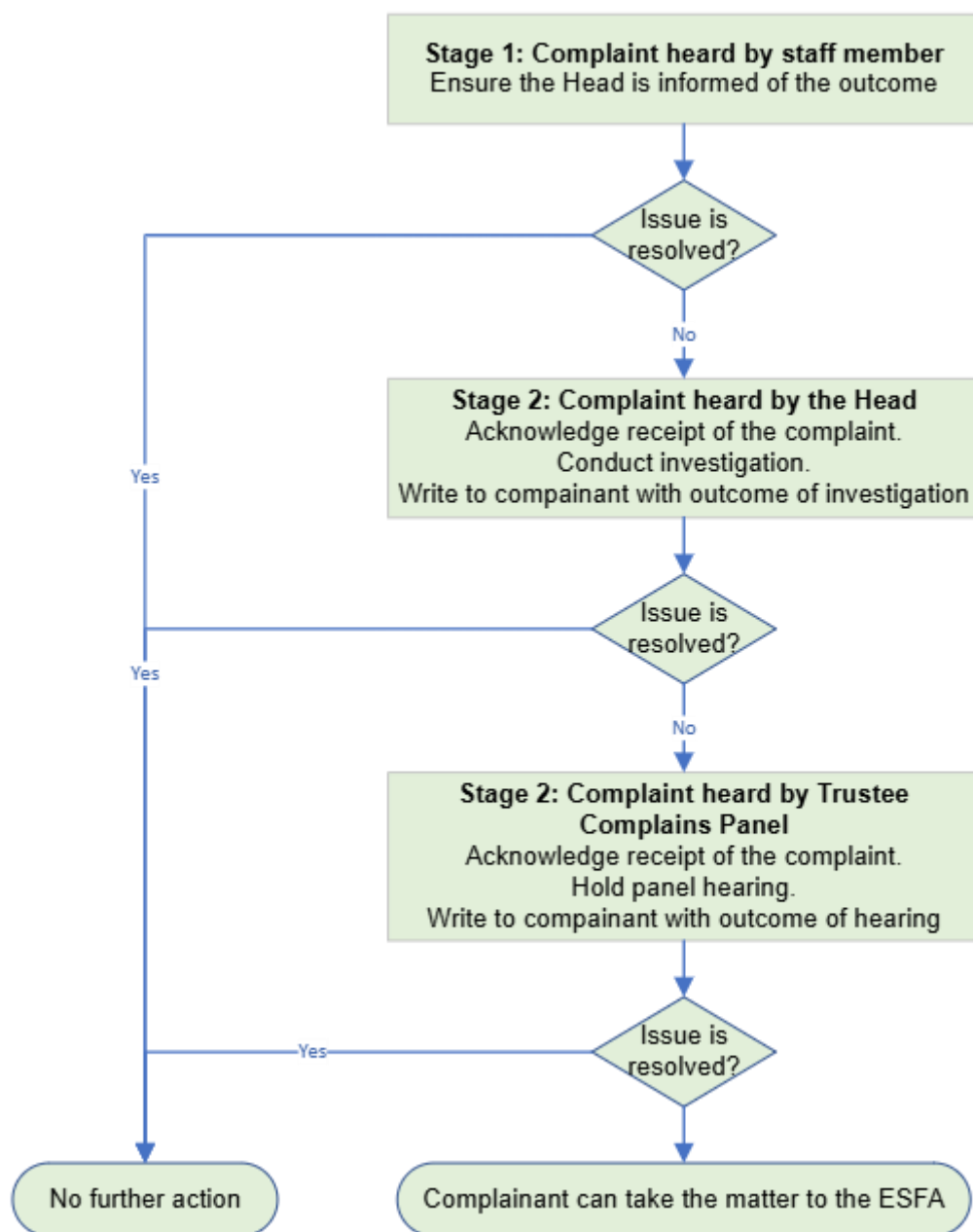
“Manner in which complaints are handled”

Part 7 of the Education Regulations 2014 requires that:

A complaints procedure is drawn up and effectively implemented which deals with the handling of complaints from parents of pupils which –

- (a) is in writing;
- (b) is made available to parents of pupils;
- (c) sets out timescales for management of the complaint;
- (d) allows for a complaint to be made and considered initially on an informal basis;
- (e) where the parent is not satisfied with the response to the complaint made in accordance with (d) above, establishes a formal procedure for the complaint to be made in writing;
- (f) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (e) above, makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint;
- (g) ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school;
- (h) allows for a parent to attend and be accompanied at a panel hearing if they wish;
- (i) provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is—
 - i. provided to the complainant and, where relevant, the person complained about; and
 - ii. available for inspection on the school premises by the proprietor and the head teacher;
- (j) provides for a written record to be kept of all complaints that are made in accordance with sub-paragraph (e) and—
 - i. whether they are resolved following a formal procedure, or proceed to a panel hearing; and
 - ii. action taken by the school as a result of those complaints (regardless of whether they are upheld); and
- (k) provides that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Appendix 5: Flowchart - summary of dealing with complaints



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Where the concern/complaint relates to a member of the Trust's Central team, the Head may assign it to the relevant Service Lead or Director (see appendix 7). Complaints relating to the CEO, or one or more Trustees, the complaint will be managed as set out in appendix 7.

Appendix 6: Checklist for a panel hearing

The panel needs to take the following points into account:

- Panel hearings may be held in person, remotely (via Teams or Zoom) or a hybrid of these options, to facilitate the attendance of panel members, the complainant and/or witnesses.
- Panel hearings will not be recorded unless this is requested as a reasonable adjustment and agreed by all parties.
- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head may question both the complainant and the witnesses after each has spoken.
- The Head is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Head and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties will hear from the panel within a set time scale.

Appendix 7: Summary of complaint stages

All complaints will be subject to a 3-stage approach. Who manages each stage depends on whether the complaint relates to a school, a central service, a Head or other senior leaders, or a member of the Trust's governance community as summarised below.

Complaint against	Stage 1 - referred to and heard by	Stage 2 – heard by	Stage3 – heard by
School	Member of staff	Head	Complaint Appeal Panel comprising 3 members drawn from the Board of Trustees, LAB members (excluding any parent or staff representative from that school), Academy Trust Members or Trust senior leaders of which at least 1 will be a Trustee and one independent of the management of the school
Headteacher	CEO	Board Chair	Complaint Appeal Panel comprising 3 members including 2 Trustees and 1 member independent of the management of the Trust
Central team	Relevant member of the Trust's central team	CEO	Complaint Appeal Panel comprising 3 members drawn from the Board of Trustees, Academy Trust Members or Trust senior leaders of which at least 1 will be a Trustee and 1 will be independent of the management of the Trust
CEO	Board Chair	Independent reviewer	Complaint Appeal Panel comprising 3 members including 2 Trustees and 1 member independent of the management of the Trust

Complaint against	Stage 1 - referred to and heard by	Stage 2 – heard by	Stage3 – heard by
Member of the Trust's governance community excluding the Board Chair/Deputy-Chair	Trust Governance Profession and investigated by an impartial members of the Board	Chair of the Board of Trustees	Complaint Appeal Panel comprising 3 members including 2 Trustees and 1 member independent of the management of the Trust
Board Chair/Deputy Chair	Trust Governance Profession will seek and follow advice from the DfE's Regional Director		
Majority of or whole Board	Trust Governance Profession will seek and follow advice from the DfE's Regional Director		