

COMPLAINTS POLICY

This section should be completed following ratification of the Policy.

Audience	All school staff, Trustees, Members, parents and school community
Ratified	January 2023
Other Related Policies	Whistleblowing Policy, Code of Conduct & Safeguarding & Child Protection Policy
Policy Owner	Trust Board
Review Frequency	Annually in January

Ownership

Preston Hedges Trust is responsible for the production and maintenance of this document. It is issued by the clerk, clerk@prestonhedges.org to whom any change requests or queries should be directed.

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1. Aims

- 1.1 This is the complaints policy of the Preston Hedges Trust.
- 1.2 The aims of this policy and related procedures are to provide a framework for the resolution of complaints which:
 - 1.2.1 allows for their resolution informally and sets out the Trust's formal procedures where this is not achievable;
 - 1.2.2 is easily accessible and publicised, simple to understand and use and impartial and non-adversarial;
 - 1.2.3 enables a full and fair investigation by an independent person where necessary;
 - 1.2.4 respects people's desire for confidentiality;
 - 1.2.5 addresses all the points at issue and provides an effective response and appropriate redress, where necessary; and
 - 1.2.6 provides information to the Trust's Executive Team and Board so that services can be improved.

2. Scope and application

- 2.1 This policy applies to the whole Trust and each school including the Early Years Foundation Stage.
- 2.2 This policy applies to any expression of dissatisfaction however made about actions taken, or a lack of action, by the School or Trust where the parent seeks action by the School or Trust.
- 2.3 This policy applies only to complaints from each of the following:
 - 2.3.1 parents of current pupils;
 - 2.3.2 parents of former pupils if the complaint was initially raised when the pupil was registered at the School.
 - 2.3.3 members of the public. However, kindly note that in respect of complaints made by those who are not parents of students at the school, there is no obligation to follow the complaints policy in its entirety. Such complaints will be dealt with at Stage 2 of this procedure.
- 2.4 Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of the Trust's complaints procedures.

- 2.5 All parents should be aware that, regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, pupils or parents.
- 2.6 The Trust has separate grievance and whistleblowing policies and procedures for staff concerns.
- 2.7 The School will not investigate anonymous complaints under the procedure in this Complaints Policy. Anonymous complaints will be referred to the Principal who will decide what, if any, action should be taken.

3. Regulatory framework

- 3.1 This policy has been prepared to meet the Trust's responsibilities under:
- 3.1.1 Education (Independent School Standards) Regulations 2014;
 - 3.1.2 Statutory framework for the Early Years Foundation Stage;
 - 3.1.3 Education and Skills Act 2008;
 - 3.1.4 Childcare Act 2006;
 - 3.1.5 Equality Act 2010; and
 - 3.1.6 General Data Protection Regulations and Data Protection Act 2018
- 3.2 Dependent upon the nature of the complaint being made, other Trust policies, procedures and resource materials may also prove relevant and helpful.

4. Responsibility statement and allocation of tasks

- 4.1 The Trustees have overall responsibility for all matters which are the subject of this policy.
- 4.2 To ensure the efficient discharge of their responsibilities under this policy, the Trustees have allocated the following tasks:

Task	Allocated to	When Frequency / of Review
Keeping the policy up to date and compliant with the law and best practice	CEO & COO	As required, and at least annually

Monitoring the implementation of the policy	Exec Team	As required, and at least annually
Seeking input from interested groups (such as pupils, staff, Parents) to consider improvements to the School's processes under the policy		As required, and at least every two years
Formal annual review	Trustees	Annually

5. Publication and availability

- 5.1 This policy is published on the Trust website.
- 5.2 This policy is available in hard copy on request.
- 5.3 A copy of the policy is available for inspection from the school office by the next working day.
- 5.4 This policy can be made available in large print or other accessible formats if required.
- 5.5 Information regarding the number of complaints registered under the formal procedure of this policy during the preceding school year is available to parents of pupils and parents of prospective pupils and, on request, to the Chief Inspector, or the Secretary of State. The number of complaints registered under the formal procedure of this policy during the [2021 -22 school year was 1.]

6. Definitions and interpretation

6.1 Where the following words or phrases are used in this policy:

- 6.1.1 References to Parent, in relation to a child or young person, includes any person who is not a parent but who has parental responsibility, or has care of the child. This policy applies to any expression of dissatisfaction however made about actions taken, or a lack of action, by the School or Trust where a parent seeks action by the School or Trust.
- 6.1.2 References to the Principal are references to the Principal of the School..
- 6.1.3 References to the Trustees are references to the Trust Board

- 6.1.4 References to school days mean Monday to Friday, when the school is open during term time. The dates of terms are published on the school's website. In the event that the application of this definition is likely to introduce excessive delays, due to intervening School holidays, the School's and Trust's approach is to take sensible and reasonable steps so as to minimise any hardship or unfairness arising from such delays.

7. Timescales

- 7.1. Whenever possible, in the interests of a prompt resolution of issues a complaint should be raised within six months of the incident, or where a series of associated incidents have occurred, within six months of the last of these incidents. The Trust will however consider complaints made outside of this time frame if exceptional circumstances apply. A complaint raised outside this timescale should therefore include details of the issues which led to a delay. If this is not included the complaint will not be considered.
- 7.2 Timescales for each stage of the complaints procedure are set out below in the relevant paragraphs.
- 7.3 It is expected that the management of every complaint will progress in a timely manner.
- 7.4 The Trust aims to resolve all complaints efficiently and promptly and parents are encouraged to bring any matter causing concern to the school's attention as soon as possible.
- 7.5 Where there are exceptional circumstances resulting in a delay to the timescales for a stage of the complaints procedure, the Trust or School will notify the parents and inform them of the reasons for the delay and the new timescales as soon as possible.

8. Management of complaints

- 8.1 The Trust's policy allows for complaints to be considered at three stages:

Stage 1: Informal raising of a complaint. Further details of this procedure are set out in Appendix 1.

Stage 2: A formal complaint in writing. Further details of this procedure are set out in Appendix 2.

Stage 3: Reference to a complaints panel. Further details of this procedure are set out in Appendix 3.

- 8.2 Further details about how to make a complaint about the Principal, a Trustee, the Trust Board, a member of the executive team or members are set out in Appendix 4.
- 8.3 Separate statutory procedures apply to issues including child protection, admissions, exclusions, statutory assessments of special educational needs and the content of any resulting statutory plan (though concerns about the provision of SEN support at the school can be raised through this policy), school reorganisation proposals, whistleblowing, staff grievances and conduct dealt with under the school's internal disciplinary process, services by other providers who may use school premises or facilities (who should have their own complaints policy), matters dealt with by regulatory bodies such as the JCQ and the Education and Skills Funding Agency, as well as National Curriculum content .
- 8.4 Where a complaint is made against a member of staff, depending upon the nature and seriousness of the complaint, the matter may be dealt with under separate HR procedures which are strictly confidential, rather than under this Complaints Policy.
- 8.5 Parents requiring assistance with making a complaint at any stage of the procedure, for example because of a disability, should contact the person identified in Appendix 5 who will be happy to make appropriate arrangements.

9. Expected standards of behaviour

- 9.1 Attention is drawn to the information included in Appendix 6 which is drawn from the Department for Education's Best practice guidance for academies complaints procedures (March 2021).

10. Record keeping and confidentiality

- 10.1 All records created in accordance with this policy are managed in accordance with the Trust's policies that apply to the retention and destruction of records.
- 10.2 The Trust keeps a written record of all formal complaints, including the following:
- 10.2.1 whether they were resolved at Stage 2 or Stage 3.
 - 10.2.2 the action taken by the School or Trust as a result of the complaints (regardless of whether they are upheld).
- 10.3 In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.
- 10.4 Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where

disclosure is required in the course of an inspection or under other legal authority or court order.

- 10.5 A complaint about the fulfilment of the School's EYFS requirements will be made available to Ofsted on request.
- 10.6 The records created in accordance with this policy may contain personal data. The Trust has a number of privacy notices which explain how the Trust and school will use personal data about pupils and parents. The privacy notices are published on the Trust and school websites. In addition, staff must ensure that they follow the Trust's data protection policy and procedures when handling personal data created in connection with this policy. This includes the Trust's data protection policy and information security and sharing data guidance.
- 10.7 Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Complainants should make sure they obtain informed consent from all parties present before recording conversations or meetings.

11. Complaints to Ofsted

- 11.1 Parents have the right to contact Ofsted to complain but only when all the steps in the school's complaints procedure have been fulfilled. 11.2 Ofsted can be contacted on 0300 123 4666 or at enquiries@ofsted.gov.uk.]

12. Training

- 12.1 The Trust ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that leaders understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles.
- 12.2 The level and frequency of training depends on the role of the individual leaders.

Appendix 1 Stage 1 - Informal complaint

1. Informal resolution of a complaint

- 1.1 The Trust expects that most complaints can be resolved informally. For example, dissatisfaction about some aspect of teaching or pastoral care or a billing error should be able to be resolved by the relevant member of staff.

Who to contact

- 1.2 Where appropriate, complaints should initially be raised as follows:

- 1.2.1 **educational issues:** if the matter relates to the classroom, the curriculum or special educational needs, please speak or write initially to: the Class Teacher.
- 1.2.2 **pastoral care:** for complaints relating to matters outside the classroom, please speak to a member of the Senior Leadership Team.
- 1.2.3 **staff issues:** for complaints relating to members of staff, including members of the Trust central function, please speak or write to: the Principal.
- 1.2.4 **disciplinary matters:** a problem over any disciplinary action taken or a sanction imposed should be raised first of all with: a member of the Senior Leadership Team or Principal.

- 1.3 An informal complaint will be acknowledged by telephone, email or letter within 3 school days of receipt, indicating the action that is being taken and the likely timescales. Such action may include an investigation and / or a meeting with the parent.
- 1.4 Wherever appropriate, the school will ask the parent at an early stage what they think might resolve the issue.
- 1.5 The parent will receive a response to the complaint within 15 school days.
- 1.6 If the parent is dissatisfied with the response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure as set out in Appendix 2.

Appendix 2 Stage 2 - Formal complaint in writing

1 How to make a formal complaint

- 1.1 Complaints will usually only progress to Stage 2 after first being considered at the informal stage and only then if the parent indicates that they wish to escalate a matter to the formal stage.
- 1.2 The formal complaint must be made in writing. This should be returned in an envelope addressed to the Principal and should include:
 - 1.2.1 a copy of all relevant documents and full contact details; and
 - 1.2.2 details of all the grounds of the complaint and the outcome desired.
- 1.3 The complaint will be acknowledged by telephone, email or letter within The timeframes indicated in paragraphs 6.14 and 7.

2 Investigation

- 2.1 The subject matter of the complaint will be investigated in the most appropriate manner, which may include some or all of the following steps:
 - 2.1.1 delegation of the investigation to a senior member of staff;
 - 2.1.2 request for additional information from the parent, including what they think might resolve the issue (if not already requested under Stage 1); and
 - 2.1.3 request for a conversation and / or a meeting with the parent personally and / or others with relevant knowledge of the circumstances;
 - 2.1.4 the Chief Executive Officer will be made aware of all stage 2 formal complaints (this can be in the form of a generic termly update or a specific notification if a complaint is serious. Where a specific notification of a complaint is made, it will not be appropriate for the Chief Executive Officer to sit on any subsequent Stage 3 panel).
- 2.2 Written records will be kept of all meetings and interviews held in relation to the complaint. Where the investigation has been delegated to a senior member of staff, they will prepare a report on the investigation which will be considered by the Principal. Personal data may be redacted, and names anonymised or cyphered in line with data protection principles.

3 Decision

- 3.1 The Principal will notify the parent by email or letter of their Stage 2 decision and the reasons for it within 20 school days from the receipt of the formal complaint in writing.
- 3.2 If the parent is dissatisfied with the Stage 2 response to the complaint, the parent can request that the complaint be referred to a Complaints Panel under Stage 3 using the procedure set out in Appendix 3.
- 3.3 Early Years Foundation Stage (EYFS): Parents of pupils in the EYFS setting will be notified of the outcome of the investigation within 20 school days of the complaint being received.

Appendix 3 Stage 3 - Complaints Panel

1 Complaints Panel hearing

- 1.1 If a parent is dissatisfied with the Stage 2 response to the formal complaint, the parent can request a Complaints Panel hearing.
- 1.2 A Complaints Panel Hearing (Hearing) is a Hearing to consider those elements of the Stage 2 response to the parent's formal complaint with which the parent remains dissatisfied. The Complaints Panel (Panel) is not obliged to consider any new complaints which have not been previously raised.

2 How to request a Hearing

- 2.1 A request for a Hearing must be put in writing via clerk@prestonhedges.org within 5 school days of receiving the Stage 2 decision letter and will only be considered if the procedure at Stage 2 has been completed. It is expected that the complaints procedure will progress in a timely manner.
- 2.2 The written request should include:
 - 2.2.1 a copy of all relevant documents and full contact details;
 - 2.2.2 details of all the grounds of the complaint and the outcome desired;
 - 2.2.3 a list of the documents which the parents believe to be in the school's possession and wish the complaints panel to consider; and
 - 2.2.4 whether the parent proposes to be accompanied to the hearing by someone who is legally qualified (see paragraph 3.5 below).
- 2.3 The clerk will acknowledge the request for a Hearing in writing within 3 school days of receipt.
- 2.4 Every effort will be made to enable the Hearing to take place within 20 school days of receipt of the request, unless there are exceptional circumstances. If the complainant rejects the offer of three proposed dates, without good reason, the Trust 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.
- 2.5 Parents may withdraw their request for a Hearing at any point up to and including the intended date of the Hearing.

3 Planning the Hearing

- 3.1 The Trust will send written notification to each party of the date, time and place of the Hearing at least 10 school days before the date of the Hearing.
- 3.2 Copies of any documents (additional to those specified in 2.2.1 and 2.2.3) that the parent wishes the complaints panel to consider should be sent to the person co-ordinating the hearing and be received at least 5 school days prior to the Hearing.
- 3.3 The Trust will circulate a copy of the bundle of documents to be considered by the complaints panel to all parties at least 3 school days prior to the Hearing.
- 3.4 The names of individuals other than the Complainant, the Complainant's family, members of the school's staff and Trustees, will be redacted and replaced with a letter relevant to that particular individual (for example "Jane Brown" will be replaced with "A" throughout, "John Jones" will be replaced with B throughout) unless they have provided their written consent for their name to be disclosed.
- 3.4 The parent may be accompanied at the Hearing, for example by a relative or friend. The Hearing is an internal proceeding, not legal proceedings. Legal representation is not necessary, and will not normally be appropriate, and the role to be played by any legal representative will be at the discretion of the Panel Chair. The Trust must be given 5 school days' notice if the parents wish to be accompanied by a person who is legally qualified.
- 3.5 As set out in 2.2.4 above, the parent is required to notify the Trust if they wish to be accompanied by someone who is legally qualified in their initial request for a Hearing. The parent should note that the Panel will wish to speak to them directly. The legally qualified person will not be permitted to act as an advocate or to address the Panel unless invited to do so by the Chair of the Panel.
- 3.6 A person will be appointed to take a minute of the Hearing.

4. Witnesses

- 4.1 The Chair of the Complaint Panel will decide, at his or her absolute discretion, which witnesses will be permitted to attend the Complaint Panel Hearing to give a verbal statement rather than relying on a written statement or record of meeting which have been signed by the witness.
- 4.2 If the Complainant wishes to rely on the account of a witness, they should ask the witness to write down, sign and date their account and forward it to the Trust **at least 5 school days** before the Complaint Panel Hearing, to enable the Trust to forward it to the School's Representative and the Complaint Panel members.

- 4.3 Witnesses under the age of eighteen other than the Complainant's own family will only be allowed to attend the Complaint Panel Hearing at the discretion of the Chair of the Complaint Panel, and then only if they are accompanied by one of their parents or carers. Any written accounts provided by the Complainant relating to witnesses under the age of eighteen must be signed and dated by the witness **and** one of the witness' parents or carers.

5 Composition of the Complaints Panel

- 5.1 The Panel will comprise at least three individuals, selected by the Trust who have no detailed prior knowledge of the circumstances of the complaint and will include Trustees and at least one panel member who is independent of the management and running of the School and Trust.
- 5.2 The parent may ask the Trust to inform them who has been appointed to sit on the Panel ahead of the Hearing. Fair consideration will be given to any reasonable objection to a particular member of the Panel.
- 5.3 The Panel members will appoint one of themselves to be the Chair of the Panel throughout the proceedings.

6 Role of the Complaints Panel

- 6.1 The role of the Panel is to review the process and the decision reached at Stage 2, and to consider on the balance of probabilities, whether or not to uphold each complaint.

7 The Hearing

- 7.1 The Hearing will proceed notwithstanding that the parent may decide not to attend. In these circumstances, the Panel should consider the parent's complaint in their absence and make findings on the substance of the complaint.
- 7.2 During the Hearing, the parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account at its discretion.
- 7.3 All statements made at the Hearing will be unsworn. The parties will be entitled to write their own notes for reference purposes.
- 7.4 All those present during the Hearing are expected to show courtesy, restraint and good manners or, after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair of the Panel. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and their comment will be minuted.

- 7.5 The Chair of the Panel may, at their discretion, adjourn the Hearing if they consider it appropriate to do so. This may include an adjournment for the parties to take legal advice on a specific issue arising.
- 7.6 A Hearing before the Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.
- 7.7 When the Chair of the Panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, they will conclude the Hearing.

8 Decision

- 8.1 The Panel will make findings about each complaint on the balance of probabilities and may make recommendations to the school and/or Trust.
- 8.2 The Complaint Panel will decide which facts are established to be true, on a balance of probabilities (i.e. more likely than not). If a fact is not deemed relevant, the Complaint Panel will not consider it further. The Complaint Panel will make a written record of the facts that have been established, those which have not been established and those which are not relevant, with their reasons for making these findings.
- 8.3 It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils or parents, although the complaints panel may make recommendations.
- 8.4 The Trust will write within 10 school days of the Complaint Panel Hearing to the:
- Complainant;
 - The School's Representative;
 - Any person complained about.
- 8.5 The letter will identify each of the issues complained about, summarise how the Complaint Panel Hearing proceeded, and confirm each of the Complaint Panel's findings of fact and recommendations, if any, with reasons. The letter will also confirm that, if the Complainant believes that this Complaints Policy does not comply with the Regulations, or that the School has not followed the procedure outlined in this Complaints Policy, the Complainant may refer their complaint to the Education and Skills Funding Agency for further consideration. Copies of Complaint Panel hearing minutes will also be provided on request to the complainant.

- 8.6 The Trust will also ensure that a copy of the Complaint Panel's findings and recommendations are made available on the school's premises for inspection by the Trust and the Principal.
- 8.7 The completion of Stage 3 represents the conclusion of the Trust's complaints procedure.

9 Referral to the Education and Skills Funding Agency (ESFA)

- 9.1 If the Complainant believes that this Complaints Policy does not comply with the Regulations, or that the Trust has not followed the procedure in this Complaints Policy, the Complainant can refer the complaint to the Education and Skills Funding Agency for consideration.
- 9.2 The Complainant can find further information about referring a complaint to the ESFA by pasting this page into an Internet browser:
- <http://www.education.gov.uk/schools/leadership/schoolperformance/b00212240/making-complaint-school/complaints-free-schools-academies>
- 9.3 The Complainant should be aware that the ESFA will not usually investigate the complaint itself, or interfere with the findings of the Complaint Panel, unless the decision made was manifestly unreasonable.

Appendix 4 **Complaints about the Executive Principal, Principal, a Trustee, the Trust Board, a member of the executive team or members**

1. If the complaint is about the Principal or Trustee (including either the Chair or Vice-Chair), a suitably skilled trustee or the Chief Operating Officer will be appointed to complete all the actions at Stage 2 of this procedure.
2. Complaints about the Principal or a Trustee must be made to clerk@prestonhedges.org
3. If the complaint is about a member of the Trust's Executive team (for example the Chief Executive Officer), the complaints should be made via clerk@prestonhedges.org
4. Complaints about the Trust's members will be rare but any such complaints should be made via clerk@prestonhedges.org and a Trustee will be appointed to complete all the actions at Stage 2.

4.1 If the complaint is:

Jointly about the Chair and Vice Chair of the Trust Board

The entire board; or

The majority of the Trust Board

Then, depending on the circumstances, Stage 2 may be considered by an independent investigator appointed by the Trust.

4.2 Stage 3 may be heard by an independent panel if the complaint is about the Trust Board

4.3 At the conclusion of their investigation, the independent investigator (and at Stage 3, the independent panel) will provide a formal written response.

Appendix 5 **Assistance with making a complaint**

Please contact Catherine Gautrey via catherine.gautrey@prestonhedges.org for assistance with making a complaint.

Appendix 6 Unreasonable complaints

- 1 The Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. It will not normally limit the contact complainants have with it. However, it does not expect its staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.
- 2 The Trust adopts the Department for Education definition of unreasonable complainants as those who, because of the frequency or nature of their contacts with the School or Trust, hinder consideration of their or other people's complaints. Unreasonable complaints are taken seriously by the Trust as they put a strain on valuable resources and hinder the progress of proper investigations.
- 3 The Trust may judge that a complaint is unreasonable by assessing a number of factors, including those that are outlined below.
- 4 A complaint may be regarded as unreasonable when the person making the complaint:
 - 4.1 refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
 - 4.2 refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
 - 4.3 refuses to accept that certain issues are not within the scope of a complaints procedure;
 - 4.4 insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
 - 4.5 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;
 - 4.6 makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
 - 4.7 changes the basis of the complaint as the investigation proceeds;
 - 4.8 repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);

- 4.9 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;
 - 4.10 seeks an unrealistic outcome;
 - 4.11 makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- 5 A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:
- 5.1 maliciously;
 - 5.2 aggressively;
 - 5.3 using threats, intimidation or violence;
 - 5.4 using abusive, offensive or discriminatory language;
 - 5.5 knowing it to be false;
 - 5.6 using falsified information;
 - 5.7 publishing unacceptable information in a variety of media such as on social media websites and newspapers.
- 6 A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of formal procedure. In assessing this, the Trust shall have regard to all the circumstances of the case and the nature of the complaint itself rather than the nature of the complainant. In assessing all of the circumstances of the case the Trust will consider a range of factors including:
- 6.1 whether a complaint has reasonable foundation;
 - 6.2 the history and context of the complaint (and any evidence where relevant);
 - 6.3 whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of;
 - 6.4 whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;
 - 6.5 unexplained delay in raising a complaint or issue;

6.6 if the purpose of the complaint is to obtain an outcome which is unavailable via the complaints procedure, such as a claim for compensation, damages or a refund of fees paid;

6.7 any evidence of a complaint being brought for an improper purpose.

- 7 Whenever possible, the Principal will discuss any concerns with the complainant informally before dismissing a complaint as unreasonable. The Principal will normally only do so after consultation with the Chief Executive Officer.
- 8 If the behaviour continues, the School or Trust will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.
- 9 For complainants who excessively contact the School or Trust causing a significant level of disruption, the School or Trust may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after 3 months.
- 10 In response to any serious incident of aggression or violence the School or Trust will immediately inform the police and communicate its actions in writing. This may include barring an individual from the school.
- 11 If the Complainant is unhappy with the decision not to investigate a persistent or serial complaint, they may write to the Chair of Trustees to ask for the decision to be reviewed. The Chair of Trustees will be provided with all documentation relating to the current complaint and any previous complaints which were relevant to the decision, together with the letter from the Trust to the Complainant and will review the decision not to investigate the complaint. The Chair of Trustees will **not** investigate the complaint itself during this review.
 - 11.1 The Chair of Trustees will write to the Complainant with the outcome of the review within 10 school days of the date that the letter from the Complainant seeking the review was received.
 - 11.2 If the Chair of Trustees overturns the decision not to investigate the concern or complaint, it will be referred to the School to be dealt with under the procedure in this Complaints Policy in the usual way.
 - 11.3 If the Chair of Trustees upholds the decision not to investigate the concern or complaint, the Complainant may refer the concern or complaint to the Education and Skills Funding Agency.