



Complaints Policy

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1. Aims

Our trust aims to meet its statutory obligations when responding to complaints from parents and carers of pupils at the school.

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
- 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 concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The Trust will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the Trust website, and on the websites of our schools.

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 of pupils in our Trust.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

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 requirements.

3. Definitions and scope

The DfE guidance explains the difference between a concern and a complaint:

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

A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

The Trust intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs disabilities (SEND)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with SEND about a school’s support are within the scope of this policy. Such complaints should first be made to the Academy Head; they will then be referred to this complaints policy. Our SEND policy and information report includes information about the rights of parents of pupils with disabilities who believe that our Trust, or a school within our Trust, has discriminated against their child.

Complaints about services provided by other providers who use Trust premises or facilities should be directed to the provider concerned.

4. Roles and responsibilities

4.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school and Trust throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Not publish details about the complaint on social media

4.2 The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the Academy Head or complaints committee/panel which includes the facts and potential solutions

4.3 Clerk to the Trust board

The clerk will:

- Be the contact point for the complainant and the complaints committee/panel, including circulating the relevant papers and evidence before complaints committee/panel meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

4.4 Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

5. 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

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

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

The Trust expects that complaints will be made as soon as possible after an incident arises, and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

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 requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The Trust will keep a record of the complaint (see section entitled 'Record Keeping' below) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that a school/the Trust is not meeting Early Years 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>

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

6. Summary of complaints procedure

We have adopted a 4-stage process for dealing with complaints:

- Stage 1 – informal resolution
- Stage 2 – formal investigation
- Stage 3 - panel hearing
- Stage 4 – review by the Trust Board

7. Stage 1: informal resolution

The Trust will take informal concerns seriously and make every effort to resolve that matter quickly.

The complainant should raise the complaint as soon as possible with the relevant person (see 8.1), either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact their school or Trust central office.

The Trust will acknowledge informal complaints within 5 working days, and provide a response within 28 working days.

The informal stage may involve:

- A meeting between the complainant and the Academy Head or relevant person within the Trust
- Provision of additional information or clarification
- Amendments to provision or practice
- Provision of additional support or guidance
- Mediation; in all cases we will appoint an independent mediator from the Trust mediation team to support the complainant through the process of this policy
- Conflict resolution

If the complaint is not resolved informally, it will be escalated to a formal complaint.

8. Stage 2: formal investigation

The formal stage involves the complainant putting the complaint into writing. This letter should provide details such as:

- Relevant dates and times
- The names of witnesses of events
- What the complainant feels would resolve the complaint

The letter should be submitted alongside copies of any relevant documents.

8.1 Addressing your complaint

Complaints that are school based and not involving the Academy Head should be directed to Academy Head. This can be done by:

- Email: refer to the contact us tab on the school website
- Letter addressed to the Academy Head, delivered to the school office

Complaints involving the Academy Head, Trust Central Team or a member of the Locality Committee should be directed to the CEO/Principal. This can be done by:

- Email: principal@consortiumacademy.org
- Letter addressed to the CEO/Principal, delivered to: The Consortium Trust, 27 Norwich Road, Halesworth, Suffolk, IP19 8BX

Complaints involving the CEO/Principal should be directed to the clerk to the Trust Board. This can be done by:

- Email: clerk@consortiumacademy.org
- Letter: The Consortium Trust, 27 Norwich Road, Halesworth, Suffolk, IP19 8BX
- If you are not sure where to address your complaint, contact the Trust central office.

8.2 Investigation

The complainant will receive written acknowledgement of their complaint within 5 working days.

The investigating officer (such as the Academy Head or the CEO) will then conduct their own investigation. The investigation may include:

- Reviews of relevant documents
- Interviews with pupils, parents and carers, staff and other involved parties

The written conclusion of this investigation will be sent to the complainant within 28 working days.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the investigating officer in writing within 10 working days.

9. Stage 3: panel hearing

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by or on behalf of the Trust and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the direct management and running of the school.

The panel will have access to the existing record of the complaint's progress (see section entitled 'Record Keeping' below). The Trust Board is responsible for ensuring that the panel is properly minuted.

The complainant must be notified of the date, time and location of the review panel at least 5 working days in advance. However, the review panel reserves the right to convene at their convenience rather than that of the complainant.



At the review panel hearing, the complainant and representatives from the school, as appropriate, will be present. Panel meetings may be held virtually or in person. Each will have an opportunity to set out written or oral submissions at the meeting.

The complainant is allowed to attend the panel hearing and be accompanied if they wish.

At the hearing, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school/Trust representative(s) will be given the chance to ask and reply to questions. Once the complainant and school/Trust representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the trust and where relevant the Academy Head.

The panel will inform those involved of the decision in writing within 28 working days.

10. Stage 4: review by the Trust Board

Where the school-based complaints procedure has been completed, and the complainant does not feel their complaint has been addressed to their satisfaction, they may contact the Trust Board in writing to request a review of the complaint investigation.

They can do this by:

- Email: chair@consortiumacademy.org
- Post: The Consortium Trust, 27 Norwich Road, Halesworth, Suffolk, IP19 8BX

The written request should include a summary of the complaint, along with any relevant dates, times and evidence.

The Trust Board will only investigate complaints where:

- The school/establishment did not comply with the complaints procedure
- The school or Trust's complaints procedure does not comply with statutory requirements
- The Trust has failed to comply with a duty imposed under its funding agreement

The Trust Board cannot overturn decisions on complaints made during the Trust's complaints procedure. However, it can assess whether the school/establishment considered the complaint appropriately.

If it is found that the school/establishment did not address a complaint appropriately, or that statutory requirements were not met, the Trust Board will require the complaint to be reconsidered within 28 working days. This also applies where adjustments must be made to the complaints procedure to bring it in line with statutory requirements.

10.1 Investigation

Where a complaint is raised with the Trust Board, the Trust's investigating officer will acknowledge the complaint in writing within 10 working days.

The school/establishment will be asked to provide the following within 10 working days:

- Details of other relevant policies and procedures
- An explanation of how each stage of the complaints procedure has been followed
- A response to the complaint, including relevant documents and correspondence

The investigating officer will provide a written response to the complaint within 28 working days.

11. Referring complaints on completion of the school and Trust procedures

If the complainant is unsatisfied with the outcome of the school or Trust complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly. The ESFA will not overturn the school or Trust's decision about a complaint. However, it will look into:

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

If the complaint was not dealt with properly, the school or Trust will be asked to re-investigate the complaint. If the complaints procedure is found not to meet regulations, the Trust will be asked to correct its procedure accordingly.

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

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

12. Persistent complaints

Where a complainant tries to re-open the issue with the school or Trust after the complaints procedure has been fully exhausted and the school or Trust has done everything it reasonably can in response to the complaint, the Chair of the Board of Trustees will inform the complainant that the matter is closed.

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

- The school or Trust has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school or Trust's position and their options (if any), *and*
- The complainant is contacting the school or Trust repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school or Trust will be most likely to choose not to respond if:

- There is reason to believe the individual is contacting the school or Trust with the intention of causing disruption or inconvenience, and/or



- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school or Trust staff

Unreasonable behaviour which is abusive, offensive, or threatening may constitute an unreasonably persistent complaint.

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

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

The Consortium Trust Policy for Handling Unreasonably Persistent, Harassing or Abusive Complainants

The Academy Head / CEO and Trust Board are fully committed to the improvement of our schools.

We welcome feedback from parents or carers and will always try to resolve any concerns as quickly as possible. The above procedure is for parents to use if they wish to make a formal complaint.

Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community.

What do we mean by 'an unreasonably persistent complainant'?

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include:

Actions which are:

- > out of proportion to the nature of the complaint, or
- > persistent – even when the complaints procedure has been exhausted, or
- > personally harassing, or
- > unjustifiably repetitious

An insistence on:

- > pursuing unjustified complaints and/or
- > unrealistic outcomes to justified complaints
- > pursuing justifiable complaints in an unreasonable manner (eg using abusive or
- > threatening language; or
- > making complaints in public or via a social networking site such as Facebook; or
- > refusing to attend appointments to discuss the complaint

What is 'harassment'?

We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

Behaviour may fall within the scope of this policy if:

- > it appears to be deliberately targeted at one or more members of school staff or others, without good cause;
- > the way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- > it has a significant and disproportionate adverse effect on the school community

The Trust expects anyone who wishes to raise concerns with the school/Trust to:

- > treat all members of the school community with courtesy and respect;
- > respect the needs of pupils and staff within the school;
- > avoid the use of violence, or threats of violence, towards people or property;
- > recognise the time constraints under which members of staff in schools work and
- > allow the school a reasonable time to respond to a complaint;
- > follow the school's complaints procedure

Schools' responses to unreasonably persistent complaints or harassment

This section is intended to be used in conjunction with the Trust's complaints procedure. Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty.

However, in cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- > inform the complainant informally that his/her behaviour is now considered by the Trust to be unreasonable or unacceptable, and request a changed approach;
- > inform the complainant in writing that the Trust considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints and Harassment;
- > require all future meetings with a member of staff to be conducted with a second person present, in the interests of all parties, notes of these meetings will be taken;
- > inform the complainant that, except in emergencies, the school will respond only to written communications

Physical or verbal aggression

Trust will not tolerate any form of physical or verbal aggression against members of the school community. If there is evidence of any such aggression the school may:

- > ban the individual from entering the school site, with immediate effect;
- > request an Anti-Social Behaviour Order (ASBO);
- > prosecute under Anti-Harassment legislation;
- > call the police to remove the individual from the premises, under powers provided by the Education Act 1996



Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/ Harassment procedure.

The school and Trust nevertheless reserves the right not to respond to communications from individuals subject to the Unreasonably Persistent Complaints/ Harassment procedure.

13. Record-keeping and confidentiality

The Trust will record the progress of all complaints, including information about:

- Actions taken at all stages
- The stage at which the complaint was resolved
- The final outcome

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

This material will be treated as confidential and stored securely, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept for 6 years.

The details of the complaint, including the names of individuals involved, will not be shared with the whole Trust Board in case a review panel needs to be organised at a later point.

Where the Trust Board is aware of the substance of the complaint before the review panel stage, the Trust will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Trust Board, who will not unreasonably withhold consent.

14. Learning lessons

The Trust Board will review any underlying issues raised by complaints with the Academy Head/CEO or appropriate staff member, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

The Trust Board will receive regular reports on the types of complaints received in each school in order to support the development of appropriate support structures, and to inform an improvements to procedures or practice.

15. Monitoring arrangements

The Trust Board will monitor the effectiveness of the school complaints procedure in ensuring that complaints are handled properly.

The Trust Board will track the number and nature of complaints, and review underlying issues as stated in the section entitled 'Learning lessons'.

The complaints records are logged and managed by the Clerk to the Trust Board

The CEO will monitor the effectiveness of the complaints procedure trust-wide.



This policy will be reviewed by CEO every 4 years.

At each review, the policy will be approved by Trust Board



Complaints Record:

Name of complainant:	
Name of school/setting/service complaint against:	
Name of person complaint is against:	
Date Received:	
Name of person acting as investigating officer:	
Name of person acting as internal mediator:	

Discuss with complainant whether the approach is a 'complaint' (then follow this process) or a 'concern' (then seek to resolve with a verbal discussion, preferably same day).

Ensure that any safeguarding issues/concerns are dealt with as a priority – if in any doubt discuss with a DSL

Stage 1: Informal Stage

Date:	Action/description:	Additional notes:	

Stage 2: Formal Stage

Date:	Action/description:	Additional notes:
	<i>Complainant to receive written acknowledgement</i>	<i>Within 5 days of stage 2</i>
	<i>Complainant to receive written investigation conclusion</i>	<i>Within next 28 days</i>
	<i>If complainant not satisfied must advise in writing to move to panel</i>	<i>Within next 10 days</i>

Stage 3: Panel Stage

Date:	Action/description:	Additional notes:
	<i>Investigator to advise Clerk to the Trust Board – Panel Required</i>	
	<i>Clerk to select Panel, confirm arrangements with complainant</i>	<i>Min. 5 days' notice</i>

**Stage 4: Trust review**

Date:	Action/description:	Additional notes:

COMPLAINT SUMMARY

Date:	Action/description:	Additional notes:
	<i>Complaint satisfactorily dealt with and concluded at Stage:</i>	
	<i>If complainant remains unsatisfied – advise of ESFA review</i>	
	<i>Confirm any external agencies involved here:</i>	
	<i>Is the complaint deemed 'unreasonably persistent'?</i>	
	<i>What lessons have we learnt from the complaint?</i>	
	<i>Any changes to policy or practice recommended?</i>	

Document Control

Changes History

Version	Date	Amended By	Details of Change
V2	28/11/2018	Principal/CEO	In response to ESFA review, to clarify the composition of a complaints panel
V3	26/05/2021	Principal/CEO	A full rewrite, clarifying the process
V3.1	14/2/2021	Principal/CEO	Complaints Record added
V3.2	14/3/2022	Principal/CEO	Updated 7. Stage1: informal resolution, paragraph 2 regarding who a complaint should be raised to.
V3.3	30/01/2023	Principal/CEO	Section 1 updated in response to suggestion from DFE Compliance Officer

Approval

Name	Job Title	Signed	Date
Andrew Aalders-Dunthorne	Principal/CEO	Electronic signature	19/12/2016
Dawn Carman-Jones	On behalf of the Trust Board	Electronic signature	19/12/2016
Andrew Aalders-Dunthorne	Principal/CEO	Electronic signature	14/02/2021
Andrew Aalders-Dunthorne	Principal/CEO	Electronic signature	14/03/2022

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