



# Complaints Policy

Policy owner	MAT Board Chair
Policy approved by	MAT Board
Policy approved	21 May 2025
Review frequency	Every 2 years
Policy next approved	May 2027

## **1. Aims**

We aim to meet our statutory obligations when responding to complaints from parents of current pupils at the school. This policy applies to parents only. Complaints from members of the public will be responded to as appropriate.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation in accordance with our procedures
- 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 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.

We 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 our website, and on the websites of our schools.

## **2. Legislation and guidance**

This procedure 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 at our schools. 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 statutory framework for the Early Years Foundation Stage](#) with regards to dealing with complaints about the school'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”.

The school will resolve concerns through day-to-day communication as far as possible.

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

The school 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 complaints from people who are not parents of current pupils or complaints relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters (those which might necessitate an enquiry under s47 of the Children Act 1989)
- Exclusion
- Whistleblowing
- Staff grievances
- Staff discipline

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

Arrangements for handling complaints from parents of children with SEN about a school's support are within the scope of this policy. Such complaints should be made to the class teacher, special educational needs co-ordinator (SENCO) or headteacher]; they will then be referred to this complaints policy. Our SEND policy 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 school 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
- Cooperate with the school or trust throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not publish details about the complaint on social media and maintain confidentiality as required by clause 33(k) of the Education (Independent School Standards) Regulations 2014

#### **4.2 The investigator**

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

- Interview all relevant parties as appropriate, keeping notes
- Consider records and any evidence supplied and keep these securely
- Prepare a comprehensive report which includes the facts and the reasons for the stage 2 outcomes

#### **4.3 Company secretary and trust board**

The company secretary will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee 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 and ask relevant questions

### **5. Principles for investigation**

When investigating a complaint, we will try to clarify:

- What has happened and when it 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 school 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 school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 9) and make this available to Ofsted on request.

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

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

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We 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 3-stage process for dealing with complaints:

- Stage 1 - informal resolution
- Stage 2 - formal investigation
- Stage 3 - local governing body panel hearing

### **Stages of complaint (not complaints against the Head of School, governor, trust or central staff)**

#### **7. Stage 1: informal resolution**

Every effort is made to resolve a concern or complaint at this stage. A phone call or a meeting with a member of staff should be sufficient to resolve most concerns. On occasion a senior member of staff might become involved to help resolve an issue.

The complainant may wish to meet with the Head of School to discuss their concerns. The member of staff will make clear the school's response to the concerns raised and may agree to certain actions to help resolve the complaint. Where an approach is made directly to a Governor the Governor will refer the complainant to the Head of School.

Where appropriate a record will be kept of the communication with any agreed outcomes or actions.

If the complainant wishes to escalate the complaint they should inform the company secretary within 10 school days. If the notice of escalation is not received within this timescale the matter will be noted as resolved.

### **8. Stage 2: formal investigation**

Where the complainant is not satisfied with the response at stage 1, they can choose to take the matter to the formal complaints stage. The formal stage involves the complainant putting the complaint into writing, usually to the Head of School. This letter should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents or other supporting evidence. The complainant should also state what they feel would resolve the complaint.

The Head of School (or other person appointed by the Head of School for this purpose) will then conduct their own investigation in accordance with clause 4.2 and clause 5. The written conclusion of this investigation will be sent to the complainant within 15 school 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 relevant chair of governors in writing within 5 days.

### **9. Stage 3: local governing body 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 stage 3 hearing should be heard within 15 school days of the request being received. The complainant must set out why they believe that the stage 2 outcome is flawed and present any evidence to support this view. The remit of the panel is to consider whether it feels that the procedure was sufficiently flawed such that the outcome is not a reasonable one.

The panel will be appointed by or on behalf of the proprietor 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 management and running of the school. The independent panel member may be a member of an alternative LGB within the trust.

The panel will have access to the existing record of the complaint's progress and any papers and/or written representations will be circulated by the company secretary at least 5 school days ahead of the hearing.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish however legal representation is not appropriate as part of this process.

At the meeting, 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 representative(s) will be given the chance to ask and reply to questions. No recordings will be made without consent being given by those present. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and the panel will deliberate.

The panel will provide an outcome letter after the hearing. It will set out the outcome together with a rationale for the conclusion that has been reached and any recommendations. The panel will also provide a copy of the findings and recommendations to the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and Head of School.

The school will inform those involved of the decision in writing within 5 school days.

### **10. Complaints against the Head of School or a Local Governing Body (LGB) member**

Complaints made against the Head of School should be directed to the relevant LGB chair. Where a complaint is against the LGB chair or any member of the LGB, it should be made in writing to the clerk to the LGB in the first instance. The clerk will seek advice from the company secretary.

### **11. Complaints about the trust or central staff**

We use a 3-step process for addressing complaints made about the trust as a whole, or against central staff:

- Stage 1 – informal resolution
- Stage 2 – formal investigation
- Stage 3 – trust board panel hearing

#### **Stage 1: informal resolution**

We make every effort to address any concerns or complaints early through informal measures.

The complainant should raise any concerns as soon as possible with the relevant member of the trust's central team, or the chief executive officer (CEO).

If the concern regards the CEO, the complainant should contact the chair of the board of trustees.

If the complainant is unsure who to contact, or needs to contact the chair of the board of trustees, they should contact the trust office:

- Email: [info@stbarnabasmat.com](mailto:info@stbarnabasmat.com)
- Telephone: 01752 874652
- Post: Trust office, St Petroc's C of E Primary School, Athelstan Park, Bodmin, Cornwall PL31 1DS

The process for responding to and investigating an informal complaint about the trust or central staff is the same as that set out in section 7.

## **Stage 2: formal investigation**

If the complaint is not resolved satisfactorily at the informal stage, the complainant must submit a formal complaint in writing clearly setting out their complaint, submitting evidence to support their complaint and details of what actions they believe would resolve the complaint.

The complainant will receive written acknowledgement of their complaint within 10 school days.

The investigating officer will then conduct an investigation, in line with the process set out in section 8 above, providing a written response to the complainant within 15 school days. If the complainant wishes to escalate to stage 3 they must inform the company secretary within 5 school days, otherwise the matter will be regarded as resolved.

## **Stage 3: trust board 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.

A panel will be appointed by the trust, and will consist of 3 members of the board not involved in investigating the complaint in the formal stage. One member of the panel will be independent of the management and running of the trust.

The complainant must set out why they believe that the stage 2 outcome is flawed and present any evidence to support this view. The remit of the panel is to consider the representations of the complainant and consider whether they feel that the procedure was sufficiently flawed such that the outcome is not a reasonable one. The panel hearing should take place within 15 school days of the request being received.

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

The complainant and representatives from the trust, as appropriate, will be present at the panel hearing. Each will have an opportunity to set out written or oral submissions prior to the meeting.

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

The board will ensure that the hearing is properly minuted.

At the meeting, 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 trust representative(s) will be given the chance to ask and reply to questions. Once the complainant and trust representative(s) have presented their cases, they will be asked to leave and the panel will deliberate.

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.

The panel will inform those involved of the decision in writing within 5 school days.

## **12. Referring complaints on completion of the school and trust procedure**

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

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

If the school did not deal with the complaint properly, it may be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school 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>

## **13. Persistent complaints**

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the relevant chair of governors (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

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

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

However, this list is not intended to be exhaustive.

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

- We have reason to believe the individual is contacting the school 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 staff

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

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

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

The school may also choose to instigate a communication plan to manage excessive correspondence where appropriate.

### **Unreasonably persistent complaints**

Where the behaviour of a complainant is so extreme that it threatens the immediate safety and welfare of staff, governors or trustees, we will consider other options, for example banning the person/s from site, reporting the matter to the police and/or taking legal action. In such cases, the complainant may not be given prior warning of that action.

However, genuinely new complaints from people who have previously been considered an unreasonably persistent complainant will be treated on the merit of that new complaint.

### **14. Record-keeping and confidentiality**

The school 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 relating to meetings and phone calls.

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

In the case of complaints about the trust or central staff, these records will be managed by the company secretary, and will be stored securely in the trust's offices under restricted access.

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 subject to 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 six years.

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

Where the governing board is aware of the substance of the complaint before the review panel stage, the school 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 governing board, who will not unreasonably withhold consent.

### **15. Learning lessons**

The relevant local governing board will review any underlying issues raised by complaints with the Head of School, 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 any improvements to procedures or practice.

### **16. Monitoring arrangements**

The relevant local governing board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly and will track the number and nature of complaints, and review underlying issues as stated in section 15.

The complaints records are logged and managed by the Head of School.

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

This policy will be reviewed and approved by the MAT Board every two years.

### **16. Links with other policies**

Policies dealing with other forms of complaints include:

- Child protection policy and procedures
- Admissions policy
- Exclusions policy
- Procedures for allegations or grievance against a member of staff
- Staff grievance procedures
- Staff disciplinary procedures
- SEND policy