Complaints Policy

Reinwood Infant and Nursery School

Part of Heritage MAT

Approved by:	[Heritage MAT Full Board]	**Date:**	[18 March 2025]
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1. Aims

Heritage Multi Academy 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-adversaria;
- 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;
- respect complainants' desire for confidentiality;
- treat complainants with respect and courtesy;
- make sure that 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 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 the Trust and member schools' websites.

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

We believe that our values of inclusion, collaboration and excellence can be enhanced as a result of learning from all complaints.

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 at our schools.

It is also based on best practice guidance for academies complaints procedures published by the Education and Skills Funding Agency (ESFA).

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 a school's fulfilment of Early Years Foundation Stage (EYFS) requirements.

3. Scope

This policy does **not** cover complaints procedures relating to:

- admissions;
- statutory assessments of special educational needs and disabilities (SEND);
- safeguarding matters;
- suspension and permanent exclusion;
- whistle-blowing;
- staff grievances;
- staff discipline;
- withdrawal from the curriculum (parents and carers can withdraw their child from any aspect of religious education, including the daily act of collective worship: they do not have to explain why).

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

Complaints about services provided by other providers who use Heritage MAT 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 throughout the process, and respond to deadlines and communication promptly;
- ask for assistance as needed;
- treat all those involved with respect;
- do not approach individual Governors or Trustees about the complaint;
- do 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, as appropriate;
- consider records and any written evidence and keep these securely;

- prepare a report for the headteacher or complaints committee, which includes the facts and potential solutions;

4.3 The complaints co-ordinator

The complaints co-ordinator can be:

- the relationship manager;
- the headteacher;
- the designated complaints governor or Trustee;
- any other staff member providing administrative support.

The complaints co-ordinator will:

- keep the complainant up to date at each stage in the procedure;
- make sure the process runs smoothly by liaising with appropriate staff members, the headteacher, chair of governors, chair of Trustees and clerk;
- make sure the complaints policy is adhered including timescales for response;
- be aware of issues relating to:
    - sharing third-party information;
    - additional support needed by complainants; for example, interpretation support or where the complainant is a child or young person;
- keep records of the complaint.

4.4 Clerk to the governing board (Stage 4 only: see Section 6)

The clerk will:

- be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee hearing;
- arrange the complaints hearing;
- record and circulate the minutes and outcome of the hearing.

4.5 Committee chair (Stage 4 only; see Section 6)

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.

5.1 Timescales

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.

We will consider exceptions to this timeframe 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 e.g. where staff involved are still working at the school.

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.

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.

5.2 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to a school's fulfilment of the Early Years Foundation Stage (EYFS) 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 10) 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
- 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. Stages of complaint (not complaints against the headteacher or governors)

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

- Stage 1 – informal resolution at the lowest possible level will always be sought in the first instance;
- Stage 2 – formal investigation by a representative of the Headteacher (or the headteacher);
- Stage 3 - Formal review by the CEO or Local Governing Body (LGB) for unresolved issues at Stage 2 - If the complainant is not satisfied with the outcome, they may request the complaint is escalated. The headteacher can apply his/her discretion to escalate the complaint to the LGB or for a formal review by the Chief Executive Officer (CEO) of the Trust.
- Stage 4 – review panel for unresolved issues at Stage 3 or where the complaint is about the conduct of the CEO.

6.1 Stage 1: informal resolution

Our Trust will take informal complaints seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible within the timescales set out in section 5.1.

The complaint should in the first instance be addressed to the relevant member of school staff or the headteacher, 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 the relevant school's main office.

The school will acknowledge informal complaints within two school days, which will confirm how the school intends to proceed, including an indication of the anticipated timescale.

The informal stage will involve a meeting or telephone call between the complainant and the member of staff tasked with resolving the complaint. The person tasked with managing the complaint at this stage will usually

be the immediate line manager. A written response will be provided by the school within 10 school days following the informal meeting.

Note: The Headteacher may review his / her own decision in relation to a complaint at this stage before escalating to 7.2.

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

6.2 Stage 2: Formal Investigation

The formal stage involves the complainant putting the complaint to the headteacher and/or the subject of the complaint via the individual school's complaint recording form (available upon request).

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the relevant school office.

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

The headteacher (or other person appointed by the headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 25 school days.

If the complaint is not resolved at this stage, it will be escalated to the LGB or CEO at the headteacher's discretion.

How to escalate a complaint

If the complainant wishes to proceed to the next stage of the procedure, they should inform the headteacher in writing within five school days. Requests received outside of this timeframe will be considered only in exceptional circumstances.

The headteacher will pass on the details of the complaint (and associated attempts to resolve it) to the LGB clerk of the CEO's Office.

The LGB/CEO will also need information on how the complainant would like the complaint to be resolved.

The LGB/CEO will acknowledge receipt of the request within two school days.

6.3 Stage 3: CEO/LGB Review

Complaints will be escalated to the CEO/LGB Review stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.

The CEO/LGB will have access to the existing record of the complaint's progress (see section 10).

The CEO/LGB will not re-investigate the complaint, but will instead seek alternative ways to resolve the complaint, possibly through mediation or compromise.

The CEO/LGB may arrange a meeting or telephone call with the complainant during the review process.

The CEO/LGB Review will be completed within 15 school days.

If the complaint is not resolved at this stage, it will be escalated to the Review Panel.

6.4 Stage 4: Review Panel

Convening the panel

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

The panel will be appointed by, or on behalf of, the CEO and will consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member will be independent of the Trust. Where the complaint is about the conduct of the CEO, the Panel will be appointed by the Trustees.

The panel will have access to the existing record of the complaint's progress (see section 10).

The complainant will have reasonable notice of the date of the review panel. The clerk will aim to find a date within 25 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least five school days before the date of the meeting.

The board will ensure that the hearing is properly minuted.

At the meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless required as part of reasonable adjustments. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. 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 Trust does not encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

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. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and 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 outcome

The panel can:

- uphold the complaint, in whole or in part;
- dismiss the complaint, in whole or in part.

If the complaint is upheld, the committee will:

- decide the appropriate action to resolve the complaint;
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Trust will inform those involved of the decision in writing within 10 school days.

7. Complaints against the headteacher, a governor or the local governing body

7.1 Stage 1: informal

Complaints made against the conduct of the headteacher or any individual member of the local governing body (including the chair or vice-chair) should be directed to the clerk of the Trust board in the first instance.

A suitably skilled and impartial Trustee will then carry out the steps set out in Section 6.

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

Complaints about the whole local governing board will be resolved at stage 2 below.

How to escalate a complaint

Complaints can be escalated by contacting the clerk to the Trust board:

- by letter or email;
- through a third party acting on behalf of the complainant.

The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

Note: Complaints about a decision made by a Headteacher, would normally be reconsidered by the headteacher, as a Stage 1 informal resolution before proceeding to 7.2.

7.2 Stage 2: formal Investigation

Complaints that involve or are about the headteacher should be addressed to the CEO at the relevant school, via the school office, marked as private and confidential.

Complaints about the chair of the local governing body, any individual governor or the whole local governing body should be addressed to the clerk to the Trust board via the school office, marked as private and confidential.

Formal complaints can be raised:

- by letter or email;
- by a third party acting on behalf of the complainant.

If the complaint is about the headteacher, the CEO will investigate this in line with formal process set out above (6.2).

If the complaint is about the chair, vice chair or whole local governing body, the Chair of Trustees will appoint a suitably skilled investigator. The investigator will follow the formal process set out above (6.2).

If the complaint is:

- about the CEO;
- jointly about the chair of trustees, vice chair;
- about the entire Trust board; or
- about the majority of the Trust board.

An independent investigator will carry out the steps set out above (6.2). They will be appointed by the Trust board, and will write a formal response at the end of their investigation.

The written conclusion of this investigation will be sent to the complainant within 25 school days.

If the complaint is still unresolved the complainant can proceed to the next stage of the procedure. They should inform the clerk to the Trust board in writing within 5 school days. Requests received outside of this timeframe will be only considered in exceptional circumstances.

The clerk will acknowledge receipt of the request within two school days.

7.3 Stage 3a: review panel

If the complaint is about the headteacher or an individual local governor, the steps outlined in stage 4, section 6.4 above will be followed.

If the complaint is:

- jointly about the chair and vice-chair; or
- the entire governing body; or
- The majority of the governing body;

a committee of independent governors will hear the complaint. They will be sourced from local schools, the local authority or other authorative body and will carry out the steps at stage 4 (set out in section 6 above).

7.3 Stage 3b: submit the complaint to an independent reviewer

If the unresolved complaint is about:

- the CEO.

The steps outlined in stage 4, section 6.4 above will be followed by an independent reviewer and two Trustees.

If the unresolved complaint is about:

- an individual Trustee;
- the Chair and vice-chair of Trustees;
- the entire Trust board; or
- the majority of the trust board;

the steps outlined in stage 4, section 6.4 above will be followed by a fully independent review panel, co-ordinated by a suitably qualified independent reviewer.

8. Referring complaints on completion of the Trust's procedure

If the complainant is unsatisfied with the outcome of the Trust's complaints procedure, they can refer their complaint to the Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a Trust's decision about a complaint, but will intervene if a Trust has:

- breached a clause in its funding agreement;
- failed to act in line with its duties under education law;
- acted (or is proposing to act) unreasonably when exercising its functions.

If the Trust's complaints procedure is found to not meet regulations, the Trust will be asked to correct its procedure accordingly.

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

www.gov.uk/complain-about-school

9. Unreasonable and persistent complaints

9.1 Unreasonable complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- 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 they expect 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 proceeds;
- 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 school's complaint procedure has been fully and properly implemented and completed, including referral to the ESFA;
- 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.

Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school/Trust what is deemed to be unreasonable.

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

Steps we will take

We will take every reasonable step to address the complainant's comments, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

Whenever possible, the relevant school leader will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the relevant leader will write to the complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, we may:

- give the complainant a single point of contact via an email address;
- limit the number of times the complainant can make contact, such as a fixed number per term;
- ask the complainant to engage a third party to act on their behalf, such as Citizens Advice;
- put any other strategy in place as necessary

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from school and Trust premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

9.2 Serial/persistent complaints

If the complainant contacts the relevant school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- we have taken every reasonable step to address the complainant's concerns;

- the complainant has been given a clear statement of our position and their options;
- the complainant contacts the relevant school repeatedly, making substantially the same points each time.

The case to stop responding is stronger if:

- the complainant's communications are often or always abusive or aggressive;
- the complainant makes insulting personal comments about or threats towards staff;
- we have reason to believe the individual is contacting the relevant school with the intention of causing disruption or inconvenience.

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern.

9.3 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we had not previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete;
- direct them to the ESFA if they are dissatisfied with our original handling of the complaint.

If a duplicate complaint is raised which in the view of the school warrants further consideration, the procedure outlined in section 6 or 7 (as appropriate) will be repeated.

9.4 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- publishing a single response on the school website;
- sending a template response to all of the complainants.

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

10. Record keeping and confidentiality

The school/CEO/Trust will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and 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 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 for Education (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request 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 securely, only for as long as necessary and in line with data protection law, and our privacy notices.

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

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

11. Learning lessons

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

12. Monitoring arrangements

The Trust board will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The Trust board will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by each school's administrator.

This policy will be reviewed by the Trust board annually.

At each review, the policy will be approved by the full Trust board.

13. Links with other policies

Policies dealing with other forms of complaints include:

- child protection and safeguarding policy and procedures;
- admissions policy;
- suspension and permanent exclusion policy;
- staff grievance procedures;
- staff disciplinary procedures;
- special educational needs policy and information report;
- privacy notices.