



**Education
Partnership
Trust**

Creating outstanding schools
which transform learning, lives
and communities

COMPLAINTS POLICY



Document Control

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1.0 INTRODUCTION

- 1.1 Education Partnership Trust (EPT) recognises that on occasions parents/carers may need to raise a concern or complaint about the Trust or one of its schools. The Trust takes all concerns and complaints seriously and is committed to seeking resolution in a positive way, whilst making any identified improvements.
- 1.2 This policy applies to all concerns and complaints made against EPT and its schools about any provision of facilities or services provided with the following exceptions, for which there are separate procedures:
- Admissions to schools
 - Suspensions and permanent exclusions from school
 - Statutory assessments of Special Educational Needs (SEN)
 - School re-organisation proposals
 - Matters likely to require a Child Protection Investigation
 - Employee grievances
 - Whistleblowing matters
 - External examination results
 - Complaints raised directly by pupils
 - Complaints about/from a third-party organisation or supplier
- 1.3 Whilst this policy is primarily designed to meet statutory requirements relating to complaints from parents/carers of pupils, the Trust will also consider complaints from members of the public, where appropriate. The Trust reserves the right to determine the most appropriate process and extent to which the stages of this policy apply in such cases.
- 1.4 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 may be generally defined as an expression of dissatisfaction however made, about actions taken or lack of action.
- 1.5 To enable a proper investigation, concerns or complaints should be brought to the attention of the school or Trust as soon as possible. This should be no later than three months after the event (or latest event, in the case of a series of incidents) to which the concern or complaint relates.
- 1.6 The Trust 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.
- 1.7 Complaints should not be raised with members of the Local Governing Body who may be required to have a formal role if a complaint reaches a Review Panel Hearing. If a complaint is raised with a Governor, the Governor will pass this to the Governance Manager to manage in line with Stage One of this policy.

- 1.8 Anonymous complaints will not be investigated under this policy unless there are exceptional circumstances. Any anonymous complaint received will be reviewed, and any necessary action will be determined based on its merits.
- 1.9 This policy meets the requirements set out in [part 7 of the scheduled to the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents/carers of pupils in our Trust.
- 1.10 It is also based on [best practice guidance for academies complaints procedures](#) published by the Department for Education.

2.0 AIMS

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint.
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint.
- To ensure all concerns and complaints are managed in an impartial and non-adversarial manner.
- To encourage concerns and complaints to be resolved informally wherever possible, avoiding the need for formal stages and supporting the resolution of issues while repairing relationships.
- To ensure all complaints are thoroughly investigated, in a timely manner, and at an appropriate level.
- To identify lessons learned which help us to improve what we do.
- To support the mission, vision and values of the Trust and its schools.

3.0 WHO IS RESPONSIBLE FOR THIS POLICY

- 3.1 The Trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory and Trust framework.
- 3.2 The EPT Central Team and Headteacher at each school have a responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

4.0 COMPLAINT RESOLUTION THROUGH THIS POLICY

- 4.1 An overview of the stages within this policy can be found within the flowchart in Appendix 1.
- 4.2 There are three stages to the Complaints Policy
- Stage One: Informal Resolution
 - Stage Two: Formal Procedure
 - Stage Three: Review Panel Hearing

- 4.3 The aim of each stage is to ensure that the complaint is fully considered, and a clear finding is communicated to the complainant, which either resolves the matter to their satisfaction or explains why this is not possible.
- 4.4 New issues or complaints raised at Stage Two should be given the opportunity to go through Stage One to seek an efficient resolution for all parties involved. Complainants will be encouraged to seek resolution of the new issues or complaints through Stage One of the complaints process.
- 4.5 Complainants will be given the opportunity to complete the complaints procedure in line with this policy, unless there is clear evidence that the complaint meets the unreasonably persistent or vexatious criteria defined within Appendix 2.
- 4.6 Although every effort will be made to comply with the timescales within each stage of this policy, this may not always be possible; for example, due to the complexity of the investigation required or the unavailability of a witness to attend a meeting. Where a timescale cannot be complied with, the complainant will be advised of the reasons for the delay and the new timescale that will apply.
- 4.7 Where the policy refers to 'school days', this references term time and does not include school holidays or inset days. When a complaint is made out of term time, we will consider them to have been received on the first school day after the holiday period.
- 4.8 Complaints about staff will be dealt with under the Trust's disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member resulting from a complaint.
- 4.9 Complaints about any incidents involving other pupils will be dealt with under the Behaviour Policy, if appropriate. Complainants will not be informed of any sanctions issued to other pupils resulting from a complaint.
- 4.10 If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this policy and may result in the complaint being suspended until those public bodies have completed their investigations and confirmed it is appropriate to proceed.
- 4.11 If a complaint is against the Headteacher, the Stage Two investigation will be undertaken by the Trust.

5.0 STAGE ONE: INFORMAL RESOLUTION

- 5.1 The Trust expects that before seeking to use formal procedures, the complainant:
- will have raised the issue/s at the earliest opportunity;
 - will have raised the issue with the relevant staff member within the school; and
 - will have made reasonable attempts to seek an informal resolution.

- 5.2 Concerns can often be resolved quickly and informally, through discussion, clarification, explanation, provision of further information or sometimes by acknowledgement of the issue and an apology.
- 5.3 Concerns should be raised in the first instance with the relevant member of staff. This may be in person, by letter, telephone or by email. If a concern is raised with a member of staff who feels they are not the best person to deal with it, their line manager will determine who is best placed to respond and refer the matter accordingly (still under Stage One of this policy).
- 5.4 The informal stage may involve a meeting between the complainant and the appropriate member of staff.
- 5.5. The school will aim to resolve the concern within 10 school days.

6.0 STAGE TWO: FORMAL PROCEDURE

- 6.1 If the complainant feels that their concern has not been resolved during informal discussions within Stage One, they may raise a formal complaint under Stage Two of this policy.
- 6.2 Where informal resolution has not been sought in the first instance, the complainant will be directed to pursue this before the formal stage is initiated.
- 6.3 The Complainant must put the complaint in writing unless the complainant has a disability, learning difficulty or difficulties with the English language which prevents this, in which case, the complainant may contact the Trust for assistance. The complaint should be addressed to the Governance Manager, Education Partnership Trust, Pleckgate Road, Blackburn, BB1 8QA or emailed to governance@ept-uk.com.
- 6.4 When submitting a formal complaint, the complainant should provide as much detail as possible about the matter, including a clear indication of the outcome they are seeking to resolve their complaint.
- 6.5 The Governance Manager will forward the complaint onto the Headteacher and will oversee the progress of the complaint and provide advice and guidance as required.
- 6.6 The Headteacher will acknowledge receipt of the complaint within 5 school days and pass the complaint to a nominated senior member of staff, as appropriate, for investigation.
- 6.7 An investigation of the complaint will be carried out by the nominated senior member of staff who will report to the Headteacher. The Headteacher will ensure that the staff member involved in handling the complaint is suitably trained to do so.
- 6.8 The complainant may be contacted where clarification or further information is required. The investigation will include gathering all relevant evidence, which may include interviewing and taking statements from those involved in the matter.

- 6.9 The investigation should aim to be concluded within 15 school days of the complaint being received.
- 6.10 The Headteacher will put their findings in writing and indicate what steps, if any, should be taken in order to resolve the matter. The draft response will be shared with the Governance Manager in the first instance for review. Where reasonably possible, this will be done within 10 school days. A copy of the final response will be submitted to the Governance Manager.

7.0 STAGE THREE – REVIEW PANEL HEARING

- 7.1 If the complainant is not satisfied with the outcome of the school's investigation into their complaint at Stage Two, the complainant may request that the complaint be considered at Stage Three: Review Panel Hearing.
- 7.2 A request to use this stage must be in writing and addressed to the Governance Manager within 5 school days of the previous stage response being sent to the complainant. The request must set out clearly the reasons why the complainant is dissatisfied with the response and may include any evidence to support their reasons.
- 7.3 New allegations that have not been raised at Stage Two may not be brought before the panel.
- 7.4 New evidence which was not provided before the completion of the Stage Two investigation will not normally be considered, however, the panel's Chair will have absolute discretion to permit evidence if it is relevant to the matters to be considered as part of the appeal.
- 7.5 The panel will comprise of two members of the school's governing body and one person independent of the management and running of the school. All panel members will have no prior knowledge of the complaint, and the selection of the panel and independent member will be supported by the Governance Manager.
- 7.6 The independent member may be:
- a Governor from another school within the Trust.
 - a senior member of staff from another school within the Trust.
 - a senior member of the Trust Central Team; or
 - an external independent individual
- 7.7 In all cases, the Trust will ensure that panel members, including the independent member, are appropriately placed to review the complaint.
- 7.8 The purpose of the panel is not to conduct a further investigation of the complaint. The panel's role is to consider the procedural fairness of the investigation undertaken at Stage Two and the determinations made.
- 7.9 The Governance Manager will convene the Review Panel Hearing. The hearing will be held as quickly as practicable given the need to find a date that is reasonably convenient for the

complainant, the school and members of the panel. Whenever possible, the hearing will be held within 30 working days from receipt of the request.

- 7.10 The complainant must engage with the Governance Manager in providing details of convenient days for attendance. If the complainant rejects the offer of three reasonably proposed dates, the Governance Manager will decide when to hold the hearing. If the complainant cannot attend the date chosen, the hearing will proceed in the complainant's absence, based on the evidence available.
- 7.11 If the complainant fails to engage with the Governance Manager to arrange the hearing, the Stage Three complaint may not be progressed and the file closed. The Trust may consider allowing the Stage Three complaint to proceed if there are exceptional circumstances for the failure to engage.
- 7.12 All parties will be provided with a minimum of 5 school days' notice of the hearing date.
- 7.13 The following are entitled to attend the panel hearing, submit written representations and address the panel:
- the complainant/s and/or one representative
 - the Headteacher and/or one representative
 - the Trust's Central Team representative to address any procedural questions which may arise
 - any other interested person who the panel considers having a reasonable and just interest in the appeal and whose contribution would assist the panel in their decision-making.
- 7.14 Any written representations/relevant documentation for consideration by the panel and the names of any representatives attending the hearing, should be sent to the Governance Manager at least 5 school days prior to the hearing. Any documents not submitted in accordance with this timescale will not be considered unless the Chair, in their absolute discretion, believes it is just to accept them.
- 7.15 All parties will be issued with papers 5 school days prior to the hearing.
- 7.16 Each individual will have the opportunity to give statements and present their evidence, and witnesses may be called, as appropriate, to present their evidence.
- 7.17 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 the hearing, and the evidence will then be considered by the panel.
- 7.18 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 panel 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.

7.19 The panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the Governance Manager will notify all parties of the findings and recommendations. They will also be sent, where relevant, to the person complained about; and be available for inspection on the school premises.

7.20 Minutes of the hearing will be taken.

7.21 A written record will be kept of all Stage Two and above complaints by the school and by the Trust. The Trust will record the action taken as a result of the complaint (regardless of whether it was upheld).

8.0 RIGHT TO BE ACCOMPANIED

8.1 The complainant has the right to be accompanied by a friend, relative or other third party to any meetings or hearings held under the formal stages of the Complaints Policy (Stage Two onwards).

8.2 These meetings or hearings are not legal proceedings, and so legal representation is not usually necessary. However, if a complainant does wish to be accompanied by someone who is legally qualified this needs to be specifically mentioned, and they must notify the Headteacher or Trust as appropriate at least 5 school days prior to the meeting.

8.3 Any member of staff interviewed as part of the investigation process into a complaint has a right to be accompanied to the meeting, which includes representation by a recognised trade union.

8.4 Any pupil interviewed as part of the investigation process must be accompanied to the meeting/hearing either by a teacher who they are comfortable with or a parent/carer.

9.0 CONFIDENTIALITY AND DATA PROTECTION

9.1 All complaints will be handled in the strictest confidence by the Trust and its schools and Data Protection principles will be applied in line with the Trust Data Protection Policy.

9.2 Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them or where the Trust is otherwise required by law to disclose them.

9.3 It is expected that complainants will also keep their complaint private and confidential. In particular, complainants are not expected to discuss publicly via any form of social media or

with third parties. The posting of any defamatory, offensive or derogatory comments by parents/carers on social media will be addressed as appropriate.

- 9.4 Electronic recordings of meetings must not be made by either the Trust/school or complainant. A meeting to discuss a complaint may not go ahead if the complainant is insistent on recording the meeting. The Trust/school will take notes of any meetings to discuss a complaint which may be shared afterwards, and complainants may do likewise.
- 9.5 Due to privacy rights under data protection legislation, information disclosed relating to an outcome if it relates to a third-party individual, i.e disciplinary action of a member of staff or another pupil, may sometimes be limited.

10.0 PERSISTENT OR VEXATIOUS COMPLAINTS

- 10.1 We define unreasonably persistent and vexatious complaints as those which, because of the frequency or nature of the complainants' contacts, hinder our consideration of their or other people's complaints.
- 10.2 We reserve the right to reject a vexatious complaint. Vexatious complaints may be characterised (but not limited to) by the following:
- The same complaint which has already been resolved by following this complaints procedure
 - Complaints which are obsessive, persistent, harassing, prolific, defamatory or repetitive
 - Insistence upon pursuing a complaint that is unfounded, or out of scope of the complaint's procedure, beyond all reason
 - Insistence upon pursuing a valid complaint, but in an unreasonable manner, e.g. refuses to articulate the complaint, refuses to co-operate with this complaint's procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
 - Complaints which are designed to cause disruption, annoyance or excessive demands on school time
 - Seeking unrealistic outcomes, or a solution that lack any serious purpose or value
- 10.3 Further features of an unreasonably persistent and/or vexatious complaint include those detailed within Appendix 2. Please note that this list is not exhaustive.
- 10.4 The Headteacher will ensure that the complaint is being, or has been investigated in accordance with this policy. If there are concerns that a complaint may fall within the category of being unreasonably persistent and/or vexatious the Headteacher will seek guidance and advice from the Trust.
- 10.5 If a complainant is found to be unreasonably persistent and/or vexatious the Governance Manager will write to the complainant advising them of the decision and the reasons for this. The letter will state that all future correspondence from them with regards to complaints should be directed to the Governance Manager who will consider whether it raises any substantive new issue(s).

- 10.6 The complainant will be advised that if no substantive new issue is raised, any future complaints will not receive a response. They will also be advised of their right to complain about the decision to the Department for Education (DfE).
- 10.7 There is no internal route of appeal against the decision that a complaint is persistent and/or vexatious.
- 10.8 If future complaints do raise substantive new issues, it will be investigated in accordance with the Complaints Policy.
- 10.9 The Trust will investigate complaints professionally and with respect towards all individuals involved. The Trust expects anyone raising a complaint to be respectful and avoid aggression or intimidating behaviour. If a complainant's behaviour is unacceptable, the matter will be dealt with appropriately.

11.0 COMPLAINT CAMPAIGNS

- 11.1 If a school or the Trust is subject to a complaint campaign, they may employ a separate procedure under this policy to respond to these.
- 11.2 A complaint campaign is defined as complaints from multiple parties all based on the same subject matter.
- 11.3 In these instances, the school or the Trust will respond by sending a consolidated response to all complainants with the same message.

12.0 COMPLAINTS TO THE DEPARTMENT FOR EDUCATION

- 12.1 If the complainant is not satisfied with the way their complaint has been handled, they may escalate their complaint to the Department for Education (DfE). The DfE will expect the complainant to have first exhausted the Trust's Complaints Policy.
- 12.2 The DfE will not reinvestigate the substance of complaints or overturn a Trust decision. However if they find that the Trust did not comply with its own Complaints Policy, in line with Part 7 of the Education (Independent School Standards) Regulations 2014, when considering a complaint, they may request that the complaint is looked at again by the Trust.
- 12.3 Advice about making complaints to the DfE and a link to its online complaint form can be found on their website - [Complain about a school: State schools - GOV.UK](https://www.gov.uk/complain-about-a-school).

13.0 MONITORING ARRANGEMENTS

- 13.1 The complaints records are logged and managed by the Governance Manager.
- 13.2 The CEO and Governance Manager will review the policy every three years.
- 13.3 At each review, where material changes have taken place, the policy will be approved by the Trust Board.

Appendix 1: Stages within our Complaints Policy

Stage 1	Informal Resolution	
	Concern raised with school and informal resolution sought (if the concern is raised via the Trust, this will be passed to the school to attempt resolution). <i>The school will aim to resolve the concern within 10 school days.</i>	
	Is the complainant satisfied with the outcome?	
	No	Yes
	Proceed to Stage Two	Implement any agreed resolution

Stage 2	Formal Procedure	
	Formal complaint raised with school/Trust in writing. <i>Acknowledged within 5 school days.</i>	
	The school will notify Trust of the complaint (if raised directly with school).	
	Appoint Investigating Officer, unless complaint is against the Headteacher, in which case the investigation will be Trust led. <i>Investigation to conclude within 15 school days of complaint received.</i>	
	Formal written response to Stage Two complaint, detailing investigation findings and any outcomes or recommendations. <i>Written response provided within 10 school days of investigation concluding.</i>	
	Is the complainant satisfied with the outcome?	
No	Yes	
Proceed to Stage Three	Implement any agreed resolution	

Stage 3	Complaint Panel Hearing	
	Complainant writes to the Trust's Governance Manager within 5 school days of receipt of Stage Three written outcome to request Review Panel Hearing.	
	Panel convened and complaint heard. <i>Within 30 school days of receipt of request</i>	
	Outcome letter sent. <i>Within 10 school days of panel hearing</i>	
	Is the complainant satisfied with the outcome?	
	No	Yes
Complainant can refer to DfE	Implement any agreed resolution	

Appendix 2: Examples of unreasonably persistent and/or vexatious complaints

Please note that this list is not exhaustive.

- There are insufficient or no grounds for the complaint and it is made only to annoy (or for reasons that the complainant does not admit or make obvious).
- There are no specified grounds for the complaint despite offers of assistance.
- The complainant refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- The complaint is about issues not within the power of the school/Trust to investigate, change or influence and where the complainant refuses to accept this.
- The complainant insists on the complaint being dealt with in ways which are incompatible with the Complaints Policy (insisting, for example, that there must not be any written record of the complaint or insisting the complaint is only dealt with by the Trust's Chief Executive).
- There appears to be groundless complaints about the staff dealing with the complaint investigation, and an attempt to have them replaced.
- There is an unreasonable number of contacts with the school/Trust, by any means, in relation to a specific complaint or complaints.
- There are persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (for example, insisting on immediate responses to numerous, frequent and/or complex communication).
- Attempts to harass, verbally abuse, or otherwise seek to intimidate staff dealing with their complaint by use of foul or inappropriate language or by the use of offensive or discriminatory language.
- Subsidiary or new issues are raised whilst a complaint is being addressed that were not part of the complaint at the start of the complaints process.
- Trivial or irrelevant new information is introduced whilst the complaint is being investigated and an expectation that this be considered and commented on.
- There is a change to the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed.
- The complainant denies statements he or she made at an earlier stage in the complaint process.
- The complainant electronically records meetings and conversations without the prior knowledge and consent of the other person(s) involved.
- The complainant refuses to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given.
- The same complaint is made repeatedly, perhaps with minor differences, after the complaints process has been concluded and where the complainant insists that the minor differences make these 'new' complaints which should be put through the full complaints process.
- Documented evidence is not accepted as factual by the complainant.
- The complaint relates to an issue based on a historic and irreversible decision or incident.