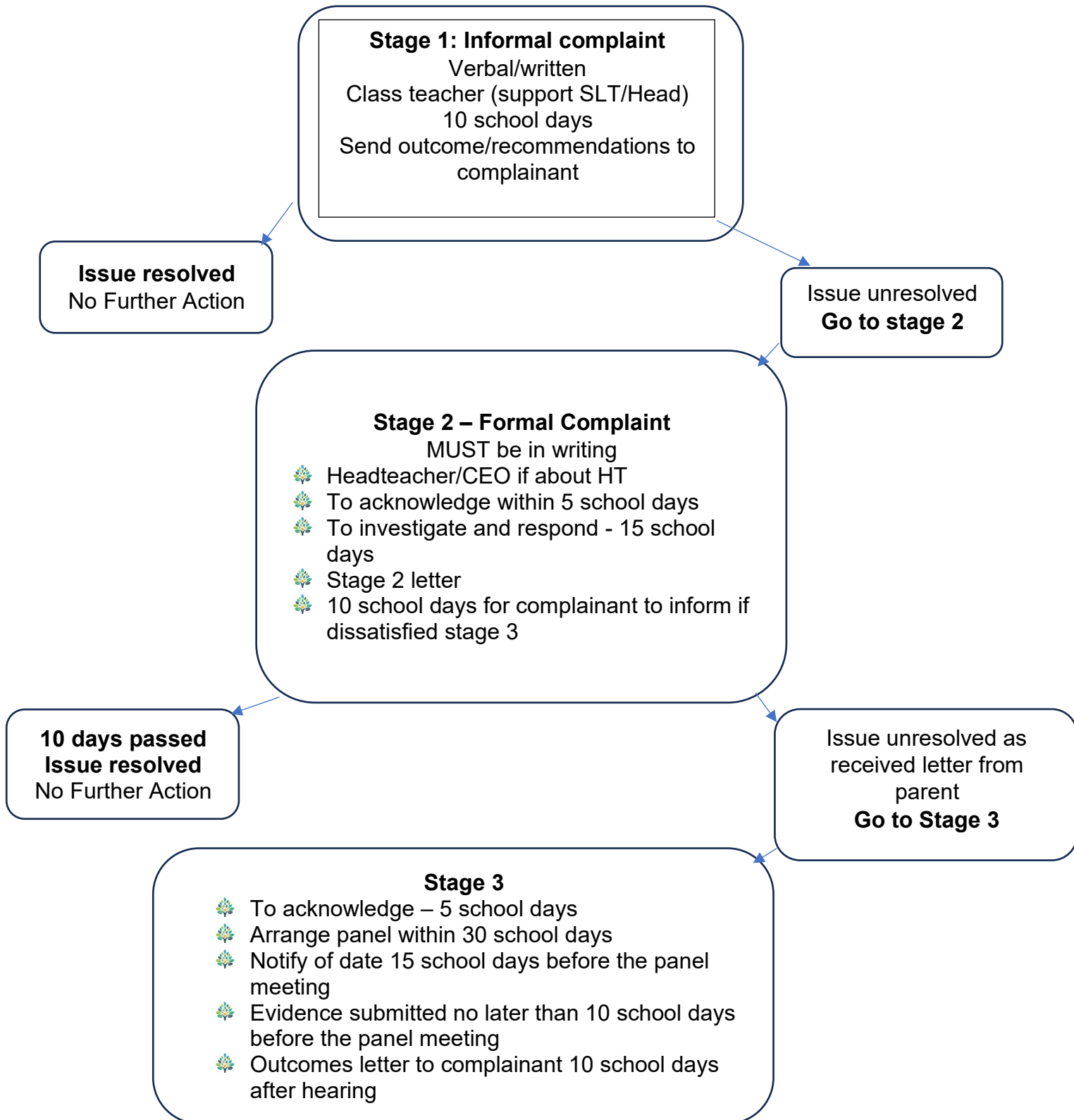


COMPLAINTS POLICY

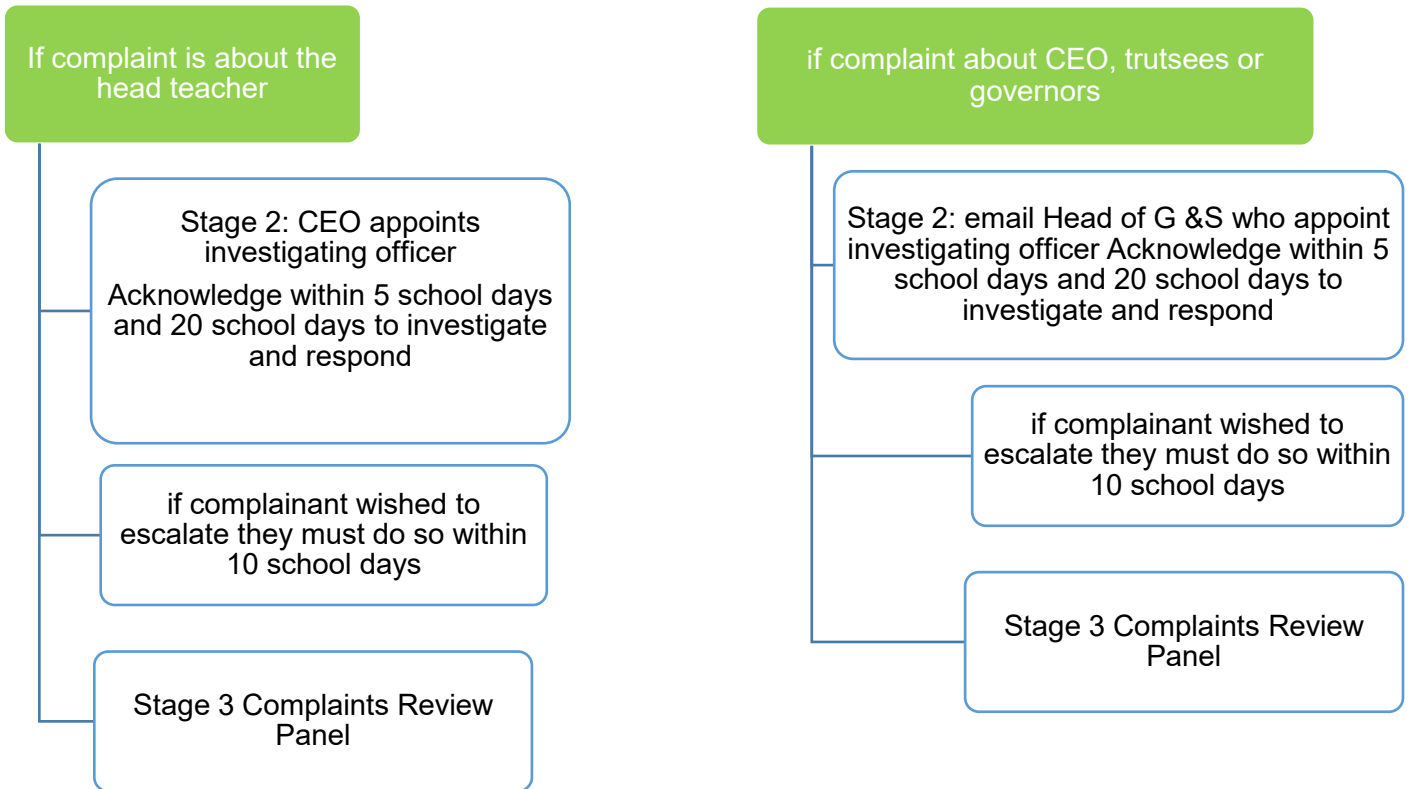
Version	Author	Dated	Status	Details	Next Review
1	Compliance Officer	23.05.2019	Approved by Trustees	New policy	
2	Compliance Officer	22.06.2021	Approved by Trustees	Review	
3	Head of Governance & Safeguarding	13.09.2022	Approved by Trustees	Review	
4	Head of Governance & Safeguarding	16.07.2024	Approved by Trustees	Review	February 2026

Concern - an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

Conversation with the parent or carer



Flow chart 2



Elevate Multi Academy Trust (Elevate) has agreed this Policy and as such, it applies to all academies within the trust.

References to the Head teacher includes the head of school and executive head teacher.

Introduction and Purpose of this Policy

Education legislation requires us to have a formal written procedure to deal with complaints relating to our academies and any facilities or services that we provide. The procedure must also be publicised, including to parents.

Rationale

Elevate takes complaints very seriously. Every complaint shall receive fair and proper consideration and a timely response. Please refer to the following guidelines for the specific timescales. We will do all we can to resolve your complaint and to ensure you are happy with the education that your child receives in our academies. Parents can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated sensitively and confidentially (where this is possible).

Underlying Principles

Elevate's complaints procedure will:

- 🌱 Encourage resolution of problems by informal means wherever possible;
- 🌱 Be easy to obtain and clearly publicised;
- 🌱 Be simple to understand and use;
- 🌱 Be impartial and non-adversarial;
- 🌱 Allow swift handling with clear time-limits for action and keep people informed of the progress;
- 🌱 Ensure a full and fair investigation by an independent person where necessary;
- 🌱 Address the points at issue and provide an effective response and appropriate redress, where necessary.

At each stage, the person investigating the complaint will ensure that they:

- 🌱 Establish what has happened to date and who has been involved;
- 🌱 Clarify the nature of the complaint and what remains unresolved;
- 🌱 Meet or contact the complainant, if further information is required;
- 🌱 Clarify what the complainant feels would resolve the issue;
- 🌱 Interview those involved / complained about;
- 🌱 Conduct any meetings or interviews with an open mind;
- 🌱 Keep factual notes of meetings/interviews held;
- 🌱 Inform the complainant of progress if they are unable to meet the agreed timescales.

Legislation

- ✿ This policy complies with part 7 of the schedule to the Education(Independent School Standards) (England) Regulations 2014 which requires to have and make available a written procedure to deal with complaints from parents of children at our academies.
- ✿ DFE Best practice guidance for academies complaints procedures 12.03.2021 [Best practice guidance for academies complaints procedures - GOV.UK \(www.gov.uk\)](#)
- ✿ DFE Model Complaints procedure
- ✿ This policy complies with our Funding Agreements and Articles of Association.
- ✿ In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regard to dealing with complaints about our fulfilment of Early Years Foundation Stage requirements.

Links with other Policies

Policies dealing with other forms of complaints include:

- Elevate Child Protection and Safeguarding Policy
- Elevate Admissions Policy
- Elevate Suspensions and Permanent Exclusions Policy
- Elevate Data Protection Policy
- Elevate Data Retention Policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEND policy and information report
- Privacy notices
- Elevate Expected Behaviour of Parents and Visitors Policy
- Elevate's Whistleblowing Policy

Who Can Make a Complaint

Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure. Please see the section below entitled **Scope of this Complaints Procedure** for matters that sit outside the scope of this policy.

Where a complainant is not directly associated with an academy, the process may not necessarily follow the procedure outlined below.

Parent Code of Conduct

Elevate expects all parents to abide by the Parent Code of Conduct – see appendix 1.

The Difference between a Concern and a Complaint

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

A complaint may be defined as ‘*an expression of dissatisfaction however made, about actions taken or a lack of action*’.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the head teacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, they will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the academy concerned will attempt to resolve the issue internally, through the stages outlined within this complaint’s procedure.

Anonymous Complaints

We will not normally investigate anonymous complaints. However, the head teacher or CEO, if appropriate, will determine whether the complaint warrants an investigation.

Timings

We 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.

School Day: For the purposes of this policy, a "school day" is defined as a weekday during term time, when the academy is open. The definition of "school day" excludes weekends, holidays and Bank holidays.

3 Months: We expect that complaints will be made as soon as possible after an incident arises and no later than **3 months** afterwards. If the complaint is about a series of related incidents, they must raise the complaint **within 3 months** of the last incident. Exceptions to this time frame will be considered 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.

Investigations by Other Bodies: If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

Legal Action: If a complainant commences legal action against an academy in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to the complaint until those legal proceedings have been concluded.

Holidays: When a complaint is made out of term time, it will be considered to have been received on the next school day.

If at any point the time scales cannot be met as set out in this policy:

- ✿ New time limits will be set with the complainant;
- ✿ Details of the new deadline and an explanation for the re-scheduling will be sent to the complainant.

Scope of this Complaints Procedure:

This policy applies to all concerns and complaints relating to us and our academies **other than:**

Exceptions	Who to Contact
Admissions to schools	For school admissions and school reorganisation proposals, complaints should be raised with the NYC/Leeds who are acting on behalf of the trust, who are the admissions authority for all academies. Or Please refer to the Admissions policy for further guidance on admissions appeals and legislation
Statutory assessments of SEND	Concerns about admissions or statutory assessments of Special Educational Needs (SEND) should be raised with the Local Authority.
Safeguarding matters	Complaints about child protection matters are handled under the Child Protection and Safeguarding Policy, available on the academy’s website, and in accordance with relevant statutory guidance. The academy works with the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH)
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: Suspension and permanent exclusion guidance September 2023 (publishing.service.gov.uk) <i>*complaints about the application of Elevate’s Behaviour policy can be made through Elevate’s complaints procedure.</i>
Whistleblowing	Elevate has an internal whistleblowing policy and procedure for all their employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters directly with their employer. Referrals can be made at: www.education.gov.uk/contactus .

Staff Grievances	Complaints from staff will be dealt with under Elevate's Grievance and Disciplinary Policy and procedures.
Staff conduct	Complaints about staff will be dealt with under Elevate's Grievance and Disciplinary procedures. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use academy premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus Complaints about the delivery of the national curriculum can be addressed to the academy.
Data breaches/Subject Access requests	Please refer to Elevate's Data Protection Policy. Complaints about the application of the Data Protection Policy can be brought through the Complaints Policy

Resolving Complaints

At each stage in the procedure, the main aim is to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- 🌱 an explanation;
- 🌱 an admission that the situation could have been handled differently or better;
- 🌱 an assurance that we will try to ensure the event complained of will not recur;
- 🌱 an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made;
- 🌱 an undertaking to review academy policies in light of the complaint;
- 🌱 an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing/by email.

Complaints against academy staff (except the head teacher) should be made in the first instance, to the head teacher via the academy office. Please mark them as Private and Confidential.

Complaints that involve or are about the head teacher should be addressed to the CEO via the Head of Governance and Safeguarding by email to: d.mousley@elevatemat.org. Please mark them as Private and Confidential.

Complaints about the chair of governors, any individual governor or the whole governing body should be addressed to the Head of Governance and Safeguarding by email to: d.mousley@elevatemat.org. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a trustee of the trust, should be addressed to the Chair of Trustees, at the trust's registered office, or by email to the Head of Governance and Safeguarding by email to: d.mousley@elevatemat.org. Please mark them as Private and Confidential.

Equality law: In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Recording Devices

Recording devices **should not** be used without the prior consent of all parties.

Where an academy allows the complainant to record meetings, the following will be considered:

- 🌿 How any decision to allow recordings may affect any third parties called to act as witnesses;
- 🌿 The impact and consequences on the individuals involved in the complaint if recordings are lost or leaked.

We will not accept, as evidence, any recordings that were obtained covertly and without the informed consent of all parties being recorded.

Procedures

Stage 1: Informal Complaints

It is to be hoped that most concerns can be resolved on an informal basis.

Concerns should be raised with either the relevant teacher or staff member either in person, in writing, by email or by telephone. They may also be made by a third party acting on behalf of a complainant, if they have appropriate consent to do so.

The person making the complaint has an opportunity to discuss their concern with the appropriate member of staff, who clarifies with the individual the nature of the complaint and reassures them that the academy wants to hear about it. They may explain to the individual how the situation happened.

It can be helpful to identify at this point what sort of outcome the parent or carer is looking for.

If the member of staff first contacted cannot immediately deal with the matter, he/she will make a clear note of the date, name, contact address or phone number and the nature of the complaint. All members of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised. He/she will check later to make sure the referral has been dealt with.

At the conclusion of their investigation, the staff member investigating the complaint will provide an informal written response within **10 school days** of the date of receipt of the complaint.

Where no satisfactory solution has been found, the individual will be asked if they wish their complaint to be considered further within the formal complaints process set out below. If so, they are given clear information about how to proceed and a copy of this document.

Stage 2: Formal Complaints

Formal complaints must be made to the head teacher via the academy office or if they are about the head teacher, to the CEO via email to the head of Governance and Safeguarding at d.mousley@elevatemat.org. These should be marked Private and Confidential.

Formal complaints must be made in writing. See the complaints form (appendix 2). Please contact the academy office for a link to this form. If a complainant is unable to access the internet, or is otherwise unable to complete the form, then they should contact the academy office who will make alternative arrangements to receive their complaint.

The Head teacher/Chair of Trustees/ CEO will delegate responsibility for undertaking investigation of the complaint to a member of the Senior Leadership Team/Senior Executive Team/School Improvement Team and where appropriate, governor, an external party or deal with the matter personally.

Note: The head teacher may delegate the investigation but not the decision to be taken.

If the complaint is about the head teacher, or a member of the governing body (including the Chair or Vice-Chair), the CEO will appoint a designated officer of the trust to complete the actions at Stage 2.

The date the complaint is received will be recorded and an acknowledgement sent in writing (either by letter or email) within **5 school days**.

The head teacher or designated Stage 2 investigator will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher or designated Stage 2 investigator can consider whether a face-to-face meeting is the most appropriate way of doing this.

During the investigation, the head teacher or designated Stage 2 investigator will:

- 🌱 if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- 🌱 keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the head teacher or designated Stage 2 investigator will provide a formal written response within **15 school days** of the date of receipt of the complaint. If the head teacher or designated Stage 2 investigator is unable to meet this deadline, they will provide the parent or carer with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the academy will take to resolve the complaint.

The head teacher or designated Stage 2 investigator will advise the parent or carer of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complainant remains dissatisfied, they can escalate their complaint to stage 3. This must be done within **10 school days** of receipt of the stage 2 response.

Stage 3: Complaints Review Panel

A request to escalate to Stage 3 must be made to the Head of Governance and Safeguarding by email to: d.mousley@elevatemat.org within **10 school days** of receipt of the Stage 2 response.

The Head of Governance and Safeguarding will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within **5 school days**.

Mediation: If Elevate believes it appropriate, and the complainant agrees in writing, they may offer mediation to the complainant and the head teacher as alternative to stage 3. The complainant may at anytime withdraw their consent to mediation and proceed with the stage 3 panel hearing. This may mean the timescale for the stage 3 proceedings maybe delayed but mediation will occur as soon as is practicable.

Requests received to escalate to stage 3 outside the time frame will only be considered if exceptional circumstances apply.

The Head of Governance and Safeguarding will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **30 school days** of receipt of the Stage 3 request. If this is not possible, the Head of Governance and Safeguarding will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of 3 proposed dates, without good reason, the Head of Governance and Safeguarding will decide when to hold the meeting. It will then proceed on the basis of written submissions from both parties. If the complainant does not engage in the process within **5 school days** then the meeting will go ahead.

The Complaints Review Panel will be appointed by or on behalf of Elevate and will consist of at least 3 people who are not directly involved in the matters detailed in the complaint. with 1 panel member who is independent of the management and running of the academy (for example, this may include governors from another academy from within Elevate with no prior involvement in, or knowledge of, the matter).

If the complaint is:

- 🌿 jointly about the Chair and Vice Chair or
- 🌿 the entire local governing body or
- 🌿 the majority of the local governing body

Stage 3 will be heard by a panel consisting of a minimum of 2 trustees, plus 1 independent panel member (which may include governors from another academy from within Elevate with no prior involvement in, or knowledge of, the matter).

Prior to the meeting, the panel will decide amongst themselves who will act as the Chair of the panel.

The complainant may bring someone along to provide support. This can be a relative or friend. Neither party should bring legal representatives to the panel meeting.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least **15 school days** before the meeting, the Head of Governance and Safeguarding will:

- ✿ confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible;
- ✿ request copies of any further written material to be submitted to the committee at least **10 school days** before the meeting.

Any written material will be circulated to all parties at least **5 school days** before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel will also **not** review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private and may be in a remote/virtual format in circumstances described above. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The panel will consider the complaint and all the evidence presented. The panel can:

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

If the complaint is upheld in whole or in part, the panel will:

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

The Chair of the panel will provide the complainant and the academy head teacher with a full explanation of their decision and the reason(s) for it, in writing, within **10 school days**.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by the academy or trust.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the academy will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent in writing (either by post or email) to the complainant and, where relevant, the person complained about.

Furthermore, they will be available for inspection on the academy premises by the trust and the head teacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All 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.

Next Steps

If the complainant believes the academy/trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the academy/trust. They will consider whether the academy/trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#)

The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

In [their guidance](#), the DfE recommends that complainants contact the academy to discuss a concern first, as most problems can be solved this way. Complainants may only complain to the DfE directly where it relates to a child at risk, a child missing school or where the school has failed to follow its complaints procedure.

If a complainant lodges a concern directly with the DfE about a child at risk or missing school, and the DfE confirms with the trust that the substance of the concern has been addressed to their satisfaction, the trust reserves the right to consider the matter closed.

Complaints Campaigns

For the purposes of this policy, “complaints campaigns” are where the academy/trust receives large volumes of complaints that are all based on the same subject from complainants that are not connected to the academy/trust.

Where the academy/trust becomes the subject of a complaints campaign, a standard, single response will be published on the academy or trust’s website.

If complainants remain dissatisfied with the academy/trust response, they will be directed to the DfE.

Serial and Persistent Complainants

We will act in a manner we believe to be appropriate when dealing with an individual who consistently makes the same complaints or who continuously asks the academy or trust to reconsider their position.

If a complainant attempts to re-open an issue which has previously fully completed the complaints procedure, the designated officer of the trust will inform the complainant that the matter is now closed. If the complainant contacts the academy or trust regarding the same issue again, the complaint may be classed as ‘serial’ or ‘persistent’ and the academy or trust does not have an obligation to respond.

The academy or trust must ensure that a complaint is not classed as ‘serial’ before they have fully completed the complaints procedure.

The academy or trust will not take the decision to stop responding to an individual lightly. The academy or trust will ensure that:

- ✿ They have previously taken every reasonable step to address the problem.
- ✿ They have provided the complainant with a statement of their position.
- ✿ The complainant is contacting the academy/trust repeatedly with the same complaint.
- ✿ If the academy/trust believes that the complainant is continuously contacting the academy/trust to cause disruption or inconvenience, or if the complainant is being abusive or threatening, the academy/trust has the right to not respond to the correspondent.

Once the academy/trust decides to no longer respond to a complainant, the individual will be informed of this decision in writing.

The complainant has the right to a third-party representative, such as the Citizens' Advice Bureau, throughout the complaint's procedure.

Any new complaint made by a 'serial' complainant will be responded to.

Complainants hold the right to refer their complaint to their local MP. This would not make the individual a 'serial' or 'persistent' complainant.

Unreasonable Complainants

We are committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our academies. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. Once a complainant's behaviour has become so extreme as to be deemed unreasonable and abusive, they will not necessarily be entitled to all stages of the complaint procedure outlined above.

Complainants should try to limit their communication with the academy about the complaint 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.

Whenever possible, the head teacher will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the head teacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing/by email. This may include barring an individual from the academy.

Ultimately, if a complainant persists to the point that the academy considers it to constitute harassment, legal advice should be sought as to the next steps. In some cases, injunctions and other court orders have been issued to complainants because of their behaviours.

Is it time to stop responding to a serial complainant?

The decision to stop responding should never be taken lightly. An academy needs to be able to say yes to all of the following:

-  The academy has taken every reasonable step to address the complainant's needs;

- ✿ The complainant has been given a clear statement of the academy's position and their options (if any); and
- ✿ They are contacting the academy repeatedly but making substantially the same points each time.

The case is stronger if the academy agrees with one or more of these statements:

- ✿ The academy has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience - have they actually said as much in a letter, email or telephone call?
- ✿ Their letters/emails/telephone calls are often or always abusive or aggressive.
- ✿ They make insulting personal comments about or threats towards staff.

Academies should not stop responding just because an individual is difficult to deal with or asks complex questions. In most circumstances the subject matter is what you can refuse to respond to, not the correspondent.

Academies must provide parents with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005.

However, where an individual's behaviour is causing a significant level of disruption academies may wish to implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term. This will be reviewed after 6 months.

Complainants who may have been restricted in their communications with the academy can also be advised to ask a third party to act on their behalf, such as the local [Citizens Advice Bureau](#).

Complainants have a right to have any new complaint heard and failure to respond at all to a complainant could mean that the academy is failing to comply with its legal obligations. An academy needs to ensure that they are acting reasonably and that any genuine complaint can still be heard.

Different procedures apply to FOI and Data Protection (DP) correspondence. You should contact the DPO (d.mousley@elevatemat.org) about those or approach the ICO for further advice.

Once an academy has decided that it is appropriate to stop responding, they will need to let the complainant know; ideally, through a hard copy letter but an email will suffice.

Most complaints raised will be valid where academy/trust will treat them seriously.

However, a complaint may be unreasonable if the person:

- ✿ Has made the same complaint before which has been resolved in accordance with this policy;
- ✿ Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive;
- ✿ Knowingly provides false information;
- ✿ Insists on pursuing a complaint that is unfounded, or out of scope of this complaints policy;
- ✿ Pursues a valid complaint, but in an unreasonable manner, for example by refusing to articulate the complaint, refusing to co-operate with this complaints policy, or insisting that the complaint is dealt with in ways that are incompatible with this policy and the time frames above;
- ✿ Changes the basis of the complaint as the investigation progresses;
- ✿ Makes a complaint designed to cause disruption, annoyance or excessive demands on Elevate and/or academy time;
- ✿ Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

Steps we will take

We will take every reasonable step to address the complainant's concerns and give them a clear statement of the position and their options. They will maintain their role as an objective arbiter throughout the process, including when they meet with individuals.

We will follow this Complaints Policy wherever possible. If the complainant continues to contact us in a disruptive way, we may put communications strategies in place which:

- ✿ 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;
- ✿ Requesting contact in a particular form (for example, letters only);
- ✿ Requiring contact to take place with a named member of staff;
- ✿ Restricting telephone calls to specified days and times; and/or
- ✿ Asking the complainant to enter into an agreement about future contact
- ✿ Ask the complainant to engage a third party to act on their behalf, such as the [Citizens Advice Bureau](#);
- ✿ Put any other strategy in place as necessary.

In all cases where we decide to treat someone as an unreasonably persistent complainant, the complainant will be informed in writing why their behaviour falls into that category, what action is being taken and the duration of that action. They will be informed how they can

challenge the decision if they disagree with it. If we decide to carry on treating someone as an unreasonably persistent complainant and are still investigating their complaint 6 months later, a review will be carried out and a decision will be made if the restrictions are to continue.

Where a complainant whose case is closed persists in communicating with us about it, they may decide to terminate contact with that complainant. In such cases, they will read all correspondence from that complainant, but unless there is fresh evidence which affects the previous decision regarding the complaint they will acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under this unreasonably, persistent complainant's section of the complaints policy will be treated on their merits.

Stopping Responding

We may stop responding to the complainant when all these factors are met:

- 🌿 They believe they have taken all reasonable steps to help address the concerns;
- 🌿 They have provided a clear statement of the position and the options.
- 🌿 The complainant contacts us repeatedly, and it is believed their intention is to cause disruption and/or inconvenience.

We will be most likely to choose not to respond if:

- 🌿 They have reason to believe the individual is contacting us with the intention of causing disruption and/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, Elevate and/or any of its staff, volunteers, governors and/or trustees.

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

Where we stop responding to the complainant, we will inform the individual that they intend to do so. They will also explain that they will still consider any new complaints made.

In response to any serious incident of aggression and/or violence, we will immediately inform the police and communicate their actions in writing. This may include barring the relevant individual from Elevate and/or premises.

Duplicate Complaints

If we have resolved a complaint under this policy and receive a duplicate complaint on the same subject from a partner, family member or other individual connected or related to the original complainant, 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 this is not the case, we will:

- ✿ Inform the new complainant that the matter has already been investigated and responded and this policy has been complied with;
- ✿ Direct them to the ESFA if they are dissatisfied with the handling of the original complaint.

If new aspects are as raised, this policy will be followed again.

Actions and Behaviour of Unreasonable and Unreasonably Persistent Complainants

These are some examples of the actions and behaviours of unreasonable and unreasonably persistent complainants. It is by no means an exhaustive list and factors may vary, but they are examples that may come to our attention:

- ✿ Refusing to specify the grounds of a complaint, despite offers of assistance with this from the Elevate or academy staff;
- ✿ Refusing to co-operate with this complaints process while still wishing their complaint to be resolved;
- ✿ Refusing to accept that issues are not within the remit of this complaints policy despite having been provided with information about the scope of this policy;
- ✿ Insisting on the complaint being dealt with in ways which are incompatible with this complaints policy or with good practice;
- ✿ Making what appear to be groundless complaints about the people dealing with the complaint, and seeking to have them replaced;
- ✿ Changing the basis of the complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage;
- ✿ Introducing new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed questions which are particularly time consuming and costly to respond to and insisting they are all fully answered;
- ✿ Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved;
- ✿ Adopting a 'scattergun' approach: pursuing a complaint or complaint with Elevate and/or an academy and, at the same time, with a Member of Parliament, the local authority, the police, OFSTED, the ESFA and/or the DFE;
- ✿ Making unnecessarily excessive demands on the time and resources of Elevate or academy staff, volunteers, governors and/or trustees whilst a complaint is being looked into by, for example, excessive telephoning or emails to numerous staff, volunteers, governors and/or trustees, writing frequent lengthy, complex letters and expecting prompt responses;
- ✿ Submitting repeat complaints, after this complaints process has been completed, essentially about the same issue(s), with additions and/or variations which the complainant insists make 'new' complaints which should be processed by the academy/trust;
- ✿ Refusing to accept the decision made under this complaints policy, repeatedly arguing the same issue and complaining about the decision;
- ✿ A combination of any or all of the above.

Barring from the Premises

Academy premises are private property and therefore any individual can be barred from entering the premises.

If an individual's behaviour is cause for concern, the head teacher can ask the individual to leave the premises.

The head teacher will notify the parties involved via writing, explaining that their implied licence for access to the premises has been temporarily revoked subject to any representations that the individual may wish to make.

The individual involved will be given the opportunity to formally express their views regarding the decision to bar them.

The head teacher will consult with Elevate's Senior Executive Team before barring a parent from the school site.

If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place, they will also be informed of when the decision will be reviewed.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including email, to the head teacher or Elevate's Senior Executive Team.

Once the academy's complaints procedure is completed, the only remaining avenue of appeal regarding a barring order is through the Courts.

Appendix 1:

Parent Code of Conduct

Purpose and Scope

At our academy we believe it is important to:

- 🌱 Work in partnership with parents to support their child's learning;
- 🌱 Create a safe, respectful and inclusive environment for children, staff and parents;
- 🌱 Model appropriate behaviour for our children at all times.

To help us do this, we set clear expectations and guidelines on behaviour for all members of our community. This includes staff (through the staff code of conduct) and children (through our behaviour policy).

This code of conduct aims to help the academy work together with parents by setting guidelines on appropriate behaviour.

We use the term 'parents' to refer to:

- 🌱 Anyone with parental responsibility for a child
- 🌱 Anyone caring for a child (such as grandparents or child-minders)

Our expectations of Parents and Carers

We expect parents, carers and other visitors to:

- 🌱 Respect the ethos, vision and values of our academy;
- 🌱 Work together with staff in the best interests of our children;
- 🌱 Treat all members of the academy community with respect – setting a good example with speech and behaviour ;
- 🌱 Seek a peaceful solution to all issues ;
- 🌱 Correct their own child's behaviour (or those in their care), particularly in public, where it could lead to conflict, aggression or unsafe conduct;
- 🌱 Approach the right member of academy staff to help resolve any issues of concern.

Behaviour that will not be Tolerated

- 🌱 Disrupting, or threatening to disrupt, school operations (including events on the academy grounds and sports team matches);
- 🌱 Swearing, or using offensive language;
- 🌱 Displaying a temper, or shouting at members of staff, children or other parents;
- 🌱 Threatening another member of the academy community;
- 🌱 Sending abusive messages to another member of the academy community, including via text, email or social media;
- 🌱 Posting defamatory, offensive or derogatory comments about the academy, its staff or any member of its community, on social media platforms;
- 🌱 Use of physical punishment against your child while on academy premises;
- 🌱 Any aggressive behaviour (including verbally or in writing) towards another child or adult;

- 🌱 Disciplining another person's child – please bring any behaviour incidents to a member of staff's attention;
- 🌱 Smoking, vaping or drinking alcohol on the academy premises (unless alcohol has been allowed at a specific event);
- 🌱 Possessing or taking drugs (including legal highs);
- 🌱 Bringing dogs onto the academy premises (other than guide dogs)

Breaching the Code of Conduct

If the academy suspects, or becomes aware, that a parent has breached the code of conduct, the academy will gather information from those involved and speak to the parent about the incident.

Depending on the nature of the incident, the academy may then:

- 🌱 Send a warning letter to the parent ;
- 🌱 Invite the parent into the academy to meet with a senior member of staff or the head teacher;
- 🌱 Contact the appropriate authorities (in cases of criminal behaviour);
- 🌱 Seek advice from the trust regarding further action (in cases of conduct that may be libellous or slanderous);
- 🌱 Ban the parent from the academy site.

The academy will always respond to an incident in a proportional way. The final decision for how to respond to breaches of the code of conduct rests with the head teacher.

The head teacher will consult with Elevate's Senior Executive Team before banning a parent from the school site.

Appendix 2: Stage 2 - Complaint Form

Academy Name - Complaints Form

Parent/carers name:
Child's name:
Relationship to child:
Address and postcode:
Daytime telephone number:
Evening telephone number:
Email address:
Complaint is: (if there is more than one complaint, please number these)

What action has already taken to try and resolve the complaint(s)? (Who did you speak to and what was the response?)

What would you like as an outcome from your complaint(s)?

Are you attaching any paperwork? If so, give details here:

Signature..... Date

All functions of the complaints procedure must adhere to the requirements of the Data Protection Act 2018 and the Freedom of Information Act 2000.

Please complete and return to the Academy Office in a sealed envelope addressed to the Head teacher.

Office use

Date received

Date acknowledgement sent

Responsible member of staff

Appendix 3: Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- ✿ explain the complaint in full as early as possible;
- ✿ co-operate with the academy in seeking a solution to the complaint;
- ✿ respond promptly to requests for information or meetings or in agreeing the details of the complaint;
- ✿ ask for assistance as needed;
- ✿ treat all those involved in the complaint with respect ;
- ✿ refrain from publicising the details of their complaint on social media and respect confidentiality.

The Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- ✿ providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
 - interviewing staff and children/young people and other people relevant to the complaint;
 - consideration of records and other relevant information o analysing information;
- ✿ liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- ✿ conduct interviews with an open mind and be prepared to persist in the questioning;
- ✿ keep notes of interviews or arrange for an independent note taker to record minutes of the meeting;
- ✿ ensure that any papers produced during the investigation are kept securely pending any appeal be mind of the timescales to respond;
- ✿ prepare a comprehensive report for the headteacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

The Head of Governance and Safeguarding

The head of governance and safeguarding should acknowledge the complaint at stages 2 and 3, and carry out their role for stage 3.

Panel Chair

The panel's chair, who is nominated in advance of the complaint meeting, should ensure that:

- ✿ both parties are asked (via the clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting;
- ✿ the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy;
- ✿ complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person;
- ✿ the remit of the panel is explained to the complainant;
- ✿ written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the Data Protection Act 2018 or GDPR. If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting;
- ✿ both the complainant and the academy are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself;
- ✿ the issues are addressed;
- ✿ key findings of fact are made;
- ✿ the panel is open-minded and acts independently;
- ✿ no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- ✿ the meeting is minuted.

Panel Member

Panel members should be aware that:

- ✿ the meeting must be independent and impartial and should be seen to be so no governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- ✿ the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant we recognise that the complainant might not be

satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- 🌱 many complainants will feel nervous and inhibited in a formal setting, parents/carers often feel emotional when discussing an issue that affects their child.
- 🌱 extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The panel should respect the views of the child/young person and give them equal consideration to those of adults.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child to attend a part of the meeting that the panel considers is not in the child's best interests.

the welfare of the child is paramount.

Availability

A copy of this Complaints Procedures Policy will be made available on request. It will also be published on the academy website, as required by the ESFA.