

COMPLAINTS POLICY

Learning Academies Trust

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LEARNING
ACADEMIES TRUST

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CHANGES

Policy date	Summary of change	Author	Version	Review date
	Model ESFA Policy adopted, replacing previous policy.	Amy Bosworth HR Lead	1.0	21/05/2024
01/12/2024	Change complaint investigation timescales, added persistent and vexatious complainant section, enhanced roles and responsibilities and updated contact email addresses	Apex HR Ltd	2.0	01/01/2026

1. WHO CAN MAKE A COMPLAINT?

This complaints procedure is not limited to parents or carers of children registered at the school. Whilst complaints related to a child’s education or welfare at the school can only be made by the parent or carer of that child, any individual, including members of the public, may raise complaints about the provision of facilities or services offered by the Learning Academies Trust. Unless a complaint is dealt with under separate statutory procedures (such as exclusions or admissions appeals, or other exceptions as detailed below), it will be handled in accordance with this complaints procedure.

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools 	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.

<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) LADO@plymouth.gov.uk who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH) MASH@plymouth.gov.uk</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>Complaints about the decision to suspend or exclude a child must be raised through an appeal process. If the complaint is about the application of the policy a complaint can be raised through this complaints policy.</i></p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the grievance policy.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff may also be considered under the disciplinary policy, if appropriate.</p> <p>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.</p>

2. 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'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The Learning Academies Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, please raise these concerns or complaints to the Headteacher or the complaints team who will identify another person to consider your concern or complaint. Similarly, if the member of staff directly involved feels unable to deal with a concern or complaint, the Headteacher or complaints team will refer your concern or complaint to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern or complaint objectively and impartially is more important.

3. HOW TO RAISE A CONCERN OR MAKE A COMPLAINT

A concern or complaint can be made in person, in writing or by telephone. Complaints made by a third party acting on behalf of a complainant, will be considered on a case-by-case basis and must have appropriate consent to do so.

School staff: Complaints should be made in the first instance, to the Headteacher via the school office or by contacting complaints@learningat.uk Please mark them as Private and Confidential.

Headteacher: Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, via the school office or by contacting complaints@learningat.uk. Please mark them as Private and Confidential.

Governors: Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office or by contacting complaints@learningat.uk Please mark them as Private and Confidential.

CEO or Trustee: Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to the Chair of Trustees, via the Learning Academies Trust Central Office, Salisbury Road, PL4 8QZ. Email: complaints@learningat.uk Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office or complaints team complaints@learningat.uk You can also ask a third-party organisation like Plymouth Citizens Advice to help you too.

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 and hearings in accessible locations.

4. ANONYMOUS COMPLAINTS

We will not normally accept anonymous complaints. However, if appropriate, the Trust will determine whether the anonymous complaint warrants an investigation.

5. TIME SCALES

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

6. COMPLAINTS RECEIVED OUTSIDE OF TERM TIME

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

7. RESOLVING COMPLAINTS

Our aim is to try to resolve any complaints at the earliest possible stage. At each stage in the procedure, this will be the focus. We will listen to the complainant, we may review additional information and undertake an investigation, if appropriate. In resolving the complaint, we will acknowledge if the complaint is upheld, partially upheld, not upheld or if we have been unable to make a finding. In addition, we may offer one or more of the following:

- an explanation
- an acknowledgement that the situation could have been handled differently
- an assurance that we will try to ensure the situation complained of will not reoccur
- if appropriate, 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 school policies in light of the complaint
- an apology

If a complaint is upheld or partially upheld, we will consider what the learning is for the Trust to ensure that measures are taken to embed the learning from complaints to minimise it happening again.

We are committed to resolving complaints promptly and effectively at the earliest possible stage. To achieve this, we may contact you to invite you to a meeting to discuss your concerns in more detail. This approach aims to address the matter collaboratively and avoid unnecessary escalation to the next stage of the complaints process.

Please note that participating in these discussions does not restrict your right to escalate your concerns within the complaints process. If your concerns have already been escalated, such discussions may take place alongside the formal investigation and Panel Hearing stages of the complaints policy.

If you would like to request a meeting to discuss your concerns, please email complaints@learningat.uk and a member of our team will be in touch to arrange this.

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. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against the Learning Academies Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

8. WITHDRAWAL OF A COMPLAINT

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing to complaints@learningat.uk

9. STAGE 1 – INFORMAL COMPLAINTS

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

Complaints should be raised with either the class teacher, subject leader or member of the leadership team. If an individual governor is contacted regarding a complaint, they will pass this back to the school for investigation, unless the complaint relates to the Headteacher. These complaints should be made to the Chair of Governors as detailed in section 3.

The matter will be considered at school level. At the conclusion of the enquiries, the appropriate person considering the complaint will provide an informal response within 10 school days of the date of receipt of the complaint.

If the matter cannot be resolved informally, the next step is to raise a formal complaint under Stage 2 of the complaints policy.

A request to escalate to Stage 2 must be made to the Clerk, via the school office or to complaints@learningat.uk, within 10 school days of receipt of the informal response.

10. STAGE 2 – FORMAL COMPLAINTS

Formal complaints can be made to the Headteacher (unless they are about the Headteacher), via the school office or via complaints@learningat.uk. This may be done in person or in writing. There is a Complaint Form provided within this policy should the complainant prefer to use this.

When submitting a formal stage 2 complaint, the complainant should confirm what remains unresolved from the informal stage 1 complaint. The complainant should include specific details such as relevant dates, times, and any evidence supporting their concerns (e.g., emails, letters, or photos). They should also outline what they would consider a satisfactory outcome to ensure the complaint can be effectively addressed. Providing clear and concise information will help facilitate a thorough and timely investigation

The Headteacher or complaints team will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. They will confirm the points for investigation in writing.

The Headteacher or complaints team may consider a face to face meeting is the most appropriate way to fully understand the complaint and agree the points for investigation.

Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the Headteacher/investigating officer 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 Headteacher will provide a formal written response within 20 school days of the date of confirmation of the complaint points. If the Headteacher is unable to meet this deadline, they will provide the complainant 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, if appropriate, that will be taken to resolve the complaint.

The outcome letter will inform the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

Please note that most complaints must be addressed at informal stage 1 before progressing to stage 2, unless approval is granted by the Headteacher or the complaints team

If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitable person will be appointed to complete all the actions at Stage 2. Complaints about the Headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

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

Stage 2 will be escalated to the CEO of the Trust. In this instance, please email: complaints@learningat.uk

11. STAGE 3 – PANEL HEARING

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office or to complaints@learningat.uk, within 10 school days of receipt of the Stage 2 response.

The Clerk or complaints team 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 and will inform the Trust complaints team.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the hearing. They will aim to convene this within 15 school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the hearing. It will then proceed in the complainant's absence using written submissions from both parties where appropriate.

A complainant may bring someone along to the panel hearing to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the hearing. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint hearing, they may wish to be supported by union and/or legal representation.

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 our disciplinary procedures, if appropriate, but outcomes will not be shared with them due to our responsibilities under Data Protection.

Representatives from the media are not permitted to attend. When inviting the complainant to the hearing, the clerk will:

- confirm and notify the complainant of the date, time and venue of the hearing, ensuring that, if the complainant is invited, the dates are convenient for all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted at least 7 school days before the hearing.

Any written material will be circulated to all parties at least 5 school days before the date of the hearing. 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 may be dealt with from Stage 1 of the procedure.

The hearing will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs requires 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
- not uphold 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 school's systems or procedures to prevent similar issues in the future.

The Chair of the Panel will provide the complainant and the school with an 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 Learning Academies Trust.

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

The panel will ensure that those findings and recommendations are sent by email or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Headteacher.

A written record will be kept of all complaints, and if they are resolved at an earlier 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. If the complaint is:

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

Stage 3 will be heard by the two trustees of the Learning Academies Trust and an independent panel member.

12. COMPLAINTS ESCALATED TO / ABOUT THE TRUST, CEO OR TRUSTEE

If a complaint is escalated to the Learning Academies Trust “the trust” or if a complainant wishes to complain directly about the trust, then the complaint should be sent to the CEO to be investigated.

Email: complaints@learningat.uk

The CEO/Clerk to the Trust Board will write to the complainant acknowledging the complaint within 5 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under the appropriate stage of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 20 school days of the date that the complaint points were agreed. If this time limit cannot be met, the CEO will write to the Complainant, explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation

NB. Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Clerk to the Trust Board asking for the complaint to be heard before a Complaint Panel, within 10 school days.

The Clerk 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.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the hearing. They will aim to convene a hearing within 15 school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the hearing. It will then proceed in the complainant’s absence on the basis using written submissions from both parties where appropriate.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust board or
- the majority of the trust board

The Stage 3 Panel Hearing will be heard by a completely independent panel.

The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, or have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of Learning Academies Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust. A Governor from a local governing body is considered to be an independent panel member.

A complainant may bring someone along to the panel hearing to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel hearing. However, there may be occasions when legal representation is appropriate.

For instance, if a trust employee is called as a witness in a complaint hearing, they may wish to be supported by union and/or legal representation.

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 due to our responsibilities under Data Protection.

Representatives from the media are not permitted to

attend. The Clerk will:

- confirm and notify the complainant of the date, time and venue of the hearing, 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 panel at least 7 school days before the hearing.

Any written material will be circulated to all parties at least 5 school days before the date of the hearing. 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 may be dealt with from Stage 1 of the procedure.

The hearing will be held in private. 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 school's systems or procedures to prevent similar issues in the future.

The Chair of the Panel will provide the complainant and the Learning Academies Trust with an 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 Learning Academies Trust.

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

The panel will ensure that those findings and recommendations are sent by email or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Headteacher.

A written record will be kept of all complaints, and if they are resolved at an earlier 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.

13. NEXT STEPS

If the complainant believes the school / 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 Learning Academies Trust. They will consider whether the 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

14. ROLES AND RESPONSIBILITIES

14.1. 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 school 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.

14.2. Investigating Officer

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

- providing comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough meeting with 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
 - analysing information
 - liaising with the complainant and the complaints team as appropriate to clarify what the complainant feels would put things right.

The investigating officer should:

- conduct interviews with an open mind and be curious in their questioning
- keep notes of interviews or arrange for a note taker to record minutes of the meeting
- ensure that any records produced during the investigation are kept securely pending any request to escalate the complaint
- be mindful of the timescales to respond
- prepare a report for the Headteacher or relevant person that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Headteacher or relevant person will then determine whether to uphold, partially uphold or not uphold the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

14.3. Complaints Team

The complaints team is responsible for facilitating a fair and transparent complaints process. Their key responsibilities include:

- Ensure that all parties involved in the complaint are fully informed and updated at each stage of the procedure.
- Offer advice and guidance to the complainant and relevant parties regarding the complaints process, ensuring understanding of the steps involved.
- Liaise effectively with staff members, the senior leadership team, Headteacher, CEO, Chair of Governors, Chair of the Trust, or the Clerk to ensure the smooth operation of the complaints procedure.
- Be mindful of issues related to sharing third-party information to maintain the integrity of the process and protect privacy.
- Identify and provide any necessary additional support to complainants, such as interpretation services or assistance for children or young people making a complaint.
- Keep thorough and accurate written records of the complaint, including all relevant documentation and correspondence, to ensure transparency and accountability.

14.4. Member of Senior Leadership

An appropriate member of either school or Trust senior leadership should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, CEO, Chair of Governors, Chair of Trust or the Clerk to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - any additional support that may be required by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

14.5. Clerk to the Governing Body / Trust Board

The Clerk is one of the contact points for the complainant and the Panel and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the hearing, ensuring that the dates are convenient for all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the hearing within an agreed timescale
- record the proceedings
- circulate the minutes of the hearing
- notify all parties of the panel's decision.

14.6. Panel Chair

The panel chair, who is nominated in advance of the complaint hearing, 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 hearing
- the hearing 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 hearing 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 DPA 2018 or GDPR.
- both the complainant and the school are given the opportunity to share their perspectives and seek clarity, either through written submissions ahead of the hearing or verbally in the hearing 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 hearing is minuted
- they liaise with the Clerk and complaints team.

14.7. Panel Member

Panel members should be aware that:

- the hearing must be independent and impartial, and should be seen to be so

No governor / trustee 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 hearing should be to resolve the complaint and seek to achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the hearing does not uphold the complaint. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a panel hearing 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 hearing.

Careful consideration of the atmosphere and proceedings should ensure that the child/young person is put at ease as much as possible.

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

If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them explain their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the hearing, if any, the child/young person needs to attend.

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

- the welfare of the child/young person is paramount.

15. PERSISTENT/SERIAL OR VEXATIOUS COMPLAINANTS

A persistent or serial complainant is defined as an individual who, despite having their complaint comprehensively addressed by the school, continues to pursue the same complaint or raises issues that are substantially similar. Persistent complaints may involve repetitive or habitual behavior that consumes an excessive amount of time and resources.

A vexatious complainant is one who acts in a manner that is unreasonable and causes undue stress or burden on school staff and operations. This behavior may include, but is not limited to:

- Submitting repeated complaints with the intention of causing inconvenience
- Making unreasonable demands for responses or attention beyond what is proportionate

Note: Anyone using harassing, threatening, or abusive language may also have their contact restricted through the managing persistent/serial and vexatious complaints procedure.

Procedure for Managing Persistent/Serial and Vexatious Complaints

- **Initial Identification:** If a complainant is identified as persistent or vexatious, the Headteacher (or designated senior member of staff) will conduct a review of the complainant's history and interactions with the school to determine if the behaviour meets the criteria outlined above.
- **Written Notification:** The complainant will be informed in writing that their behaviour is considered persistent or vexatious. The notification will include:
 - Specific reasons for the decision
 - A summary of the complaint history
 - The actions the school will take to manage the behavior
- **Setting Boundaries:** The school will set clear boundaries for future contact, such as:
 - Limiting the frequency of communication (e.g., no more than one email per week)
 - Designating a single point of contact at the school
 - Establishing a specific communication channel (e.g., written communication only)
- **Temporary Suspension of Interaction:** In extreme cases, the school may temporarily suspend communication with the complainant, except in emergencies or significant matters related to the welfare of pupils.
- **Review Period:** The status of a complainant as persistent or vexatious will be subject to review after a set period of six months. The complainant will be notified in writing of the outcome of the review.

Potential Outcomes for Persistent/Serial and Vexatious Complaints

- **Ceasing to Respond:** The school may decide not to respond to further correspondence on the same matter if it has already been comprehensively addressed.
- **Limited Contact:** Future communication from the complainant may be directed to a specific staff member and will be limited to a defined mode (e.g., email only).
- **Formal Warning:** If abusive or threatening language is used, the school may issue a formal warning and limit future contact through the outlined procedure.
- **Ban from School Premises:** In severe cases involving harassment, aggression or threats, the complainant may be prohibited from entering school premises. This decision will be communicated in writing, with the right to appeal outlined.
- **Legal Action:** If necessary, the school may take legal action, such as involving the local authority or seeking a restraining order.

17. RIGHT TO APPEAL

If a complainant is dissatisfied with the outcomes, they may appeal this decision in writing within 10 school days of receiving the notification. The appeal will be reviewed by a senior member of the Learning Academies Trust, and a final decision will be provided in writing.

18. COMPLAINT FORM

Please complete and return to complaints@learningat.uk. You will receive an email to acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship with the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: Email address:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Action taken:

Date: