



LIONHEART
EDUCATIONAL
TRUST

COMPLAINTS POLICY and PROCEDURE

including any arrangements for handling complaints from parents of children with SEN about the support provided by the school and including Policy for Handling Unreasonable Complaints

**This policy applies to all schools within
the Lionheart Educational Trust**

Approved by the Trust

June 2023 – 2025

Lionheart Educational Trust is committed to working in partnership with all members of our school communities. The Trust values the role which parents and carers can play in supporting pupils' learning. Staff and governors actively encourage a positive relationship between the school and the families of pupils who attend our schools. We also desire to have good relations with our neighbours and the wider community.

We aim:

- 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 make sure all complaints are investigated fairly and in a timely way
- to make sure that, wherever possible, complaints are resolved and relationships are repaired
- to ensure that, where appropriate, lessons are learned which lead to improvements in the schools

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'. Where any concerns are raised we aim to resolve these as quickly and as efficiently as possible. Usually concerns that are raised can be resolved very quickly through the school's day-to-day communication between parents and the school staff.

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

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. Our 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, the trust will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the trust 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 trust will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

Who can raise a complaint?

Complaints may come from any person or organisation that has an interest in the school. This policy does not cover complaints from staff, who should follow the relevant internal policy.

Should a complaint arise which involves a student who is an adult, due regard to data protection will be taken and the student will be recognised as an adult. They will have the right to decide whether or not their own information can be shared with their parent(s) if a parent is making a complaint against the academy.

Timescales from submitting a complaint

To enable a proper investigation, concerns or complaints should be brought to the attention of the school within 3 months. This time limit does not apply if it can be shown that there were good reasons for not making the complaint earlier and it is still possible to investigate the complaint properly.

Timescales for responding to a complaint

This policy outlines timescales within which the school will respond. Where the complaint is particularly complex, or the relevant staff or governors not immediately available, these timescales may need to be extended. In this case the school will contact the complainant to inform them of the reason for the delay.

'School days'

This policy refers to 'school days', i.e. the days in which the school is open to pupils.

Complaints received outside of term time

The trust will consider complaints outside of term time to have been received on the first day after the holiday period.

Confidentiality

All complaint information will be handled sensitively, telling only those who need to know and following any relevant data protection requirements. Correspondence, statements and records relating to individual complaints are to 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.

Scope of this complaint's procedure

This procedure covers all complaints about any provision of community facilities or services by schools within the trust other than complaints that are dealt with under other statutory procedures, including those listed below.

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	Complaints about child protection matters are handled under our Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding via County Hall (Leicestershire) or City Hall (Leicester City).
<ul style="list-style-type: none">• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>

<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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. Volunteer staff who have concerns about our school should complain through this 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 school's internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. 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>
<ul style="list-style-type: none"> • Services provided by third parties e.g. community facilities and services 	<p>These should be addressed directly to the third party</p>

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 school or trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, our schools aim 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 school policies in light of the complaint
- an apology.

Withdrawal of a complaint

If a complainant chooses to withdraw their complaint, we will ask them to confirm this in writing.

Complaints Procedure

'Headteacher' refers to the Headteacher, Head of School or Principal of the school or college.

This Trust operates a four stage complaints procedure outlined below. If the complaint is about the Headteacher, a formal written complaint should be referred to the Chair of Governors, to be dealt with under Stage 3 of this procedure.

Where the following procedure refers to the Headteacher, they may delegate any of these functions to a member of the senior leadership team if appropriate. In exceptional circumstances, the Headteacher may commission an independent investigator to undertake an investigation on behalf of the school.

This procedure includes 4 stages:

- Stage 1: Informal concern raised with staff member or Headteacher
- Stage 2: Formal complaint to the Headteacher
- Stage 3: Formal complaint to the chair of governors
- Stage 4: Formal complaint to the complaints appeal panel

The school will keep a written record of all complaints, whether they are resolved following a formal procedure or proceed to a panel hearing. The school will also record action taken as a result of those complaints regardless of whether they are upheld.

Who to complain to

- Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark them as Private and Confidential.
- Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, using the email address found on the school website, and copying in the Head of Governance lht-governance@lionhearttrust.org.uk
- Complaints about the Chair of Governors, any individual governor or the whole governing body will need to be dealt with under Policy against complaints about a Governor or Trustee.
- Complaints about the Chief Executive Officer (CEO), or any of the central team, or a Trustee of the Trust, should be addressed to the Chair of Trustees, using email anne.lamb@lionhearttrust.org.uk

A template complaint form is included at the end of this procedure. Please note, this form must be completed before the complaint will be escalated, please see the specific deadlines for each stage of the policy. If you require a paper version or help with this, please get in touch with the Head of Governance. Handwritten copies of completed complaint forms will be accepted.

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.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Complaint campaigns

Occasionally, a school or the trust may become the focus of a campaign and receive large volumes of complaints:

- all based on the same subject
- from complainants unconnected with the school

A separate procedure will be used to handle complaints of this nature which will include, where appropriate:

- sending a template response to all complainants
- publishing a single response on the school's website

Complaints of this nature will be dealt with, in the first instance, by the Complaints Coordinator (Head of Governance) and the strategy for managing the complaints approved by the Chair of the Trust, involving governors and / or trustees in reviewing the complaint.

Complainants will still have the right to appeal to the ESFA.

Handling complaints fairly

Complainants should be treated fairly and offered a chance to state their case either in person or in writing, at each stage of the procedure.

If the school / trust has made reasonable attempts to accommodate complainants with dates for complaint meetings and they refuse or are unable to attend the school / trust may:

- convene meetings in their absence
- reach a conclusion in the interests of drawing the complaint to a close.

The Complaints process

Stage 1: Informal complaint

An initial concern should be raised with the class teacher, the member of staff concerned or the Headteacher. This can be done in writing, by telephone or in person by appointment. The vast majority of concerns can be dealt with at this stage. It would be helpful to identify at this point what outcome is being sought in order for the school to address the complaint quickly and effectively. Unless there are exceptional circumstances, staff are expected to make an initial response to an informal complaint **within 5 school days**.

Members of the public should begin at Stage 2 of the procedure and make contact with the Headteacher to discuss their complaint.

Stage 2: Formal complaint to the Headteacher

If a complaint is not resolved at the informal stage it is possible to make a formal complaint to the Headteacher, **within 10 school days** of Stage 1 being concluded. The complainant must be clear that they are raising a formal complaint. The formal complaint must always specify the outcome the complainant wishes to see as a result of raising the complaint and should usually be made in writing (a form is enclosed for this purpose).

The complaint will be acknowledged **within 5 school days** and will include an indicative date for a written response. The Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this. The Headteacher may delegate the investigation to another member of the school's senior leadership team but the decision rests with the Headteacher.

During the investigation, the Headteacher (or 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 Headteacher will provide a formal written response **within 15 school days** of the date of receipt of the complaint.

Dependent upon the nature of the issues raised, the matter may continue to be dealt with through other internal procedures such as the school's disciplinary or safeguarding procedures. In this case the complainant will be informed that the matter has been handled appropriately, but will not usually be advised of the nature or outcome of these proceedings.

On conclusion of the investigation the Headteacher will respond in writing with all appropriate information in relation to the complaint and information on any outcomes. The response will include information as to the next stage of the procedure in case the complainant is not satisfied with the response.

Stage 3: Formal complaint to the Chair of Governors

If the complainant is dissatisfied with the Headteacher's response, or the complaint concerns the conduct of the Headteacher, a formal complaint can be made to the Chair of Governors.

The complaint should be made in writing addressed to the Chair of Governors and Head of Governance, care of the school, **within 10 school days** of the date of the Headteacher's response. This should include a copy of the written complaint, a copy of the Headteacher's letter concluding Stage 2, and **details in writing as to why the complainant is not satisfied with the outcome using the form provided at the end of this policy.**

The school website includes an email address for the Chair of Governors and the Head of Governance, both should be used for correspondence. The Head of Governance details are lht-governance@lionhearttrust.org.uk

At this stage the Chair of Governors will generally handle the complaint but can delegate this to a nominated governor. The Chair of Governors will be supported during this process the Trust Head of Governance.

The Chair of Governors may appoint the Head of Governance or member of the trust leadership as an investigator to undertake an investigation on behalf of the Chair which will then be fed back to the Chair who will use this to come to their own conclusions about the complaint, which they will then report back to the complainant.

The Chair or Clerk should respond **within 15 school days**. Complainants should be aware that Chairs of Governors are not employees of the school, and are not in a position to collect written correspondence on a daily basis. In order for the Chair of Governors to acknowledge a letter of complaint within 5 school days, which would be the school's aim, written letters of complaint which are hand delivered or sent by post should be marked 'Urgent – private and confidential'. It should be borne in mind that Chairs of Governors are not in school on a daily basis and may occasionally take holidays during term time, and may therefore occasionally be unable to respond to emails within 5 school days.

The Chair of Governors or a delegated governor will investigate the complaint and make every effort to resolve the issue. They may meet with the complainant if they need clarification or further information is necessary.

On conclusion of the investigation they will send a written response of the outcome reached, where possible **within 15 school days**, and the process for appeal.

The findings and recommendations of the investigation should also be provided to the person complained about, where relevant.

Stage 4: Formal complaint to the Complaints Appeal Panel

If the complainant remains dissatisfied with the response to the complaint they may request that it is reviewed by a Complaints Appeal Panel by writing to the Head of Governance **within 10 school days** of the date of the letter notifying them of the outcome of Stage 3. Written letters should be addressed to the Head

of Governance and marked as 'Urgent – private and confidential'. Emails should be addressed to the Head of Governance lht-governance@lionhearttrust.org.uk.

The Head of Governance will write to acknowledge receipt of the complaint **within 5 school days**. The letter will explain the process which is to be followed and information about the how the panel will operate.

The Head of Governance will convene a governing body Complaints Panel, they may seek support from the Head of Governance regarding this who may be involved in the process, and may be present at the meeting in the capacity of overseeing the complaint.

The Head of Governance will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting **within 20 school days** of receipt of the Stage 4 request. If this is not possible, the Head of Governance will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Head of Governance will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The Head of Governance will ask the complainant to provide details of the appeal and any relevant supporting evidence.

'The complainant' refers to a single person raising a complaint. If the complainant is a parent they may be accompanied by another who is recognised as a parent within guidelines, and this additional parent may also address the panel.

Representatives from the media are not permitted to attend.

Generally, we do not encourage either party to bring legal representatives to the panel meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Each party may be accompanied by a colleague or supporter who cannot act as an advocate, nor will they have the right to address the panel. The Clerk must be informed **at least 5 days in advance** of any additional parent, or a colleague or supporter attending with either party.

Each party may call witnesses directly involved in matters raised by the complainant (i.e. not 'expert witnesses') or present witness statements. Witnesses are only required to attend for the part of the hearing in which they give their evidence and respond to questions. The Clerk must be informed **at least 5 days in advance** of any witnesses who will be called by either party.

Given the formal nature of the meeting it would be inappropriate in all but exceptional circumstances for a child under 18 to be asked to attend as witness, and this would always be dependent on parental consent.

The Complaint Appeal Panel may also consider whether it would be helpful to invite members of staff and/or other adult witnesses directly involved in matters raised by the complainant to produce a written report (if this has not already been done), or to attend the meeting.

The meeting 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 committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

Panel members

The panel will usually consist of two governors from the school / Lionheart Trust Board and one person who is independent of the leadership, management and running of the school and Trust. In line with DfE guidance, this may be a member of the governing body of another school within the trust who has no prior knowledge of the complaint.

The remit of the complaints appeal panel is to:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part
- decide on the appropriate action to be taken to resolve the complaint
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur

The complainant will be notified in writing of the panel's decision, usually **within 5 days**. The letter will confirm the end of the school's and governing body's involvement with the complaint and explain any further rights of appeal.

Suggested agenda of the Complaints Appeal Panel Hearing

Introductory comments

The Chair of the panel will introduce those present and outline the procedure to be followed. They will emphasise the need for confidentiality, offer adjournments at the request of either party and require that all electronic devices are switched off.

The complainant's case

- a. The complainant presents the reason for their appeal, including any new evidence.
- b. The complainant may call a witness to support their case.
- c. The school representative may question the witness
- d. The panel may question the witnesses. (Steps b-d will continue until all of the complainant's witnesses have been heard and questioned – witnesses will only be present in the room during their evidence).
- e. The school representative may question the complainant
- f. The panel may question the complainant

The school's response

- a. The school representative presents their case
- b. The school representative may call a witness to support their case.
- c. The complainant may question the witness
- d. The panel may question the witnesses. (Steps b-d will continue until all of the school representative's witnesses have been heard and questioned – witnesses will only be present in the room during their evidence).
- e. The complainant may question the school representative
- f. The panel may question the school representative

Summing up

- a. The complainant has the opportunity to sum up their case.
- b. The school representative has the opportunity to sum up their case.

Panel decision

- a. The school representative, the complainant and their supporter will adjourn so that the panel can deliberate.
- b. Having deliberated on the matters placed before them, the panel will notify the complainant of the outcome within 5 days in writing and, where relevant, the person complained about.

Recording the outcome

The Chair or delegated governor at Stage 3, and the panel at Stage 4, should record their recommendations and findings in a letter which is sent to the complainant once the complaint stage has been completed and **within 5 school days** of the panel hearing. This should also be made available to the person being complained about, where relevant.

Minutes of the panel hearing should be shared with the complainant as soon as possible. The minutes are written by a professional clerk who is expected to act in an independent, unbiased manner, and are agreed by the Chair of the panel. If the complainant feels the minutes are inaccurate they should write to the clerk within 5 working days clearly outlining their concerns. The Chair will consider these and will either agree amendments or file the complainant's concerns alongside the agreed minutes.

The findings and recommendations of the panel should also be provided to the person complained about, where relevant.

This letter should be available in school to both the Headteacher / Principal and the CEO/Chair of Lionheart Educational Trust.

Actions taken by the school following the complaint should also be recorded.

Complaints about the Trust, CEO or a Trustee

If a complainant wishes to complain directly about the trust, then the complaint should be sent to the CEO by email via the trust leadership's PA on vanessa.perkins@lionhearttrust.org.uk.

The CEO 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 Stage 2 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 15 school days** of the date that the letter was received. 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. 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 a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation

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, at **Stage 4, within 5 school days**.

Requests received outside of this time frame will only be considered if exceptional circumstances apply. Stage 4 will be heard by a 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 the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

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.

Published data

The number of complaints considered at Stage 4 in the previous academic year should be recorded on the trust website each autumn.

Deviating from this policy

As outlined in the DfE's best practice guidance: 'There may be occasions when it is necessary or reasonable to deviate from the published complaints procedure. This includes not doing something the procedure states you will, should or may do. The DfE recommends that any deviation from the published procedure is documented.'

If the complaint is escalated to the DfE / ESFA for consideration and the complaint is about any deviation from the published policy, the school / trust will be asked for an explanation for doing this, unless one is already included in the evidence provided.

Further rights of appeal

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 4.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the school or trust. They will consider whether the school / 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

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 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.

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:
 - o where appropriate, sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - o where appropriate, interviewing staff and children/young people and other people relevant to the complaint
 - o consideration of records and other relevant information
 - o analysing information
- liaising with the complainant and the complaints coordinator 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 mindful 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.

Complaints Co-ordinator - Head of Governance

The Complaints Co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, head teacher, CEO, Chair of Governors, Chair of Trust or the Clerk and to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - o sharing third party information
 - o additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- record the progress of the complaint and the final outcome
- record whether the case progressed to a panel hearing
- record the action taken by the school or the trust, regardless of outcome
- determine who is responsible for these records and make sure the data is kept secure

Clerk to the Governing Body / Trust Board

The Clerk is the contact point 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 meeting, ensuring that the dates are convenient to 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 meeting within an agreed timescale
- make written minutes of the hearing
- circulate the minutes of the meeting
- notify all parties of the panel's decision.

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 DPA 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 school 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 committee 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
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- the meeting 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 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 committee 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 present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, 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 meeting that the panel considers is not in the child/young person's best interests.

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

Unreasonable and/or Vexatious Complaints

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for schools to recognise when they really have done everything they can in response to a complaint. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

Best practice advice for school complaints 2016: DfE

Policy for Handling Unreasonable Complainants

Lionheart Educational Trust is 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 the school. 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.

The Trust defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- refuses to accept that certain issues are not within the scope of a complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and / or by telephone while the complaint is being dealt with

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously
- aggressively
- using threats, intimidation or violence

- using abusive, offensive or discriminatory language
- knowing it to be false
- using falsified information
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a 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 Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact a school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan.

This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from a school.

Formal Complaint Form

Your name:	
Pupil's name (if applicable):	
Your relationship to pupil:	
Address:	
Postcode:	Daytime Tel:
Mobile:	E-mail:
Please give concise details of your complaint:	
What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to, when and what was the response?)	

What actions do you feel might resolve the problem at this stage? What lessons could be learned?

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

Signed:

Date: