Complaints Procedures Policy

Sept 2026

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Statement of intent

Tyne and Wear Learning Trust aims to resolve complaints at the earliest possible stage and, where possible, informally, and is dedicated to continuing to provide the highest quality of education possible in all of its academies throughout the procedure.

This policy has been created to handle complaints relating to any aspects of the provision of facilities or services against:

- Any member of staff.
- Any academy within the trust.
- Any LGB of the trust.
- Individual trustees or the board of trustees.
- The trust as a whole.

It is designed to ensure that the trust's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality, and delivers an effective response and appropriate redress.

This policy outlines the procedure that the complainant, the trust and its academies will follow. Once a complaint has been made, it can be resolved or withdrawn at any stage.

The headteacher and/or chair of governors of the relevant academy will delegate an appropriate person to be the first point of contact during the complaints procedure.

1. Legal framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Freedom of Information Act 2000
- Education Act 2002
- Equality Act 2010
- Part 7 of The Education (Independent School Standards) Regulations 2014
- Immigration Act 2016
- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'
- DfE (current) 'Best practice guidance for academies complaints procedures'
- DfE (2026) 'Academy Trust Handbook 2026'

This policy operates in conjunction with the following school policies:

- Admissions Policy
- Child Protection and Safeguarding Policy
- Behaviour Policy
- Suspension and Exclusion Policy
- Whistleblowing Policy
- Grievance Policy
- Data Protection Policy
- Records Management Policy

2. Definitions

For the purpose of this policy, a "**complaint**" is defined as 'an expression of dissatisfaction' towards the actions taken or a perceived lack of action. Complaints can be resolved formally or informally.

A "**concern**" is be defined as 'an expression of worry or doubt' where reassurance is required. For the purpose of this policy, concerns will be classed and addressed as complaints.

Any complaint or concern will be taken seriously, whether raised formally or informally, and the appropriate procedures will be implemented.

The definition of "**unreasonable complaints**" is outlined in the 'Managing unreasonable complaints' section of this policy.

For the purpose of this policy, "**duplicate complaints**" are identical complaints received from a complainant's spouse, partner or child. These complaints will not be addressed again and the individual making the second complaint will be informed that the complaint has been dealt with on a local level. If the individual is dissatisfied with the result, they can ask the DfE to review the Trust's handling of the complaint, as outlined in 'The role of the DfE' subsection of

this policy. Any new details provided by a complainant's spouse, partner or child, however, will be investigated and managed in line with the complaints procedure.

For the purpose of this policy, "**complaints campaigns**" are where the trust, or an academy within the trust, receives large volumes of complaints that are all based on the same subject.

For the purposes of this policy, having **"independence"** from the trust and its academies is defined as having no association with the trust, including through being a member, trustee or employee, and having no clear connection with any of the trust's academies, including through being an employee or solicitor. Independent panel members will meet the trust's and DfE's definition of independence.

3. Making a complaint

This statutory procedure applies to complaints from parents or carers of pupils currently attending a Trust academy about the provision of education, facilities or services for their child. A representative may complain on their behalf where appropriate written consent or other lawful authority has been provided.

Complaints from former parents, prospective parents, members of the public or others outside the statutory scope will be handled respectfully and promptly. The Trust may use this procedure, or an adapted proportionate process, but is not required to apply every stage. Nothing in this policy prevents the Trust from making reasonable adjustments for disability, communication need, language or literacy.

The trust will not normally investigate anonymous complaints.

Individuals making complaints about issues relating to separate statutory procedures will be referred as follows:

- **Admissions** – referred to the appeals process outlined in the Admissions Policy.
- **Child protection or risk of harm –** referred immediately through the Child Protection and Safeguarding Policy and, where appropriate, to children's social care, the LADO or the police. The complaints process may be paused so it does not prejudice safeguarding action.
- **Suspension or permanent exclusion decisions –** addressed through the statutory review arrangements in the Suspension and Permanent Exclusion Policy. Complaints about application of the Behaviour Policy may use this procedure.
- **Whistleblowing** – referred to the internal whistleblowing procedures outlined in the Whistleblowing Policy.
- **Staff grievances** – referred to the internal grievance procedures outlined in the Grievance Policy.
- **Staff conduct –** considered under internal disciplinary procedures where appropriate. The complainant will not be told confidential employment outcomes, but will be told that the concern has been addressed and may complete the complaints procedure about the school's handling of the matter.
- **Third-party suppliers using school premises or facilities** – referred to separate complaints procedures. The school will ensure any third-party supplier using school

premises or facilities to offer community facilities or services has its own complaints procedures in place and such complaints do not fall within the scope of this policy.

All other complaints will be directed towards the procedures laid out in this policy.

At the informal stage, complaints may be made in person, in writing or by telephone. The Trust will provide reasonable adjustments and practical assistance where required. Formal complaints should normally be in writing, but an alternative accessible method will be accepted where there is a sufficient reason.

Complaints are expected to be made as soon as possible after an incident arises to amend the issue in an appropriate timescale. The trust upholds a three-month time limit in which a complaint can be lodged regarding an incident. Complaints made outside this time limit will be considered in exceptional circumstances. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner. Complaints received outside of term time will be treated as being received on the first school day after the holiday period.

A complaint can progress to the next stage of the procedure even if it is not viewed as "justified". All complainants are given the opportunity to fully complete the complaints procedure.

Complaints about trust staff or trustees

Complaints against staff of an academy in the trust will:

- Be dealt with by the headteacher of the academy.
- Follow the complaints procedure, including a panel hearing where applicable.

Complaints against a headteacher of an academy in the trust will:

- Be dealt with by the chair of the LGB of the academy.
- Follow the complaints procedure, including a panel hearing where applicable.

Complaints against local governors or trustees will:

- Be made in writing to the clerk, who will arrange for them to be heard.
- Be dealt with by the chair of the LGB or the chair of trustees, respectively.
- Potentially involve escalation to the trust board to conduct an investigation – this will be handled by the CEO.
- Involve a panel hearing where applicable.

Complaints against the chair of trustees, the chair and vice-chair together, or an entire LGB will:

- Be made in writing to the governance professional, who will arrange an appropriately independent investigation and, if required, a panel with no prior involvement or conflict of interest.

Complaints against the whole board of trustees will:

- Be referred by the governance professional to the Members, who will arrange an independent investigation and a compliant panel hearing if escalation is requested.

- Follow the complaints procedure, including a panel hearing where applicable.

Complaints against the CEO will:

- Be dealt with by the chair of trustees, with a panel hearing where applicable.

Complaints against the Trust's central services or the Trust as an organisation will:

- Be dealt with by the CEO.
- Begin at stage two and be handled by the CEO or an independent person appointed by the chair of trustees where the CEO, trustees or a conflict of interest is involved.Complaints procedure

Complaints escalated to the trust

Where a complainant wishes to escalate their complaint to the trust, the complaint will be handled by the CEO.

The clerk to the board of trustees will write to the complainant to acknowledge their complaint within **15** days of receiving it. If appropriate, the CEO will investigate the complaint and provide an initial response.

Where the complainant is not satisfied with the outcome of the initial response, they will be prompted to write to the clerk to the board of trustees to ask for the complaint to be held before a panel within **10** school days. The clerk will record the date this complaint is received and will respond within **10** school days. The panel hearing will be organised in accordance with stage three of the 'Complaints procedure'.

If a complaint is escalated beyond the panel, its resolution may involve sourcing an independent investigator to deal with the complaint. In exceptional circumstances, where it is necessary to deviate from the complaints procedure, this deviation will be appropriately documented.

Complaint information will be shared only with those who need it for the procedure or where disclosure is otherwise lawful or required, including safeguarding, legal, regulatory or inspection purposes. Consent will be obtained where consent is the appropriate lawful basis.

4. Roles and responsibilities

The complainant is responsible for:

- Cooperating with the trust, or an academy within the trust, in seeking a solution to the complaint.
- Expressing the complaint and their concerns in full at the earliest opportunity.
- Promptly responding to any requests for information and meetings.
- Asking for assistance as needed.
- Treating anyone involved in the complaint with respect.

The role of the investigator will differ depending on the nature of the complaint and who it is directed at. This means that:

- For complaints against staff of academies in the trust, the investigator will be the headteacher.
- For complaints against headteachers of academies in the trust, the investigator will be the chair of the LGB.
- For complaints against local governors, the investigator will be the chair of the LGB.
- For complaints against trustees, the investigator will be the chair of trustees.
- For complaints against the chair of trustees or an entire LGB, the clerk will appoint an appropriate person to be the investigator.
- For complaints against the CEO, the investigator will be the chair of trustees.

The investigator of the complaint is responsible for:

- Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved.
- Considering all records, evidence and relevant information provided.
- Interviewing all parties that are involved in the complaint, including staff and pupils.
- Analysing all information in a comprehensive and fair manner.
- Liaising with the complainant and clarifying an appropriate resolution to the problem.
- Identifying and recommending solutions and courses of actions to take.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales.
- Responding to the complainant in a clear and understandable manner.

Where complaints are escalated to a panel hearing, all complaints panel members will be aware that:

- The review panel hearing is independent and impartial.
- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain reconciliation between the parties involved.
- Reconciliation between the trust and complainant is not always achievable, and that it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.
- The panel can:
  - Dismiss or uphold the complaint, in whole or in part.
  - Decide on appropriate action to be taken.
  - Recommend changes that the trust can make to prevent reoccurrence of the problem.
- Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.
- When a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child's view is represented equally.

The panel chair will:

- Ensure that minutes of the hearings are taken on every occasion.

- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any pupils involved.
- Conduct the hearing in a manner that ensures everyone is treated with respect and courtesy.
- Ensure that the room's layout and setting is non-adversarial, yet still sets the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the trust the opportunity to state their case and seek clarity without undue interruption.
- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the clerk to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

The role of the DfE

If a complainant remains dissatisfied once the complaint procedure has been completed, they have the right to refer their complaint to the Secretary of State. If a complainant wishes to escalate a complaint, the trust will refer them to the relevant contact form, and prompt them to follow the instructions on this form to submit a complaint to the Secretary of State.

The DfE will not overturn the trust or panel's decision about a complaint or re-investigate the original complaint. The DfE will only intervene following a complaint if it believes the trust has:

- Breached a clause in its funding agreement.
- Failed to comply with education law or acted unreasonably when exercising related education functions.

When making a final decision about a complaint, the trust reserves the right to seek advice from the DfE on whether they are acting reasonably and lawfully; however, they will not be able to advise on how to resolve the complaint.

5. Complaints procedure

This policy is implemented on a trust-wide level. The trust will ensure that the complaints procedure is:

- Easily accessible and publicised on its website.
- Simple to understand and put into practice.
- Impartial and fair to all parties involved.
- Respectful of confidentiality duties.
- Continuously under improvement, using input from the SLTs of all individual academies within the trust.
- Fairly investigated, by an independent person where necessary.

- Used to address all issues to provide appropriate and effective responses where necessary.

- **Informal** – which will usually come in the form of a meeting between a representative of the trust or individual academy and the complainant.
- **Formal** – where the complaint is put in writing to the trust.
- **Panel hearing** – where the panel includes at least three people who were not directly involved in the matters detailed in the complaint and one person who is independent of the management and running of the trust.

At each stage, complainants will be informed of their options for escalation if they are unsatisfied with the outcome of their complaint. The appropriate person will communicate the details of the next stage of the process when delivering the outcome of the current stage, where applicable.

To prevent later challenge or disagreement over what was said in any in-person meetings or telephone conversations at any stage of the procedure, brief notes will be kept, and a copy of any written response will be added to the record of the complaint. Notes and paper copies of any complaints and/or responses are kept securely on each academy's ICT system, or on the central trust ICT system where the complaint is against the trust as a whole or a member of the board of trustees.

Stage one – informal complaint

An informal complaint may be made in person, by telephone or in writing; however, it is preferred that initial, informal complaints are made via an in-person meeting.

Where a complaint has been made about a member of staff, the complainant can discuss the concern with the headteacher, or a person delegated to hear the complaint on their behalf, to seek support. If the concern is about the headteacher, the chair of the LGB should be informed and will need to handle the complaint. The complainant can then be referred to the chair of trustees.

Where a complaint is made initially to a trustee, the complainant will be referred to the appropriate person. No member of staff or trustee will act alone on a complaint outside of the procedure; if they do, they cannot be involved if the complaint is subject to a hearing at a later stage of the procedure.

Within 10 school days of notification of the complaint, the complainant and the relevant member of staff should discuss the issue in a respectful and informal manner to seek a mutual resolution.

At this initial communication stage of the complaint, the complainant will be asked for their input as to what they believe may resolve the issue about which the complaint has been made to avoid further escalation where possible.

In line with DfE guidance, complainants should note that any acknowledgement by the trust that it could have handled the situation better is not an admission of unlawful or negligent action.

If an appropriate resolution cannot be sought at this informal level, or if the complainant is dissatisfied with the outcome following the initial discussions, the person managing the response to the complaint will inform the complainant about the next level of the procedure.

Stage two – formal complaint

Formal complaints should normally be made in writing, using the complaint form. Where a complainant cannot reasonably submit a written complaint, the Trust will make an appropriate adjustment, record the complaint accurately and ask the complainant to confirm the record.

Stage two of the process will be completed within 15 school days. Where the situation is recognised as complex, and it is deemed to be unable to be resolved within this timescale, the person managing the complaint will contact the complainant to inform them of the revised target date via a written notification.

An appointment with the appropriate person for managing the complaint should be made, as soon as reasonably practical, to avoid any possible worsening of the situation.

If the complaint is against a headteacher, it should be sent in confidence to the chair of the academy's LGB. The chair, or an appropriate independent investigator appointed by the chair, will complete the formal stage. If the complainant remains dissatisfied, they may request a stage-three panel hearing.

Where the appropriate person has made reasonable attempts to accommodate the complainant with dates for a complaint meeting and they refuse or are unable to attend, the meeting will be convened in their absence and a conclusion will be reached in the interests of drawing the complaint to a close.

In terms of a complaint being made against a member of staff, the headteacher will discuss the issue with the staff member in question. Where necessary, the headteacher will conduct interviews with any relevant parties, including witnesses and pupils, and take statements from those involved. All discussions shall be recorded by the headteacher, and findings and resolutions will be communicated to the complainant either verbally or in writing.

Once all facts are established, the person handling the complaint shall contact the complainant in writing with an explanation of the decision. The complainant will be advised of any escalation options (e.g. escalation to stage three) and will be provided with details of this process.

The complainant will also be provided with copies of minutes, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR. Any further action the trust plans to take to resolve the issue will be explained to the complainant in writing.

If the complainant is not satisfied with the outcome suggested, the procedure will progress to stage three. A request to escalate to stage three will be made to the clerk to the board of trustees within 10 school days of the end of stage two, i.e. communication of an outcome.

Stage three – panel hearing

Where the complaint progresses to stage three, a panel will be constituted to hear the complaint, consisting of at least three individuals who were not directly involved in the matters detailed in the complaint, and at least one independent panel member. Where the complaint

concerns an individual academy, the independent panel member will have no clear connection with that academy, such as having conducted work for the academy. Where possible, the independent panel member will also have no association with the trust. Where this is not possible, however, and the complaint concerns an individual academy, in line with the DfE's guidance, a local governor serving on the LGB of a different academy within the trust may occupy this role, as they will be sufficiently separate from the academy being complained about.

The clerk will record the date the escalation request was received, acknowledge receipt of the complaint, and inform the complainant of the scheduled time and date of the panel hearing in writing. The meeting will be convened within 15 days of the receipt of the escalation request where possible. Where this is not possible, the clerk will provide an anticipated date and ensure the complainant is kept up-to-date.

5 days' notice will be given to all parties attending the panel hearing, including the complainant.

Prior to the hearing, the clerk will have written to the complainant informing them of how the review will be conducted. The headteacher of the academy in question, the chair of governors and the chair of trustees will also have a copy of this letter.

At the hearing, all participants will be given the opportunity to put their case across and discuss any issues. The meeting will allow for:

- The complainant to be present and accompanied at the hearing if they wish.
- The complainant to explain their complaint and the individual handling the complaint to explain the reasons for their decision.
- The complainant to question the individual handling the complaint, and vice versa, about the complaint.
- Any evidence, including witnesses who have been prior approved by the chair of the panel, to be questioned.
- Members of the panel to question both the complainant and the individual about whom the complaint was made.
- Final statements to be made by both parties involved.

Neither the complainant nor the trust will bring legal representation to this hearing, unless in exceptional circumstances, where this will be agreed beforehand. A member of staff who may be a witness to the complaint can bring a union representative or legal representative if desired; this will be agreed before the hearing.

The purpose of the hearing will be reconciliation and ensuring that things that may have gone wrong are corrected.

The complainant will receive the panel's written findings, reasons and recommendations within 15 school days. A copy of the approved minutes will also be provided, subject to lawful redaction. The letter will explain that this completes the Trust's procedure and will signpost the DfE and, where relevant, Ofsted.

The panel will make findings and recommendations, and a copy of those findings and recommendations will be made available for inspection on the academy premises by the board of trustees and the headteacher.

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Where relevant, the person complained about will receive the panel's findings and recommendations and an appropriately redacted copy of the minutes. Findings and recommendations will be available for inspection on the academy premises by the proprietor and headteacher.

Completion of the Trust procedure

The stage-three panel is the final stage of the Trust's procedure. There is no further internal appeal or second panel hearing. The Trust may exceptionally revisit a stage only where a material procedural defect, conflict of interest or significant new evidence means that fairness requires it; the reason will be documented.

After completing the Trust procedure, a complainant may ask the DfE to consider whether the Trust followed a lawful and compliant procedure. The DfE cannot overturn the panel's decision, re-investigate the substance of the complaint, order compensation or require disciplinary action or an apology.

Complaints to the DfE and concerns raised with Ofsted

A complainant who has completed the Trust procedure may contact the DfE using its online enquiry form and select "complaint". Current contact details are published in the GOV.UK guidance "How DfE handles complaints about academies". Written correspondence may be sent to:webpage

Department for Education
School Complaints Compliance Unit
Piccadilly Gate
Store Street
Manchester
M1 2WD

Ofsted may consider concerns affecting the school as a whole after the school's complaints procedure has been used. Ofsted does not resolve individual disputes and a complaint does not automatically trigger an inspection. Ofsted may use the information at a future inspection or refer it to another appropriate body.

Resolving complaints

At each stage of the complaints procedure, the trust is committed to resolving the complaint. Where appropriate, the trust will acknowledge that the complaint is upheld in whole or in part, and may offer one of the following:

- An explanation
- An admission that the situation could have been handled better
- An assurance that the trust will try and ensure the incident will not occur again
- An outline 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 changes will be made
- An undertaking to review trust policies in light of the complaint
- An apology

Withdrawal of a complaint

Where a complainant wishes to withdraw their complaint, the trust will ask them to confirm this in writing. Despite the complaint having been withdrawn, the trust and academy will still take the complainant's voice seriously and attempt to avoid causing similar distress to others in the future. The trust and academy will not under any circumstances ask or pressure an individual to withdraw a complaint.

Record keeping

A written record will be kept of all complaints that are made, regardless of the stage at which they are resolved, including any action taken by the trust as a result of those complaints, whether they are upheld or not.

All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or an inspectorate requests access to them.

The Trust is the data controller for its academies. Formal complaint records, outcomes, panel papers and actions will normally be retained for six years from closure, in line with the Records Management Policy, unless a longer or shorter period is justified by safeguarding, legal proceedings, limitation periods or another documented need. Personal data will not be kept longer than necessary.

6. Interviewing witnesses

When interviewing pupils to gather information regarding a complaint, the interview should be conducted in the presence of another member of staff or, in the case of serious complaints, e.g. where the possibility of criminal investigation exists, in the presence of their parents. All pupils interviewed will be made fully aware of what the interview concerns and their right to have someone with them.

The trust will ensure that the conduction of interviews does not prejudice an investigation by the LA designated officer (LADO) or the police.

The trust understands the importance of ensuring a friendly and relaxed area which is free from intimidation. Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager. The interviewer will not express opinions in words or attitude, so as to not influence the interviewee. The interviewee will sign a copy of the transcription of the interview.

7. Recording a complaint

A written record shall be kept of any complaint made, whether made via phone, in person or in writing, detailing:

- The main issues raised, the findings and any recommendations.
- Whether the complaint was resolved following an informal route, formal route or panel hearing.
- Actions taken by the trust as a result of the complaint (regardless of whether the complaint was upheld).

All records are made available for inspection on the academy premises by the trust.

The Trust may agree in advance to audio recording where this is a reasonable adjustment or otherwise necessary and proportionate. The purpose, access, retention and secure storage of any recording will be explained before recording begins. Ordinarily, an agreed written note or minutes will be the official record.

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

Where the trust allows complainants 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 in the event that recordings are lost or leaked

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

Details of any complaint made shall not be shared with the entire board of trustees. The exception to this is when a complaint is made against the whole board and they need to be aware of the allegations made against them to respond to any independent investigation.

Individuals may have rights of access under data protection law. Freedom of Information requests are considered separately and exemptions may apply to personal or confidential information. The Trust will hold complaint records securely and restrict access. Correspondence, statements and records relating to individual complaints remain confidential except where lawful disclosure is required, including to the Secretary of State, the DfE, Ofsted, another inspectorate, safeguarding partners, the police or a court.

8. Exceptional circumstances

The DfE normally expects the Trust's procedure to be completed first. A matter may require immediate referral outside this procedure where:

- A child is at risk of harm or in immediate danger.
- Pupils are missing education.
- There is evidence that the complainant is being prevented from completing the published procedure.
- There is evidence that the Trust is proposing to act or is acting unlawfully or unreasonably, or another statutory body has jurisdiction.

If a social services authority decides to investigate a situation, the board of trustees may postpone the complaints procedure.

9. Managing unreasonable complaints

The trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The trust will not normally limit the contact complainants have with the trust itself or any of its academies; however, the trust does not

expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

For the purposes of this policy, **"unreasonable complaints"** include:

- Vexatious complaints, which:
  - Are obsessive, persistent, harassing, prolific, or repetitious.
  - Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
  - Insist upon pursuing meritorious complaints in an unreasonable manner.
  - Are designed to cause disruption or annoyance.
  - Demand for redress which lacks any serious purpose or value.
- Serial or persistent complaints, which:
  - Are duplicated, sent by the same complainant once the initial complaint has been closed.
  - Are new complaints that are submitted additionally, as part of an existing open complaint, by the same complainant.

A complaint may also be regarded as unreasonable when the complainant:

- 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 cooperate 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 they expect 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 trust's complaints procedure has been fully and properly implemented and completed, including referral to the DfE.
- 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 by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the complainant:

- Acts maliciously or aggressively.
- Uses threats, intimidation or violence.
- Uses abusive, offensive or discriminatory language.

- Knows the complaint to be false.
- Uses falsified information.
- Publishes unacceptable information in media such as social media websites and newspapers.

The above applies regardless of the method the complaint is made, e.g. face-to-face, by telephone, in writing or electronically.

Complainants should limit the number of communications with the trust 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 member of staff, local governor or trustee leading the response to a complaint will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

Serial or persistent complaints will only be marked as 'serial' once the complainant has completed the complaints procedure. It is the complaint that will be marked as 'serial', meaning the complainant can complain about a separate issue if necessary.

If the behaviour continues, the individual handling the complaint will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the trust or any of its academies causing a significant level of disruption, the trust may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

A decision to stop responding will only be considered in circumstances where the following statements are true:

- Every reasonable step has been taken to address the complainant's concerns
- The complainant has been given a clear statement of the trust's position and their options
- The complainant contacts the trust or any of its academies repeatedly, making substantially the same points each time

If the above criteria are met, in making a decision to stop responding, the trust will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about or threats towards staff, or if the trust believes their intent is to disrupt or inconvenience the trust or its academies.

The trust will not stop responding to a complainant on the basis that they are difficult to deal with or they ask complex questions.

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 the premises.

10. Complaints campaigns

Where the trust becomes the subject of a complaints campaign from complainants who are not connected with the trust, a standard, single response will be published on the trust's website.

If the trust receives a large number of complaints about the same subject from complainants who are connected to the trust, e.g. parents, each complainant will receive an individual response.

If complainants remain dissatisfied after the published process, they will be signposted to the DfE and, for whole-school concerns, to Ofsted where appropriate.

11. Barring from the premises

School premises are private property and therefore any individual may be barred from entering the premises.

If an individual's behaviour is cause for concern, the headteacher of the relevant academy will ask the individual to leave the premises.

The headteacher will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and why, 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.

This decision to bar will be reviewed by the chair of the LGB, or the chair of trustees where escalated, taking into account any discussions following the incident. 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, and when the decision will be reviewed.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including via email, to the headteacher or chair of governors.

12. Standard of fluency complaints

As members of a public authority, all staff are subject to the fluency duty imposed by the Immigration Act 2016, which requires staff members to have an appropriate level of fluency in English in order to teach pupils.

The trust is free to determine the level of spoken communication necessary in order for staff members to develop effective performance, but it will be matched to the demands of the role in question.

The trust will be satisfied that an individual has the necessary level of fluency appropriate for the role they will be undertaking, whether this is an existing or potential new member of staff.

If a member of the school community feels that a staff member has insufficient proficiency in spoken English for the performance of their role, they are required to follow the 'Complaints procedure' outlined in this policy.

For the purpose of this policy, a **"legitimate complaint"** is one which is about the standard of spoken English of a member of staff; complaints regarding an individual's accent, dialect, manner or tone of communication are not considered legitimate complaints. All legitimate complaints regarding the fluency duty will be handled in line with the processes detailed in this policy.

In addition to the processes outlined in this policy, the trust will assess the merits of a legitimate complaint against the necessary standard of spoken English fluency required for the role in question.

To assess the merits, the academy at which the staff member works will undertake an objective assessment against clear criteria set out in the role specification or, against the level of fluency descriptors relevant to the role in question.

If the complaint is upheld, the trust will consider what action is necessary to meet the fluency duty. This may include:

- Specific training.
- Specific re-training.
- Assessment.
- Redeployment.
- Dismissal.

Appropriate support will be provided to staff to ensure that they are protected from vexatious complaints and are not subjected to unnecessary fluency testing.

Records of complaints regarding fluency will be kept in accordance with the processes outlined in the 'Recording a complaint' section of this policy.

13. Transferring data

When a pupil changes school, the pupil's educational record will be transferred to the new school and no copies will be kept.

The trust will hold records of complaints separate to pupil records while a complaint is ongoing, so that access to these records can be maintained.

Information that the trust retains relating to a complaint will be stored securely and in line with its Records Management Policy.

14. Availability

A copy of this policy will be made available on request. It will also be published on the trust website, and the websites of individual academies within the trust, as recommended by the DfE.

15. Monitoring and review

The complaints procedure will be reviewed annually, taking account of legislative changes and the latest guidance from the DfE and Ofsted.

Responsibility for reviewing the procedure belongs to a committee of the board of trustees. All projected review dates will be adhered to.

Information gathered through reviewing the complaints procedure will be used to continuously improve and develop the process. Any changes to this policy will be communicated to all relevant stakeholders.

The monitoring and reviewing of complaints will be used to help evaluate each academy's performance, and the performance of the trust as a whole.

Informal Concern and Complaint Form

Stage One of the Complaints Procedures Policy

Purpose. Use this form to raise a concern or complaint at Stage 1. The aim is to understand the issue, respond promptly and, where possible, agree a practical resolution. You may continue on a separate sheet if needed.

Support and adjustments. You may ask the academy or Trust for help completing this form, an accessible format, interpretation or another reasonable adjustment. A representative may submit the form with your consent.

Arrange a meeting

Before completing or submitting this form, you may ask to meet with the person best placed to discuss your concern. Please indicate who you would like to meet and provide suitable dates or times. The academy or Trust will contact you to make arrangements. You may still submit a Stage 1 concern or complaint if the matter is not resolved through the meeting.

I would like to arrange a meeting with	☐ Class teacher ☐ Headteacher ☐ CEO
Preferred dates and times	
Preferred meeting method	☐ In person ☐ Telephone ☐ Online
Brief reason for requesting the meeting	

Where to send the form

Normally send this form to the member of staff best placed to address the matter, such as the class teacher, phase leader or Headteacher. If the concern is about the Headteacher, send it to the Chair of the Local Governing Body. If it concerns the CEO, Trust central services, trustees or the Trust Board, send it to the Trust Governance Professional. Mark correspondence “Private and confidential”.

Academy or Trust service concerned	
Person or role the form is being sent to	

Your details

Full name	
Address	
Email address	
Telephone number	
Preferred contact method **Email, telephone or post**	

Child details

Child's full name	
Academy	
Year group or class	
Your relationship to the child	

Representation and accessibility

☐ I am raising this concern or complaint myself.

☐ A representative is acting for me. I have completed the consent section below.

☐ I need a reasonable adjustment or communication support.

Representative's name **Complete only if applicable**	
Organisation and contact details **Complete only if applicable**	
Adjustment or support required **For example, accessible format, interpreter or help recording the concern**	

Your concern or complaint

Date or period concerned **Give the date, or explain when the events occurred**	
People involved **Names and roles, if known**	

1.1 What happened

Briefly set out the main facts in date order. Please distinguish what you saw or heard directly from information provided by others.

How has this affected the child or you

Explain any educational, wellbeing, safety, communication or other impact.

Action already taken

Who have you spoken to, when and how, and what response did you receive? If this is the first time you have raised the matter, write “Not previously raised”.

Resolution sought

What would you like the academy or Trust to do to resolve the matter? Possible resolutions may include an explanation, an apology, corrective action, a meeting, a policy review or steps to prevent recurrence. The procedure cannot determine confidential employment action or provide outcomes outside the Trust’s legal powers.

Evidence supplied

List any relevant documents attached. Please do not send original documents or information that is not relevant to the concern.

1	
2	
3	
4	

Safeguarding and urgent concerns

If you believe a child is at immediate risk, do not wait for the complaints procedure. Contact children's social care or the police; call 999 in an emergency. The Trust may refer safeguarding information to the appropriate agencies and may pause consideration of the concern so that it does not prejudice a safeguarding or criminal investigation.

☐ This form includes a current safeguarding or immediate safety concern.

☐ I have already contacted children's social care, the LADO or the police.

Declaration and consent

☐ I confirm that the information provided is accurate to the best of my knowledge.

☐ I understand that relevant information may be shared with those who need it to consider and respond to this matter, or where disclosure is otherwise lawful or required.

☐ If a representative is acting for me, I authorise the Trust to communicate with that representative about this concern or complaint.

Parent, carer or complainant signature	
Date	
Representative signature If applicable	
Date	

Privacy information

The Trust will process the information on this form to consider, administer and record the concern or complaint, comply with legal duties, safeguard children and improve services. Records will be stored securely and retained in accordance with the Trust Records Management Policy. Information will be kept confidential except where lawful disclosure is

required. Data protection rights are explained in the Trust Privacy Notices and Data Protection Policy.

For academy or Trust use only

Date received	
Reference number	
Acknowledged by and date	
Stage 1 handler	
Target response date	
Actual response date	

Stage 1 response and agreed resolution

Record the findings, action agreed, who is responsible and the expected completion date. Note whether the person raising the concern considers the matter resolved.

Summary of response and findings	
Resolution or action agreed	
Action owner	
Completion date	
Follow-up or review date If applicable	
Matter resolved	☐ Yes ☐ Partially ☐ No

Stage 2 information provided If the matter remains unresolved	☐ Yes ☐ Not required

Confirmation of resolution

Name of person raising the concern	
Signature Optional acknowledgement of the recorded resolution	
Date	
Name and role of Stage 1 handler	
Signature	
Date	

Formal Complaint Form

Stage Two of the Complaints Procedures Policy

Purpose. Use this form when an informal concern has not resolved the matter, or when the policy directs a complaint straight to the formal stage. Please provide the key facts, the impact and the outcome you are seeking. Continue on a separate sheet if needed.

Support and adjustments. You may ask the academy or Trust for help completing this form, an accessible format, interpretation or another reasonable adjustment. A representative may submit the complaint with your consent.

Where to send the form

Academy concerned	
Send to	

Normally send the form to the Headteacher. If the complaint concerns the Headteacher, send it to the Chair of the Local Governing Body. If it concerns the CEO, Trust central services, trustees or the Trust Board, send it to the Trust Governance Professional. Mark the correspondence “Private and confidential”.

Your details

Full name	
Address	
Email address	
Telephone number	
Preferred contact method *Email, telephone or post*	

Child details

Child's full name	
Academy	
Year group or class	
Your relationship to the child	

Representation and accessibility

☐ I am making this complaint myself.

☐ A representative is making this complaint for me. I have completed the consent section below.

☐ I need a reasonable adjustment or communication support.

Representative's name *Complete only if applicable*	
Organisation and contact details *Complete only if applicable*	
Adjustment or support required *For example, accessible format, interpreter or help recording the complaint*	

The complaint

Date or period concerned *Give the date, or explain when the events occurred*	
People involved *Names and roles, if known*	

1.2 What happened?

Set out the main facts in date order. Please distinguish what you saw or heard directly from information provided by others.

1.3 How has this affected your child?

Explain the educational, wellbeing, safety or other impact.

Steps already taken

1.4 Who did you raise the concern with, when and how?

Include any informal meeting, telephone call or email and the response you received.

1.5 Why are you dissatisfied with the response?

Outcome sought

1.6 What would you like the academy or Trust to do to resolve the complaint?

Possible outcomes may include an explanation, an apology, corrective action, a policy review or steps to prevent recurrence. The procedure cannot determine confidential employment action or provide outcomes outside the Trust's legal powers.

Evidence supplied

List the documents attached. Please provide relevant information only and do not send original documents.

1	
2	
3	
4	

Safeguarding and urgent concerns

If you believe a child is at immediate risk, do not wait for the complaints procedure. Contact children's social care or the police; call 999 in an emergency. The Trust may refer safeguarding information to the appropriate agencies and may pause the complaint so that it does not prejudice a safeguarding or criminal investigation.

☐ This complaint includes a current safeguarding or immediate safety concern.

☐ I have already contacted children's social care, the LADO or the police.

Relevant details *Agency, contact person and reference number, if known*	

Declaration and consent

☐ I confirm that the information provided is accurate to the best of my knowledge.

☐ I understand that relevant information may be shared with those who need it to investigate and decide the complaint, or where disclosure is otherwise lawful or required.

☐ If a representative is acting for me, I authorise the Trust to communicate with that representative about this complaint.

Parent or carer signature	
Date	
Representative signature *If applicable*	
Date	

Privacy information

The Trust will process the information on this form to investigate, administer and record the complaint, comply with legal duties, safeguard children and improve services. Records will be stored securely and retained in accordance with the Trust Records Management Policy. Individual complaint records are confidential except where lawful disclosure is required, including to the Department for Education, Ofsted, safeguarding partners, the police or a court. Data protection rights are explained in the Trust Privacy Notices and Data Protection Policy.

For academy or Trust use only

Date received	
Reference number	

Acknowledged by and date	
Complaint handler	
Target response date	
Actual response date	
Outcome *Upheld, partially upheld or not upheld*	
Escalation information issued	

Panel Hearing Referral Form

Stage 3- Final stage of the TWLT Complaints Procedures Policy

Purpose. Use this form to request a Stage 3 panel hearing if you remain dissatisfied after receiving the Stage 2 written outcome. Please identify the unresolved parts of the complaint and explain why you are requesting a panel hearing. You may continue on a separate sheet if needed.

Deadline. The completed referral should be sent to the Governance Professional (clerk to the Board of Trustees) within 10 school days of the Stage 2 outcome. If your request is late, explain why in section 4 so the Trust can consider whether an exception is appropriate.

Support and adjustments. You may ask the academy or Trust for help completing this form, an accessible format, interpretation or another reasonable adjustment. A representative may submit the form with your consent.

Where to send the referral

Send this form and any supporting documents to the Trust Governance Professional. Mark correspondence “Private and confidential - Stage 3 referral”. The Governance Professional will record and acknowledge the request and provide further information about the hearing arrangements.

Academy or Trust service concerned	
Stage 2 complaint reference	
Date Stage 2 outcome received	

Your details

Full name	
Address	
Email address	
Telephone number	
Preferred contact method	☐ Email ☐ Telephone ☐ Post

Child details

Child's full name	
Academy	
Year group or class	
Your relationship to the child	

Referral timing

Date this referral is submitted	
Is this within 10 school days?	☐ Yes ☐ No
If no, explain the reason for delay	

Stage 2 outcome and unresolved issues

Attach the Stage 2 complaint and written outcome. Summarise which parts of the complaint remain unresolved. A Stage 3 referral should relate to the complaint already considered at Stage 2; clearly identify any significant new evidence and explain why it was not available earlier.

Stage 2 handler's name and role	
Date of Stage 2 outcome	
Stage 2 meeting date, if applicable	

1.7 Unresolved complaint points

For each point, state the Stage 2 finding and why you remain dissatisfied. Number the points so they can be addressed clearly by the panel.

1.8 Reasons for requesting a panel hearing

Explain the outcome you challenge and any concerns about the investigation, evidence considered, application of policy, fairness or proposed resolution.

1.9 Significant new evidence, if any

List the evidence, explain its relevance and state why it was not reasonably available during Stage 2. The panel chair will decide how late or new material is managed fairly.

Resolution sought

State what you would like the panel to consider as an appropriate resolution. The panel may make findings and recommendations but cannot disclose confidential employment action or provide an outcome outside the Trust's legal powers.

Documents and evidence supplied

List each document attached. Include the Stage 2 complaint and outcome. Please send copies, not originals, and avoid including information that is not relevant.

No.	Document or evidence	Date / page range
1		
2		
3		
4		
5		

Hearing arrangements

The Governance Professional will provide the proposed date, format and procedure. The hearing should be convened within 15 school days of receiving the referral where possible, with at least five days' notice to those attending. Please provide availability and any support needed.

I wish to attend the hearing	☐ Yes ☐ No - please consider the written information
Preferred hearing format	☐ In person ☐ Online ☐ No preference
Dates or times I cannot attend	
Name of companion or representative	
Their role or relationship to you	
Interpreter, accessibility or other adjustment required	

1.10 Witness request

If you wish to ask a witness to attend, give their name, role and the relevant evidence they can provide. Witness attendance requires prior approval from the panel chair. Do not contact a child witness directly; the Trust will decide appropriate arrangements that safeguard the child.

Witness name and role	

Relevant evidence they can provide	

Safeguarding and confidential information

If you believe a child is at immediate risk, do not wait for the panel process. Contact children's social care or the police; call 999 in an emergency. The Trust may refer safeguarding information to the appropriate agencies and may pause the complaint process so it does not prejudice another investigation.

☐ This referral includes a current safeguarding or immediate safety concern.

☐ I have already contacted children's social care, the LADO or the police.

Panel papers may be shared with the panel, the person responding on behalf of the academy or Trust, and others who need the information for a fair hearing. Personal or confidential information may be redacted where appropriate and lawful.

Declaration and consent

☐ I confirm that the information provided is accurate to the best of my knowledge.

☐ I confirm that this referral identifies the parts of the Stage 2 complaint and outcome that remain unresolved.

☐ I understand that relevant information will be shared with those who need it to arrange and conduct the panel hearing, or where disclosure is otherwise lawful or required.

☐ If a representative is acting for me, I authorise the Trust to communicate with that representative about this complaint.

Complainant's signature	
Date	
Representative's signature, if applicable	
Date	

Privacy information

The Trust will process the information on this form to administer, consider and record the complaint; conduct the panel hearing; comply with legal duties; safeguard children; and improve services. Records will be stored securely and retained in accordance with the Trust Records Management

Policy. Information will be kept confidential except where lawful disclosure is required. Data protection rights are explained in the Trust Privacy Notices and Data Protection Policy.

For Trust use only

Date referral received	
Complaint reference	
Received by	
Acknowledgement date	
Referral received in time	☐ Yes ☐ No ☐ Exception accepted
Reason if late referral accepted or declined	
Conflict-of-interest checks completed	☐ Yes Date: _____

1.11 Panel composition

Panel member	Role	No prior involvement	Independent member
		☐	☐
		☐	☐
		☐	☐

Panel chair	
Governance Professional / clerk	
Hearing date, time and format	
Notice issued	
Final papers issued	

Witnesses approved by panel chair	
Adjustments agreed	
Outcome due date	
Outcome issued date	

1.12 Panel decision and recommendations

Complete after the hearing. Record findings on each complaint point, whether upheld in whole or in part, recommendations, action owners and timescales. Attach the signed outcome letter and approved minutes.

Complaint outcome	☐ Upheld ☐ Partially upheld ☐ Not upheld
Actions and recommendations recorded	☐ Yes ☐ None
Procedure completed letter and DfE signposting included	☐ Yes
Panel chair signature	
Date	