



Alpha Trust

Concerns and Complaints Policy and Procedures



Alpha Trust Policy & Procedures No: AT 1

COMMITTEE:	Trustees Resources Committee
RESPONSIBILITY:	CEO - Mrs Gillian Marshall
POLICY REVIEWED:	May 2021
APPROVED BY ALPHA TRUSTEES:	July 2021
REVIEW CYCLE:	Every 2 years or as appropriate
REVIEW DUE:	July 2023
ADOPTED BY CCHSG LOCAL GOVERNING BOARD:	July 2021



This Policy complies with Schedule 1, Part 7 of the Education (Independent School Standards (England)) Regulations 2014 (<https://www.legislation.gov.uk/uksi/2014/3283/contents/made>); follows 'Best Practice Guidance for Academies Complaints Procedures', UK Gov., March 2021 (<https://www.gov.uk/government/publications/setting-up-an-academies-complaints-procedure>); utilises the 'Model Complaints Procedure', (ESFA) UK Gov., updated March 2021 and the 'Model policy for managing serial and unreasonable complaints', UK Gov., June 2019.

CONTENTS	Page
Introduction	3
Who can make a complaint?	3
The difference between a concern and a complaint	3
Scope of the Policy	3
How to raise a concern or make a complaint	4
How complaints are dealt with	5
Timescales	5
Withdrawal of a complaint	5
Anonymous complaints	5
Persistent, serial or trivial complaints	6
Alpha Trust concerns and complaints procedure	7
Stage 1: Informal resolution	7
Stage 2: Formal procedure	8
Stage 3: Panel hearing	9
Next Steps	13
Appendix 1 – Managing persistent, serial or trivial complaints	14
Appendix 2 – Roles and responsibilities	16
Appendix 3 – Outline of procedure	19
Appendix 4 – exemplar complaints form	20



Introduction

This policy sets out the approach of every school in Alpha Trust to dealing with concerns and complaints and is available on request from the relevant school's office or it can be downloaded from the school's website or the Alpha Trust website. Unless complaints are dealt with under separate statutory procedures (for instance, appeals relating to admissions or exclusions), we will use this complaints procedure.

The aims of the policy are:

- To deal with any complaint against an academy or any individual connected with it by following the correct procedure
- To deal with all complaints thoroughly and by being open, honest and fair when dealing with the complainant.

All staff will be made aware of this Policy and are expected to review its procedures regularly to familiarise themselves with the process of dealing with complaints and are able to be of assistance when an issue is brought to their notice.

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

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint about the provision of relevant services or facilities at a school.

While students may themselves raise concerns and complaints, Alpha Trust schools will involve parents should this occur.

The difference between a concern and a complaint

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

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

Scope of this Complaints Policy

This Policy does not apply to complaints relating to the matters in the table below because they are dealt with under separate statutory procedures and policies:

• Admissions	Concerns about admissions are handled through a separate process, either through the relevant appeals process or via the local authority
• Issues related to Child Protection	Complaints about child protection matters are handled under the Alpha Trust Safeguarding and Child Protection Policy and in accordance with relevant statutory guidance. A copy of the policy is on the Trust website at: www.alphamat.org . If there are serious concerns, please consider contacting the police or your local child protection services.
• Exclusion of children from school*	Schools' Behaviour Policies explain how parents may raise concerns about exclusions <i>*complaints about the application of the Behaviour Policy can be made to</i>



	<i>the relevant Alpha Trust school using the procedures in their Behaviour Policy.</i>
<ul style="list-style-type: none"> • Whistleblowing 	<p>The Trust has an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>Volunteers who have concerns about one of our schools should complain through the school's complaints procedure.</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.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>

If other bodies are investigating aspects of the complaint, e.g. the police, this may adversely affect our ability to adhere to the timescales within this procedure or the timescale may even be suspended. The timescale may also be suspended if legal proceedings are going forward. Complainants will be notified of any new timescales.

How to raise a concern or make a complaint

Concerns and complaints are dealt with locally, that is at the relevant school. A concern or complaint can be made in person, by letter or email or by telephone. Complaints may also be made by a third party acting on behalf of a complainant but only if they have the appropriate consent to do so. Where formal procedures are to be used, the complaint should be made in writing.

Many enquiries and concerns expressed by parents/carers can be dealt with satisfactorily using the steps detailed in the Stage One procedure. As described below in detail, under this initial process, concerns should be raised in the first instance with the subject teacher or class tutor, or Head of Subject or Head of Year, as appropriate.

If the complaint concerns the personal conduct of a member of staff, i.e. not their professional skills or practice, the complaint should be addressed to the Executive Principal/Principal/Headteacher/Head of School in the first instance, marked Private and Confidential.

If the complaint concerns the personal conduct of the Executive Principal/Principal/Headteacher/Head of School, i.e. not their professional skills or practice, the complaint should be addressed to the Chair of the LGB and/or the CEO via the school office, marked Private and Confidential.

If the complaint concerns the Chair of Governors, any individual governor or the whole local governing board (LGB), the complaint should be addressed to the CEO via the school office, marked Private and Confidential.

If the complaint concerns the personal conduct of the CEO, i.e. not their professional skills or practice, the complaint should be addressed to the Chair of Trustees via the school office, marked Private and Confidential.

If the complaint concerns the Chair of Trustees, any individual Trustee or the whole Board of Trustees, the complaint should be addressed to the CEO via the school office, marked Private and Confidential.



Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also compromise a governor's potential role at a later stage of these procedures.

How complaints are dealt with

At each stage, the Trust wants to resolve the complaint. When complaints are received, the following processes will be followed:

- People will be dealt with courteously and in a sensitive and helpful manner in keeping with the Aims of this policy
- If appropriate, the Trust will acknowledge that the complaint is upheld wholly or in part
- Matters will be put right where it is clear that the service parents/carers have the right to expect has not been given
- Complaints will be analysed to see how the situation could have been handled differently, to ensure the event complained of will not recur, to see if policies need to be reviewed and to take events into account when the school plans for the future.
- As appropriate, we may also offer an explanation, an admission that matters could have been handled differently or an apology

The complainant may make their representations at each stage of the procedures in person, accompanied by a friend if so desired.

The Trust will consider making reasonable adjustments, including but not confined to:

- Where appropriate, taking steps to ensure that information is available to complainants in languages other than English and arrangements made for an interpreter to be present during any oral representation
- If required, supplying information in a different format
- As appropriate, assisting complainants regarding access to the procedures, for instance in raising a formal complaint
- As appropriate, holding meetings in accessible locations or on video platforms

During the course of the consideration of a complaint, it may be decided that disciplinary proceedings should be initiated against a member of staff, in which situation, separate action will be taken as appropriate.

Timescales

Complaints must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. The Trust will consider complaints made outside of this timeframe if exceptional circumstances apply.

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

Withdrawal of a complaint

The complainant may withdraw the complaint at any time. This must be done in writing.

Anonymous complaints

The Trust will not usually investigate anonymous complaints. However, the CEO, Executive Principal/ Principal/Headteacher/Head of School, as appropriate, will determine if the complaint warrants an investigation.



Persistent, trivial or serial complaints

Alpha Trust schools will not normally limit the contact that complainants have with schools. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from such behaviour, including that which is abusive, offensive or threatening.

There may be rare occasions when:

- despite a complaint being considered under all stages of this Complaints Policy, the complainant persists in making the same complaint, or essentially the same complaint, to the school.
- a complainant raises unreasonable persistent complaints or raises complaints about matters which do not affect them.
- a complaint is made about a matter which is clearly so trivial that it would be a poor use of the School's resources to deal with it under the formal stages of the procedure.

In all of these cases, the School reserves the right to regard the complaint as persistent, serial or trivial and to refuse to investigate it under the procedures in this Complaints Policy, given that it appears reasonable and fair to refuse having taken due regard of the circumstances surrounding the complaint. See Appendix 1 for more details on how Alpha Trust manages persistent, serial or trivial complaints. This procedure may also be used to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.

Where it is decided that a complaint is persistent or serial and will not be investigated, the Executive Principal/Principal/Headteacher/Head of School, as appropriate, will write to the complainant, within 5 working days of the complaint being received, to notify them of the decision.

If the complainant is unhappy with the decision not to investigate a persistent, serial or trivial complaint, they may write to the Chair of the LGB to ask for the decision to be reviewed. The Chair of the LGB will review the decision not to investigate the complaint after considering all documentation relating to the complaint, together with the letter from the School to the complainant. The Chair of the LGB will not investigate the complaint itself during the review.

In exceptional circumstances, the Chair of the LGB can delegate the authority for the review to the Vice-Chair of the LGB. Following due consideration, including taking advice from the CEO, the Chair of the LGB will confirm the outcome of their review to the complainant in writing within 10 working days after the receipt of the letter from the complainant seeking a review.

In the event that the Chair of the LGB's review indicates that the decision not to investigate the concern or complaint should be reversed, it will be referred to the appropriate staff member to be dealt with under the procedure in this Complaints Policy in the usual way. If the Chair of the LGB's review indicates that the decision not to investigate the concern or complaint should be upheld, the complainant may refer the concern or complaint to the Education & Skills Funding Agency (ESFA).

If the behaviour continues, the Executive Principal/Principal/Headteacher/Head of School will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact an Alpha Trust school and cause a significant level of disruption, the school 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, we will immediately inform the police and communicate our actions in writing. Actions may include barring an individual from the School site.



Alpha Trust concerns and complaints procedure; the stages to follow

To note:

1. The Roles and responsibilities of everyone involved, including the complainant, are to be found in Appendix 2.
2. Please see Appendix 3 for an overview of the Concerns and Complaints Procedures.
3. In Alpha Trust, the term “Principal” is used to identify the person with responsibilities of headship within each Academy, who may be referred to locally as Headteacher, Principal, Executive Headteacher, Executive Principal, Head of School or Associate Principal.

Stage One: Informal Resolution

Alpha Trust expects that most enquiries and concerns can be expressed and dealt with satisfactorily without the need to resort to the formal procedure. We value informal meetings and discussions and encourage parents/carers to approach staff with any concerns and aim to resolve all issues with open dialogue and mutual understanding.

The Trust aims to resolve any complaints in a timely manner. Timescales are set out below in the relevant paragraphs. References to ‘working/school day’ mean a weekday when the school is open to students during term time. Term dates are published on each school’s website.

If there is uncertainty about whether or not a concern is relevant or significant, contacting the relevant Trust school to clarify a situation will always be welcome.

Contact may be by telephone, email or letter, via the school office. The steps to take are:

1. In all cases, the first point of contact should be the subject teacher or class tutor.
2. In those situations where this may be considered inappropriate, the Head of Department, Head of Year or the teacher’s line manager should be contacted initially, via the school office.
3. If the matter remains unresolved, the next point of contact is the senior link or line manager of the Head of Department, the Head of Year or the teacher’s line manager; again contact can be made via the school office by telephone, email or letter.
4. If the matter is brought to the attention of the Executive Principal/Principal/Headteacher/Head of School, they may decide to delegate the matter or deal with it themselves, depending on the circumstances.

Staff actions on initial contact

If approached directly or by telephone, an individual staff member should:

- Listen carefully to the complainant and show empathy and understanding but must be
- Be careful not to react or jump to conclusions.
- Attempt to identify the significant issues and the outcome that is being sought
- Confirm whether the complainant is content for the individual to deal with the matter informally at first

All informal complaints will be dealt with within 15 working days from receipt of the complaint.

The school will inform the complainant of action taken (within the bounds of confidentiality)

If the issue remains unresolved, then the person concerned may submit a formal complaint.



Stage Two: Formal Procedure

Formal complaints must be made to the Executive Principal/Principal/Headteacher/Head of School via the school office. This may be done in writing or in person but it must be made clear that it is a formal complaint. Some Trust schools may use the Alpha Trust Complaints Form – Appendix 4. The formal procedure can only be initiated after Stage 1 has been completed.

The Executive Principal/Principal/Headteacher/Head of School will record the date the complaint is received and will acknowledge receipt of the complaint in writing, either by e-mail or letter, within 5 working days. Within this response, the Executive Principal/Principal/Headteacher/Head of School will seek to clarify:

- the nature of the complaint
- what remains unresolved
- what outcome the complainant would like to see

The Executive Principal/Principal/Headteacher/Head of School can consider whether a face-to-face meeting is the most appropriate way of doing this.

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

During the investigation, the Executive Principal/Principal/Headteacher/Head of School or delegated 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 the investigation, the Executive Principal/Principal/Headteacher/Head of School will provide a formal written response within 28 school days of the date of the receipt of the complaint.

However, if any complaint is received less 28 working days before the end of term or half term, the complainant may receive a response after the school holidays.

If the Executive Principal/Principal/Headteacher/Head of School is unable to meet this deadline, they will provide the complainant with an update and a revised response date.

The response will detail:

- any actions taken to investigate the complaint
- provide a full explanation of the decision made and the reasons for it

Where appropriate, it will also include details of actions the school will take to resolve the complaint. The Executive Principal/Principal/Headteacher/Head of School will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

Complaints about the Executive Principal/Principal/Headteacher/Head of School or any member of the LGB must be addressed to the Trust CEO via the school office, marked private and confidential.

In the event that the complaint is about the Executive Principal/Principal/Headteacher/Head of School or is:

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

either the Trust CEO will complete all the actions at Stage 2, or a delegated suitably skilled governor under guidance will do so.

GDPR and Alpha Trust schools' data protection procedures will be followed at all times.

All investigations will be treated as 'Confidential' unless safeguarding issues are raised in which case safeguarding procedures complying with Alpha Trust policies and procedures will be followed.



Stage Three: Panel Hearing

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

The complainant must request to escalate to Stage 3 within 10 school days of their receiving the school's response to Stage 2. The request that the matter be referred to a panel must be made to the Clerk to the Governors, via the school office.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

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

The Clerk will write to the complainant to inform them of the date of the meeting. The meeting will be convened within 10 school days of the request for a panel hearing being received from the complainant. However, if this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

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

Complaints about the LGB.

In the event that the complaint is about:

- the Chair and/or Vice Chair or
- the entire governing body or
- the majority of the governing body,

Then in these situations, Stage 3 will be heard by the CEO and two independent panel members.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee 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.

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

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 3 school days before the meeting.



Any written material will be circulated to all parties at least 3 school days before the date of the meeting. 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.

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

The meeting will be held in private. 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 consider the complaint and all the evidence presented. The committee can:

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

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

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

The Chair of the Committee will provide the complainant and The Trust with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

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

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

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Trust and the Executive Principal/ Principal/ Headteacher/Head of School.

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

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Complaints escalated to / about the Trust, CEO or Trustee

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

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 1 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 10 school days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within 5 school days of the date that the letter was received, 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 a Trustee selected by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation

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

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Clerk to the Trust Board asking for the complaint to be heard before a Complaint Panel, within 5 school days.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

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

The Clerk will write to the complainant to inform them of the date of the meeting. The meeting will be convened within 10 school days of the request for a panel hearing being received from the complainant. However, if this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

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

Complaints about Trustees.

In the event that the complaint is about:

- the Chair and/or Vice Chair or
- the entire trust board or
- the majority of the trust board

Then in these situations, Stage 3 will be heard by a completely independent committee 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 Alpha Trust. This means that one of the independent Complaint Panel members will not be a Trustee or an employee of the Trust.

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



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

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 3 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. 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.

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

The meeting will be held in private. 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 consider the complaint and all the evidence presented. The committee can:

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

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

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

The Chair of the Committee will provide the complainant and Alpha Trust with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

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

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

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about.

Furthermore, they will be available for inspection by the CEO and the Executive Principal/ Principal/ Headteacher/Head of School.



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

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Next Steps

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

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Alpha Trust. They will consider whether any of Alpha Trust's schools 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

APPENDIX 1 - Unreasonable Complaints

Alpha Trust and our schools are 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 a school. However, the Trust does not expect staff to tolerate unacceptable behaviour and we will take action to protect staff from such behaviour, including that which is abusive, offensive or threatening.

Alpha Trust and all its schools define unreasonable behaviour as that which hinders our consideration of the complaints because of the frequency or nature of the complainant's contact with the school, for instance if the complainant:

- Refuses to articulate their complaint or specify the grounds of a complaint, or the outcome(s) sought by raising the complaint, despite offers of assistance;
- Refuses to co-operate with the complaints investigation process whilst still wishing for the 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;
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered immediately or 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 Alpha Trust's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- Seeks an unrealistic outcome; or
- Makes excessive demands on a school's 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 person making the complaint does so either in person, by telephone or in writing or electronically:
 - maliciously;
 - aggressively;
 - using threats, intimidation or violence;
 - using abusive, offensive or discriminatory language;
- Uses falsified information; or
- Publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school in question whilst their 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.

If the behaviour continues, the Executive Principal/Principal/Headteacher/Head of School will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact an Alpha Trust school and cause a significant level of disruption, the school 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, we will immediately inform the police and communicate our actions in writing. Actions may include barring an individual from the School site.

APPENDIX 2 – 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:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator, as appropriate, to clarify what the complainant feels would put things right.

The investigator should:

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

The Principal or complaints committee, depending on the stage of the procedures, 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

(This could be the Principal / CEO / designated complaints governor or trustee or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Principal, CEO, Chair of Governors, Chair of the Trust Board or Clerk



and to ensure the smooth running of the complaints procedure

- be aware of issues regarding:
 - sharing third party information
 - 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
 - keep records

Clerk to the Governing Body/ Trust Board

The Clerk is the contact point for the complainant and the committee 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
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee'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 committee 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 committee 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 may sit on the committee 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.

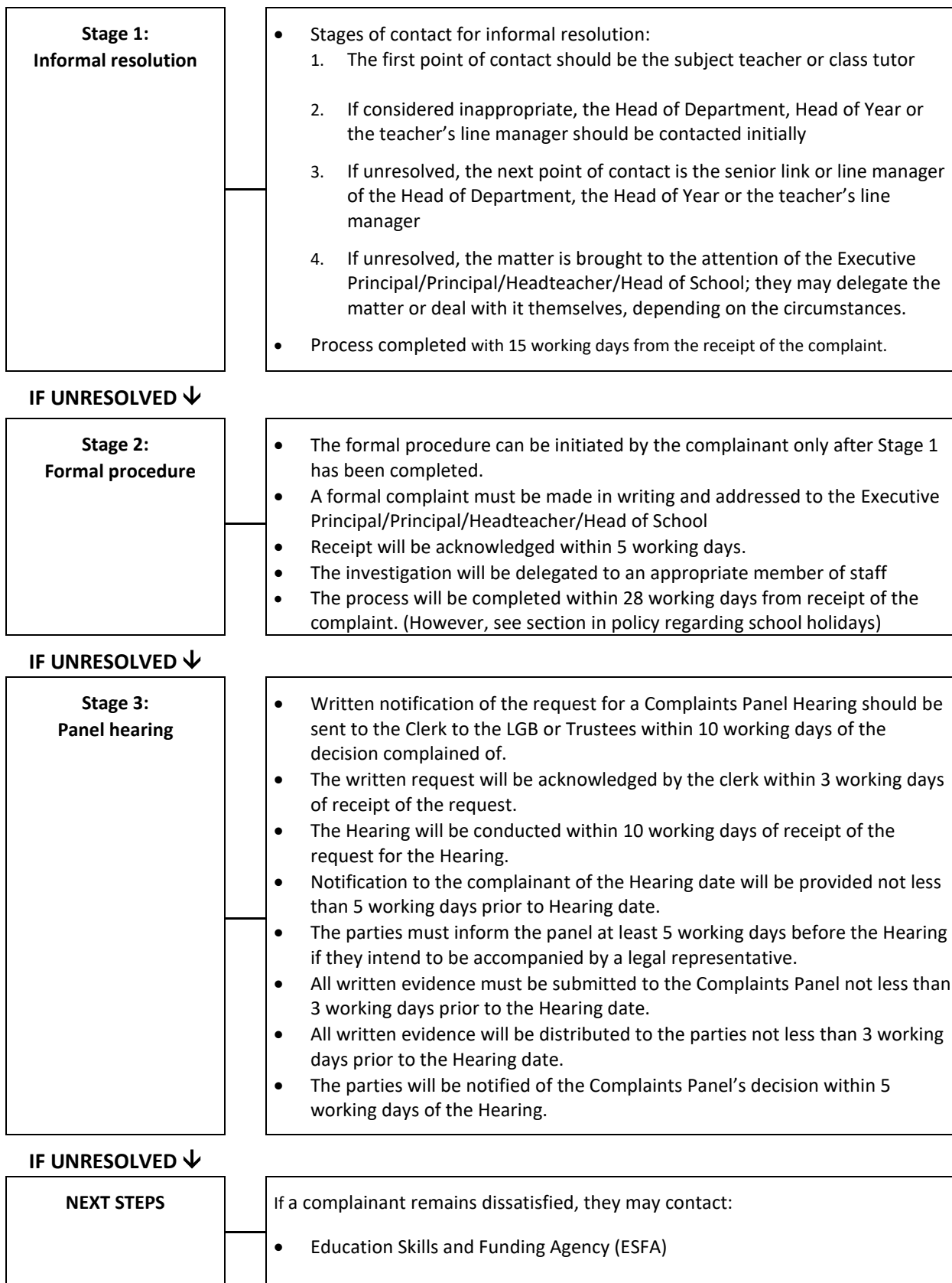
If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the 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 committee considers is not in the child/young person's best interests.

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

APPENDIX 3 – Concerns and Complaints Procedures – Overview

All stages must be completed in the order outlined here





Appendix 4: Complaint Form

Alpha Trust Complaints Form

Please complete and return to the staff member (or Executive Principal/Principal/Headteacher/Head of School) who will acknowledge receipt and explain what action will be taken.

School's name:	
Your name:	
Student's name:	
Your relationship to the student:	
Address:	
Postcode:	
Day time telephone number:	
Evening telephone number:	
Email address:	
Please give details of your complaint, including whether you have spoken to anybody at the school about it.	



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

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: