COMPLAINTS POLICY

Dame Janet Primary Academy

as part of

The Kemnal Academies Trust

Version: [2.0]

Last reviewed: [Spring 2022]

Next review: [Spring 2023]

Date Agreed by LGB 17.03.22

COMPLAINTS POLICY

Rationale

This policy is intended to set out how the Academy will deal with complaints from parents, students and the public, who should feel able to express their views knowing that they will be dealt with fairly. Staff wishing to make a complaint should follow the Grievance Resolution policy.

This policy does not cover those aspects of school life where the law sets specific complaints procedures i.e. admissions and exclusions (see appendix 1).

This policy is intended to comply with Schedule 1, Part 7 of the Education (Independent School Standards) (England) Regulations 2014 (as amended), which governs academies.

Aims

This policy aims to provide parents, students and the public with an accessible and easily understood procedure for complaints. The Academy would encourage parents and students to express their views at the earliest opportunity and through the appropriate channels. Parents should be assured that making a complaint will not adversely affect their child.

The Academy will try to resolve every concern, difficulty or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing the Academy's systems and procedures in the light of the matters raised. The Academy expects all parties involved in a complaints procedure to behave in a calm, civil and reasonable manner. The Academy will not tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Outcomes

Examples of outcomes include:

- The complaint was substantiated in part or full. A description should be given of the remedial action being taken by the Academy as a consequence of the complaint;
- The matter has been fully investigated and, as a consequence, further confidential procedures are being pursued.
- There was insufficient evidence to reach a conclusion, so the complaint cannot be upheld;
- The investigation did not substantiate the matters raised, so the complaint cannot be upheld, and is dismissed;
- Financial compensation is not a possible outcome at any stage of this policy.

None of the above will constitute an admission of negligence or an acceptance of liability on behalf of the Academy and or The Kemnal Academies Trust.

Details of any disciplinary action or sanctions to be taken against a member of staff are strictly confidential and cannot be disclosed. This is in compliance with employment law.

Procedure

The expectation is that all concerns and complaints should be dealt with informally under stage 1 in the first instance, via the Academy office who will direct it to the most appropriate member of staff. The majority of staff have full teaching timetables and therefore may not be able to respond to queries immediately. However, if an acknowledgement is not received within **2 school days** the Academy should be contacted on the main telephone number. Any emails should be directed to the office email rather than a specific teacher/member of staff, to ensure that the query is addressed promptly.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing

information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

At any stage, the person dealing with the complaint may decide to appoint an Investigating Officer to gather evidence on their behalf. 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. Recordings of conversations that were obtained covertly and without informed consent of all parties will not be admissible at any stage of this policy.

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 prevent them considering complaints at a later stage in the procedure.

Any complaints made about the academy direct to The Kemnal Academies Trust (TKAT), will be referred back to be dealt with by the Academy under this policy, or as outline in appendix 3.

The Academy reserves the right (in exceptional cases only) to consider the complaint as misconceived or otherwise unreasonable. Section 6 of this policy gives further details. Further points about procedure will be contained within each stage of the policy.

Written Records

A written record will be kept of all complaints stating:

- whether they are resolved following a formal procedure, or proceed to a panel hearing.
- action taken by the school as a result of those complaints (regardless of whether they are upheld)

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

Stage One – Raising a Concern/Informal Complaint

1.1 On many occasions, minor concerns can be resolved through the appropriate member of staff. Except in minor matters, the concern and any action taken will be logged in the student file Where a concern is raised by a member of the public, records of the concern and any action taken will be held with the relevant manager.

1.2 If the person first contacted cannot deal with the concern immediately or is not the most appropriate person to deal with it, they will refer the matter to the appropriate member of the middle or Senior Leadership Team available at the time. The Complainant can also request that their concern is referred to a specific member of staff (as above) whilst still keeping the matter at this informal stage.

1.3 In certain circumstances, the Headteacher may personally decide to deal with concerns informally under this stage.

1.4 If the complaint relates to the Headteacher, the Complainant can contact the Headteacher to enable the complaint to be resolved informally. If this is not possible or the complaint cannot be resolved informally, the Complainant should contact the Chair of Governors, who will investigate the complaint under stage 2 of this policy instead of the Headteacher.

1.5 At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal response within 5 school days of the date of receipt of the complaint. The response must make clear to the Complainant what action or monitoring of the situation will take

place. Where appropriate, this will include what action will be taken in response to the concern and could include an explanation, a specific outcome, an apology, or a revision of procedure. Where a verbal response is made, this will be followed up by a summary of the response and any actions agreed in writing.

1.6 Where no satisfactory solution has been found, or if the member of staff considers the concerns raised should be dealt with as a formal complaint immediately, the Complainant will be advised that they should put their complaint in writing to the Headteacher under Stage 2 of this policy.

Stage Two - Formal Complaint to the Headteacher

2.1 Formal complaints under Stage 2 should be made in writing to the Headteacher. The Complainant should clearly set out the nature of the complaint and if appropriate explain how they would like to see the matter resolved. This can either be via a letter, or using the complaints form in appendix 2. Where the complaint is about the Headteacher, please refer to appendix 3.

2.2 At this stage a central record will be kept of the complaint, all documentation and its outcomes by the Headteacher.

2.3 The Headteacher will acknowledge the complaint in writing within **3 school days** of receiving the written complaint. The acknowledgement will give a brief explanation of the procedure for dealing with complaints as outlined in this policy, and confirm a date for providing a response. This will normally be within **15 school days.** If it is not possible to comply with this time limit, a letter will be sent to the Complainant explaining the reason for the delay and giving a revised target date. Where the complaint is received during a school holiday or within 15 school days from the end of a term or half term, the Headteacher will endeavour to expedite the investigation but this can be when the new term begins.

2.4 The Headteacher (or Investigating Officer) may (but does not have to) provide an opportunity for the Complainant to meet with them to supplement any information provided. The Complainant may, if he or she wishes, be accompanied at any meeting by a friend or relative, who can speak on his or her behalf, and he or she will be asked if he or she has any special requirements that the Academy need to be aware of. This meeting may result in an agreed outcome, which the Academy will confirm in writing and the complaint would then be considered resolved.

2.5 The Headteacher (or Investigating Officer) will be provided with any documentation from Stage 1 (if applicable), and will then proceed to investigate the complaint. The Headteacher (or Investigating Officer) will interview witnesses and take statements from those involved. If the complaint centres on a student, the student may also be interviewed, if it is appropriate. Students will be interviewed in the presence of another member of staff with whom they feel comfortable. Parents or carers may be asked if they wish to be present, except in cases where the student has expressly stated that they would prefer that their parents or carers were not involved. If a member of staff is the subject of the complaint, that member of staff will be given the option of having another member of staff or union representative present when they are interviewed.

2.6 The Headteacher (or Investigating Officer) must keep a written record of any meetings or telephone conversations, and must retain any other relevant documentation. Students or members of staff interviewed will be asked to read, sign and date the written record to confirm that it is accurate. In the case of students, the adult present at the meeting will also be asked to sign and date the record of the conversation.

2.7 If the investigation has been carried out by an Investigating Officer, they will summarise their findings in a report for the Headteacher. Appendices to this report will include notes from meetings and all other relevant documentation.

2.8 Once all of the relevant facts have been established, the Headteacher will provide a written response to the Complainant, and may (but does not have to) meet with the Complainant to discuss or resolve the matter directly. Again, the Complainant can be accompanied at any such meeting, as outlined above.

2.9 The written response will set out the individual matters raised by the Complainant, the findings made by the Headteacher during the course of the investigation, and the conclusion reached. Where appropriate, this will include what action will be taken in response to the complaint and could include an explanation, a specific outcome, an apology, or a revision of procedure. The letter will inform the Complainant that, if they are unsatisfied with the outcome of the Stage 2 investigation, they should write to the Clerk to the Local Governing Body within **10 school days** of receipt of the letter to request that his or her complaint and the Stage 2 investigation be reviewed by the Chair of Local Governing Body under Stage 3 of this Complaints Policy. Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

Stage Three – Review by the Chair of the Local Governing Body or Designate

(The Chair of Governors may refer a Stage 3 complaint to the Regional Executive Director who may designate somebody to review the complaint on behalf of the Chair of Governors)

3.1 The request for a review of the Stage 2 decision by the Chair of the Local Governing Body or designate should be made in writing within **10 school days** of receipt of the outcome letter. If the complaint is about the Headteacher, the Chair of Governors or the LGB, please refer to appendix 3.

3.2 The Complainant should not repeat the matters raised in their original letter or attach documentation already provided, but should clearly set out how and why the Complainant does not accept the findings made under Stage 2, and how the Complainant feels this matter could be resolved.

3.3 The Chair of the Local Governing Body or designate will acknowledge the request in writing within **5 school days** of receipt. The letter will give a brief explanation of the review procedure as outlined in this policy, and confirm a date for providing a response. This will normally be within **20 school days.** If it is not possible to comply with this time limit, a letter will be sent to the Complainant explaining the reason for the delay and giving a revised target date.

3.4 The Chair of the Local Governing Body or designate will be provided with all relevant paperwork relating to the complaint. The Chair should focus on deciding whether the findings and conclusion under Stage 2 were reasonable, making specific reference to any points raised by the Complainant. Should the Chair require further clarification, he/she may (but does not have to) speak to the Complainant, students (who will be accompanied, as outlined above), or members of staff during the course of his or her review.

3.5 The Chair of the Local Governing Body or designate must keep a written record of any meetings or telephone conversations, and must retain any other relevant documentation. Students or members of staff interviewed will be asked to read, sign and date the written record to confirm that it is accurate. In the case of students, the adult present at the meeting will also be asked to sign and date the record of the conversation.

3.6 Once the review has been completed, the Chair of the Local Governing Body or designate may (but does not have to) meet with the Complainant to discuss or resolve the matter directly. The Complainant can be accompanied at any such meeting, as outlined above. This meeting may result in an agreed outcome, which the Chair or designate will confirm in writing and the complaint would then be considered resolved.

3.7 The Chair of the Local Governing Body or designate will provide a written response which will

set out whether he/she agrees with the findings and conclusion under Stage 2, and give reasons, as well as responding to any concerns about the Stage 2 investigation.
Where appropriate, this will include what action will be taken to resolve the complaint and could include an explanation, a specific outcome, an apology, or a revision of procedure. The letter will inform the Complainant that, if they are unsatisfied with the outcome of the Stage 3 review, he or she should write to the Clerk to the Local Governing Body within **10 school days** of receiving the outcome letter to request a Complaint Panel Hearing.

Stage Four - Complaint Panel Hearing

4.1 If the Complainant is unsatisfied with the outcome of the review under Stage 3 of this Complaints Policy, the Complainant may write to the Clerk to the Local Governing Body requesting a Complaint Panel Hearing. The Complainant should write to the Clerk to the Local Governing Body within **10 school days** of receiving the letter confirming the outcome following Stage 3. Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

4.2 The Complainant should not repeat the matters raised in their earlier letters or attach documentation already provided, but should clearly set out how and why the he or she does not accept the findings made under Stages 2 and 3.

4.3 The Clerk to the Local Governing body will write to the Complainant to acknowledge receipt of the request within **5 school days** of receiving the letter. The letter will inform the Complainant that the complaint will be heard by the Complaint Panel within **20 school days** of receiving the request. The letter will also confirm that the Complainant has the right to submit any further documents relevant to the complaint and request the attendance of witnesses on their behalf. The letter will ask for any such documents and/or information about witnesses to be sent to the Clerk to the Local Governing Body within **5 school days** of receipt of the acknowledgement letter**.**

4.4 If the Complainant wishes to rely on the account of a witness, they should ask the witness to write down, sign and date their account. This should be included in the documentation forwarded to the Clerk to the Local Governing Body. Any written accounts provided by the Complainant from witnesses under the age of eighteen must be signed and dated by the witness **and** one of the witness' parents or carers.
The Complainant should also provide, within **5 school days** as above, the names of any witnesses they would like to attend the hearing to give a verbal statement, stating why their attendance is required. The Chair of the Complaint Panel reserves the right to make the final decision about who may or may not attend the panel hearing. Where a witness has previously given a written account which is largely undisputed, the Chair may decide in advance that they do not need to attend the Complaint Panel Hearing to give a verbal statement.

4.5 The Clerk to the Local Governing Body will make arrangements to convene the Complaint Panel within **20 school days** of receiving the request. The panel will consist of three members who will have had no involvement in the subject matter of the complaint, no involvement in dealing with the complaint in the previous stages, and no detailed knowledge of the complaint (see appendix 3). One of the members of the Complaint Panel will be independent of the running and management of the Academy (i.e. they will not be a Governor of the Local Governing Body, a Director of The Kemnal Academies Trust, or an employee of either the Academy or senior leadership team of The Kemnal Academies Trust, but may be a senior member of staff or a governor at another academy within The Kemnal Academies Trust or another school). The Clerk will ask the members of the panel to decide who will act as Chair of the panel.

4.6 The Clerk to the Local Governing Body will write to the Complainant, the Academy representative, any relevant witnesses and the Complaint Panel informing them of the date, time and venue of the Complaint Panel Hearing as soon as possible, but at least **5 school days** in advance. The letter to the Complainant will inform him/her of the names of the complaint panel

members and their roles, and confirm that he or she also has the right to be accompanied by a friend or relative for support, and an interpreter or signer if necessary. The letter will also explain how the Complaint Panel Hearing will be conducted and will include the details of the procedure to be followed at the meeting.

4.7 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.

4.8 All relevant correspondence and documentation regarding the complaint will be provided to the Complainant and the Complaint Panel at least **5 school** days prior to the Complaint Panel Hearing. This should include all letters and relevant documentation/witness statements from stage 2 onwards.

4.9 The Academy will usually be represented at the Complaint Panel Hearing by the people who dealt with the complaint at stages 2 and 3, the subject of the complaint would not be expected to attend the hearing. See appendix 3.

4.10 Members of staff involved in the matters which gave rise to the complaint will usually have provided a signed written account or have signed a note of a meeting during the previous stages. These will be forwarded to all parties with the other complaint documentation in the usual way and members of staff will not usually be required to attend the Complaint Panel Hearing to give a verbal statement. Witnesses under the age of eighteen will only be allowed to attend the Complaint Panel Hearing at the discretion of the Chair of the Complaint Panel, and then only if they are accompanied by one of their parents or carers.

4.11 The Complainant's and the Academy's witnesses will only attend the Complaint Panel Hearing for that part of it where they give their verbal statements and answer questions. They will be asked to remain outside at all other times.

4.12 The Clerk to the Complaint Panel (who will usually be the Clerk to the Local Governing Body, but does not have to be) will record minutes of the Complaint Panel Hearing, however the proceedings will be kept as informal as possible with the main aim being to achieve reconciliation between the Complainant and the Academy. More detailed information about the Complaint Panel Hearing can be made available on request.

4.13 After the Complaint Panel Hearing has closed, the Complaint Panel will meet in private to discuss the complaint, assisted by the Clerk. The Complaint Panel's decision will be confirmed in writing within **10 school days.**

4.14 The Complaint Panel will make **findings of fact**, namely they will decide on a balance of probabilities (i.e. more likely than not) which facts they accept and which they reject. The Complaint Panel will then decide what **recommendations** to make, if any. These may include recommendations aimed at achieving reconciliation between the Complainant and the academy, or recommendations for the Academy to follow aimed at improving the Academy's procedures or preventing a recurrence of the events which led to the complaint. The Complaint Panel will make a written record of their findings of fact and recommendations, if any. If no recommendations are made, this will also be recorded.

4.15 The Clerk to the Complaint Panel will write to the Complainant, the Headteacher (in all cases, whether or not the Headteacher represented the Academy), the Chair of the Local Governing Body (if they represented the Academy) and, where relevant, any persons complained about, confirming their **findings of fact** and **recommendations** within **10 school days** of the Complaint Panel Hearing. The letter will identify each of the issues complained about, summarise how the Complaint Panel Hearing proceeded, and confirm each of the Complaint Panel's findings of fact and recommendations, if any, with reasons. The letter will confirm that the decision of the panel is final but that if the Complainant believes that this Complaints Policy

does not comply with the Regulations, or that the Academy has not followed the procedure outlined in this Complaints Policy, the Complainant may refer their complaint to the Education Funding Agency for further consideration.

4.16 The Clerk to the Complaint Panel will ensure that a record of the Complaint Panel's **findings of fact** and **recommendations** is kept on the Academy's premises and is available for inspection by The Kemnal Academies Trust, the Local Governing Body and the Headteacher.

5. Referral to the Education and Skills Funding Agency

5.1 If a Complainant is not satisfied that the Academy's Complaints Policy complies with regulations governing academies, or that the Academy has followed the procedure outlined in this policy correctly, or that the Academy has acted unlawfully, or failed to comply with a contractual duty imposed by its Funding Agreement with the Secretary of State or any other legal obligation, he or she has a right to refer their complaint to the Education and Skills Funding Agency (part of the Department for Education).

5.2 The Education and Skills Funding Agency will not usually review or overturn decisions made by academies about a complaint. They will usually only investigate whether an academy considered the complaint appropriately. If the Education and Skills Funding Agency finds that an academy did not consider a complaint appropriately, it can request the academy carries out an investigation under that stage of the complaints procedure again.

5.3 The contact details for the Education and Skills Funding Agency are as follows:

Education & Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

The Complainant can find further information about referring a complaint to the Education and Skills Funding Agency at the following web address:

http://www.education.gov.uk/schools/leadership/schoolperformance/b00212240/making-complaint-school/complaints-free-schools-academies

The Complainant can refer their complaint to the Education and Skills Funding Agency by completing an online form at the following web address:

https://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form

6. Misconceived or otherwise unreasonable complaints

6.1 The Academy reserves the right (in exceptional cases only) to write to the Complainant informing them that their complaint is regarded as misconceived or otherwise unreasonable and that the Academy's complaints procedure will not be followed. The sections below detail complaints which may be considered as misconceived or otherwise unreasonable. Appendix 4 defines what will be considered as unreasonable behaviour by complainants.

6.2 **Vexatious or Repeated Complaints**
A complaint which has been considered under all stages of this procedure and is raised again, may be defined as a repeated complaint by the Academy. Unreasonable persistent complaints, trivial complaints, and/or complaints that do not affect the Complainant may be regarded as vexatious by the Academy.

6.3 **Late Complaints**
Where a complaint is submitted more than 3 months after the incident or event (or where the complaint relates to a series of incidents or events, more than 3 months from the date of the latest incident or event) may be regarded as unreasonable by the Academy. Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

6.4 In any of the above cases, the Complainant is entitled to write to the Chair of the Local Governing Body asking for him or her to review the decision to regard the complaint as misconceived or otherwise unreasonable. The Chair of the Local Governing Body or designate will respond to such a request within **10 school days** of receiving it confirming the outcome of his or her review. The Chair of Local Governing Body or designate will **not** investigate the complaint itself during this review.

6.5 If the Chair of Local Governing Body or designate quashes the decision not to investigate the complaint, it will be referred to the Academy to be dealt with under this Complaints Policy in the usual way. If the Chair of Local Governing Body upholds the decision not to investigate the complaint, the Complainant may refer the concern or complaint to the Education Funding Agency using the procedure stated in section 5 of this policy.

6.6 **Anonymous or Fictitious Complaints**
The Academy will not investigate anonymous complaints, or those found to be fictitious, under the procedure in this Complaints Policy. Anonymous or fictitious complaints will be referred to the Headteacher who will decide what, if any, action should be taken.

7. Record Keeping

7.1 The Academy will keep a record of all concerns and complaints received and their outcomes, whether or not they were dealt with formally or informally.

7.2 The Academy will keep all correspondence and documentation relating to individual concerns or complaints confidential, except as outlined in 4.16 and where the Secretary of State or a body conducting a school inspection requests access to them.

This policy will be reviewed regularly and updated as necessary.

Scope of this Complaints Policy

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

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with The Kemnal Academies Trust (TKAT) via enquiries@tkat.org.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). **Ali Watling** **County LADO Manager** **03000 410 888** **kentchildrenslado@kent.gov.uk**
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaints procedure. The behaviour policy is available on the academy website.*
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.

• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
• Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

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

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

Appendix 2

Formal Complaint Form.

Please complete and return to the Academy who will acknowledge receipt and explain what action will be taken.

<table>
<tr><td>Your Name:</td><td>Student's Name:

(If applicable)</td></tr>
<tr><td>Your Relationship to Student:

(If applicable)</td><td>Student's DOB and Form:

(If applicable)</td></tr>
<tr><td rowspan="2">Address and Postcode:</td><td>Daytime Telephone Number:</td></tr>
<tr><td>Evening Telephone Number:</td></tr>
<tr><td colspan="2">Full details of complaint (including the names of all persons involved and the dates of incidents referred to):</td></tr>
<tr><td colspan="2">What action, if any, have you already taken to try and resolve your complaint (for example, who did you speak to and what was the response)?</td></tr>
</table>

What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	**Date:**
For Official Use:	
Date Acknowledgement Sent:	
Name of Person Complaint Referred To:	
Signature:	*Date:*

Appendix 3

Please use the table below to see who deals with each stage of the complaint process.

Complaint is about	**Stage 1**	**Stage 2 *1**	**Stage 3 *1**	**Stage 4**
General issue, or member of staff below Head level	Relevant member of staff/ middle/ senior leader	Head	Chair	Panel of governors with one independent member
Head	Head	Chair	DoE	Panel of governors with one independent member
Individual Governor	Head	Chair	DoE	Panel of governors with one independent member
Chair	Chair	Vice Chair	DoE	Panel of governors with one independent member
LGB as a whole	NA	DoE	CEO	Independent panel *2

***1** – in all cases, with the exception of the Head dealing with a stage 2, a designate may be appointed

***2** – where the complainant is about all or most of the LGB, the panel will consist of 2 independent governors (can be from TKAT) and 1 independent of the management and running of the Academy.

Appendix 4

Serial and Unreasonable Complainants

The academy is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Unreasonable behaviour is defined as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if 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 co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable'* marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the academy causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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