This policy covers all academies/schools within
Arden Multi-Academy Trust

Name of Policy	**Complaints Policy**	
Lead	Martin Murphy, CEO	
Governor Committee	Business & Personnel Committee	
Policy Status	SMBC Draft	January 2010
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Version No.	4	
Amendments	July 2024 – Reviewed structure of policy and form.	
	September 2021 – Updated to reflect latest guidance.	
	Dec 2020 – Additional detail at Stage 2 included and clarification of independent panel member at Stage 3.	
	SMBC Model Complaints policy adopted following new legislation – DfE Best Practice guidance for school complaints procedure 2019	
	12th October 2020 – some changes to procedure	
	17th July – changes to procedure	
	17th December – changes to procedure	

Part 1

This policy should be used in conjunction with the DfE Best Practice guidance for academies complaints procedures.

Aims

Our Trust aims to meet its statutory obligations when responding to complaints at the schools.

When responding to complaints, we aim to:

- *Be impartial and non-adversarial.*
- *Facilitate a full and fair investigation by an independent person or panel, where necessary*
- *Address all points at issue and provide an effective and prompt response.*
- *Respect complainants with respect and courtesy.*
- *Ensure that any decisions we make are lawful, rational, reasonable, fair, and proportionate, in line with the principles of administrative law.*
- *Keep complainants informed of the progress of the complaints process.*
- *Consider how the complaint can feed into school improvement evaluation processes.*

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible formal procedures will be followed.

The Trust will aim to give the complainant the opportunity to complete the complaints procedure in full.

1.1 Who can make a complaint?

1.1.1 This complaints procedure is not limited to parents or carers of children that are registered at the schools within Arden Multi-Academy Trust. Any person, including members of the public, may make a complaint to the schools about any provision of facilities or services that we provide unless complaints are dealt with under separate statutory procedures. However, complaints that do not concern a student on roll or the school's practices, shall be dealt under the "External Complaints Procedure" (see Part 3).

1.2.1 What is the difference between a concern and a complaint?

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

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

1.2.3 It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints

procedure. Arden Multi-Academy Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

1.2.4 We understand however that there are occasions when people would like to raise their concerns formally. In this case, the school will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

1.3 How to raise a concern.

1.3.1 A concern can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant if they have appropriate consent to do so.

1.3.2 Concerns should be raised with either the class teacher, form tutor, pastoral leader, or head of year.

1.3.3 All concerns should be explored at the informal stage first. If the issue remains unresolved, then the next step is to make a formal complaint.

1.3.4 A complaint should be made in writing, using the form which can be access on the website or by contacting the school. They may also be made by a third party acting on behalf of a complainant if they have appropriate consent to do so.

1.3.5 Complainants should not approach individual governors to raise concerns or complaints. Governors have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

1.3.6 Complaints against school staff (except the Associate Headteacher/Heads of School) should be made in the first instance, to the Associate Headteacher/Heads of School via the school office using the form which can be access on the website or by contacting the school. Please mark them as Private and Confidential.

1.3.7 Complaints that involve or are about the Associate Headteacher/Heads of School should be addressed to Mr D Burgess, Executive Headteacher or Ms R Ashe, Director of Primary Education, and sent to Abi Birchill (Trust Liaison Officer) at abirchill@arden.solihull.sch.uk, using the form which can be access on the website or by contacting the school. Please mark them as Private and Confidential.

1.3.8 Complaints about the Chair of governors, any individual governor or the whole Governing Body should be addressed to Victoria Large (the Clerk to the Trust) at vlarge@arden.solihull.sch.uk, using the form which can be access on the website or by contacting the school. Please mark them as Private and Confidential.

1.3.9 For ease of use, a complaint form is included at the end of this policy. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

1.3.10 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.

1.4 Time scales

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

1.5 Complaints received outside of term time

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

1.6 Record keeping

1.6.1 The school/academy will record the progress of all complaints, including information about findings, recommendations and actions taken at all stages, the stages at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. These will be kept confidential.

1.6.2 These records will be available for inspection on the school premises by the proprietor and the Associate Headteacher/Heads of School, as will any actions taken by the school/academy as a result of any complaint (regardless of whether the complaint is upheld).

1.6.3 The material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

1.6.4 This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a Freedom of Information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

1.6.5 Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and record retention policy.

1.6.6 The detail of the complaint, including the names of individuals involved, will not be shared with the whole Governing/Trust Board in case a review panel needs to be organised at a later point.

1.6.7 Where the Governing/Trust Board is aware of the substance of the complaint before the review panel stage, the school/academy will, where reasonably practicable, arrange for an independent panel to hear the complaint.

1.6.8 Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Governing/Trust Board, who will not unreasonably withhold consent.

1.7 Resolving complaints

1.7.1 At each stage in the procedure the school wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- An explanation

- An admission that the situation could have been handled differently or better
- An assurance that we will try to ensure the event complained of will not recur
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- An undertaking to review school policies in light of the complaint
- An apology

1.8 Withdrawal of a complaint

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

1.9 Anonymous complaints

1.9.1 We will not normally investigate anonymous complaints. However, the Associate Headteacher/Heads of School or Chair of governors, if appropriate, will determine whether the complaint warrants an investigation.

1.10 What is covered by this complaints procedure and what is not?

1.10.1 This procedure covers all complaints about any provision of community facilities or services by Arden Multi-Academy Trust, other than complaints that are dealt with under other statutory procedures, including those listed below. You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this timeframe if exceptional circumstances apply.

Exceptions	Who to contact
• Statutory assessments of Special educational needs • School/academy re-organisation proposals	Concerns about admissions, statutory assessments of special educational needs, or school re-organisation proposals should be raised with the local authority.
• 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). Solihull LADO.
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found on the Government website – "Schools discipline exclusions" **complaints about the application of the behaviour policy can be made through the school/academy's complaints procedure.*
• Whistleblowing	The AMAT has an internal whistleblowing procedure for all our employees, including temporary staff and contractors.

Exceptions	Who to contact
	Volunteer staff who have concerns about a school/academy should complain through the school/academy's complaints procedure.
• Staff grievances	Complaints from staff will be dealt with under the school/academy's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school/academy'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 directly.
• National Curriculum - content	Please contact the Department for Education.
• Teacher Assessed Grades	All schools will be responsible for implementing the JCQ (Joint Council for Qualifications) guidance.
• Data Protection Matters	Complaints about data protection matters are handled under our data protection policy and in accordance with relevant guidance from the Information Commissioner's Office (ICO). If you have serious concerns, you may wish to contact the ICO directly, but the ICO will usually expect you to have raised your concerns with our Data Protection Officer in the first instance.

1.10.2 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.

1.10.3 If a complainant commences legal action against Arden Multi-Academy Trust 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.

Part 2: Complaints procedure in relation to a student on roll or the schools working practices.

2.1 Informal Stage – Talk to the school about your worries/ concerns.

2.1.1 Concerns can be raised with the school/academy at any time and will often generate a prompt/reasonable response, which will resolve the concern. Apart from the school's normal parent/carer consultation evenings or other arranged meetings with specific staff, the school requests that parents/carers make their first contact with the child's form tutor or Head of Year.

2.1.2 On some occasions, the concern raised may require investigation, or discussion with others, in which case there will be an informal but informed response. This may include escalation or referral to another member of staff as delegated by the Associate Headteacher/Heads of School. It is anticipated that the vast majority of concerns will be satisfactorily dealt with in this way. If this is not possible, the procedure will continue.

2.2 Stage 1 – Write to the Associate Headteacher/ Head of School about your complaint.

2.2.1 Formal complaints must be made to the Associate Headteacher/Heads of School (unless they are about the Associate Headteacher/Heads of School), via the school office. This must be done in writing, using the form which can be accessed on the website or by contacting the school.

2.2.2 The Associate Headteacher/Heads of School will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school working days.

2.2.3 Within this response, the Associate Headteacher/Heads of School will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Associate Headteacher/Heads of School can consider whether a face-to-face meeting is the most appropriate way of doing this.

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

2.2.5 During the investigation, the Associate Headteacher/Heads of School (or investigator) will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Keep a written record of any meetings/interviews in relation to their investigation.

2.2.6 At the conclusion of their investigation, the Associate Headteacher/Heads of School will provide a formal written response within 10 school working days of the date of receipt of the complaint.

2.2.7 If the Associate Headteacher/Heads of School is unable to meet this deadline, they will provide the complainant with an update and revised response date.

2.2.8 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 the school/academy will take to resolve the complaint.

2.2.9 The Associate Headteacher/Heads of School will advise the complainant of how to appeal their complaint should they remain dissatisfied with the outcome of Stage 1.

2.2.10 If the complaint is about the Associate Headteacher/Heads of School, the Executive Headteacher/Director of Primary Education will be appointed to complete all actions at Stage 1.

2.2.11 If the complaint is about the Chair of the Governing Body, or a member of the Governing Body (including the Chair or Vice-Chair)/Trust Board, a suitably skilled governor/trustee will be appointed to complete all the actions at Stage 1.

2.2.12 If the complaint is:

- Jointly about the Chair and Vice Chair;
- The entire Governing Body; or
- The majority of the Governing Body;

Then Stage 1 will be considered by an independent investigator appointed by the Governing Body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

2.2.13 Complaints about the Associate Headteacher/Heads of School must be made to Abi Birchill (Trust Liaison Officer) at abirchill@arden.solihull.sch.uk, using the form which can be access on the website or by contacting the school.
Complaints about a member of the Governing Body must be sent to Victoria Large (the Clerk to the Trust) at vlarge@arden.solihull.sch.uk, using the form which can be access on the website or by contacting the school.

2.3 Stage 2 – Appeal your complaint.

2.3.1 If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can appeal the complaint at Stage 2 – a meeting with the Executive Headteacher or Director of Primary Education, where both the complainant and the school/staff members are invited to attend and present their case In the event that the Executive Headteacher/Director of Primary Education has already been involved in the complaint, this same process will be followed but the Executive Headteacher/Director of Primary Education will be replaced by a panel of two or more members of the local governing body.

2.3.2 If the complaint is:

- Jointly about the Chair and Vice Chair;
- The entire Governing Body; or
- The majority of the Governing Body;

Then Stage 2 will be heard by the Chief Executive Officer.

2.3.3 A request to appeal to Stage 2 must be made to Abi Birchill (Trust Liaison Officer) at abirchill@arden.solihull.sch.uk, within 10 school working days of receipt of the Stage 1 response, using the form which can be accessed on the website or by contacting the school.

2.3.4 Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

2.3.5 The Trust Liaison Officer will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school working days.

2.3.6 The Trust Liaison Officer will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school working days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

2.3.7 If the complainant rejects the offer of three proposed dates, without good reason, the Trust Liaison Officer 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.

2.3.8 At least 10 school days before the meeting, the Trust Liaison Officer 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 at least 5 school working days before the meeting.

2.3.9 Any written material will be circulated to all parties 5 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.

2.3.10 New complaints or any evidence unrelated to the initial complaint will not be dealt with at this stage. New complaints must be dealt with from Stage 1 of the procedure.

2.3.11 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.

2.3.12 The Executive Headteacher/Director of Primary Education will consider the complaint and all the evidence presented. The Executive Headteacher/Director of Primary Education can:

- Uphold the complaint in whole or in part;
- Dismiss the complaint in whole or in part.

2.3.13 If the complaint is upheld in whole or in part, the Executive Headteacher/Director of Primary Education 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.

2.3.14 The complainant and the school will be provided with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

2.3.15 The letter to the complainant will include details of how to proceed to Stage 3 of the Complaints Policy.

2.4 Stage 3 – Appeal your complaint further.

2.4.1 If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can appeal the complaint to Stage 3, using the form which can be accessed on the website or by contacting the school. This is a meeting with the AMAT complaints committee, which will be formed of the first three impartial Governors/Trustees available. The panel must consist of an independent panel member who must not be a member, trustee or employee of the school. This should not be anyone who has a clear connection with the school (for example, a solicitor who routinely handles legal matters for the school). It may, however, be a governor from a local governing body at a different school within the MAT who has no conflict of interest or prior knowledge of the complaint. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

2.4.2 This is the final stage of the complaints procedure.

2.4.3 If the complaint is:

- Jointly about the Chair and Vice Chair;
- The entire Governing Body; or
- The majority of the Governing Body;

Then Stage 3 will be heard by a panel of three including one independent panel member.

2.4.4 A request to appeal to Stage 3 must be made to Victoria Large (the Clerk to the Trust) at vlarge@arden.solihull.sch.uk within 10 school working days of receipt of the Stage 2 response, using the form which can be accessed on the website or by contacting the school.

2.4.5 Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

2.4.6 The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school working days.

2.4.7 The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school working days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

2.4.8 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.

2.4.9 Prior to the meeting, the panel will decide amongst themselves who will act as the Chair of the Complaints Committee.

2.4.10 The complainant will be invited to bring someone along to the meeting to provide support if they wish. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel hearing.

2.4.11 Representatives from the media are not permitted to attend.

2.4.12 At least 10 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;
- Notify all that the meeting will be no longer than 1 hour and 15 minutes.

2.4.13 Material from stage 1 will be circulated to all parties 5 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. No new evidence will be considered from this stage onwards as it would prejudice the outcomes and decisions of stage 1.

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

2.4.15 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.

2.4.16 The panel will consider the complaint and all the evidence presented. The panel can:

- Uphold the complaint in whole or in part;
- Dismiss the complaint in whole or in part.

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

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

2.4.17 Written records will be kept of all the panel's findings, actions and recommendations, including any actions taken by the school/academy as a result of any complaint (regardless of whether the complaint is upheld), and these will be available for inspection on the school premises by the proprietor and the Associate Headteacher/Heads of School.

2.4.18 The Chair of the panel will provide the complainant and, where relevant, the person complained about with a full explanation of their decision, the conclusion, and the reason(s) for it, in writing, within 10 school days.

2.4.19 Copies of the minutes will be issued to the complainant.

2.4.20 The letter to the complainant will include details of how to contact the ESFA if they are dissatisfied

with the way their complaint has been handled by the school/academy.

2.4.21 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 the school/academy/trust will take to resolve the complaint.

2.4.22 The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

2.5 Next steps

2.5.1 If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the Education and Skills Funding Agency (ESFA).

2.5.2 The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school/academy's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure;
- Whether the school/academy was in breach of its funding agreement with the Secretary of State;
- Whether the school/academy has failed to comply with any other legal obligation.

Part 3: External Complaints Procedure

3.1 The Trust wish to work closely with other members of the local community and will deal with their concerns and complaints as follows.

3.2 Informal with a written response

3.2.1 A concern may be made to any member of staff. The member of staff will attempt to resolve the matter immediately or may, if appropriate, refer the matter to their line manager or member of the senior team who is best placed to deal with the concern.

3.2.2 The complainant will be provided with a full explanation of the school's decision and the reason(s) for it, in writing, within 10 school days.

3.3 Stage 1

3.3.1 If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can appeal the complaint to Stage 2.

3.3.2 A request to appeal to Stage 2 must be made Abi Birchill (Trust Liaison Officer) at abirchill@arden.solihull.sch.uk, within 10 school working days of receipt of the Stage 1 response, using the form which can be accessed on the website or by contacting the school.

3.3.3 Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

3.3.4 The Associate Headteacher/Heads of School may delegate the task of investigating and/or responding to the complaint to a senior member of staff or may escalate the complaint straight to stage 3.

3.3.5 The complainant will be provided with a full explanation of the school's decision and the reason(s) for it, in writing, within 10 school days.

3.4 Stage 2

3.4.1 Proceed to stage 3 for external complaints.

3.5 Stage 3

3.5.1 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.

3.5.2 A request to appeal to Stage 3 must be made Victoria Large (the Clerk to the Trust) at vlarge@arden.solihull.sch.uk, within 10 school working days of receipt of the Stage 2 response, using the form which can be accessed on the website or by contacting the school.

3.5.3 Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

3.5.4 The Clerk will usually arrange for a governor within the Trust to consider the complaint or may convene a panel of three governors. This will typically involve either the Executive Headteacher/ Director of Primary Education or another Educationalist.

3.5.5 The complainant will be provided with a full explanation of the governor's decision and the reason(s) for it, in writing, within 10 school days, or within five school days of a complaint committee hearing (as applicable).

Part 4: Repetitious and vexatious complaints and complaints pursued in an otherwise unreasonable manner.

4.1 There are rare circumstances where we will deviate from the Complaints Procedure set out in Parts 2 and 3. These include, but are not necessarily limited to:

4.2 Repetitious, including serial and/or persistent, complaints

4.2.1 Where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full and we have:

- taken every reasonable step to address the complainant's concerns; and
- given the complainant a clear statement of our position and their options,

we will write to the complainant to advise that the complaints procedure has been exhausted and that we will not be responding to any further correspondence in relation to these matters. The complainant will be referred to Stage 4, the ESFA.

4.3 Vexatious complaints

4.3.1 The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific or repetitious;
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
- insistence upon pursuing meritorious complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance; and
- demands for redress that lack any serious purpose or value.

4.3.2 Examples include but are not limited to:

- refusal to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refusal to co-operate with the complaints investigation process;
- refusal to accept that certain issues are not within the scope of the complaints procedure;
- insistence on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
- introducing trivial or irrelevant information which they expect to be taken into account and commented on;

- raising large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- making unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changing the basis of the complaint as the investigation proceeds;
- seeking an unrealistic outcome, such as the inappropriate dismissal of staff;
- making 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;
- knowingly providing falsified information;
- publishing unacceptable information on social media or other public forums.
- 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;

4.3.3 If it is deemed that the complaint is vexatious, we will send a warning letter to the individual concerned outlining our concerns and asking them to desist from such behaviour and outlining the consequences if they chose not to do so. If they fail to do so, then it may be appropriate:

- not to respond to any further correspondence from the complainant regarding this complaint but complete the Complaints Procedure based on information already obtained from the complainant.
- not to hold a hearing but conduct it on the papers only.
- in some cases, not to consider the complaint further and not respond to any further correspondence.

4.4 Complaints pursued in an otherwise unreasonable manner

4.4.1 Where the complainant's behaviour or language towards staff, governors, trustees or members is aggressive, abusive, offensive, discriminatory or threatening or insulting personal comments are made about, or threats are made towards, staff.

4.4.2 In the circumstances outlined in (2) and (3) above, we may:

- inform the complainant that we consider their complaint to be vexatious or the manner in which they are pursuing their complaint to be unreasonable and why, and ask them to desist;
- conduct the Complaints Committee on the papers only i.e. not hold a hearing;
- refuse to consider the complaint any further and refer the complainant directly to Stage 4, the ESFA.

4.4.3 If it is deemed that the complaint is unreasonable, we will send a warning letter to the individual concerned outlining our concerns and asking them to desist from such behaviour and outlining the consequences if they chose not to do so. If they fail to do so, then it may be appropriate:

- not to respond to any further correspondence from the complainant regarding this complaint but complete the Complaints Procedure based on information already obtained from the complainant.
- not to hold a hearing but conduct it on the papers only.
- in some cases, not to consider the complaint further and not respond to any further correspondence.

4.4.4 We may also restrict the complainant's access to the academy, e.g. requesting contact in a particular form (for example, letters only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times or number of contacts or banning the complainant from the academy's premises in line with our Parental Charter.

4.4.5 Where the complainant's behaviour is so extreme that it threatens the immediate safety and welfare of staff, governors] trustees or members we will consider other options - for example, reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

Part 5: Complaint campaigns

5.1 For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with the academy) which are all based on the same subject.

5.2 Depending on the subject in question, we may deviate from the procedure set out in this policy and instead:

- send a template response to all complainants; and/or
- publish a single response on the academy's website (as applicable).

Part 6: Roles and responsibilities

6.1 Complainant

The complainant will receive a more effective response to the complaint if they:

- Explain the complaint in full as early as possible;
- Cooperate 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.

6.2 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 coordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- Conduct interviews with an open mind and be prepared to persist in the questioning;
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting;
- Ensure that any papers produced during the investigation are kept securely pending any appeal;
- Be mindful of the timescales to respond;
- Prepare a comprehensive report for the Associate Headteacher/Heads of School or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Associate Headteacher/Heads of School or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

6.3 Complaints coordinator (this could be the Associate Headteacher/Heads of School, Trust Liaison Officer or Clerk to the Trust).

The complaints coordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure;
- Liaise with staff members, Associate Headteacher/Heads of School, Chair of Governors, Clerk

and LAs (if appropriate) 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.
- 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

6.4 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).

6.5 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/academy 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/carer is the complainant, the committee should give the parent/carer the opportunity to say which parts of the meeting, if any, the child/young person needs to attend;
- However, the parent/carer should be advised that agreement might not always be possible if the parent/carer 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.

Annex A: AMAT Raising a Formal Complaint Form – Stage 1

Complaint Description - I am…	**Send to**
Raising a stage 1 complaint after exploring my concern informally.	The school

Please send your complaint to **the Associate Headteacher/ Head of School** who will acknowledge receipt and explain what action will be taken.

Section 1 – About you	
Your name ("The Complainant"):	
School name:	
Student's name (if relevant):	
Your relationship to the student (if relevant):	
Your home address:	
Your home postcode:	
Your daytime telephone number:	
Your evening time telephone number:	
Your email address:	

Section 2 – My Complaint (for stage 1)
Please give details of your complaint:

Please explain how this was dealt informally first. Who did you speak to? What was the outcome?
Are you attaching any paperwork? If so, please give details.
What outcome are you expecting for?

Submission	
Your signature:	
Today's date:	

OFFICE USE ONLY – STAGE 1	
Date of school-working day, the complaint was received:	
Date the acknowledgement was sent:	
Who sent the acknowledgement:	
Who was the complaint referred to:	
Actions taken:	
Date:	

Annex B: AMAT Raising an Appeal - Formal Complaint Form – Stage 2

Complaint Description - I am…	**Send to**
Resubmitting my complaint to be considered at stage 2 for appeal.	The Clerk to the Trust

Please send your complaint to Abi Birchill (Trust Liaison Officer) at abirchill@arden.solihull.sch.uk or **via Arden Multi-Academy Trust, Station Road, Knowle, Solihull, B93 0PT** who will acknowledge receipt and explain what action will be taken.

Section 1 – About you	
Your name ("The Complainant"):	
School name:	
Student's name (if relevant):	
Your relationship to the student (if relevant):	
Your home address:	
Your home postcode:	
Your daytime telephone number:	
Your evening time telephone number:	
Your email address:	

Section 2 – My Complaint (for stage 2) - APPEAL
Please explain why you are appealing the outcome to your formal complaint to the next stage of the complaint policy.

What outcome are you expecting for?

Submission	
Your signature:	
Today's date:	

OFFICE USE ONLY – STAGE 2 (APPEAL)			
Date of school-working day, the complaint was received:			
Date the acknowledgement was sent:			
Who sent the acknowledgement:			
Who was the complaint referred to:			
Actions taken:			
Decision was to:			
Uphold the complaint in whole	Uphold the complaint in part	Dismiss the complaint in whole	Dismiss the complaint in part
Date:			

Annex C: AMAT Raising an Appeal - Formal Complaint Form – Stage 3

Complaint Description - I am…	**Send to**
Resubmitting my complaint to be considered at stage 3 for appeal.	The Clerk to the Trust

Please send your complaint to Victoria Large (the Clerk to the Trust) at vlarge@arden.solihull.sch.uk **or via Arden Multi-Academy Trust, Station Road, Knowle, Solihull, B93 0PT** who will acknowledge receipt and explain what action will be taken.

Section 1 – About you	
Your name ("The Complainant"):	
School name:	
Student's name (if relevant):	
Your relationship to the student (if relevant):	
Your home address:	
Your home postcode:	
Your daytime telephone number:	
Your evening time telephone number:	
Your email address:	

Section 2 – My Complaint (for stage 3) - APPEAL
Please explain why you are appealing the outcome to your formal complaint to the next stage of the complaint policy.

What outcome are you expecting for?

Submission	
Your signature:	
Today's date:	

OFFICE USE ONLY – STAGE 3 (APPEAL)			
Date of school-working day, the complaint was received:			
Date the acknowledgement was sent:			
Who sent the acknowledgement:			
Who was the complaint referred to:			
Actions taken:			
Decision was to:			
Uphold the complaint in whole	Uphold the complaint in part	Dismiss the complaint in whole	Dismiss the complaint in part
Date:			

Annex D: Summary of timescales for complaints

Following receipt of an **informal** concern from you, we will:

Action	Who	When	Where
Give you an informal response within 10 school days	Associate Headteacher/ Head of School	Within 10 school days of receipt of your complaint	2.1

Following receipt of a **formal** complaint from you, we will:

Action	Who	When	Where
Acknowledge receipt of your complaint in writing.	Associate Headteacher/ Head of School	Within 5 school days of receipt of your complaint	2.2.2
Give you a formal written response within 10 school days.	Associate Headteacher/ Head of School	Within 10 school days of receipt of your complaint	2.2.6

If you are unhappy with the response to your complaint, and want to **appeal,** a request to appeal to Stage 2 must be made to the Trust Liaison Officer within 10 school days of receipt of the Stage 1. Following receipt of an appeal from you, we will:

Action	Who	When	Where
Acknowledge receipt of your complaint in writing.	Trust Liaison Officer	Within 5 school days of receipt of your complaint	2.3.5
Schedule a date for the appeal committee to meet	Trust Liaison Officer	We aim to convene a meeting within 20 school days of receipt of your appeal.	2.3.6
Confirm the date of the meeting with you.	Trust Liaison Officer	At least 10 school days before the appeal panel meeting.	2.3.8
Send you copies of all written material the appeal panel will have.	Trust Liaison Officer	At least 5 school days before the appeal panel meeting.	2.3.9
Give you a decision on your appeal, in writing, with a full explanation of their decision and the reason(s) for it.	Executive Headteacher/ Director of Primary Education.	Within 10 school days of the meeting.	2.3.14

If you are unhappy with the response to your complaint, and want to **appeal stage 2,** a request to appeal to Stage 3 must be made to the Clerk to the Trust within 10 school days of receipt of the Stage 2. Following receipt of an appeal from you, we will:

Action	Who	When	Where
Acknowledge receipt of your complaint in writing.	Clerk to the Trust Board	Within 5 school days of receipt of your complaint	2.4.6
Schedule a date for the Appeal panel to meet	Clerk to the Trust Board	We aim to convene a meeting within 20 school days of receipt of your appeal.	2.4.7
Confirm the date of the meeting with you.	Clerk to the Trust Board	At least 10 school days before the appeal	2.4.12

Action	Who	When	Where
		committee meeting.	
Send you copies of all written material the appeal panel will have.	Clerk to the Trust Board	At least 5 school days before the appeal meeting.	2.4.13
Give you a decision on your appeal, in writing, with a full explanation of their decision and the reason(s) for it.	Chair of the appeal panel.	Within 10 school days of the meeting.	2.4.18

Annex E: Suggested wording to read at the start of an appeals meeting.

Welcome everyone and thank you for attending this appeal meeting.

As we proceed, it is important to maintain a respectful and calm atmosphere.

If at any point heightened emotions or aggression arise, we will take a brief pause to allow everyone to regain composure.

Should this occur, we will also shift to a more structured, linear approach to ensure the meeting remains productive and orderly.

Your cooperation in maintaining a constructive environment is greatly appreciated.