



Complaints Policy



Spiral Partnership Trust “the trust” works hard to build positive relationships between all members of its school communities and for its values to be reflected in every aspect of its work. However, it is acknowledged that sometimes a complaint will need to be made and this policy sets out the procedure which should be followed in such circumstances.

This Complaints Policy applies to all parents or carers of children that are registered at the school, which is part of Spiral Partnership trust. This extends to parents whose children have left the school within three months of being off-rolled. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use the complaints procedure set out in this policy.

Any person, including members of the public and perspective parents, may make a complaint about any provision of facilities or services that we provide, which will be dealt with respectfully and expediently, as deemed appropriate by the headteacher but not necessarily following this process.

General Principles:

- This procedure is designed to resolve a concern or complaint relating to the school, or the services that it provides, as quickly as possible.
- An anonymous concern or complaint will not be investigated under this procedure, unless it is appropriate to do so.
- To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible, and in general no later than 3 months after the incident(s) that gave rise to the complaint. We will consider complaints outside of this time frame if exceptional circumstances apply.
- We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

The difference between a concern and a complaint

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

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

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. Spiral Partnership Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, or the member of staff directly involved feels unable to deal with your concern, the head teacher will refer you to a member of staff member able to consider the concern objectively and impartially.

We understand however, that there are occasions when people feel they need to raise their concerns formally. In this case, Spiral Partnership Trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Scope of this complaints procedure

This procedure covers all complaints, by parents or carers of pupils registered at the school, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via 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.
Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions .
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 whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure.
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.
Third party suppliers of community facilities and services	Third party suppliers using the school to offer community facilities and services are expected to have their own complaints procedures in place.

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

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

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. If a complaint is made by a third party acting on behalf of a complainant, it must be submitted with an explanation why a third party is involved and written consent to do so.

- Complaints against school staff (except the head teacher) should be made in the first instance, to the head teacher via the school office. Please mark them as Private and Confidential.
- Complaints that involve or are about the head teacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.
- Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.
- Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to Chair of Board of Directors, via the trust office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office

Resolving complaints

At each stage in the procedure, Spiral Partnership Trust 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.

Withdrawal of a complaint

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

The complaint process

This process is designed to resolve a concern or complaint relating to the school as quickly as possible. The process is designed to be fair and impartial. We aim to provide an effective response to parents, offer appropriate redress and where possible to learn from the experience, so that our services can be improved.

Stages of the Complaint		Purpose
Stage 1	Informal complaint	The complaint will initially be considered informally. The school will listen to the differing point of view(s), investigate the concerns and respond to the complainant in writing
Stage 2	Formal complaint	The school will seek to clarify the complaint and fully investigate it. They will respond in writing explaining their decision, their reasons for the decision and any recommendations they consider appropriate.
	Mediation	A meeting will be offered between the complainant, HT and CEO to help mediate a resolution. The CEO will seek to provide more clarity about the decisions and recommendations made.
Stage 3	Complaint Panel Hearing	The panel will review the process and the outcomes of the complaint. They will uphold or dismiss the complaint, decide what action should be taken to resolve an upheld complaint and recommend any changes to the systems and procedures in the school. This is the final stage of the school complaints procedure.

STAGE 1 – INFORMAL COMPLAINTS

(Appendix 2 sets out who complaints should be addressed to)

If a parent or carer has a concern about any aspect of the provision for their child, they should, in the first instance, discuss it with the class teacher. We anticipate that most issues can be dealt with in this way; quickly and informally. All teachers work very hard to ensure that each child is happy and making good progress. They always want to know if there is a problem.

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment, requested via the school office.

Where a parent/carers feels that a situation has not been resolved with the class teacher or has a generic complaint about the school, they can make an appointment to discuss it with the Headteacher or a senior member of staff. All concerns are taken very seriously and each case will be investigated thoroughly. At the conclusion of their investigation, the person investigating the complaint will provide an informal written response to the parent within 10 school days of the date of receipt of the complaint.

Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved at this informal stage.

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 from considering complaints at Stage 3 of the procedure.

If the parent is not satisfied with the response, the next step is to make a formal complaint.

STAGE 2 – FORMAL COMPLAINTS

If the complaint is not resolved at the informal stage the complaint may be escalated to the formal stage. Formal complaints must be made to the head teacher (unless they are about the head teacher), via the school office. Appendix 2 sets out who complaints should be addressed to. This should be done in writing using the Complaint

Form (appendix 1). If the complaint is about the head teacher, or a member of the Local School Committee, the chair of governors/clerk will liaise with the CEO of Spiral Partnership Trust to appoint a suitably skilled person to complete all the actions at Stage 2.

If the complaint is:

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

Stage 2 will be escalated to the CEO of the Trust.

In completing the complaint form

- all details, which might assist the investigation, should be included, such as names of potential witnesses, dates and times of events, and copies of relevant documents.
- It is very important to specify a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.
- The completed form should be passed in a sealed envelope to the school office, addressed to the head teacher, or as is appropriate (see page 3).

The head teacher will record the date the complaint is received and will acknowledge receipt of the complaint either by letter or email within 5 school days.

The head teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face to face meeting is the most appropriate way of doing this. The head teacher may delegate the investigation to a complaint investigator (a member of the school's senior leadership team) but not the decision to be taken.

The investigation will begin as soon as possible, during the investigation, the head teacher (or investigator) will:

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

At the conclusion of their investigation, the head teacher will provide a formal written response within 20 school days of the date of receipt of the complaint. If the head teacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will:

- detail any actions taken to investigate the complaint
- provide a full explanation of the decision made and the reason(s) for it.
- Where appropriate, include details of actions which will be taken to resolve the complaint.
- advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

Following a complaint the senior leadership team will consider the lessons learned so that services can be improved.

MEDIATION

If the complainant is dissatisfied with the response they receive a mediation meeting will be offered between the complainant, HT and CEO to help share understanding and mediate a resolution. The CEO will seek to provide more clarity about the decisions and recommendations made.

STAGE 3 – COMPLAINT 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 – a complaint 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.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 2 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

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 days.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 25 school 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.

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.

If the complaint is:

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

Stage 3 will be heard by the trustees from the Board of Directors and an independent complaint panel member.

A complainant may bring someone along to the complaint panel meeting to provide support. This can be a relative or friend. A complaint panel meeting is not a legal proceeding and neither the school nor the complainant should be accompanied by a legal representative. Representatives from the media are not permitted to attend.

At least 15 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that 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 10 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The complaint panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The complaint panel will not consider any new complaints at this stage or consider evidence unrelated to the initial complaint. 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 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 complaint panel will consider the complaint and the evidence presented. The complaint 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 complaint 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.

The Chair of the Complaint Panel will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

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 will take as a result of their decision. 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 Spiral Partnership Trust.

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 Trust and the headteacher.

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 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 5 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under the appropriate Stage 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 10 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 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.

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

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 Trust Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint by letter or email within 5 school days.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 25 school 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.

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.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust board or
- the majority of the trust board

Stage 3 will be heard by a completely independent complaints panel.

At least 15 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 panel at least 10 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend.

The meeting will be held in private. Electronic recordings of meetings or conversations are not 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 trust complaint 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.

The Chair of the Panel will provide the complainant and Spiral Partnership Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 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 Spiral Partnership 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 Spiral Partnership Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by email 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 CEO.

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/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 Spiral Partnership Trust. They will consider whether the school/trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

This policy will be reviewed by the Spiral Partnership Trust Education Committee every three years, however any member of the committee may request an earlier review.

Additional information

A 'parent' is defined in law in section 576 of the Education Act 1996.

This policy is based on the legislation and guidance required;

- *Statutory requirements under Part 7 of the Education (Independent School Standards) Regulations 2014 (ISSRs 2014).*
- *ESFA best practice guidance*
- *General Data Protection Regulations*

It will be published on all school websites and hard copies available on request.

Appendix 1

Your name:	
Pupil's name (if relevant):	
Your relationship to the pupil (if relevant):	
Address:	
Postcode:	
Day time telephone number:	
Evening telephone number:	
Email address:	
Please give details of your complaint, including whether you have spoken to anybody and 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:

Action taken:

Date:

Who Complaints Should Be Addressed To?

Appendix 2

If a parent or carer has a concern about any aspect of the provision for their child, they should discuss it with the class teacher. It is normally appropriate to communicate directly with the member of staff concerned.

Where a parent/carers feels that a situation has not been resolved with the class teacher or has a generic complaint about the school, they can make an appointment to discuss it with the Headteacher or a senior member of staff.

Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved at this informal stage. If the parent is not satisfied with the response, the next step is to make a formal complaint.

Who is the complaint about	Who should the complaint be addressed to at stage 2	Who will deal the stage 2 complaint investigation?
Complaints against school staff	The head teacher via the school office. Please mark as Private and Confidential	The 'investigator' may be the headteacher or a senior member of staff
Complaints that involve or are about the head teacher	The Chair of Governors, via the school office. Please mark them as Private and Confidential.	The chair of governors/clerk will liaise with the CEO to appoint a suitably skilled person to complete Stage 2.
Complaints about any individual governor		
The Chair of Governors & vice chair jointly or most /all of the Local School Committee	The Clerk to the Local School Committee, via the school office. Please mark them as Private and Confidential	Stage 2 will be escalated straight to the CEO of the Trust
The Chief Executive Officer (CEO) or a trustee of the Trust	Chair of Board of Directors, via the trust office. Please mark them as Private and Confidential.	The Chair of the Trust
The Chair of the Board	Vice Chair of Board of Directors, via the trust office. Please mark them as Private and Confidential.	The Vice Chair of the Board
Complaints about the Trust	The CEO	The CEO

If a complaint is escalated to Stage 3;

Who is the complaint about	Escalating the complaint	Stage 3 Complaint Panel
Complaints against school staff	The Clerk to the Local School Committee, via the school office. Please mark as Private and Confidential	At least three people who were not directly involved in the matters in the complaint with one panel member independent of the management and running of the school.
Complaints that involve or are about the head teacher		
Complaints about any individual governor		
The Chair of Governors & vice chair jointly or most /all of the Local School Committee	The Clerk to the Local School Committee, via the school office. Please mark as Private and Confidential	At least three trustees from the Board of Directors and an independent complaint panel member – not a trustee or an employee of the trust
The CEO or a trustee	Clerk to the board of Directors via the school office. Please mark as Private and Confidential	
The Chair & vice chair of the board jointly or most /all of the Board of Directors	Clerk to the board of Directors via the school office. Please mark as Private and Confidential	A completely independent Complaints Panel

Roles and Responsibilities

Appendix 3

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 head teacher or Panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The head teacher or panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (headteacher or CEO)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, head teacher, CEO, Chair of Governors, Chair of Trust or the Clerk and to ensure the smooth running of the complaints procedure

- be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support
 - keep records.

Clerk to the Governing Body / Trust Board

The Clerk is the contact point for the complainant and the panel and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint and send it to the parties in advance of the meeting within an agreed timescale
- minute the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Complaints Panel Chair

The complaint panel 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.
- 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).

Complaints Panel Member

Complaint panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
No governor / trustee may sit on the 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.
- the welfare of the child/young person is paramount.

Managing serial and persistent complaints, including complaint campaigns **Appendix 4**

Spiral Partnership Trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain.

However, there will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. In such a case the complaint will be marked as 'serial or persistent' and we may choose not to respond any further.

Complaints may be considered 'frivolous' or 'vexatious' complaints if they are:

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

The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

The decision to stop responding will never be taken lightly and only when we are confident that the following criteria are all met:

- we have taken every reasonable step to address the complainant's concerns
- provided the complainant a clear statement of our position and their options
- the complainant repeated contacts make substantially the same points each time

If the decision is taken to stop responding the individual will be informed in writing.

Complaint campaigns

Should the school become the focus of a campaign and receive a large volume of complaints

- About the same subject
- From complainants unconnected with the school

The school's response could include

- A template response to all complainants
- A single published response on the school website

The school's response will take account of the need to minimise disruption and seek to prioritise the smooth running of the school, ensuring duties of care to staff and pupils.

If an individual's behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, Spiral Partnership Trust will implement a tailored communication strategy, which may:

- restrict the individual to a single point of contact via an email address
- limit the number of times they can make contact, such as a fixed number of contacts per term

If an individual persists to the point that may constitute harassment, we will seek legal advice. Although fulfilling a public function, academies are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If an individual's behaviour is a cause for concern, a head teacher can ask them to leave school premises. In some cases, individuals can be barred from entering school premises.

The head teacher's decision to bar will then be reviewed by either:

- the chair of governors
- a committee of governors

Who will take into account any representations made by the individual and decide whether to either confirm or lift the bar. If the decision is confirmed, the individual should be notified in writing, explaining:

1. how long the bar will be in place
2. when the decision will be reviewed