

Policy: Concerns and Complaints Policy and Procedure

Policy reference no: 001

1. Introduction

- 1.1 The following procedures have been put in place to deal with concerns and formal complaints. The Department for Education defines a concern as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'* and a complaint as *'an expression of dissatisfaction, however made, about actions taken or a lack of action'*.
- 1.2 It is in everyone's interest that concerns and complaints about any aspect of the provision for children and young people within The Corinium Education Trust are resolved at the earliest possible stage. Therefore, each school within the Trust is responsible for managing its own procedures in line with those agreed by the Trustees and set out in statutory guidance.
- 1.3 The Corinium Education Trust is governed by its Board of Trustees who are responsible for, and oversee, the management and administration of schools within the Trust.
- 1.4 Each school within The Corinium Education Trust has a Local Governing Body, including elected parent members. The Local Governing Body has delegated responsibility for matters such as implementation of these procedures for managing concerns and complaints.
- 1.5 This policy is in line with Part 7 of The Education (Independent School Standards) Regulations 2014 which governs complaints for academies and is also in line with the Department for Education's best practice guidance for school complaints procedures 2021 and model complaints procedures for academies within a multi-academy trust.
- 1.6 This Concerns and Complaints Policy and Procedure is not limited to parents or carers of children who are registered at a school within The Corinium Education Trust. Any person, including members of the public, may make a complaint to The Corinium Education Trust about the provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions - See section 4.5), we will refer to this Concerns and Complaints Policy and Procedure.
- 1.7 The Trustees recognise that the experience of the first contact between the complainant and a school (within The Corinium Education Trust) is crucial in determining whether the complaint will escalate to the Chief Executive or the Trust's Board. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. All members of The Corinium Education Trust take concerns and complaints seriously and will make every effort to resolve matters raised with them as quickly as possible.
- 1.8 **Appendix 1** provides a summary of The Corinium Education Trust's Concerns and Complaints Policy and Procedure in the form of a flow diagram.
- 1.9 **Appendix 2** sets out the roles and responsibilities of all parties involved in the implementation of The Corinium Education Trust's Concerns and Complaints Policy and Procedure.
- 1.10 **Appendix 3** 'Sharing your concerns about your child's education (A guide for parents and carers)' can be used as a guide for parents/carers on how to deal with concerns and complaints.

2. Aims

2.1. The Corinium Education Trust's Concerns and Complaints Policy and Procedure aims to:

- encourage resolution(s) by informal means, wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial;
- be non-adversarial;
- allow swift handling within established time-limits for both action(s) and communication of any and all progress;
- ensure a full and fair investigation, by an independent person, where necessary;
- respect people's confidentiality, wherever possible;
- address all points raised and provide an effective response, with appropriate redress, where it is necessary;
- provide appropriate information to the relevant school leadership team, the Trust's CEO and the Board so improvements can be made.

2.2. At each stage in the procedure, the individual school will fully investigate the issues raised to ensure that we can:

- establish an accurate history of the events that have occurred, and all individuals involved;
- clarify the nature of the complaint and what remains unresolved or to be redressed;
- meet with, or contact, the complainant (when clarity or further information is required);
- clarify what outcome the complainant feels is appropriate;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview objectively and be prepared to persist in the questioning;
- keep notes of all interviews or, if necessary, arrange for an independent note taker to record minutes of any meetings.

2.3. At each stage in the procedure, the individual school will consider how an issue might be resolved. The complainant will be encouraged to state what actions he/she feels might resolve the problem. The school will aim to identify areas of agreement and clarify any misunderstandings. It may be appropriate to offer one, or more, of the following:

- an acknowledgement the complaint is valid;
- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies and/or those of The Corinium Education Trust in light of the complaint.

2.4. If at any stage, a complainant wants to withdraw their complaint, they will be asked to confirm their decision in writing.

3. Concerns

3.1. Where a concern has been raised, the individual school will aim to resolve the issue to the satisfaction of all parties involved without the need for formal procedures.

3.2. The concern may be conveyed orally (face to face or via telephone call) or in writing (by email or letter)

- 3.3 From parents or pupils: in the first instance, parents should raise any concern related to their son's or daughter's well-being with the member of staff responsible for his or her care. In our primary schools this may be his or her class teacher and, in our secondary school, his or her tutor. If the concern is related to his or her learning and progress, the class teacher or tutor will refer this to the most relevant person such as the subject coordinator (primary school) or Head of Faculty (secondary school).
- 3.4 From staff: in the first instance, members of staff should refer a concern to their relevant line manager or team leader.
- 3.5 From members of the public: concerns from members of the public should be raised with the individual school's reception and this will then be directed appropriately, according to the nature of the concern.
- 3.6 The Corinium Education Trust aims to acknowledge and, where possible, respond to all concerns within 48 hours. However, we recognise some will require further investigation and these will be resolved as quickly as possible.
- 3.7 If a parent or another person has difficulty discussing a concern with a particular member of staff, schools within The Corinium Education Trust will respect their views. In these cases, the school's Headteacher or the Complaints Administrator will refer the concern to another staff member. A similar referral will be made if the member of staff directly involved feels unable to deal with a concern. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.
- 3.8 When a concern is addressed to the Headteacher of an individual school within The Corinium Education Trust, they will determine how best to respond and may delegate responsibility for responding to another member of staff.
- 3.9 If appropriate, when concerns are resolved, the outcome will be confirmed in writing.
- 3.10 When initial attempts to resolve a concern have been unsuccessful and the person raising the issue remains dissatisfied, taking the matter further will be dealt with under the stages outlined below for dealing with complaints
- 3.11 The Corinium Education Trust understands that there are occasions when people will choose to raise their concerns formally. In these cases, schools within The Corinium Education Trust will attempt to resolve the issues internally, through the stages outlined within this Concerns and Complaints Policy and Procedure.

4. Complaints

- 4.1. The Corinium Education Trust's Concerns and Complaints Policy and Procedure has four stages:
- Stage 1: The complaint is heard by the relevant school's designated School Complaints Co-ordinator;
 - Stage 2: The complaint is heard by the individual school's Headteacher;
 - Stage 3: The complaint is heard by the Chair of the individual school's Local Governing Body;
 - Stage 4: The complaint is heard by The Corinium Education Trust's Complaints Appeal Panel.
- 4.2. Complainants must raise the initial complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the most recent incident. Schools within The Corinium Education Trust will consider complaints made outside this time frame if exceptional circumstances apply. This is at the discretion of the Corinium Education Trust.

- 4.3. Schools within The Corinium Education Trust will consider complaints made outside term time to have been received on the first school day after the holiday period.
- 4.4. A dissatisfied complainant can take their complaint to the next stage within 28 school days of receiving the outcome of the previous stage. This option will cease to be available after the outcome of Stage 4.
- 4.5. The scope of The Corinium Education Trust's Concerns and Complaints Policy and Procedure covers all concerns and complaints about any provision of community facilities or services provided by our schools other than those that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools 	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	Complaints about child protection matters are handled under our child protection and safeguarding policies 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).
<ul style="list-style-type: none"> Exclusion of children from school* 	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of an individual school's behaviour policy can be made through The Corinium Education Trust's Complaints Policy and Procedure.</i>
<ul style="list-style-type: none"> 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 .
<ul style="list-style-type: none"> Staff grievances 	Complaints from staff will be dealt with under The Corinium Education Trust's internal grievance procedures.
<ul style="list-style-type: none"> Staff conduct 	Complaints about staff will be dealt with under The Corinium Education Trust'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.

- 4.6. If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on The Corinium Education Trust's 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.
- 4.7. If a complainant commences legal action against a school within The Corinium Education Trust or the Trust itself in relation to their complaint, The Corinium Education Trust will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

- 4.8. All correspondence, statements and records relating to individual complaints will be held confidentially unless access is requested under relevant legislation.
- 4.9. The Corinium Education Trust will not normally investigate anonymous complaints. However, an individual school's Headteacher or Chair of its Local Governing Body, if appropriate, will determine whether the complaint warrants investigation.

5. Stage 1 Complaint heard by an individual school's School Complaints Co-ordinator

- 5.1 All formal complaints should be addressed to the individual school's Headteacher in writing (but see sections 5.8, 5.9, 5.10, below). A complaint form is available and, for consistency and record keeping, the complainant should be encouraged to complete the form should they choose to pursue a complaint initially made in person, by telephone or by email or letter, although this is not a requirement.
- 5.2 The individual school's Headteacher will record the date a complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 2 school days. The headteacher may delegate the investigation to another member of the school's senior leadership team, but not the decision on the action to be taken.
- 5.3 At Stage 1 the individual school's Headteacher will refer the complaint to the relevant designated School Complaints Co-ordinator whose role is to:
- Clarify the nature of the complaint and what remains unresolved;
 - Establish what has happened so far, and who has been involved;
 - Contact the complainant or meet with them (if further clarification is necessary);
 - Clarify what the complainant feels would resolve their complaint;
 - Explain the complaints procedure and provide a copy for the complainant;
 - Interview those involved in the matter, including those complained about, allowing them to be accompanied if they wish;
 - Keep notes of the interview(s);
 - Send an investigation report to the individual school's Headteacher.
- 5.4. At the conclusion of the Complaints Co-ordinator's investigation, the Headteacher will provide a formal written response to the complainant. This 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 to resolve the complaint.
- 5.5. In most circumstances this process should take no longer than 10 school days from receipt of the complaint. However, where further investigations are necessary, new time limits may be set and the complainant will be sent details of the new deadline and an explanation for the delay.
- 5.6. If the first approach by the complainant is made to a member of an individual school's Local Governing Body or a Trustee of The Corinium Education Trust, the next step should be to refer them to the appropriate person and advise them about The Corinium Education Trust's Concerns and Complaints Policy and Procedure. Members of Local Governing Bodies and Trustees should not act on individual complaints outside the formal procedure or be involved in the early stages in case they are required to sit on a panel at a later stage.
- 5.7. If a complaint concerns the individual school's Headteacher, the School Complaints Co-ordinator should refer the complainant to the Chair of the Local Governing Body. The complaint will then be considered under Stage 3 of The Corinium Education Trust's Concerns and Complaints Policy and Procedure.
- 5.8. If a complaint concerns the Chair of the Local Governing Body or any individual member of

that group, it should be made in writing to the Clerk to the Local Governing Body who will appoint a suitably skilled governor to investigate the complaint under Stage 3 of The Corinium Education Trust's Concerns and Complaints Policy and Procedure.

- 5.9. If a complaint concerns the Chief Executive of The Corinium Education Trust, the complaint should be made in writing to the Chair of the Trustees who will appoint a suitably skilled Trustee to investigate the complaint under Stage 3 of The Corinium Education Trust's Concerns and Complaints Policy and Procedure.
- 5.10. If the complaint concerns the Chair of the Trustees of The Corinium Education Trust or any other Trustee it should be made in writing to the Clerk to the Trustees who will liaise with the Chief Executive. The complaint will then be considered under Stage 3 of The Corinium Education Trust's Concerns and Complaints Policy and Procedure.
- 5.11. A written record of all formal complaints made will be maintained by each school or the Trust, as appropriate, which will also record how the complaint was resolved and the actions taken resulting from the complaint whether the complaint was upheld or not.

6. Stage 2 Complaint heard by the individual school's Headteacher

- 6.1 In the event that the complainant is dissatisfied with the way the complaint was handled or the outcome of the Stage 1 procedure, the issue should be referred to the individual school's Headteacher within 28 school days of being advised of the outcome. The Headteacher:
- will review the action taken by the individual school's School Complaints Co-ordinator and repeat any stage which they feel is appropriate;
 - may delegate the task of collating the information to another staff member but not the decision on the action to be taken.
- 6.2 This process should be completed within 10 school days of the complaint being referred to the individual school's Headteacher and the Headteacher should write to the complainant notifying them of the outcome and the next stage of The Corinium Education Trust's Concerns and Complaints Policy and Procedure.

7 Stage 3 Complaint heard by the individual school's Chair of the Local Governing Body

- 7.1 If the complainant is not satisfied with the response of the individual school's Headteacher at Stage 2, they should, within 28 school days of receiving the response, write to the Chair of the individual school's Local Governing Body to request that their complaint is considered further.
- 7.2 The Chair of the Local Governing Body:
- will review the actions taken by the individual school's School Complaints Co-ordinator and Headteacher and repeat any stage which they feel is appropriate;
 - may delegate the task of collating the information to the Clerk to the Local Governing Body or another member of this group but not the decision on the action to be taken.
- 7.3 If the complaint is about the individual school's Headteacher, or any aspect of governance within the The Corinium Education Trust the complainant should raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the most recent incident. The complaint should be addressed to
- The Chair of the Local Governing Body if it is about the Headteacher
 - The Clerk to the Local Governing Body if it is about the Chair of the Local Governing Body or any other member of this group
 - The Chair of Trustees if it is about the Chief Executive
 - The Clerk to the Trustees if it is about the Chair of Trustees or any other member of this group.

- 7.4 If it is a new complaint, the recipient of the complaint will refer the complaint to the relevant designated Complaints Co-ordinator who will conduct an investigation, in accordance with the steps set out in Stage 1 of The Corinium Education Trust's Concerns and Complaints Policy and Procedure and report back to the appropriate representative.
- 7.5 This process should be completed within 10 school days of the complaint being referred to the individual school's Chair of the Local Governing Body or appropriate representative. The Chair of the Local Governing Body or appropriate representative will write to the complainant notifying them of the outcome and the next stage of The Corinium Education Trust's Concerns and Complaints Procedure.

8 Stage 4 Complaint heard by The Corinium Education Trust's Complaints Appeal Panel

- 8.1 The Corinium Education Trust's Complaints Appeal Panel is the last school-based stage of the complaints process.
- 8.2 If the complainant continues to be dissatisfied with the outcome following the previous three stages, he/she should write within 28 school days to The Corinium Education Trust's Clerk to the Trustees giving details of the complaint and the reason why he/she is of the opinion that the previous outcome was flawed.
- 8.3 The Clerk to the Trustees will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 2 school days. Requests received outside this time frame will only be considered if exceptional circumstances apply. This is at the discretion of The Corinium Education Trust.
- 8.4 The Clerk will liaise with the Chair of Trustees, or nominated trustee, and will then convene The Corinium Education Trust's Complaints Appeal Panel.
- 8.5 The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 4 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.
- 8.6 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.
- 8.7 The Corinium Education Trust's Complaints Appeal Panel will be made up of 3 people who are not directly involved in the matter detailed in the complaint.
- 8.8 Members of the Complaints Appeal Panel will be drawn from a list of 5 Trustees, members of other Local Governing Bodies of schools within The Corinium Education Trust, and one additional member who will be independent of the management and running of the individual school and The Corinium Education Trust.
- 8.9 Individual complaints will not be heard by the whole Board of Trustees at any stage, as this will compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.
- 8.10 A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. We do not encourage either party to bring legal representatives to the panel meeting, however, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint panel meeting, they may wish to be supported by union and/or legal representation. Representatives from the media are not permitted to attend.

- 8.11 The Clerk will request copies of any further written material to be submitted to the Complaints Appeal Panel at least 5 school days before the meeting so it can be circulated to panel members and the complainants ahead of the meeting taking place.
- 8.12 The Complaints Appeal Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 8.13 The Complaints Appeal 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.
- 8.14 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.
- 8.15 The Complaints Appeal Panel will:
- determine whether the complaint should be dismissed in whole or in part;
 - determine whether the complaint should be upheld in whole or in part;
 - determine whether the appropriate action has been taken in response to the complaint;
 - make any appropriate recommendations regarding complaint handling and any action to be taken in response to the complaint;
 - recommend changes to the individual school's or The Corinium Education Trust's systems or procedures to ensure that problems of a similar nature do not recur.
- 8.16 The Corinium Education Trust's Clerk to the Board of Trustees will:
- Set the date, time and venue for a hearing, ensuring the dates are convenient to all parties and that the venue and proceedings are accessible;
 - Collate any written material and send it to the parties in advance of the hearing;
 - Meet and welcome the parties as they arrive at the meeting;
 - Record the proceedings;
 - Notify all parties of the panel's findings, decision and recommendations and where relevant copy these to the person complained about, and make available a copy of this for inspection on the school premises;
 - Share copies of the panel meeting minutes with all parties involved in the panel hearing and provide a reasonable opportunity for the minutes to be agreed and if necessary challenged.
- 8.17 The Corinium Education Trust's Chair of Trustees or the nominated Trustee will:
- Check that the correct procedure has been followed;
 - Notify the clerk to arrange a panel if a hearing is requested.
- 8.18 The Chair of The Corinium Education Trust's Complaints Appeal Panel will ensure:
- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
 - The issues are addressed;
 - Key findings of fact are made;
 - Parents and others who may not be used to speaking at such a hearing are put at ease;
 - The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
 - The panel is open minded and acting independently;

- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties.
- If a new issue arises that is related to the complaint under consideration by the panel, all parties are given the opportunity and time to consider and comment on it.

8.19 If the complaint is upheld in whole or in part, the Complaints Appeal Panel will: decide on the appropriate action to be taken to resolve the complaint and where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

8.20 The Chair of the Complaints Appeal Panel will provide the complainant and individual school/Chair of Trustees with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days. The response will also detail any actions taken to investigate the complaint. Where appropriate, it will include details of actions The Corinium Education Trust and/or the individual school will take to resolve the complaint.

8.21 The Clerk to the Complaints Appeal 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 individual school's Headteacher and Chief Executive of The Corinium Education Trust.

8.22 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 The Corinium Education Trust.

8.23 Stage 4 of the complaints procedure will take longer than the previous stages because of the need to convene a meeting of The Corinium Education Trust's Complaints Appeal Panel and is therefore subject to the availability of all of its members.

8.24 We will aim to complete the process from receipt of the complaint to notification of result as quickly as possible. We will try to complete it within 28 school days.

8.25 A written record will be kept of all complaints, and of whether they are resolved at Stage 1, 2 or 3 or proceed to a Complaints Appeal 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.

9 Unresolved complaints

9.1 Across The Corinium Education Trust we will make our best endeavours to resolve any complaint. However, we recognise that there will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied.

9.2 If the complainant believes The Corinium Education 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 4.

9.3 The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by The Corinium Education Trust. They will consider whether The Corinium Education 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.

- 9.4 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

- 9.5 If the complaint becomes protracted and the complainant remains dissatisfied and tries to re-open the same issue with the school, The Corinium Education Trust's Chair of Trustees will inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, the correspondence may be recognised as vexatious and there will be no obligation on the part of the individual school or The Corinium Education Trust to respond. If the complaint raises an entirely new, separate complaint, it will be treated in accordance with The Corinium Education Trust's Concerns and Complaints Policy and Procedure.

10 Duplicate Complaints

- 10.1 After closing a complaint at the end of The Corinium Education Trust's Concerns and Complaints procedure, a school may receive a duplicate complaint from:

- a spouse
- a partner
- a grandparent
- a child

- 10.2 If the complaint is about the same subject, the new complainant will be advised that the school has already considered that complaint and the local process is complete, although if the new complainant raises new aspects to the complaint, that were not previously considered, these will be investigated in the same way as a new complaint.

11. Complaint campaigns

- 11.1 If an individual school becomes the focus of a campaign and receives large volumes of complaints:

- all based on the same subject or
- from complainants unconnected with the school

These will be handled as a single complaint and responses may include

- sending a template response to all complainants
- publishing a single response on the school's website

12. Monitoring and evaluation

- 12.1 The Headteachers of individual schools will record the number of formal complaints and advise the Chief Executive. The Chief Executive will monitor procedures and produce reports for The Corinium Education Trust's Board of Trustees. Complaints information shared with the Board of Trustees, will not name individuals in case an appeals panel is required.

- 12.2 The Corinium Education Trust's Board of Trustees will review our Concerns and Complaints Policy and Procedure annually. The Board of Trustees will take account of any new guidance

or legislative changes introduced by the Department of Education and will advise individual school Headteachers and Local Governing Bodies accordingly.

12.3 The Board of Trustees will review complaint outcomes on a regular basis to:

- evaluate the Trust's schools' performance;
- ensure the effectiveness of our Concerns and Complaints Policy and Procedure;
- identify underlying issues that need to be addressed;
- make changes where necessary.

13. Policy for unreasonable complaints and complainants

13.1 The Corinium Education Trust 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 individual schools. However, we do not expect our staff to tolerate unacceptable behaviour and we will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

13.2 The Corinium Education Trust defines unreasonable complainants as '*those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints*'.

13.3 A complaint may be regarded as unreasonable when the person making the complaint:

- 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 while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaints procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on an individual school's time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

13.4 A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;

- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

- 13.5 Complainants should limit the number of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.
- 13.6 Whenever possible, the individual school's Headteacher or Chair of the Local Governing Body will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.
- 13.7 If the behaviour continues the situation will be escalated to the Chief Executive of The Corinium Education Trust and/or the Chair of the Trustees who will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.
- 13.8 For complainants who excessively contact an individual school within The Corinium Education Trust causing a significant level of disruption, The Corinium Education may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.
- 13.9 In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school site.

Appendix 1: Flow chart detailing The Corinium Education Trust's procedure for handling concerns and complaints

Concern	All formal complaints should be addressed to the individual school's Headteacher in writing		If a complaint concerns a school's headteacher, Chair of the local governing body, the Chief Executive or the Chair of Trustees it will be heard at Stage 3 (see paras 5.7-5.10)				
Initial concerns raised with members of staff or headteacher	Resolved →	No further action					
<p>In the majority of instances where a concern has been raised, the individual school will aim to resolve the issue to the satisfaction of all parties involved without the need for formal procedures (see Section 3 of CET Concerns and Complaints' Policy and Procedures).</p> <p>When initial attempts to resolve a concern have been unsuccessful and the person raising the issue remains dissatisfied and wishes to take the matter further, formal procedures will need to be invoked (see Section 4).</p>	Unresolved		No further action				
	↓						Stage 1
	Complaint heard by an individual school's School Complaints Co-ordinator	Resolved →	No further action				
	The individual school's Headteacher will refer the complaint to the relevant designated School Complaints' Co-ordinator whose role is to investigate the issues raised. Following a thorough investigation, the headteacher will provide a formal written response. This 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 to resolve the complaint (see Section 5)	Unresolved					
	↓	Stage 2	No further action				
	Complaint heard by individual school's Headteacher	Resolved →					No further action
		Unresolved					
		↓	Stage 3				
		In the event that the complainant is dissatisfied with the way the complaint was handled or the outcome of the Stage 1 procedure, the issue should be referred to the individual school's Headteacher within 28 school days of being advised of the outcome (see Section 6)	Resolved →				
		Unresolved		If the complainant is not satisfied with the response of the individual school's Headteacher the complainant should within 28 school days of receiving the response to the Chair of the individual school's Local Governing Body to request that their complaint is considered further (see Section 7).		No further action	
↓		Stage 4					
Complaint heard by the individual school's Chair of the Local Governing Body		Resolved →	No further action				
	Unresolved		If the complainant continues to be dissatisfied with the outcome he/she should write within 28 school days to The Corinium Education Trust's Clerk to the Trustees giving details of the complaint about an individual school and the reason why he/she is of the opinion that the previous outcome was flawed (see Section 8)		No further action		
	↓	Stage 4			Complaint heard by CET Complaints Appeal Panel		Resolved →
	Unresolved						
	↓	Next step					
						Complaint referred to the ESFA if complainant believes The Corinium Education 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 (see Section 9)	
						↓	

Appendix 2: The roles and responsibilities of all parties involved in the implementation of The Corinium Education Trust's Concerns and Complaints Policy and Procedure.

1. Complainant

- 1.1. 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.

2. Investigator

- 2.1. 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.
- 2.2. The investigator should:
- conduct interviews with an open mind and be prepared to persist in their 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 Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- 2.3. The Headteacher 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.

3. Complaints Co-ordinator (this could be the Headteacher/designated complaints governor or other staff member providing administrative support)

- 3.1. The complaints co-ordinator should:
- ensure that the complainant is fully updated at each stage of the procedure;
 - liaise with staff members, Headteacher, Chair of Governors or the Clerk to ensure the smooth running of the complaints procedure;
 - keep records;
 - 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.

4. Clerk to the Local Governing Body/Trust Board

- 4.1. The Clerk is the contact point for the complainant and the committee and should:
- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR);
 - set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible;
 - collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale;
 - record the proceedings;
 - circulate the minutes of the meeting;
 - notify all parties of the committee's decision.

5. Chair of The Corinium Education Trust's Complaints Appeal Panel

- 5.1. The Complaints Appeal 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. 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 Complaints Appeal Panel is open-minded and acts independently;
 - no member of the Complaints Appeal Panel 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. Members of The Corinium Education Trust's Complaints Appeal Panel

- 6.1. Complaints Appeal Panel 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 Complaints Appeal Panel 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.

- 6.2. Members of the Complaints Appeal Panel will be aware 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 will be given to the atmosphere and management of the proceedings to ensure that the child/young person does not feel intimidated.
- 6.3. The Complaints Appeal Panel will respect the views of the child/young person and give them equal consideration to those of adults.
- 6.4. If the child/young person is the complainant, the Complaints Appeals Panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the Complaints Appeals Panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the Complaint Appeals Panel considers is not in the child/young person's best interests.
- 6.5. The welfare of the child/young person is paramount.

Appendix 3: Sharing your concerns or complaints about your child's education (A guide for parents and carers)

The Corinium Education Trust recognises that at times things can go wrong. This guidance will help you understand how to resolve concerns or complaints you may have about your child's education.

Should I contact my child's individual school, The Corinium Education Trust or the Local Authority (LA)?

- If you have a concern or complaint about any aspect of your child's education, you should contact the individual school.
- If you have a concern or complaint about the actions or inactions of the Local Governing Body you should contact the Clerk to the Local Governing Body of your child's school.
- If you have a concern or complaint about the actions or inactions of The Corinium Education Trust you should contact the Clerk to the Board of Trustees.
- If you have a concern or complaint about a service that the LA provides directly, such as special education needs, then you need to contact the LA. In Gloucestershire, the LA is Gloucestershire County Council.

When should I contact my child's school?

The individual school's Headteacher is responsible for making decisions on a daily basis about the school's internal management and organisation, so you should contact the individual school if you are concerned about a general issue such as:

- your child's academic progress;
- special education needs provision;
- your child's welfare;
- bullying;
- something that has happened in school;

or about wider issues, such as:

- the overall running of the school;
- a school policy;
- the management of the school budget;
- the use of school facilities;
- services delivered by the school such as childcare.

How do I register a concern or complaint with my child's school?

The individual school will always want you to speak to a relevant member of staff as soon as you have a concern. If you are unsure who to talk to at this stage, please contact your child's class teacher/tutor/year leader or the Headteacher's PA.

An informal approach is nearly always the quickest and most effective way of resolving your concerns. If you feel that your concern has not been resolved through this route, then it is important to ask the school for The Corinium Education Trust's Concerns and Complaints Policy and Procedure (also available on the individual school's and The Corinium Education Trust's websites). This explains what you should do next. The school will use the following process and will advise you:

- to speak to or write to the Headteacher who will look into your concern/complaint;
- to write to the Chair of the Local Governing Body if you are unhappy with the Headteacher's response or if the matter concerns a member of the Local Governing Body.

The Corinium Education Trust's Concerns and Complaints Policy and Procedure also offers an appeal to the Corinium Education Trust's Complaints Appeal Panel at Stage 4. This panel consists of three members and one additional member who will be independent of the management and running of the individual school and The Corinium Education Trust, who have no prior knowledge of

your complaint and will consider written and verbal submissions from you and the Headteacher of the school concerned.

Can I take my complaint further?

For most complaints, you cannot take your appeal further than The Corinium Education Trust's Board of Trustees.

If the complainant believes The Corinium Education 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 4 of The Corinium Education Trust's Concerns and Complaints Policy and Procedure.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by The Corinium Education Trust. They will consider whether The Corinium Education 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

When can I complain to the Local Authority?

While our schools are all academies and members of The Corinium Education Trust, a multi-academy trust, the Local Authority is still responsible for providing a range of services to pupils and their parents or carers such as:

- statutory assessments for special education needs (SEN)
- a parent partnership service for parents of children with SEN
- assessments, support and advice by the educational psychology, education welfare and behaviour support services
- education other than at school, for pupils unable to attend school
- admission and transfer arrangements
- countywide planning of school places

In some cases, parents may have a legal right of appeal to an independent tribunal or panel. These cases include special educational needs assessments, admissions and exclusions. Staff in the relevant service will explain these procedures to you. In other cases, the Local Authority has its own complaints procedure.

How do I complain to the Local Authority?

If you are concerned about one of the Local Authority services, please ask your child's school to advise you how to contact an appropriate member of Local Authority staff. Most concerns are successfully and quickly resolved like this.

However, if you are unhappy with the response, you should ask for a copy of the individual service's own complaints procedures or the Local Authority's procedure.

The Local Authority's procedure for investigating and responding to complaints is available as a fact sheet, "Comments, Suggestions and Complaints", which includes a complaints form. Leaflets are available from County Council information centres and local education offices.

Document History

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Review date	Significant amendments	Made by	Next review
February 2020	Added in timescales for complaints to be raised, updated legal background to reflect relevant legislation, added sections about duplicate complaints and complaint campaigns, clarified which complaints fall outside of this policy, clarified policy on recording complaints and advising complainants of outcomes.	MD	Feb 2023
March 2021	Amended in response to revised DFE guidance and model policies for academies and multi-academy trusts (2020), specifically: <ul style="list-style-type: none"> • Changed title to Concerns and Complaints Policy and Procedure. • The inclusion of DFE definitions of concerns/complaints (1.1); • The withdrawal of complaints (2.4); • The management of concerns (3.6 and 3.9); • The scope of the CET Complaints Policy and Procedure, including table of exceptions (4); • Clarification of roles at Stage 1 and reason for escalation to Stage 3 (5); • Timeframes changed to number of school days (eg 5.2 and 5.5); • Clarification of roles in Stage 3 (7); • Clarification of the Clerk's role in Stage 4 and management of the CET Complaints Appeals Panel (8); • Confirmation of the next steps should the complainant remain dissatisfied (9) – change from Secretary of State to Academy Complaints and Customer Insight Unit; • Change to an annual review (12.2). • Amendments to and Addition of appendices: flow chart and roles and responsibilities. 	CXH	March 2022