



COMPLAINTS PROCEDURE

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at an academy within Aspire North East Multi Academy Trust. Any person, including members of the public, may make a complaint to Aspire North East Multi Academy Trust about any 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), we will use this complaints procedure.

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. Aspire North East Multi Academy 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, we will respect your views. In these cases, the Headteacher or their delegated representative will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher or their delegated representative will refer you to another staff member. 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.

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

How to raise a concern or make a complaint

A concern or complaint can be made in person, by email / in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised in the first instance with either the form tutor, pastoral leader or curriculum leader. If you are dissatisfied with the resolution following discussion with these staff, the next step may be to make a formal complaint.

Complainants should not approach individual governors or trustees 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 2 of the procedure.

Complaints against school staff (except the CEO / Headteacher) should be made in the first instance, to the Headteacher and can be made via email to the address below or via the school office - please mark as Private and Confidential:

For complaints relating to Sandhill View Academy: headteacher@sandhillview.com

For complaints relating to Southmoor Academy: headteacher-sma@southmooracademy.com

Complaints that involve or are about the CEO / Headteacher should be sent to the Trust Governance Manager (email to sara.buczak@aspirenortheast.co.uk or post c/o Southmoor Academy, Ryhope Road, Sunderland, SR2 7TF). Complaints about the CEO will be passed to the Chair of Trustees. Complaints about the Headteacher will be passed to the CEO. Please mark them as Private and Confidential.

Complaints about the Chair of Trustees, the Chair of Governors, any individual trustee / governor or the whole governing body should be addressed to the Trust Governance Manager (contact details as above). 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 of the relevant Academy. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

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

Complaints received outside of term time

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

Scope of the Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by the academies within Aspire North East Multi Academy Trust, other than complaints 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 • Statutory assessments of Special Educational Needs | Concerns about admissions or statutory assessments of Special Educational Needs should be raised with Sunderland Local Authority / Together for Children |
| <ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation | Complaints about child protection matters are handled under our Safeguarding & Child Protection Policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). designatedofficer@togetherforchildren.org.uk |
| <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 the Behaviour Policy can be made through this complaints 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 whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus . Volunteer staff who have concerns about our Trust should complain through the complaints procedure. You may also be able to complain direct to the Department for Education (see link above), depending on the substance of your complaint. |

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| <ul style="list-style-type: none"> • Staff grievances | Complaints from staff will be dealt with under the school's internal grievance procedures. |
| <ul style="list-style-type: none"> • Staff conduct | Complaints about staff will be dealt with under the 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. |
| <ul style="list-style-type: none"> • Complaints about services provided by other providers who may use Trust premises or facilities | Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct. |
| <ul style="list-style-type: none"> • National Curriculum - content | Please contact the Department for Education at: www.education.gov.uk/contactus |

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

If a complainant commences legal action against the Trust or one of its academies in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, the 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.

Stage 1

Formal complaints must be made to the Headteacher (unless they are about the CEO / Headteacher). This can be done via email to the address below or via the school office, preferably using the Complaints Form (see Appendix 1) - please mark as Private and Confidential:

For complaints relating to Sandhill View Academy: headteacher@sandhillview.com
 For complaints relating to Southmoor Academy: headteacher-sma@southmooracademy.com

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

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

Note: The Headteacher may delegate the investigation to another member of the senior leadership team but not the decision to be taken.

During the investigation, the Headteacher (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 Headteacher will provide a formal written response within fifteen school days of the date of receipt of the complaint.

If the Headteacher 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 and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the academy will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the CEO / Headteacher, or a member of the Board of Trustees (including the Chair or Vice-Chair), a suitably skilled Trustee will be appointed to complete all the actions at Stage 1.

Complaints about the CEO / Headteacher or member of the Board of Trustees / Governing Body must be made to Sara Buczak, Trust Governance Manager (by email to: sara.buczak@aspirenortheast.go.uk or by post c/o Southmoor Academy, Ryhope Road, Sunderland, SR2 7TF).

If the complaint is:

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

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

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting of the Complaints Committee of the Board of Trustees, which will be formed of the first three available, impartial, Trustees. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Trust Governance Manager (contact details as in Stage 1) within ten school days of receipt of the Stage 1 response.

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

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

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

If the complainant rejects the offer of three proposed dates, without good reason, the Trust Governance Manager 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.

The Complaints Committee will consist of at least three trustees with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. The Trust Governance Manager will act as Clerk to the Committee. If there are fewer than three trustees from Aspire North East Multi Academy Trust available, the Clerk will source alternative panel members from the local governing body or any additional,

independent governors through another local school, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

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

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

Representatives from the media are not permitted to attend.

At least ten school days before the meeting, the Governance Manager will:

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

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

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

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

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

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

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

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

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

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Aspire North East Multi Academy Trust.

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 heard by a committee of independent governors.

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 Aspire North East Multi Academy Trust will take to resolve the complaint.

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

NEXT STEPS

If the complainant believes the Trust did not handle their complaint in accordance with this Complaints Procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Education and Skills Funding Agency (ESFA) after they have completed Stage 3. The complainant can refer their complaint directly 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

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

RECORD KEEPING

The Trust will keep a record of all complaints, detailing:

- the progress of the complaint, actions taken, and the final outcome;
- whether the case progressed to a Complaints Panel Hearing; and
- the action taken by the Trust, regardless of outcome.

The records will include copies of any letters, emails and notes relating to any telephone calls or meetings.

The Trust will make sure this data will not be kept longer than is necessary for the immediate purpose of processing and the data will be stored securely. 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 Education and Skills Act 2008 requests access to them, or if the complainant requests access to records of a complaint through a Freedom of Information (FOI) request or under the terms of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

There may be occasions where complaints are made or continue to be escalated after a pupil has left the Trust. On changing schools, the pupil's educational record is transferred to the new school and no copies are retained. The school may hold records of complaints separate to their pupil records (while a complaint is ongoing) so that access to them can be maintained.

VEXATIOUS COMPLAINTS

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. Please see Appendix 3 and 4 for further details of how such complaints will be dealt with and examples of behaviour which will not be tolerated.

- APPENDIX 1: Complaint Form**
- APPENDIX 2: Roles and Responsibilities**
- APPENDIX 3: Policy on unacceptable behaviour**
- APPENDIX 4: Policy on unreasonable complainants**

Last review date: 01.10.24

Person responsible: Chief Executive Officer

APPENDIX 1: COMPLAINT FORM

Please complete and return to the Headteacher of the relevant academy who will acknowledge receipt and explain what action will be taken.

For complaints relating to Sandhill View Academy: headteacher@sandhillview.com

For complaints relating to Southmoor Academy: headteacher-sma@southmooracademy.com

If your complaint is about the CEO / Headteacher or a member of the governing body please return this form to the Trust Governance Manager: sara.buczak@aspirenortheast.co.uk

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| Which academy is your complaint about (please tick): Sandhill View Academy Southmoor Academy |
| Your name: |
| Pupil's name (if relevant): |
| Your relationship to the pupil (if relevant): |
| Address: Postcode: Day time telephone number: Evening telephone number: |
| Please give details of your complaint, including whether you have spoken to anybody at the academy 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 only

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

APPENDIX 2: ROLES AND RESPONSIBILITIES

Complainant

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

- explain the complaint in full as early as possible
- co-operate with the academy 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 Headteacher 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 Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

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.

The Headteacher

The Headteacher should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Chair of Trustees, and Trust Governance Manager (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep a record of all complaints which details the nature of the complaint, progress and actions taken. Copies of any relevant documentation should be kept (in line with the Record Keeping section of this policy on page 6).
- report a summary of formal complaints each term to the Local Governing Body/Board of Trustees.

Trust Governance Manager

The Trust Governance Manager 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, academy and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings

- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Trust Governance Manager.

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so. No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the academy and the complainant. We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The committee should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.

APPENDIX 3 - POLICY ON UNACCEPTABLE BEHAVIOUR

The Board of Trustees recognises that it is the last resort for complainants. They also have a duty to ensure the safety and welfare of pupils, parents and staff.

The Board of Trustees is committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who make them. As part of this service it would not normally limit the contact complainants have. However, the Board of Trustees does not expect the Trust's staff to tolerate behaviour by complainants which is unacceptable, for example, which is abusive, offensive or threatening, and it will take action to protect staff from that behaviour. This applies to unacceptable behaviour on any part of the premises of the academies within the Trust, including the yard.

If the Chief Executive Officer / Headteacher / Head of School considers that a complainant's behaviour is unacceptable the complainant will be told why their behaviour is deemed to be unreasonable and will be asked to change it. If the unacceptable behaviour continues the Chief Executive Officer / Headteacher / Head of School will take action to restrict the complainant's contact with the Trust.

Unacceptable actions and behaviours

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants which the Trust often finds problematic. It is by no means an exhaustive list and local factors may vary, but these are examples that frequently come to our attention:

- foul and abusive language towards staff, other parents and pupils;
- behaviour that staff consider to be harassing and intimidating, including in person, over the telephone, or any other type of communication;
- undermining Trust policies by actively encouraging pupils to ignore staff requests;
- making unnecessarily excessive demands on the time and resources of staff, by for example excessive telephoning or sending emails to numerous staff, writing lengthy complex letters every few days and expecting immediate responses; and/or
- combinations of some or all of these.

The decision to restrict access to schools within the Trust will be taken by the Chief Executive Officer / Headteacher / Head of School. Any restrictions imposed will be appropriate and proportionate. The following options for restrictions may be considered:

- requesting contact in a particular form (for example, letters only);
- requiring contact to take place with a named member of staff or email address;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their conduct.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable, what action we are taking and the duration of that action.

Where a complainant continues to behave in a way which is unacceptable, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. However, the Board of Trustees will seek to limit any detriment to any pupils who attend the Trust, as far as is reasonable within these circumstances e.g. access to parents' evenings, newsletters, and any other correspondence.

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

APPENDIX 4 - POLICY ON UNREASONABLY PERSISTENT COMPLAINANTS

The Board of Trustees recognises that it is the last resort for complainants. It is also accountable for the proper use of public money and must ensure that that money is spent wisely and achieves value for complainants and the wider public.

The Board of Trustees is committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who make them. As part of this service it does not normally limit the contact complainants have with the Trust.

However, there are a small number of complainants who, because of their frequent contact with the Trust, hinder consideration of their or other people's complaints. Such complainants are referred to as 'unreasonably persistent complainants' and, exceptionally, the Chief Executive Officer / Headteacher / Head of School will take action to limit their contact with the Trust.

Actions and behaviours of unreasonable and unreasonably persistent complainants

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants which the schools within the Trust often find problematic. It is by no means an exhaustive list and factors may vary, but they are examples that may come to our attention:

- refusing to specify the grounds of a complaint, despite offers of assistance with this from the Trust's staff;
- refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refusing to accept that issues are not within the remit of a Complaints Procedure despite having been provided with information about the procedure's scope;
- insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- making what appear to be groundless complaints about the staff dealing with the complaints, and seeking to have them replaced;
- changing the basis of the complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage;
- introducing new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed questions which are particularly time consuming and costly to respond to and insisting they are all fully answered;
- electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved;
- adopting a 'scattergun' approach: pursuing a complaint or complaints with the Trust and, at the same time, with a Member of Parliament / a councillor / the authority's independent auditor / the Local Authority / local police / solicitors / the Ombudsman / OFSTED;
- making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being looked into, by for example excessive telephoning or sending emails to numerous academy staff, writing lengthy complex letters every few days and expecting immediate responses;
- submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations which the complainant insists make these 'new' complaints which should be put through the full complaints procedure;
- refusing to accept the decision – repeatedly arguing the point and complaining about the decision; and
- combinations of some or all of these.

The decision to restrict access to the academy will be taken by the Chief Executive Officer / Headteacher / Head of School and will normally follow a prior warning to the complainant. Any restrictions imposed will be appropriate and proportionate. The following options for restrictions may be considered:

- requesting contact in a particular form (for example, letters only);
- requiring contact to take place with a named member of staff or email address;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their future contacts with us.

In all cases where we decide to treat someone as an unreasonably persistent complainant, we will write to tell the complainant why we believe his or her behaviour falls into that category, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it. If we decide to carry on treating

someone as an unreasonably persistent complainant and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions will continue.

Where a complainant whose case is closed persists in communicating with the Trust about it, we may decide to terminate contact with that complainant. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under the unreasonably persistent complainant's policy will be treated on their merits.