



Complaints Procedures Policy

Approved by Trust Board: 28th September 2021

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1. Introduction

DDAT aims to resolve all complaints at the earliest possible stage and is dedicated to continuing to provide the highest quality of education possible throughout the procedure.

This policy has been created to deal with any complaint against a member of staff or the Trust as a whole, relating to any aspects of the Trust or the provision of facilities or services. It is designed to ensure that the Trust's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality and delivers an effective response and appropriate redress.

Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the Trust provides. This policy outlines the procedure that the complainant and the Trust must follow.

Once a complaint has been made, it can be resolved or withdrawn at any stage. The CEO will be the first point of contact when following the complaints procedure.

2. Legal Framework

This policy has due regard to statutory legislation, including, but not limited to, the following:

- Education Act 2002
- Freedom of Information Act 2000
- Immigration Act 2016
- Equality Act 2010
- General Data Protection Regulation (GDPR)
- The Data Protection Act 2018
- The Education (Independent School Standards) Regulations 2014

This policy also has due regard to guidance including, but not limited to, the following:

- DfE (2019) 'Best practice guidance for school complaints procedures 2019'
- ESFA (2015) 'Creating an academy complaints procedure'
- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'

3. Definitions

For the purpose of this policy, a **"complaint"** can be defined as 'an expression of dissatisfaction' towards the actions taken or a perceived lack of action taken.

Complaints can be resolved formally, through this procedure, or informally dependent on the complainant's choice.

A “**concern**” can be defined as ‘an expression of worry or doubt’ where reassurance is required.

Any complaint or concern will be taken seriously, whether formally or informally, and the appropriate procedures will be implemented.

A “**grievance**” is an issue raised by a member of staff where they feel the Trust has not implemented a policy or process fairly or properly. Grievances will be dealt with in line with the Trust’s Grievance Policy.

For the purpose of this policy, concerns will be classed and addressed as complaints.

For the purpose of this policy, “**unreasonable complaints**” include:

- **Vexatious complaints:**
 - Are obsessive, persistent, harassing, prolific, repetitious.
 - Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
 - Insist upon pursuing meritorious complaints in an unreasonable manner.
 - Are designed to cause disruption or annoyance.
 - Demand for redress which lacks any serious purpose or value.
- **Serial or persistent complaints:**
 - Are duplicated, sent by the same complainant once the initial complaint has been closed.

Serial or persistent complaints will only be marked as ‘serial’ once the complainant has completed the complaints procedure. It is the complaint that will be marked as ‘serial,’ meaning the complainant can complain about a separate issue if necessary.

For the purpose of this policy, “**duplicate complaints**” are identical complaints received from a complainant’s spouse, partner, grandparent or child. These complaints will not be addressed again, the individual making the second complaint will be informed that the complaint has been dealt with on a local level and if they are dissatisfied with the result, they can appeal to the DfE.

Any new details provided by a complainant’s spouse, partner, grandparent or child, will be investigated and dealt with in line with the complaints procedure.

4. Roles and responsibilities

The complainant will:

- Cooperate with the Trust in seeking a solution to the complaint.
- Express the complaint and their concerns in full at the earliest possible opportunity.
- Promptly respond to any requests for information or meetings.
- Ask for assistance as needed.
- Treat any person(s) involved in the complaint with respect.

The CEO or an authorised member of staff will:

- Ensure that all parties involved in the complaint are fully updated throughout each stage of the procedure.
- Guarantee that all parties involved in the procedure are aware of any relevant legislation, including the Equality Act 2010, GDPR, Data Protection Act 2018 and Freedom of Information Act 2000.
- Keep up-to-date records throughout the procedure – these records will be kept securely on the Trust's ICT system and retained in line with the Trust's Records Management Policy.
- Liaise with all parties involved to ensure the complaints procedure runs smoothly, including the CEO, COO, PA and Trustees.
- Ensure, where the complainant is dissatisfied with the response, they are allowed to escalate it to the next stage and are provided the opportunity to complete the complaints procedure in full.
- Be aware of issues with regard to sharing third party information.
- Understand the complainant's need for additional support, including interpretation support, and will be aware of any issues concerning this.

The investigator is involved in stages one and two of the procedure. Their role includes:

- Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved.
- Considering all records, evidence and relevant information provided.
- Interviewing all parties that are involved in the complaint, including staff and Trustees.
- Analysing all information in a comprehensive and fair manner.

- Liaising with the complainant and CEO or authorised member of staff to clarify an appropriate resolution to the problem.
- Identifying and recommending solutions and courses of actions to take.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales.
- Responding to the complainant in a clear and understandable manner.

The panel chair will:

- Ensure that minutes of the hearings are taken on every occasion.
- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease and console individuals involved who are not used to speaking at such hearings.
- Conduct the hearing in an informal manner, ensuring that everyone is treated with respect and courtesy.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the Trust the opportunity to state their case and seek clarity without undue interruption.
- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material whilst ensuring it does not breach confidentiality or any individual's right to privacy under the DPA 2018 or GDPR.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the clerk and complaints co-ordinator to ensure the procedure runs smoothly.
- Help to provide the support where necessary.

All panel members will be aware that:

- The review panel hearing is independent and impartial.

- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain reconciliation between the parties involved.
- Reconciliation between the Trust and complainant is not always achievable, and that it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.

The panel can:

- Dismiss or uphold the complaint, in whole or in part.
- Decide on appropriate action to be taken.
- Recommend changes that the Trust can make to prevent reoccurrence of the problem.

Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.

The panel clerk will:

- Continuously liaise with the CEO or authorised member of staff.
- Record the proceedings.
- Set the date, time and venue of all hearings, ensuring that this is appropriate, convenient and accessible to all parties involved.
- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to Trust 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).
- Collate all written material or evidence involved and send it to the parties involved in timely advance of the hearing.
- Ensure that the room's layout and setting is informal and non-adversarial, yet still sets the appropriate tone.
- Greet all parties as they arrive at the hearing.
- Ensure that the minutes of the panel hearing are circulated.
- Notify the relevant parties of the panel's decision and any other actions to be taken.

5. Making a complaint

The Trust will ensure that all aspects of the complaints procedure are:

- Easily accessible and publicised.
- Simple to understand and put into practice.
- Impartial and fair to all parties involved.
- Respectful of confidentiality duties.
- Continuously under improvement, using information gathered during the procedure to inform the Trust Board.
- Fairly investigated, by an independent person when necessary.
- Used to address all issues to provide appropriate and effective responses where necessary.

Complaints are expected to be made as soon as possible after an incident arises to amend the issue in an appropriate timescale.

DDAT upholds a twelve-month time limit in which a complaint can be lodged regarding an incident.

Complaints made outside this time limit will not be automatically refused and exceptions will be considered.

In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.

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

Complaints should be made using the appropriate channels of communication, including the use of the [Complaints Procedure Form](#).

All complaints shall be considered, whether they are made in person, by telephone, in writing, electronically via email, or via a third party (such as the Citizen's Advice Bureau).

A complaint can progress to the next stage of the procedure even if it is not viewed as "justified." All complainants are given the opportunity to fully complete the complaints procedure.

Any complaint made against the CEO shall be initially dealt with by the chair of the Trust Board.

Any complaint made against the chair of the Trust Board or any other member of the Board of Directors should be made in writing to the clerk to the Trust Board.

Under some circumstances, it may be necessary to deviate from the complaints procedure. Any deviation will be documented, and the complainant notified along with new timescales.

Information about a complaint will not be disclosed to a third party without written consent from the complainant.

Information about a complaint will not be disclosed to a third party without written consent from the complainant.

We will not normally investigate anonymous complaints. However, the CEO or authorised member of staff, if appropriate, will determine whether the complaint warrants an investigation.

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 Trust policies in light of the complaint
- an apology.

If a complainant wants to withdraw their complaint, the Trust will ask them to confirm this in writing or electronically via email.

6. Complaints procedure

Stage 1 – Informal concern made to a member of staff (2-3 school days)

In the first instance speak directly with the member of staff concerned. This may be in person, by telephone, in writing or by email. Many concerns can be resolved at this informal stage. In the case of the concern being about the member of staff the complainant can discuss the concern with the CEO or other authorised employee to seek support.

To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls are kept and a copy of any written response is added to the record. These notes are kept securely on the Trust's ICT system and, where appropriate, encrypted.

If the concern is about the CEO, the authorised member of staff should be informed and will need to handle the complaint. The complainant can then be referred to the chair of Trust Board.

In case a complaint is made initially to a Director, the complainant should be referred to the appropriate person. The Director in question should not act alone on a complaint outside the procedure; if they do, they cannot be involved if the complaint is subject to a hearing at a later stage of the procedure.

Within 3 school days, the complainant and the relevant member of staff should discuss the issue in a respectful and informal manner to seek a mutual resolution.

At this stage, the complainant will be asked what they think might resolve the issue – any acknowledgement that the Trust could have handled the situation better is not an admission of unlawful or negligent action.

If an appropriate resolution cannot be sought at this informal level, or if the complainant is dissatisfied with the outcome following the initial discussions, the complainant may wish to proceed to the next level of the procedure.

Stage 2 – Formal complaint made to the CEO* (15 school days)

Stage 2 of the process will be completed within 15 school days. Where the situation is recognised as complex, and it is deemed to be unable to be resolved within this timescale, the CEO or other authorised member of staff will contact the complainant to inform them of the revised target date via a written notification.

An appointment with the CEO or authorised member of staff should be made, as soon as reasonably practical, to avoid any possible worsening of the situation.

If the complaint is against the CEO, the complainant will initially need to write, in confidence, to the chair of the Trust Board. The chair will seek to resolve the issue informally before moving directly to stage three of the procedure.

If the complaint is about a member of Trust Board (including the Chair or Vice-Chair), a suitably skilled authorised member of staff will be appointed to complete all the actions at Stage 1.

Complaints about a member of the Trust Board must be made to the Clerk, via the DDAT head office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Trust Board or
- the majority of the Trust Board

Stage 2 will be considered by an independent investigator appointed by the Trust. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Where the CEO or chair of the Trust Board has made reasonable attempts to accommodate the complainant with dates for a complaint meeting and they refuse or are unable to attend, the meeting will be convened in their absence and a conclusion will be reached in the interests of drawing the complaint to a close.

Where there are communication difficulties, the complaint may be made in person or via telephone.

To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls are kept, and a copy of any written response is added to the record. These notes are kept securely on the Trust's ICT system and, where appropriate, encrypted.

In terms of a complaint being made against a member of staff, the CEO will discuss the issue with the staff member in question. Where necessary, the CEO or authorised member of staff will conduct interviews with any relevant parties, including witnesses and take statements from those involved.

All discussions shall be recorded by the CEO or authorised member of staff and findings and resolutions will be communicated to the complainant either verbally or in writing.

Once all facts are established, the CEO or authorised member of staff shall contact the complainant in writing with an explanation of the decision. The complainant will be advised of any escalation options (for example, escalation to stage three) and will be provided with details of this process.

The complainant will also be provided with copies of minutes, subject to any necessary redactions under the Data Protection Act 2018 and the GDPR.

Any further action the Trust plans to take to resolve the issue will be explained to the

complainant in writing.

If the complainant is not satisfied with the outcome suggested, the procedure will progress to stage three.

* Where appropriate, the CEO or authorised member of staff may delegate the investigation and handling of the complaint to an appropriate member of the Central Team.

Stage 3 – Investigation by the chair of the Trust Board (20 school days)

The complainant should submit any complaint in respect of the CEO or authorised member of staff's investigation in writing (or via an alternative method if necessary) to the chair of the Trust Board.

The Chair of the Trust Board will carry out an investigation and consider all available evidence.

The complainant and the CEO or authorised member of staff will be informed of the outcome within 20 school days of the chair of the Trust Board receiving the complaint. The complainant will be advised of any escalation options (for example, escalation to stage four) and will be provided with details of this process.

The complainant will also be provided with copies of minutes, subject to any necessary redactions under the Data Protection Act 2018 and the GDPR.

If the complainant is not satisfied with the manner in which the process has been followed, considers the decision to be perverse, or believes that the chair has acted unreasonably, they may request that the Trust Board reviews the complaint (stage four).

Stage 4 – Complaints appeal panel - CAP (20 school days)

Following receipt of a stage 3 outcome, if the complaint is dissatisfied and wishes to take the matter further, they can escalate the complaint to Stage 4 – a meeting with members of the Trust Board's complaints appeal panel, which will be formed of the first three, impartial Directors or DDAT representatives available (one of whom is independent). This is the final stage of the complaints procedure.

A request to escalate to Stage 4 must be made to the Clerk, via the DDAT Head Office, within 10 school days of receipt of the Stage 3 response. Where there are communication difficulties, the request to escalate may be made in person or via telephone.

The clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

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

To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls are kept, and a copy of any written response is added to the record. These notes are kept securely on the Trust's ICT system and, where appropriate, encrypted.

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

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

Neither the Trust nor the complainant should bring legal representation to the CAP proceedings; however, there are occasions where legal representation will be necessary, for example where an employee is a witness in a complaint, they may be entitled to bring union or legal representation.

Representatives from the media are not permitted to attend.

The Clerk will convene a CAP comprising:

Three people with no prior knowledge of the complaint, one of whom is independent. Directors are not eligible to be independent panel members. If two people are unavailable from the Trust Board the Clerk will liaise with the Trust Governor Services to source independent Directors.

Prior to the hearing, the chair of the Trust Board will have written to the complainant informing them of how the review will be conducted. The CEO or authorised member of staff will also have a copy of this letter.

At the hearing, all participants will be given the opportunity to put their case across and discuss any issues. The CAP will consider issues raised in the original complaint and any issues which have been highlighted during the complaints procedure.

The meeting should allow for:

- The complainant to be present and accompanied at the hearing if they wish.
- The complainant to explain their complaint and the CEO or other authorised member of staff to explain the reasons for their decision.
- The complainant to question the CEO or other authorised member of staff, and vice versa, about the complaint.
- Any evidence, including witnesses who have been prior approved by the chair of the CAP, to be questioned.
- Members of the CAP to question both the complainant and the CEO or other authorised member of staff.
- Final statements to be made by both parties involved.

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

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the 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 CAP will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The CAP 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 CAP will consider the complaint and all the evidence presented. The CAP 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 CAP will:

- decide on the appropriate action to be taken to resolve the complaint

- where appropriate, recommend changes to the Trust's systems or procedures to prevent similar issues in the future.

The Chair of the CAP will provide the complainant and the Trust (and where relevant the person complained about) with a full explanation of their decision, findings and recommendations, in writing, within 15 school days.

The letter to the complainant will include details of their next steps if they are dissatisfied with the way their complaint has been handled by DDAT.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Trust Board or
- the majority of the Trust Board.

Stage four will be heard by a committee of independent directors.

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, findings and recommendations. Where appropriate, it will include details of actions DDAT 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

The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so. In this case, the word "unreasonably" is used in a strict sense and means acting in a way that no reasonable Trust could act in the circumstances.

If a complainant has exhausted the Trust's complaints procedure, they will be advised that they can submit a complaint to the ESFA using the [online form](#) or in writing to:

ESFA – Academies Complaint and Customer Insight Unit
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

There are exceptional circumstances to the provisions outlined. These are outlined in [section 9](#) of this policy.

7. Interviewing witnesses

The Trust will ensure that the conduction of interviews does not prejudice an LA designated officer's (LADO), or police, investigation.

The Trust understands the importance of ensuring a friendly and relaxed area which is free from intimidation.

Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.

The interviewer will not express opinions in words or attitude, so as to not influence the interviewee.

The interviewee will sign a copy of the transcription of the interview.

8. Recording a complaint

A written record shall be kept of any complaint made, whether made via phone, in person or in writing, detailing:

- The main issues raised, the findings and any recommendations.
- Whether the complaint was resolved following an informal route, formal route or panel hearing.
- Actions taken by the Trust as a result of the complaint (regardless of whether the complaint was upheld).

All records are made available for inspection on the Trust premises by the CEO or authorised member of staff.

The Trust holds the right to use recording devices, where appropriate, to ensure all parties involved are able to review the discussions at a later date.

Where there are communication difficulties or disabilities, the Trust may provide recording devices to ensure the complainant is able to access and review the discussions at a later point. Recording devices will not be used without the prior consent of all parties.

Details of any complaint made shall not be shared with the entire Trust Board. The exception to this is when a complaint is made against the whole Trust Board and they need to be aware of the allegations made against them, to respond to any independent investigation.

Complainants have a right to access copies of these records under the GDPR and the Freedom of Information Act 2000.

The Trust will hold all records of complaints centrally. Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection requests to access them.

9. Complaints not covered by this procedure

This procedure covers all complaints about any provision of community facilities or services by our 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 • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the relevant Local Authority.</p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding.</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>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.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>

● Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
● Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
● Complaints about services provided by other providers who may use DDAT premises or facilities	This complaints procedure is not to be used when addressing any complaints made about services provided by a third party who may use the school premises or facilities. The CEO or other authorised member of staff will ensure all third-party suppliers have their own complaints procedures in place, and all complaints concerning this should be directed to the service provider.
● National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus
● Daily act of collective worship	Any complaints about the content of the daily act of collective worship are dealt with by either: <ul style="list-style-type: none"> ● the LA ● the local Standard Advisory Council on Religious Education ● another relevant body, e.g. the diocese. ● Complaints from parents who are dissatisfied with the handling of a request to withdraw their child from RE or collective worship will be handled in line with this complaints procedure.
● Freedom of Information requests	<ul style="list-style-type: none"> ● Requests for information and issues with the Trusts process for dealing with FOI requests, will be dealt with in accordance with the Freedom of Information Policy.

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 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.

10. Exceptional circumstances

The DfE expects complainants to have completed the Trust's complaints procedure before directing a complaint to them. The exceptions to this include when:

- A complainant is being prevented from having their complaint progress through the Trust's complaints procedure.
- The DfE has evidence that the Trust is proposing to act or is acting unlawfully or unreasonably.

Where a matter can be resolved through a legal appeal, it will not be considered as a formal complaint.

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

11. Managing unreasonable requests

The 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 the Trust; however, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

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 Trust's complaints procedure has been fully and properly implemented and completed including referral to the DfE.
- Seeks an unrealistic outcome.
- Makes excessive demands on Trust 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.

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
- By publishing unacceptable information in a variety of media such as in social media websites and newspapers

Complainants should limit the numbers of communications with a Trust 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.

Whenever possible, the CEO, authorised member of staff or chair of the Trust Board will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the CEO or authorised member of staff will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the Trust causing a significant level of disruption, the Trust may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

A decision to stop responding will only be considered in circumstances where the following statements are true:

- Every reasonable step has been taken to address the complainant's concerns.
- The complainant has been given a clear statement of the Trust's position and their options
- The complainant contacts the Trust repeatedly, making substantially the same points each time.

If the above criteria are met, in making a decision to stop responding the Trust will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about or threats towards staff, and if the Trust believes their intent is to disrupt or inconvenience the Trust.

The Trust will not stop responding to a complainant on the basis that they are difficult to deal with or they ask complex questions.

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 premises.

12. Complaints campaigns

For the purposes of this policy, "**complaints campaigns**" are where the Trust receives large volumes of complaints that are all based on the same subject.

Where the Trust becomes the subject of a complaints campaign from complainants who are **not** connected with the Trust, a standard, single response will be published on the Trust's website.

If the Trust receives a large number of complaints about the same subject from complainants, each complainant will receive an individual response.

If complainants remain dissatisfied with the Trust's response, they will be directed to the DfE.

13. Barring from the premises

Trust premises are private property and therefore any individual may be barred from entering the premises.

If an individual's behaviour is cause for concern, the CEO or authorised member of staff will ask the individual to leave the premises.

The CEO will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and why, subject to any representations that the individual may wish to make.

The individual involved will be given the opportunity to formally express their views regarding the decision to bar them.

This decision to bar will be reviewed by the chair of the Trust Board or a committee of the Trust Board, taking into account any discussions following the incident.

If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place, and when the decision will be reviewed.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including email, to the CEO or Chair of the Trust Board.

Once the Trust's complaints procedure is completed, the only remaining avenue of appeal is through the Courts. Individuals wishing to exercise this option should seek independent legal advice.

14. Role of the school complaints unit (SCU)

If a complainant remains dissatisfied once the complaint procedure has been completed, they have the right to refer their complaint to the Secretary of State.

If a complainant wishes to escalate a complaint of bias, the DfE will require evidence to be submitted with the complaint.

The Secretary of State will only intervene when they believe that the governing body has acted unlawfully or unreasonably.

The SCU will not overturn a school's decision about a complaint except in exceptional circumstances, such as the school acting unlawfully.

When making a final decision about a complaint, the school reserves the right to seek advice from the SCU on whether they are acting reasonably and lawfully; however, they will not be able to advise on how to resolve the complaint.

15. Availability

A copy of this policy will be made available on request. It will also be published on the Trust website, as recommended by the ESFA.

16. Reviewing the procedure

The complaints procedure will be reviewed annually, taking into account any legislative changes and the latest guidance issued by the DfE.

Responsibility for reviewing the procedure belongs to the DDAT Trust Board.

All projected review dates will be adhered to.

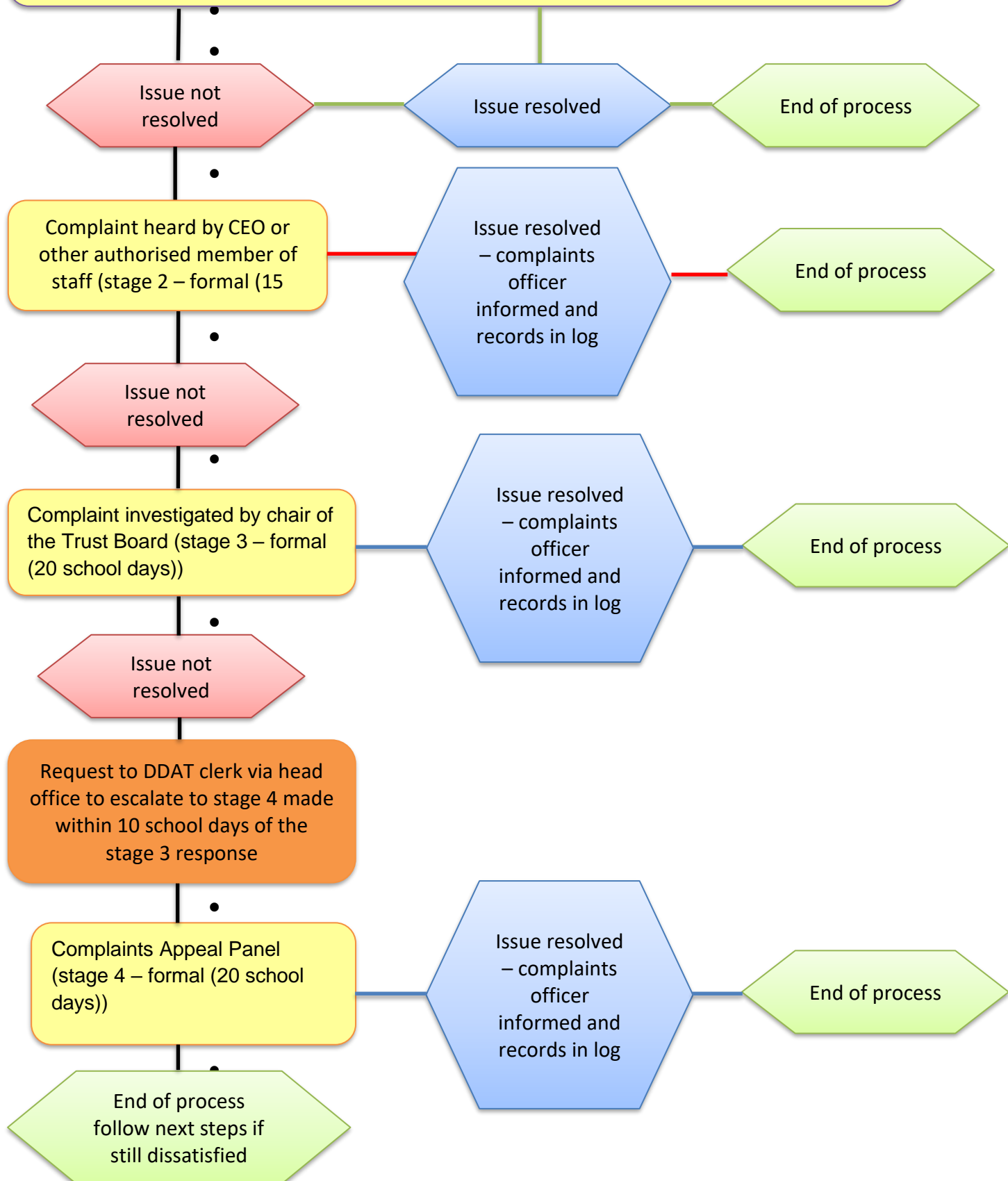
Information gathered through reviewing the complaints procedure will be used to continuously improve and develop the process.

The monitoring and reviewing of complaints will be used to help evaluate the Trust's performance.

Flowchart – Summary of Complaints Procedures

Concern raised and heard by staff member

stage 1 – informal (2-3 school days)



Complaints Procedure Form

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the CEO. (If your complaint is against the CEO, you will need to send the form to the chair of the Trust Board).

Name:	Address:
Daytime telephone number:	
Evening telephone number:	
Email:	Postcode:
What is your complaint concerning, and what action would you like the CEO or authorised member of staff to take?	
When did you discuss your concern/complaint with the appropriate member of staff?	
What was the result of the discussion?	
Signed:	Date: