

Pathway Schools Ltd

Complaints Procedures Policy

Statement of intent

Pathway Schools Ltd aims to resolve all complaints at the earliest possible stage, and where possible, informally, 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 school as a whole, relating to any aspects of the school or the provision of facilities or services. This policy applies only to complaints by parents/carers of current students at the school (or were parents/carers of students at the school at the time of the complaint). The school has separate grievance and whistleblowing policies to cover concerns that a member of staff may have. Complaints from those who are not parents are not covered by this policy but should be addressed to the headteacher in writing. It is designed to ensure that the school's complaints procedure is straightforward, impartial, non adversarial, allows a full and fair investigation, respects confidentiality and delivers an effective response and appropriate redress.

This policy outlines the procedure that the complainant and school must follow. Once a complaint has been made, it can be resolved or withdrawn at any stage.

The headteacher will be the first point of contact when following the complaints procedure.

Date policy last reviewed: 1 September 2025.

Date for next review: 1 September 2026.

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1. Legal framework

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

- Freedom of Information Act 2000
- Education Act 2002
- The Education (Student Information) (England) Regulations 2005
- Equality Act 2010
- Immigration Act 2016
- The School Information (England) (Amendment) Regulations 2016
- UK General Data Protection Regulation (GDPR)
- Data Protection Act 2018

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

- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'
- DfE (2021) 'Best practice guidance for school complaints procedures 2020'

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents/carers of pupils at the school.

It is also based on best practice guidance for academies complaints procedures published by the Education and Skills Funding Agency (ESFA).

2. Definitions

For the purpose of this policy:

A “**complaint**” may be generally recognised as an expression or statement of dissatisfaction about actions taken or a lack of action.

A “**concern**” may be treated as an expression of worry or doubt over an issue considered to be important, and for which reassurances are sought.

The school will class concerns as complaints and follow the same procedures for both, as outlined within this policy.

Complaints can be resolved formally, through this procedure, or informally dependent on the complainant's choice. Any complaint or concern will be taken seriously, whether formally or informally, and the appropriate procedures will be implemented.

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

The definition of “**unreasonable complaints**” is outlined in the ‘[Managing serial and unreasonable complaints](#)’ section of this policy.

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.

3. Roles and responsibilities

The **complainant** will:

- Follow these procedures
- Cooperate with the school 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.
- Not approach individual governors about the complaint.
- Keep details of the complaint confidential (in particular not publish details about the complaint on social media).

The headteacher will either investigate the complaint themselves or appoint a complaint investigator. The **complaint investigator** will:

- Look into the complaint and establish the facts.
- Interview all relevant parties, keeping notes.
- Consider records and any written evidence and keep these securely.
- Keep up-to-date records throughout the procedure – these records will be kept securely on the school’s ICT system and retained in line with the school’s Records Management Policy.
- Liaise with all parties involved to ensure the complaints procedure runs smoothly, including the headteacher, Board of Governors and Board of Directors.
- Ensure that all parties involved in the complaint are fully updated throughout each stage of the procedure.
- Be aware of issues with regard to sharing third party information.
- Understand the complainant’s need for additional support, including interpretation support, and be aware of any issues concerning this.
- Prepare a comprehensive report to the headteacher or complaints committee, which includes the facts and potential solutions

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The **headteacher**, or where the complaint is against the headteacher, the chair of governors, will be responsible for:

- Considering all records, evidence and relevant information provided.
- Analysing all information in a comprehensive and fair manner.
- Liaising with the complainant and complaint investigator 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 meetings 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, particularly any students involved.
- Conduct the hearing in an informal manner, ensuring that everyone is treated with respect and courtesy.
- Ensure that the room's layout and setting is informal and non-adversarial while still setting the appropriate tone.
- 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 school 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.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the panel clerk and complaint investigator to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

All panel members will be aware that:

- The review panel meeting 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 a harmonious reconciliation between the parties involved.
- Reconciliation between the school and complainant is not always achievable, and 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 school 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.
- When a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child's view is represented equally.

The panel clerk will:

- Liaise with the complainant and the complaint investigator.
- Record the proceedings.
- Set the date, time and venue of all hearings, ensuring that this is appropriate, convenient and accessible to all parties involved.
- Collate all written material or evidence involved and send it to the parties involved in timely advance of the hearing.
- 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.

4. Making a complaint

Complaints made with the school are dealt with via a three-stage process:

- Stage 1 – informal resolution
- Stage 2 – formal investigation
- Stage 3 – review panel

Complaints are expected to be made as soon as possible after an incident arises to amend the issue in an appropriate timescale. The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

The school will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, they will be considered to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

The school will consider all complaints, providing they are not anonymous, and ensure that the complaints procedure is:

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- Easily accessible and publicised on its website.
- Simple to understand and put into practice.
- Impartial, non-adversarial and fair to all parties involved.
- Respectful of confidentiality duties.
- Fairly investigated, by an independent person where necessary.
- Continuously under improvement, using information gathered during the procedure to inform the school's SLT.
- Used to address all issues to provide appropriate and effective redress where necessary.

Complaints should be made using the appropriate channels of communication. Informal complaints will 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), providing they are not anonymous. Formal complaints must be made in writing (including email) and addressed to the headteacher (or if the complaint is against the headteacher, the chair of governors).

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

Complaints about staff

Any complaint made against a member of staff will be initially dealt with by the headteacher, and then by a committee of the governing board if not resolved.

Any complaint made against the headteacher will be initially dealt with by a suitably skilled member of the governing board and then by a committee of the governing board.

Complaints about governors

Complaints may be made against:

- The chair of governors.
- The vice chair of governors.
- Any other member of the governing board
- The governing board as a whole.

These complaints should be made to the clerk to the governing board, who will then arrange for the complaint to be heard.

For complaints about the entire governing board, or the chair or vice chair of governors, the clerk to governors will determine the most appropriate course of action, depending on the nature of the complaint. This action may involve sourcing an independent investigator to initially deal with the complaint and then getting the complaint to be heard by co-opted governors from another school.

Under some circumstances, it may be necessary to deviate from the complaints procedure. Any deviation will be documented, along with the reasons for this.

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

5. Complaints procedure

Stage 1 - Informal stage

The school takes informal complaints seriously and will make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible and where possible within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

The complaint should be addressed to the relevant member of school staff or the headteacher, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office on admin@pathwayschools.org.uk or 07960638920.

The school will acknowledge informal complaints within 3 school days, which will confirm how the school intends to proceed, including an indication of the anticipated timescale.

The informal stage will involve a meeting between the complainant and the member of staff concerned, (or the headteacher, or their nominee) as soon as is practically possible after receipt of the complaint. The complainant and the relevant member of staff will discuss the issue in a respectful and informal manner to seek a mutual resolution. To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls will be kept and a copy of any written response added to the record. These notes will be kept securely on the school's ICT system and, where appropriate, encrypted. At this stage, the complainant will be asked what they think might resolve the issue – any acknowledgement that the school could have handled the situation better is not an admission of unlawful or negligent action.

A written response will be provided by the school within 15 school days following the informal meeting.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

If the concern is about the headteacher, the complaint must be made in writing to the clerk to governors. The complainant will then be referred to the chair of governors.

Informal complaints (with the exception of those identified above against the headteacher) should NOT be made initially to a governor. If this is done the complainant will be referred to the appropriate person..

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 escalate their complaint to the next stage (stage 2; formal complaint).

Stage 2: Formal complaint

If the complaint cannot be resolved on an informal basis as described in Stage 1, or if it has not been resolved within 15 school days, then the parents may wish to escalate their complaint to stage 2 (formal investigation). Parents should put their complaint in writing to the headteacher, making it clear that they are raising a "Formal Complaint".

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

The complainant should provide specific details of their complaint, to include details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint. If parents require assistance with their request, for example, because of a disability, the school will be happy to make appropriate arrangements.

An appointment with the headteacher will be made as soon as reasonably practical, to avoid any possible worsening of the situation.

The headteacher will decide, after considering the complaint, the appropriate course of action to take. This would usually take the form of the headteacher (or other person appointed by the headteacher for this purpose) conducting their own investigation. Where necessary, the headteacher will conduct interviews with any relevant parties, including witnesses and students, and take statements from those involved.

In certain circumstances, the headteacher may prefer to appoint an external, independent investigator, in which case timescales for the investigation and conclusion will be longer than 15 days. All parties involved in the complaint will be fully updated throughout this stage of the procedure to ensure they are aware of adapted timescales.

Once all facts are established, the headteacher will contact the complainant in writing with an explanation of the decision. The written conclusion of this investigation will be sent to the complainant within 15 school days. The complainant will be advised of any escalation options (Stage 3 – panel hearing) and provided with details of this process. The complainant will also be provided with copies of minutes if requested, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR.

If the complaint is against the headteacher, the complainant will initially need to write, in confidence, to the clerk to governors. The clerk to governors will then pass the complaint to the chair of governors, who will seek to resolve the issue e.g. by arranging a meeting with the complainant within 15 days.

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

Where complaints are against the headteacher, notes will be kept by the clerk to governors on a secure computer not accessible via the school's ICT system.

How to escalate a complaint

If the complainant is unhappy with the outcome of the stage 2 (formal investigation) they may wish to escalate the complaint to the next stage of the procedure (stage 3 – panel hearing). They should inform the chair of the governors/Directors Ian Saunders in writing within 10 school days. Requests received outside of this timeframe will be considered in exceptional circumstances.

- By letter or email *Pathway Schools Ltd – Hereford, Unit 1 Impact House, Coldnose Road, Rotherwas, Hereford, HR2 6JL* or on admin@pathwayschools.org.uk
- Over the phone on 07960638920
- In person
- Through a third party acting on behalf of the complainant

The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint. Where there are communication difficulties, the complaint may be made in person or via telephone.

The clerk will acknowledge receipt of the request within 5 school days.

Stage 3: Panel hearing

To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls will be kept, and a copy of any written response added to the record. These notes will be kept securely by the clerk to governors

Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at Stage 2, formal investigation .

The chair of governors, or another nominated governor, will convene a panel hearing comprising of at least three panel members members, .

The panel will be appointed by, or on behalf of, the governors and will consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member will be independent of the management and running of the school. The panel will usually be made up of 2 members from the governing board plus an independent member.

If the complainant believes there is likely to be bias in the proceedings, they reserve the right to request an independent panel – complainants should provide evidence to support their request. Where the appearance of bias is sufficient to taint the decision reached, the request will likely be granted by the governing board.

The panel will have access to the existing record of the complaint's progress, including all documents gathered as part of the stage 2 investigation.

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 20 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting.

The board will ensure that the hearing is properly minuted.

At the meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless required as part of reasonable adjustments. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied by a friend or colleague if they wish. Neither party is permitted bring legal representation, but this will be considered on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and headteacher.

The outcome

The committee can:

- › Uphold the complaint, in whole or in part
- › Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- › Decide the appropriate action to resolve the complaint
- › Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The school will inform those involved of the decision in writing within 5 school days of the panel hearing.

The complainant and the person complained about, where relevant, will receive a written response, via email or otherwise, explaining the panel's findings and recommendations. This response will also explain whether there are any further rights of appeal and to whom they need to be addressed.

The decision of the panel is final. Stage 3 provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is—

A copy of the findings and recommendations will be available for inspection on the school premises by the proprietor and the headteacher.

Appeal

If a complaint has completed the school's process and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State using the [online form](#) or in writing to:

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

There are exceptional circumstances to when the complaints procedure applies. These are outlined in the '[Exceptional circumstances](#)' section of this policy.

The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing board 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 school or governing board could act in the circumstances.

Parents may also complain to The Department for Education DfE (Tel: 01325 735 304) and/or Ofsted (enquires@ofsted.gov.uk) in connection with statutory Regulations or Standards.

6. Interviewing witnesses

When interviewing students to gather information regarding a complaint, the interview should be conducted in the presence of another member of staff or, in the case of serious complaints, e.g. where the possibility of criminal investigation exists, in the presence of their parents.

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

The school will understand the importance of ensuring a friendly and relaxed area which is free from intimidation. All students interviewed will be made fully aware of what the interview concerns and their right to have someone with them. Staff are allowed a colleague and/or trade union representative 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.

7. Recording a complaint

A written record will 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 school as a result of the complaint (regardless of whether the complaint was upheld).

Recording devices will not be used to review discussions of complaints at a later date. Where there are communication difficulties or disabilities, recording devices may be used for the purposes of reasonable adjustments.

The school will not accept, as evidence, any recordings that were obtained covertly and without the informed consent of all parties being recorded.

Details of any complaint made will not be shared with the entire governing board. The exception to this is when a complaint is made against the whole governing 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 UK GDPR and the Freedom of Information Act 2000.

The school will hold all records of complaints centrally. 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 108 or 109 of the 2008 Act requests access to them.

As data controllers, the schools will ensure in all cases that they comply with their obligations and responsibilities as outlined in the Freedom of Information Act 2000, the Data Protection Act 2018 and the UK GDPR.

8. Complaints not covered by this procedure

There are a variety of areas where the complaints procedure does not apply because of other separate statutory procedures being in place. The school will deal with complaints regarding these topics in line with the procedures outlines below.

The following complaints should be directed to the LA:

- Statutory assessments of SEND
- Admissions to schools

Complaints about child protection matters will be handled in line with the school's Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance. Any

child protection complaints should be directed to the LADO or the multi-agency safeguarding hub (MASH).

Complaints concerning admissions will be directed to the appropriate admissions authority.

Complaints regarding exclusions will be dealt with in accordance with procedures outlined in the school's Suspension and Exclusion Policy.

The school has an internal whistleblowing procedure for all employees, including contractors and temporary staff outlined in the Whistleblowing Policy. Any whistleblowers not wishing to raise the issue with their employer will direct their complaint to the DfE.

Volunteers who have concerns about the school or a member of staff should make their complaint in line with this policy. Volunteers may also be able to complain to the LA or DfE, depending on what the complaint is about.

Staff grievances and disciplinary procedures will be dealt with in line with the school's Grievance Policy. In these cases, complainants will not be informed of the outcome of any investigations; however, they will be notified that the matter is being addressed.

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 headteacher 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.

Complaints about the content of national curriculum should be made to the DfE. Complaints about how the school delivers the curriculum, including RE and RSHE, will be dealt with using this complaints procedure.

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.

Requests for information and issues with the school's process for dealing with FOI requests, will be dealt with in accordance with the Freedom of Information Policy.

9. Exceptional circumstances

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

- Students are at risk of harm.
- Students are missing education.
- A complainant is being prevented from having their complaint progress through the school's complaints procedure.
- The DfE has evidence that the school is proposing to act or is acting unlawfully or unreasonably.

If a social services authority decides to investigate a situation, the headteacher or governing board may postpone the complaints procedure.

Where a matter can be resolved through a legal appeal, it will not be considered as a formal complaint. The key areas are: admissions decisions, certain decisions relating to formal assessment of SEND, and decisions to permanently exclude a child.

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

10. Managing serial and unreasonable complaints

The school is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The school will not normally limit the contact complainants have with it; however, the school will not expect 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 cooperate 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 DfE.
- Seeks an unrealistic outcome.
- Makes excessive demands on school 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.
- Uses threats to intimidate.
- Uses abusive, offensive or discriminatory language or violence.
- Knowingly provides falsified information.
- Publishes unacceptable information on social media or other public forums.

Complainants should limit the numbers 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.

Whenever possible, the headteacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, the school 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 school's position and their options.
- The complainant contacts the school repeatedly, making substantially the same points each time.

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

The school 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.

11. Complaints campaigns

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

Where the school becomes the subject of a complaints campaign from complainants who are not connected with the school, a standard, single response will be published on the school's website. If the school receives a large number of complaints about the same subject from complainants who are connected to the school, e.g. parents, each complainant will receive an individual response.

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

12. Barring from the premises

The school premises is private property and therefore any individual may be barred from entering the premises.

If an individual's behaviour is cause for concern, the headteacher or chair of governors will ask the individual to leave the premises.

The headteacher 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 governors or a committee of the governing 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 headteacher or chair of governors.

Once the school's complaints procedure is completed, the only remaining avenue of appeal is through the Courts.

13. Standard of fluency complaints

As members of a public authority, all staff are subject to the fluency duty imposed by the Immigration Act 2016, which requires staff members to have an appropriate level of fluency in English in order to teach students.

The school is free to determine the level of spoken communication necessary in order for staff members to develop effective performance, but it will be matched to the demands of the role in question.

The school will be satisfied that an individual has the necessary level of fluency appropriate for the role they will be undertaking, whether this is an existing or potential new member of staff. If a member of the school community feels that a staff member has insufficient proficiency in spoken English for the performance of their role, they are required to follow the complaints procedure outlined in the '[Complaints procedure](#)' section of this policy.

For the purpose of this policy, a "**legitimate complaint**" is one which is about the standard of spoken English of a member of staff; complaints regarding an individual's accent, dialect, manner or tone of communication are not considered legitimate complaints.

All legitimate complaints regarding the fluency duty will be handled in line with the processes outlined in this policy.

In addition to the processes outlined in this policy, the school will assess the merits of a legitimate complaint against the necessary standard of spoken English fluency required for the role in question. To assess the merits, the school will undertake an objective assessment against clear criteria set out in the role specification or, against the level of fluency

descriptors relevant to the role in question. If the complaint is upheld, the school will consider what action is necessary to meet the fluency duty; this may include:

- Specific training
- Specific retraining
- Assessment
- Redeployment
- Dismissal

Appropriate support will be provided to staff to ensure that they are protected from vexatious complaints and are not subjected to unnecessary fluency testing.

Records of complaints regarding fluency will be kept in accordance with the processes outlined in the ['Recording a complaint'](#) section of this policy.

14. Role of the DfE

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 board has acted unlawfully or unreasonably.

They 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 DfE on whether they are acting reasonably and lawfully; however, they will not be able to advise on how to resolve the complaint.

15. Transferring data

When a student changes school, the student's educational record will be transferred to the new school and no copies will be kept.

The school will hold records of complaints separate to student records while a complaint is ongoing, so that access to these records can be maintained.

Information that the school retains relating to a complaint will be stored securely and in line with the school's Records Management Policy.

16. Availability

A copy of this policy will be published on the school website in accordance with the School Information (England) (Amendment) Regulations 2016.

17. Monitoring and review

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 a committee of the governing board, an individual governor or the headteacher. 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 school's performance.