

# POLICY

## POLICY TYPE

|                                                  |   |
|--------------------------------------------------|---|
| MAT Policy to adopted in full across all schools | ✓ |
| LGC Policy to be reviewed and approved locally   |   |



*"called by Christ  
to be agents of change  
and apostles of hope"*

|                |                       |
|----------------|-----------------------|
| Approval Date: | 2025/26 – AUTUMN TERM |
| Review Date:   | 2028/29 – AUTUMN TERM |

## ST OSCAR ROMERO CATHOLIC ACADEMY TRUST

### COMPLAINTS POLICY

*"St Oscar Romero Catholic Academy Trust is committed to providing excellence in education rooted in the Gospel values of Christ. We nurture the whole person - spiritually, academically, socially, and morally - empowering our students to recognise their God-given dignity, develop their unique talents, and become agents of positive change. Through the principles of Catholic social teaching, we foster communities of justice, solidarity, and compassion where all are welcomed, valued, and inspired to serve the common good."*

## Section 1

### Introduction

In responding to concerns and complaints, the Trust is guided by Catholic Social Teaching. This ensures that all matters are handled in a way that upholds Human Dignity, promotes the Common Good, and seeks resolution through dialogue, understanding, and respect for all involved.

This policy aims to deal with complaints and concerns:

- about schools, **St Oscar Romero Catholic Academy Trust** ("Trust") or any individual connected with it by following the correct procedure;
- thoroughly; and
- in an open, honest and fair manner.

In responding to concerns and complaints, the Trust is guided by Catholic Social Teaching. This ensures that all matters are handled in a way that upholds Human Dignity, promotes the Common Good, and seeks resolution through dialogue, understanding, and respect for all involved.

This complaints procedure is not limited to parents or carers of children who are registered at one of the schools within the Trust. Any person, including members of the public, may make a complaint to an individual school within the Trust, or the Trust itself, about any provision of facilities or services that we provide.

**Part 1** of this policy outlines how parents/carers of registered students currently attending schools within the Trust can raise a concern or complaint.

Concerns or complaints from other persons will be dealt with in accordance with **Part 2** of this policy.

This procedure does not apply to concerns and complaints relating to the matters listed in **Annex 1**.

Anonymous concerns or complaints will not normally be investigated under this procedure. The CEO or Chair of the Trust Board, if appropriate, will determine whether there are exceptional circumstances to justify conducting an investigation into the issues raised.

All staff will be made aware of this complaints procedure and are expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of assistance when an issue is brought to their attention. In this procedure:

- 'complaint' means an expression of dissatisfaction however made, about actions taken or a lack of action.
- 'concern' means an expression of worry or doubt over an issue considered to be important for which reassurances are sought.
- 'meeting' means an in person or virtual meeting (i.e. telephone or video conference where all parties can participate verbally), virtual meetings will only be held in the event that all parties have access to appropriate equipment to attend and are happy to do

so. If the parties are unable to meet virtually and the meeting must take place in person, the meeting may be postponed until it is deemed safe to hold an in-person meeting, at the discretion of the trust.

- 'parent' means a parent, carer or anyone with legal responsibility for a child;
- 'school days' excludes weekends and school holidays and periods of partial or total school closure;
- 'Trust' means **St Oscar Romero Catholic Academy Trust**.

The timeframes referred to in this policy are our usual timeframes and the Trust will seek to adhere to these timeframes where possible.

Reasonable adjustments will be made to this procedure where required to ensure that all complainants can access and complete this complaints procedure. For example, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## **Section 2**

### **Key principles**

The Trust approaches the resolution of complaints in a spirit of Participation and Subsidiarity, encouraging concerns to be raised and addressed at the most appropriate level through open and constructive dialogue. Throughout the process, the Trust acts in Solidarity, recognising the shared responsibility of all members of the community to contribute to peaceful and just outcomes.

The Trust expects all complainants to make reasonable attempts to seek an informal resolution.

The Trust encourages parents to approach the school with any concerns and refrain from airing concerns about the school and its staff on social media sites. Posting negative comments on social media can cause damage and upset and is often counter-productive to student education.

To investigate your complaint properly and fairly, we have implemented a staged approach.

We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2 outlined below.

We expect our members of staff to be addressed in a respectful manner and for communication to remain calm at all times. The procedure under **Part 3** will only be used on very rare occasions to deal with unreasonably persistent complainants or unreasonable complainant behaviour.

Concerns or complaints should be brought to our attention as soon as possible. Any matter raised more than 3 months after the incident being complained of (or, where a series of associated incidents have occurred, within 3 months of the last of these incidents) will not be considered unless the CEO accepts that there are good reasons to explain the delay or the complaint is about a particularly serious matter.

Where a complaint is received outside of term time, we will consider it to have been received on the first school day following the holiday period.

On rare occasions a school may receive complaints from a number of parents relating to the same issue. In order to deal with these complaints efficiently the school will follow the procedure set out in **Part 4**.

If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly and given an explanation as to why this has been the case and provided with revised timescales. If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or tribunals/courts, 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.

Complainants should not approach individual governance colleagues or Directors to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them from considering complaints at later stages.

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

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

### **Section 3**

#### **Records of complaints**

A record will be kept of all written formal complaints, including at what stage they were resolved and action taken by us as a result of those complaints regardless of whether they were upheld. Correspondence, statements and records relating to individual complaints will be kept confidential except where:

- access is requested by the Secretary of State;
- disclosure is required in the course of a school inspection;
- an individual has a legal right to access their own personal data contained within such documentation; or
- under other legal authority.

The careful handling of complaint records reflects the Trust's commitment to Stewardship and Human Dignity, ensuring confidentiality, accuracy, and respect for personal information.

## PART 1: Complaints procedure for parents

### Stage 1: Informal concerns

- 1.1 Informal resolution reflects the principles of Promoting Peace and Human Dignity, seeking reconciliation and mutual understanding wherever possible before formal processes are invoked. An informal concern can be raised in person, email or by telephone. Complaints may also be made by a third party acting on behalf of a complainant, as long as they have appropriate authority to do so. Most enquiries and concerns can be dealt with satisfactorily by the class teacher or the head of year or other members of staff without the need to resort to the formal procedure. We value informal meetings and discussions and encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.
- 1.2 It is always helpful if you can fully explain the nature of the concern and identify the outcome you are looking for. Where appropriate, you may be invited to an informal meeting with the member of staff most appropriate for dealing with that concern. The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. This may be put in writing if appropriate.
- 1.3 If the matter is brought to the attention of the Headteacher they may decide to deal with your concerns directly at this stage. If the concerns are about the Headteacher these should be referred directly to the Trust Governance Lead via [governors@OscarRomero.co.uk](mailto:governors@OscarRomero.co.uk) under **Stage 2**.
- 1.4 The school will respect the views of a complainant who indicates that they would have difficulty discussing a complaint with a particular member of staff. In this case, the Headteacher will refer the complainant to another designated member of staff. Similarly, if the member of staff directly involved in the circumstances leading to the complaint feels too compromised to deal with a complaint, the Headteacher may consider referring the complainant to another member of staff. The member of staff may be more senior, but this is not essential.
- 1.5 Staff members should log all informal complaints and make the Headteacher aware of any serious concerns.

There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion, although it would be expected that most issues will be resolved within **20 school days**. Where no satisfactory solution has been found, you will be advised that if you wish your concerns to be considered further you should write to the Headteacher under **Stage 2** of this procedure within **10 school days**.

**Stage 2: Formal written complaints**

- 2.1 Formal complaints will be investigated with due regard for Distributive Justice and the Common Good, ensuring that all parties are treated fairly, that evidence is considered impartially, and that outcomes support trust and accountability within the wider community. If your concerns are not resolved under **Stage 1**, you should put your complaint in writing and send this to the Headteacher of the relevant school.
- 2.2 It is very important that you include a clear statement of the actions that you would like us to take to resolve your complaint. We strongly encourage you to use the Complaint Form provided at **Annex 2** of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In all cases your written complaint must include:

- the nature of the complaint;
  - details of how the matter has been dealt with so far;
  - the names of potential witnesses, dates and times of events and copies of all relevant documents; and
  - a clear statement of the actions that you would like us to take to resolve your complaint.
- 2.3 Your complaint will normally be acknowledged in writing within **5 school days** of receipt. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This will normally be within **20 school days** of receipt.
- 2.4 If appropriate, the Headteacher (or someone appointed by them) may invite you to a meeting to clarify your complaints and to explore possible resolutions. If you accept that invitation, you may be accompanied by one other person, such as a friend, relative, advocate or interpreter, to assist you. Where possible, this meeting will take place within **10 school days** of receipt of the written complaint.
- 2.5 If necessary, witnesses will be interviewed and statements taken from those involved. If the complaint centres on a student, the student should also be interviewed. Students should normally be interviewed with their parent present, but if this would seriously delay the investigation of a serious or urgent complaint or if the student has specifically said that they would prefer that their parents were not involved, another member of staff with whom the student feels comfortable should be present. If the matter includes a complaint relating to a member of staff, the member of staff must have the opportunity to respond to the complaint.
- 2.6 Once the relevant facts have been established as far as possible, you will be provided with a written response to the complaint, including an explanation of the decision and the reasons for it. This will include what action will be taken to

resolve the complaint (if any). You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be heard by the Resolutions Committee under **Stage 3** of this procedure.

- 2.7 The Trust may engage an independent, external person to carry out the investigation into the **Stage 2** complaint or to review the investigation and response at **Stage 2**. This may be appropriate where the complaint is particularly complex and involves legal issues.

**Q. What if the complaint is about the Headteacher?**

In these cases, your complaint should be sent to the Company Secretary via [governors@OscarRomero.co.uk](mailto:governors@OscarRomero.co.uk) who will forward to a member of the Executive Team to resolve the complaint.

**Q. What if the complaint has already considered by the Headteacher under Stage 1?**

Your complaint should be sent to the Governance Professional for your school via [governors@OscarRomero.co.uk](mailto:governors@OscarRomero.co.uk) who will arrange for staff independent of the school, or governance colleagues to carry out the **Stage 2** procedure.

**Q. What if the complaint is about a governance colleague (School Governor)?**

Complaints about the Chair of Governors, any individual governance colleague or the whole governing body should be addressed to the Trust Governance Lead via [governors@OscarRomero.co.uk](mailto:governors@OscarRomero.co.uk). The Trust Governance Lead will arrange for another governance colleague to investigate the concerns in accordance with **Stage 2**.

**Q. What if the complaint is about the Chief Executive Officer?**

If the complaint is about the Chief Executive Officer of the Trust, or if they have been closely involved at **Stage 1**, your complaint should be sent to the Company Secretary via [governors@OscarRomero.co.uk](mailto:governors@OscarRomero.co.uk) who will arrange for a Director to carry out all the **Stage 2** procedures.

**Q. What if the complaint is about a Director or the whole Trust Board?**

You should contact the Company Secretary via [governors@OscarRomero.co.uk](mailto:governors@OscarRomero.co.uk) who will arrange for another Director or independent external person to investigate the concerns in accordance with **Stage 2**.

If your complaint is about the Trust board as a whole, the matter will be independently investigated.

**Please be aware that where your complaint relates to an employee, a copy of the complaint may be shared with them in order to investigate the issues raised.**

**Stage 3: Referral to the Resolutions Committee**

- 3.1 The work of the Resolutions Committee is informed by Catholic Social Teaching, particularly Participation, Subsidiarity, and Promoting Peace, ensuring that hearings are non-adversarial, respectful, and focused on achieving just and proportionate outcomes.
- 3.2 If you are dissatisfied with the decision under **Stage 2**, you may request that a Resolutions Committee be convened to consider your complaint. The Resolutions Committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from **Stage 1** of the procedure.
- 3.3 To request a hearing before the Resolutions Committee, you should write to the Trust Governance Lead via [governors@OscarRomero.co.uk](mailto:governors@OscarRomero.co.uk) within **10 school days** of receiving notice of the outcome of **Stage 2**. Requests received outside of this time frame will only be considered if exceptional circumstances apply. You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you are looking for.
- 3.4 Your written request will be acknowledged within **5 school days** of receipt.
- 3.5 The Trust Governance Lead will arrange for a Resolutions Committee to be convened, made up of at least three members, including:
  - Advocates, members of a local governing committee and/or Directors of the academy trust with no prior involvement in the matter; and,
  - One person who is independent of the management and running of the Trust.

The Trust Governance Lead shall appoint one of these members to be the Chair of the Committee.

- 3.6 Every effort will be made to enable the hearing to take place within **20 school days** of the receipt of your request. As soon as reasonably practicable and in

any event at least **5 school days** before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the committee members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the committee. You will also be informed of the name of the person who will be presenting the case on behalf of the school (referred to in this policy as the 'school representative'). This may be the person who is the subject of the complaint, the person who undertook the investigation at **Stage 2** or another person with sufficient knowledge of the matter.

- 3.7 If, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the Trust Governance Lead may determine that the hearing proceeds on the basis of written submissions from both parties.
- 3.8 You have the right to be accompanied to the hearing by a friend, relative, advocate or interpreter. You should notify the Trust Governance Lead no later than **3 school days** in advance if you intend to bring anyone to the hearing. We do not encourage either party to bring legal representatives to the Resolutions Committee meeting. The Resolutions Committee itself may take legal advice on matters of law and procedure.

**Representatives from the media are not permitted to attend.**

- 3.9 A copy of the complaint and any other documents provided by you in support of your complaint, or by the school representative in defence of the complaint, will be provided to the Resolutions Committee as soon as practicable upon receipt. Copies of these documents shall also be provided to you or school representative (as applicable) at least **3 school days** before the hearing. The Resolutions Committee reserves the right not to consider any documentation presented by either party less than **3 school days** prior to the hearing. The Resolutions Committee is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. The committee will not normally accept recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 3.10 The hearing will be conducted to ensure that each party has the opportunity to address the Resolutions Committee. The procedure to be followed during the hearing will be explained to the parties by letter in advance of the hearing. The Trust Governance Lead will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed.
- 3.11 The hearing is not a public hearing and will be held in private. Electronic recordings of the hearing will not normally be permitted and, in any event, would require the consent of all those present.

3.12 Unless otherwise stated, the procedure for the **Stage 3** hearing is as follows:

|                                                                                                                       | Maximum allocated time |
|-----------------------------------------------------------------------------------------------------------------------|------------------------|
| The Chair of the Committee will introduce the committee members and outline the process;                              |                        |
| The parent will explain the complaint;                                                                                | 5 minutes              |
| The school representative and committee members will question the parent;                                             | 15 minutes             |
| The school representative will explain the school's actions;                                                          | 5 minutes              |
| The parent and the committee members will question the school representative;                                         | 15 minutes             |
| The parent will sum up their complaint;                                                                               | 5 minutes              |
| The school representative will sum up the school's actions;                                                           | 5 minutes              |
| The Chair of the Committee will explain that both parties will hear from the committee within <b>20 school days</b> ; |                        |
| Both parties will leave while the committee decides;                                                                  |                        |
| The Trust Governance Lead will stay to assist the committee with its decision making.                                 |                        |

The Trust Governance Lead and/or Resolutions Committee reserves the right to modify the above procedure at their sole discretion, for example requiring the parent and the school representative to present their complaint/actions separately to the Resolutions Committee in the absence of the other party.

- 3.13 A Resolutions Committee may be adjourned if the Resolutions Committee require further evidence or in exceptional circumstances (for example, if clarification sought by the Resolutions Committee is essential to the proceedings). The adjourned date must be as soon as possible.
- 3.14 After the hearing, the Resolutions Committee will consider their decision and inform you and, where relevant, the person complained about of their decision in writing within **20 school days**. The letter will set out the decision of the committee together with the reasons underpinning that decision. The committee can (by a majority if necessary):
- dismiss the complaint in whole or in part;
  - uphold the complaint in whole or in part;
  - decide on the appropriate action to be taken to resolve the complaint;

- recommend changes to the school or Trust systems or procedures to ensure that problems of a similar nature do not happen again.

#### **Stage 4: Referral of complaint to Department for Education (DfE)**

- 4.1 If you are dissatisfied with the decision of the Resolutions Committee, you are entitled to refer your complaint to the Department for Education (DfE). The DfE will only investigate whether the complaint was handled properly and in accordance with education legislation and any statutory policies connected with the complaint.

At the time of writing this procedure, details about the DfE procedure and the DfE academy complaints form are available at:

[How DfE handles complaints about academies - GOV.UK](#)

## Roles and Responsibilities

### **The role of the Trust Governance Lead**

The Trust Governance Lead is the contact point for the complainant and the Resolutions Committee, and should:

- ensure that the complainant is fully updated at each stage of the procedure;
- liaise with staff, Headteacher, CEO, Chair of Governors and Chair of the Trust Board to ensure the smooth running of the complaints procedure;
- be mindful of the timescales to respond to complaints;
- 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);
- ensure that the Resolutions Committee has access to legal advice, where appropriate;
- set the date, time and venue of the meeting, taking reasonable steps to find a date that is convenient to all parties and that the venue and proceedings are accessible;
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and ensure it is sent to the parties in advance of the meeting within an agreed timescale;
- arrange for minutes of the meeting to be taken;
- notify all parties of the Resolutions Committee's decision;
- assist the school in issuing a summary letter to the complainant.

### **The role of the Headteacher (or other party investigating as applicable in accordance with the procedure) at Stage 2**

- to ensure that the complainant is fully updated at each stage of the procedure;
- to ensure that the correct procedure has been followed;
- to ensure that an investigation is carried out, and a report compiled;
- to meet the complainant, if appropriate;
- if the complaint is being referred to **Stage 3**, notify the Trust Governance Lead to arrange the Resolutions Committee.

## **The role of the Chair of the Resolutions Committee**

The Chair of the Resolutions Committee has a key role, ensuring that:

- 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;
- the remit of the Resolutions Committee is explained to the complainant;
- the 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);
- key findings of fact are made, and that any issues not previously mentioned in writing should not be raised at the meeting and, if they are mentioned at the meeting, these should not be noted or considered by the Resolutions Committee;
- 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 Resolutions Committee is open-minded, acts independently and no Resolutions Committee member has an external interest in the outcome or any involvement in an earlier stage of the procedure;
- the meeting is minuted.

**Part 2: Concerns or complaints from other persons**

Part 1 of this complaints policy applies only to complaints made by parents or carers of current registered students of schools within the Trust. However, the Trust wishes to work closely with other members of the local community and will deal with their concerns and complaints as follows:

1. **Stage 1** - a concern regarding a school or its operations may be made to any member of staff. That member of staff will attempt to resolve the matter immediately or may, if appropriate, refer the matter to their line manager or member of the senior leadership team (SLT) who is best placed to deal with the concern. It is expected that most concerns will be responded to orally or in writing within **5 school days**. If a longer period is required, you will be kept informed of the progress of the investigation.
2. **Stage 2** - where a concern is not resolved at **Stage 1**, or you wish your concerns to be dealt with immediately as a formal complaint, you should put your complaint in writing and send this to the Headteacher of the relevant school to investigate. The Headteacher may delegate the task of investigation and/or responding to the complaint to a member of SLT or may escalate the complaint straight to **Stage 3**. A formal response to the complaint will usually be provided within **20 school days** of receipt of the letter of complaint although if a longer period is required to respond, you will be kept updated.
3. **Stage 3** - if you are not satisfied with the response at stage 2, you may request a review by writing to the Trust Governance Lead via [governors@OscarRomero.co.uk](mailto:governors@OscarRomero.co.uk). You should write to the Trust Governance Lead within **10 school days** of receipt of the letter at **Stage 2**. Requests received outside of this time frame will only be considered if exceptional circumstances apply. The Trust Governance Lead will arrange for a governance colleague to consider the complaint alone or may convene a complaints committee on the same terms as set out in **Part 1** of this complaints policy. The decision at this stage will usually be sent to you within **20 school days** of receipt of the request for a review. The decision at **Stage 3** exhausts the school's complaints procedure.

Concerns or complaints regarding the Headteacher or the Trust as a whole should be referred direct to the Company Secretary via [governors@OscarRomero.co.uk](mailto:governors@OscarRomero.co.uk) who will arrange for the stages above to be considered by an appropriate person.

**Part 3: Unreasonably persistent complainants and unreasonable complainant behaviour**

While the Trust is committed to listening carefully to concerns, it must also uphold Human Dignity and Promoting Peace by protecting staff, governors, and others from behaviour that undermines respectful dialogue or the wellbeing of the community.

There are rare circumstances where we will deviate from the Complaints Procedure set out in Parts 1 and 2. These include, but are not necessarily limited to:

- I. where the complainant's behaviour or language towards staff, governance colleagues or Directors is abusive, offensive, discriminatory or threatening;
- II. where the complainant's behaviour is hindering our consideration of complaints and/or the proper running of the school because of the frequency or nature of the complainant's contact, such as, if the complainant:
  - a. refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
  - b. refuses to co-operate with the complaints investigation process;
  - c. refuses to accept that certain issues are not within the scope of the complaints procedure;
  - d. insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
  - e. introduces trivial or irrelevant information which they expect to be taken into account and commented on;
  - f. raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
  - g. makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
  - h. changes the basis of the complaint as the investigation proceeds;
  - i. seeks an unrealistic outcome, such as the inappropriate dismissal of staff;
  - j. makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
  - k. knowingly provides falsified information;
  - l. publishes unacceptable information on social media or other public forums.
- III. where the complainant's complaint is clearly frivolous, vexatious and/or has patently insufficient grounds. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:
  - a. complaints which are obsessive, persistent, harassing, prolific, repetitious;
  - b. insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;

- c. insistence upon pursuing meritorious complaints in an unreasonable manner;
- d. complaints which are designed to cause disruption or annoyance;
- e. demands for redress that lack any serious purpose or value;
- f. where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full.

In these circumstances, we may:

- g. inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it;
- h. restrict the complainant's access to the school e.g. requesting contact in a particular form (for example, letters only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times or banning the complainant from the school's premises. Any such arrangements will be reviewed after six months;
- i. conduct the Resolutions Committee on the papers only i.e. not hold a hearing;
- j. refuse to consider the complaint and, where Part 1 of this procedure applies, refer the complainant directly to Stage 4.
- k. In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action.

IV. We may take the decision not to respond to any further correspondence where:

- a. we have taken every reasonable step to address the complainant's concerns;
- b. the complainant has been given a clear statement of our position and their options and;
- c. the complainant contacts us repeatedly, making substantially the same points each time.

The case for ceasing further correspondence is stronger where:

- d. letters, emails, or telephone calls are often or always abusive or aggressive or make insulting personal comments about or threats towards staff;
- e. we have reason to believe the complainant is contacting us with the intention of causing disruption or inconvenience;
- f. Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, governance colleagues or Directors, 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.

#### **Part 4: Complaint campaigns**

For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with a school or the Trust) which are all based on the same subject.

Depending on the subject in question, we may deviate from the procedure set out in this policy and instead:

- send a template response to all complainants and/or
- publish a single response on the school/Trust's website (as applicable)

**Annex 1**

## Matters excluded from scope of this policy

| <b>Excluded Matters</b>                                                                         | <b>Signposting</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Admissions                                                                                      | The process for challenging admissions decisions is set out in our admissions policy in accordance with relevant statutory guidance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Child protection matters                                                                        | Complaints about child protection matters are handled under our 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).                                                                                                                                                                                                                                                                                     |
| Exclusions                                                                                      | The process for challenging exclusions decisions is set out in the DfE's statutory guidance and information can be found at: <a href="https://www.gov.uk/government/publications/school-suspensions-and-permanent-exclusions">School suspensions and permanent exclusions - GOV.UK (www.gov.uk)</a>                                                                                                                                                                                                                                                                                                                            |
| National Curriculum content                                                                     | Please contact the Department for Education at <a href="https://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| School re-organisation proposals                                                                | Where concerns are not adequately addressed by the Trust, complaints can be raised directly with the Department for Education.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Complaints about services provided by other providers who may use school premises or facilities | Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Staff grievances                                                                                | Complaints from staff will be dealt with under the school's internal grievance procedures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Staff conduct                                                                                   | Certain complaints about staff may need to 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.                                                                                                                                                                                                                                                                                              |
| Statutory assessments of Special Educational Needs (SEN)                                        | Concerns about statutory assessments of special educational needs should be raised directly with the local authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 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 whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="https://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> . Volunteer staff who have concerns should complain through the school's complaints procedure. You may also be able to complain directly to the Department for Education (see link above), depending on the substance of the complaint |

**Annex 2**

Complaints can be logged using this form

**Complaints Form**

|                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Your name:</b>                                                                                                                                                                           |
| <b>Student's name:</b>                                                                                                                                                                      |
| <b>Your relationship to the student:</b>                                                                                                                                                    |
| <b>Your address and postcode:</b>                                                                                                                                                           |
| <b>Your daytime telephone number:</b>                                                                                                                                                       |
| <b>Your evening telephone number:</b>                                                                                                                                                       |
| <b>Your email address:</b>                                                                                                                                                                  |
| <b>Your complaint is: (if you have more than one complaint, please number these)</b>                                                                                                        |
| <b>What action have you already taken to try and resolve your complaint(s) in accordance with Stage 1 of the complaints procedure?</b><br>(Who did you speak to and what was the response?) |
| <b>What would you like as an outcome from your complaint(s)?</b>                                                                                                                            |

**Are you attaching any paperwork? If so, give details here:**

**Your signature..... Date .....**

All functions of the complaints procedure must adhere to the requirements of the Data Protection Act 2018 and the Freedom of Information Act 2000.

Please complete and return to the school office in a sealed envelope addressed to the Headteacher or the Trust Governance Lead via [governors@OscarRomero.co.uk](mailto:governors@OscarRomero.co.uk) (as appropriate).

**Annex 3**

## Summary of Complaints Procedure for Parents &amp; Carers (Part 1)

|                                                       |                                                                                                                                                           |
|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Stage 1:<br/>Informal concerns</b>                 | Parent brings complaint to attention of member of staff                                                                                                   |
|                                                       | Issue to be resolved within <b>20 school days</b>                                                                                                         |
|                                                       | Where no satisfactory solution has been found, parent to be advised that they should proceed to <b>Stage 2</b>                                            |
|                                                       |                                                                                                                                                           |
| <b>Stage 2:<br/>Formal Written Complaint</b>          | Parent to put complaint in writing using Complaint Form within <b>10 school days</b>                                                                      |
|                                                       | Complaint to be acknowledged within <b>5 school days</b>                                                                                                  |
|                                                       | (Optional) Meeting with parents within <b>10 school days</b>                                                                                              |
|                                                       | Response to the complaint sent within <b>20 school days</b>                                                                                               |
|                                                       |                                                                                                                                                           |
| <b>Stage 3:<br/>Referral to Resolutions Committee</b> | Parent to request hearing within <b>10 school days</b> of receiving notice of the outcome of <b>Stage 2</b>                                               |
|                                                       | Request to be acknowledged within <b>5 school days</b>                                                                                                    |
|                                                       | Hearing to take place within <b>20 school days</b> of receipt of request                                                                                  |
|                                                       | Notification of date, time and place of the hearing and details of the committee members present sent at least <b>5 school days</b> before the Hearing    |
|                                                       | School representative and parents to submit evidence in support of their case to Governance Professional at least <b>3 school days</b> before the hearing |
|                                                       | Resolutions Committee decision sent not more than <b>20 school days</b> after the hearing                                                                 |