ACHIEVING TOGETHER

FOUR STONES GATEWAY TRUST

COMPLAINTS POLICY & PROCEDURE

DATE POLICY WAS APPROVED	18.08.2025
DATE POLICY WILL BE REVIEWED	Autumn 2026
MEMBER OF STAFF WITH RESPONSIBILTY FOR REVIEW	Head of Governance

Key Definitions

All policies incorporate the following schools or organisations within Four Stones Gateway Trust ('the Trust'):

- Clee Hill Community Academy
- Cleobury Mortimer Primary School
- Haybridge High School and Sixth Form
- Haybridge Teaching School Hub
- Haybridge SCITT
- King Charles I School
- Lacon Childe School
- SHaW (Shropshire, Herefordshire and Wolverhampton) Maths Hub
- Stottesdon CofE Primary School
- TDMS (The De Montfort School)
- Any other schools or organisations that may join the Trust from time to time and not listed above.

The terms Academy, School, Organisation and Trust are considered interchangeable in the context of all Trust policies.

Where appropriate, in this policy the term:

"CEO" includes the Chief Executive Officer

"CFOO" includes the Chief Financial Officer

"Trust Senior Leadership Team" includes Executive Headteachers, Headteachers, strategic operational leads and Teaching School/SCITT Directors.

"Headteacher" includes the appropriate School Headteacher.

"Trustees or Trust Board" are appointed Trustees who oversee the business of Four Stones Gateway Trust, agreeing the overarching strategic direction and ensuring robust governance.

"Local Academy Boards (LAB)" are appointed Governors at a local level associated with the Trust's Worcestershire Schools. LAB Governors act as advocates for their school's Safeguarding, SEND, Standards and Stakeholder engagement.

"Local Governing Bodies (LGB)" are appointed Governors at a local level associated with the Trust's Shropshire Schools. LGB Governors are advocates for their school's Safeguarding, SEND, Standards and Stakeholder engagement.

"Chair" responsible for leading the board and ensuring its effectiveness

"Stakeholders" are any individuals or companies who are invested in the welfare and success of the Trust and/or School and its students, including staff members, students, parents, community members, LAB, LGB or Trust members, trade unions, local business leaders etc.

Contents

Section	
1	Introduction
2	Scope
3	General Principles
4	Timescales
5	The Complaints Procedure
6	Stage 1. Resolution at a local level
7	Stage 2. Investigation by a nominated individual
8	Stage 3. Resolution via a Panel Meeting
9	Record Keeping
10	Confidentiality
11	Complaints to the Department for Education (DfE)
12	Complaints to Ofsted
13	Serial or Persistent Complainants
Appendix	
A	Four Stones Gateway Trust Complaint to Stage 2 form
B	Four Stones Gateway Trust Complaint to Stage 3 form
C	Indicative Timescales
D	Complaints subject to statutory procedures or out of the scope of this Policy
E	Complaints from those who are not parents/carers of a student on roll at a school within the Trust.
F	Policy for Unreasonable, Vexatious or Excessive Complainants
G	Barring from the School Premises
H	Model Order of Proceedings. Stage 3 Panel
I	Raising a complaint against a Governor, a Trustee, the Central Trust, or a Member of Central Team staff
J	Data Protection – Rights of Access
K	Frequently Asked Questions

1. Introduction

1.1
This Policy and Procedure sets out the approach of Four Stones Gateway Trust (the Trust) and all its schools to dealing with concerns and complaints. The Complaints Policy and Procedure is intended to allow a concern or complaint relating to the Trust or one of its schools to be raised by a parent/carer, or anyone else.

1.2
We value good relationships with parents/carers and our wider communities and will do everything we can to establish and maintain these. This includes seeking to resolve any concerns or complaints promptly, and with the aim of reaching resolution wherever possible.

1.3
All staff, along with Governors of each school's Local Academy Boards (LAB), Local Governing Bodies (LGB) and Affiliates to the Resolutions Team will be familiar with this procedure and all those involved with dealing with complaints under this procedure will receive support, advice, and appropriate training.

1.4
This Policy is available on request and is accessible via the Trust's website. It will be reviewed regularly and updated, as necessary.

2. Scope

2.1
Some complaints might be dealt with in other policies, for example, complaints involving admissions, child protection or student exclusions. A full list of issues excluded from this procedure can be found in Appendix D. Where necessary, a school will exercise its discretion.

2.2
Stage 3 of this Policy *does not* apply to those who are *not* parents/carers of students on roll at a school within the Trust. Complaints that fall into this category will be handled via a separate procedure outlined in Appendix E, although the general principles of this Policy will be applied.

2.3
Anonymous complaints or complaints sent as part of a complaints campaign will not usually be investigated.

2.4
Employees of the Trust should raise any concerns relating to their employment through the appropriate staffing procedure, not through this process.

2.5
Where a complaint is against the Central Trust, a member of the Central Team, a Trustee, a Governor, or the Trust Board as a whole, please refer to Appendix I.

3. General Principles

3.1
We will treat all concerns and complaints seriously and courteously and will advise complainants of the procedures for dealing with their concerns. In return, we expect complainants to behave respectfully towards all members of the Trust's community. Any disagreement with a school should not be expressed inappropriately, on social media forums or in front of students.

3.2
We aim to ensure that any complaint is managed sympathetically, efficiently, at the appropriate level, and is resolved as soon as possible. We will try to resolve every complaint in a positive way with the aim of putting

right a matter which may have gone wrong. Where necessary, we will review our systems and procedures considering the circumstances of the complaint.

3.3
If a complaint centres on a student, we may talk to the student concerned and, where appropriate, others who were present at the time of any incident in question. In such circumstances, we will ensure that another member of staff, with whom the student feels comfortable, is present.

3.4
If a complainant wants to withdraw their complaint, they will be asked to confirm this in writing. If they do not respond to this request within 15 school days, the matter will be judged to be closed.

3.5
All references to 'Headteacher' in this procedure includes 'Executive Headteacher' or 'Headteacher' of the school, depending on the leadership arrangements in place in the school at the time of the complaint.

3.6
We do not normally accept electronic audio or video recordings as evidence when we are asked to consider a complaint. If we do accept a recording, we may also ask for the written consent of all recorded parties before it is viewed. We may accept independently notarised transcriptions of recordings. We do not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

4. Timescales

4.1
Complaints must be raised within 3 months of the incident complained about occurring or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. Complaints made outside this time frame will only be considered if, having taken advice, the Headteacher thinks exceptional circumstances apply.

4.2
Unless otherwise stated, timescales in this procedure refer to school days for the relevant school, excluding school holidays, Teacher Education Days (TED) and bank holidays. Any complaints made outside of term time will be considered to have been received on the first school day after the holiday period.

4.3
There may be times when the investigation takes longer than the timescales outlined in this Policy. Where this is the case, we will keep the complainant informed of the revised timescales and the reasons for this.

5. The Complaints Procedure

The procedure is divided into 3 stages. How each of these stages operates is explained below.

6. Stage 1. Resolution at a local level

6.1
This stage of the Policy will apply to all concerns and complaints raised directly with the school. Concerns should initially be raised with the appropriate member of staff; this ranges from the class teacher, form tutor, subject teacher, Head of Year or Head of Department, other than in exceptional circumstances. Many concerns can be resolved by simple clarification or the provision of information. Stage 1 gives all parties the opportunity to explore the issues causing concern and to seek to resolve them without recourse to formal stages. The relevant member of school staff may attempt resolution directly through meetings or other conversations with the complainant, or in other ways which may include involving other members of staff.

6.2
In the case of serious concerns (or where the school deems it more appropriate to do so) it may be necessary to refer matters directly to the relevant Senior Leader or Headteacher.

6.3
Where the complaint is specifically about the Headteacher of one of the schools, the process outlined in Appendix I will be followed.

6.4
Complainants should not approach individual Governors, Trustees, or the Trust's Central Team to raise concerns; as they have no power to act on an individual basis, and it may prevent them from considering complaints at Stage 3 of the procedure.

6.5
In the case of concerns raised under Stage 1 of this procedure, the only record of the concern and its resolution will be file notes by the person dealing with the complaint and/or file correspondence between the person raising the concern and the respondent. At Stage 1 there is no requirement to complete a form. We record all complaints in a table and share them termly with the Local Academy Board (LAB) or Local Governing Body (LGB).

6.6
At the end of their investigation, the appropriate person investigating the complaint will judge whether a written outcome is required at Stage 1, with the complainant. This is unlikely to be required if the complainant is satisfied with the response and outcome, and the situation has been resolved verbally. Where required, an informal response will be sent within 15 school days of the complaint's receipt.

6.7
It is a precondition to the operation of this procedure that the complainant should have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way. If the issue remains unresolved, after having conducted a meeting and /or phone calls to try to resolve the situation, the next step is to begin the formal process.

7. Stage 2. Investigation by a nominated individual

7.1
If the complainant wishes to elevate their complaint to Stage 2, they should notify the Headteacher in a timely way following their engagement with the school at Stage 1, and in any case no more than 3 months after the relevant incident(s) took place. This request must be set out in writing, stating where the complainant remains dissatisfied and what remedies are being sought. '**Four Stones Gateway Trust Complaint to Stage 2'** form**,** Appendix A, should be completed at this stage**.** If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example Citizens Advice.

7.2
Before proceeding with a formal investigation, the relevant Headteacher may wish to meet with the individual and discuss their concerns and wishes. It may still be appropriate and satisfactory to reach an informal resolution at this point. If not, the relevant Headteacher will decide whether the individual's complaint will be dealt with by the Complaints Policy or another statutory procedure.

7.3
After '**Four Stones Gateway Trust Complaint to Stage 2'** form is returned, the relevant Headteacher will record the date the complaint was made, acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days and commence the investigation.

7.4
This is the first stage of the formal complaints process, so all related documents and communications between parties will be recorded.

7.5
An investigation will be carried out and completed by a senior staff member identified by the Headteacher as the Investigating Officer (IO). This may be a Trust employee either from a different school or from the Trust's Central Team. In exceptional circumstances, as judged by the Head of Governance, a Trustee may investigate, or an external investigation may be commissioned. The IO may seek to meet with the complainant and will speak to others involved as they deem necessary. If the complaint centres around a student, the student will also usually be interviewed, or a written statement gathered.

7.6
Once all the relevant facts have been established, the IO will put their findings in writing. This will explain the decision and the reasons for it. If follow-up action is needed, they will indicate what they are proposing to do. If management action is subsequently required against an employee of the school, the complainants will not have access to this information.

7.7
Whenever reasonably possible, the IO's findings will be written within 10 school days of any meeting with the complainant. If no meeting is arranged, it should be within 20 school days of acknowledging the return of the formal complaint form. If a meeting is arranged at Stage 2, the complainant may ask someone to accompany them to help them explain the reasons for their complaint and to support them. The IO may also be accompanied by a suitable person if they wish.

7.8
Where the matter is not resolved at this stage, the complainant may elevate it to Stage 3, as set out below.

8. Stage 3. Resolution via Complaints Panel meeting

8.1
This is the final stage of the Complaints Procedure. If the complainant feels the complaint is unresolved at Stage 2 and wishes to take the matter further, they can escalate the complaint to the Head of Governance.

8.2
Four Stones Gateway Trust Complaint to Stage 3' form, Appendix B, must be completed at this stage. This form can *only* be used when the informal and Stage 2 process have been exhausted. Please mark as 'Private and Confidential.' This request will generate a meeting in front of a Complaints Panel.

8.3
The complaint should be escalated within 10 school days of receiving the Stage 2 response. Requests received outside of 10 school days will only be considered if exceptional circumstances apply.

8.4
On receipt of the request to have a complaint heard by a Panel, we will confirm that we have received the correspondence and will make arrangements for a Panel to be convened. We aim to acknowledge receipt of the complaint in writing (via email) within 3 school days.

8.5
As soon as possible following this we will inform the complainant of a date for the Panel Meeting. This date will take into account their availability to attend. The meeting will be held as quickly as practicable given the need to find a date that is convenient for the complainant, the school and Panel members. The complainant will be notified by letter, and this letter will inform them of the date, time, and location of the meeting, and provide an explanation of what will happen at the hearing. With agreement from all parties this meeting may take place via an electronic meeting platform such as Microsoft Teams. Whenever possible, the Complaints Panel meeting will be held within 20 school days of the Stage 3 Complaint Form being received.

8.6
The complainant will be asked if they wish to provide further written documentation supporting the complaint. If they do, then this will need to be received at least 10 school days before the meeting. If a significant amount of additional information is submitted after this deadline, the Panel may decide to adjourn if it is in the best interests of both parties that the Panel gives the information full consideration. Any

written material will be circulated to all parties at least 5 school days before the meeting. The Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

8.7
The Complaints Panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

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

8.8
The Panel will comprise 3 'Affiliates' chosen from the Trust's Resolutions Team. Affiliates chosen will not have been directly involved in the matters detailed in the complaint so they can consider it without prejudice. These Affiliates may be Governors from the school concerned, Governors from another of the Trust's schools, Trustees, or Affiliates to the Resolutions Team.

8.9
The meeting is not a court case; it will be held in private and will be as informal as circumstances allow. The Chair of the Panel will bear in mind that the formal nature of the meeting can be intimidating and will do their best to put all parties at ease.

8.10
Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or medical needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

8.11
The complainant will be entitled to bring a companion along to provide support. They are there to provide support, rather than to speak on the complainant's behalf, and will not usually be permitted to speak during the meeting except with the permission of the Chair. Legal representation representing the complainant will only be permitted in exceptional circumstances and with prior agreement from the Trust. It may sometimes be appropriate for the Panel to take advice from a legal adviser, but this adviser will not attend the Panel meeting.

8.12
If the complainant fails to attend on the day without compelling reasons, their complaint will be judged to be withdrawn (and the matter closed), from the Trust's perspective.

8.13
Should the person representing the school and/or the complainant wish to invite relevant witnesses to present their evidence directly to the Panel and to be questioned, they should inform the Clerk to the Panel of this at least 5 days before the hearing. Whether the Panel allows such witnesses to be invited to the hearing will be decided by the Chair of the Panel. Witnesses should attend the meeting only while they give their statement and take questions.

8.14
As a general rule, no evidence, or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so the hearing will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.

8.15
Other than in exceptional circumstances students will not be permitted to attend Panel Meetings.

8.16
The person who investigated the matter at Stage 2 may be accompanied by someone from the Trust's Central Team.

8.17
The meeting will be minuted. The minutes will remain confidential but are available to all parties upon request. The Panel may make findings and recommendations and a copy of those findings and recommendations will be sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about.

8.18
The following people will be entitled to attend the panel meeting:

- Panel Members
- an adviser to the Panel who may also take notes of the meeting or may be accompanied by a minute taker.
- the Complainant(s) and their companion if they choose to bring one.
- the Investigator and their companion if they choose to bring one.
- any witnesses (for the duration of their evidence)

In addition, if the Investigator is external to the school, they may be accompanied by a senior member of school staff or a member from the Trust's Central Team.

8.19
The order of proceedings for a Stage 3 Panel Meeting can be found in Appendix H.

8.20
All parties will withdraw, other than the Panel Members, the Advisor to the Panel and the clerk (if this is a different person), while the Panel reaches a conclusion, which may be that the complaint is upheld or rejected in full or upheld in part. If time constraints, or other factors, mean that a decision cannot be reached immediately then the panel will reconvene as soon as possible. This subsequent meeting will include Panel Members, the Advisor to the Panel and Clerk only and may take place via an on-line meeting platform. The outcome and the reasons for the Panel's decision will be communicated in writing to all relevant parties within 5 working days of the hearing other than in exceptional circumstances. A copy of the written outcome, inclusive of findings and recommendations, will be kept in school and Central Trust records, and will be available on the school's premises for inspection by both the Trust and the Headteacher.

9. Record Keeping

A digital record will be kept of all complaints resolved at Stages 2 or 3 of the Complaints Policy for 12 months. Records will contain details of the stage at which the complaint was resolved, closed, or withdrawn. The action taken by the school or the Trust because of a complaint (regardless of whether it is upheld) will also be recorded.

10. Confidentiality

Correspondence, statements, and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

11. Department for Education (DfE)

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a request for a Stage 3 Panel Meeting within the time stated in the Policy) the matter is closed. If the complainant is not satisfied with the process followed, then they may contact the DfE. There is an online procedure for doing so https://form.education.gov.uk/service/Contact_the_Department_for_Education or the complainant may write to the DfE at: The School Complaints Unit (SCU), Department for Education, 2nd Floor, Piccadilly Gate, Manchester M1 2WD.

12. Submitting a complaint to Ofsted

Ofsted advises that “you should complete all steps in the school's complaints procedure before you contact Ofsted.” Their advice can be accessed directly here: https://complain.ofsted.gov.uk.

Ofsted cannot resolve disagreements between a complainant and a school, or affect the results of a school’s complaints process.

13. Excessive complaints

If at any level a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this Complaints Policy, the Trust may write to the complainant to inform them that the procedure has been exhausted, and the matter closed. Continued correspondence on the same matter would be judged as unreasonable (see Appendix F) and the Trust would not respond to communication(s) on that issue, or a closely related issue.

Appendix A

Four Stones Gateway Trust Complaint to Stage 2 form

Please complete and return to the school reception who will acknowledge receipt.
This form should only be used when the Stage 1 process has been exhausted.

Your name
School
Student's name and year group (where applicable)
Your relationship to the student (where applicable)
Address
Contact number & preferred contact time
Email address
Details of your complaint
Why was the Stage 1 response not satisfactory?
What further actions would need to be agreed to resolve the complaint?
Signed
Date

Confidential (when complete)

Appendix B

Four Stones Gateway Trust Complaint to Stage 3 form

Please complete and return to the Head of Governance via governance@fourstonesgateway.org.uk
This form should only be used when Stage 1 and Stage 2 processes have been exhausted.

Your name
School
Student's name and year group (where applicable)
Your relationship to the student (where applicable)
Address
Contact number & preferred contact time
Email address
Details of your complaint
Why was the Stage 2 response not satisfactory?
What further actions would the Panel need to agree to resolve the complaint?
Signed
Date

Confidential (when complete)
Appendix C

Indicative Timescales

There may be times when the investigation takes longer than the timescales outlined. In this scenario, the school should keep the complainant informed of the revised timescales and the reasons for this).

Raising a complaint
Complaints must be raised within 3 months of the incident complained about occurring or, where a series of associated incidents have occurred, within 3 months of the last of these incidents.
Stage 1
School to respond within 20 school days of the complaint being raised, in usual circumstances.
Stage 2
The complainant may escalate their complaint to Stage 2 within 3 calendar months of the incident complained about occurring if their concerns have not been satisfactorily addressed at Stage 1. The Investigating Officer should respond either within 10 school days of any meeting they hold with the complainant, or within 20 school days if they do not hold a meeting.
Stage 3
The complainant may escalate their complaint to Stage 3 within 10 working days of receiving the outcome of Stage 2 if they remain dissatisfied. A Panel should be convened within 20 school days of the Stage 2 request being raised. An outcome letter should be provided within 5 school days of the Panel taking place.
Complaining beyond the school
At the end of the process, if the complainant remains dissatisfied, they can raise concerns with the Department for Education (see Section 11 above) and/or with Ofsted (see Section 12 above).

Appendix D

Complaints subject to statutory procedures or out of the scope of this Policy

Some areas of complaint are subject to statutory procedures and there is clear guidance on how such issues should be dealt with, which lie outside this Complaints Policy. These include:

- admissions
- child protection & safeguarding or matters likely to require a child protection investigation
- data protection and freedom of information
- drugs
- equal opportunities
- exclusions & suspensions
- health and safety
- National Curriculum
- religious education and collective worship
- sex education
- statutory assessments of special educational needs
- staff capability
- staff discipline
- staff grievance
- racist incidents*
- whistleblowing
- withdrawal from the curriculum
- complaints about services provided by external suppliers who may use school premises or facilities (these should be directed to the provider's own Complaints Policy)

The Headteacher, after seeking relevant advice, will in most cases determine which, if any, statutory procedures apply.

If a statutory procedure needs to be invoked during the investigation of a more general complaint, it may be suspended until the statutory procedure is concluded.

**Although racist incidents are subject to a statutory procedure, the Race Relations Amendment Act 2000, this does not necessitate the Complaints Procedure being suspended. However, there is a duty for local authorities to monitor racist incidents and so schools must follow local authority procedures for recording such incidents.*

Exceptions	Who to contact
Academy re-organisation proposals for consultation	Concerns about a school re-organisation should be raised through a separate process via either Worcestershire Local Authority or Shropshire Local Authority.
Admissions	Concerns about admissions to any school in the Trust should be raised through a separate process; either through the Appeals Process or via either Worcestershire Local Authority or Shropshire Local Authority.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus
Safeguarding matters. If the matter relates to a serious safeguarding concern or an allegation of abuse, the Headteacher must be informed directly.	▪ Complaints about child protection matters are handled under our Safeguarding Policy and in accordance with relevant statutory guidance. ▪ For Worcestershire schools - if you have serious concerns, contact the Local Authority Designated Officer (LADO) on 01905 846221 or LADO@worcschildrensfirst.org.uk ▪ For Shropshire schools – if you have serious concerns, contact the Local Authority Designated Officer (LADO) by contacting the First Point of Contact on 03456 789021

Services provided by providers other than the Trust who may use our premises or facilities	Providers should have their own Complaints Policy to deal with complaints about service. Please contact them direct.
Staff Conduct	Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate. Please note: Complainants will not be informed of any disciplinary action taken against a staff member because of a complaint. However, the complainant will be notified that the matter is being addressed.
Staff Grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures.
Statutory Assessments of Special Educational Needs (SEN)	▪ For Worcestershire schools – visit https://www.worcestershire.gov.uk/council-services/schools-education-and-learning/send-local-offer ▪ For Shropshire schools – visit https://next.shropshire.gov.uk/the-send-local-offer/
Suspension and Permanent Exclusion	Further information about raising concerns about exclusion can be found at: Behaviour in schools: sanctions and exclusions *Complaints about the application of the Behaviour Policy can be made through the Complaints Policy.*
Whistleblowing (for other regulatory or financial malpractice)	▪ We have an internal Whistleblowing procedure for all our employees, including temporary staff and contractors. If you have a concern ab out regulatory or financial malpractice, please contact via email governance@fourstonesgateway.org.uk and mark as 'Private and Confidential.' ▪ The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: Whistleblowing for employees: What is a whistleblower - GOV.UK (www.gov.uk). ▪ Volunteer staff who have concerns about our Trust should complain through this Complaint's Procedure.

Appendix E

Complaints from those not parents/carers of a student on roll at a school within the Trust

Only Stages 1 and 2 of this Policy will apply.

Trust staff may meet with the complainant to resolve the concerns but are not obliged to do so.

Stage 1
Complainants should first address their complaint to the relevant School or Trust (as appropriate) informally. If this fails to resolve the situation, the complaint may proceed to Stage 2 below.

Stage 2
The escalation request should be submitted in writing to the Head of Governance. It will be acknowledged in writing within 3 school days, with a final written response issued within 20 school days.

The Head of Governance can be contacted via email: governance@fourstonesgateway.org.uk

There may be occasions where an individual raises a complaint while they have a child on roll at a school and, during the complaint process, their child is removed from roll. If this occurs prior to the Stage 3 process starting, the complainant will not be eligible to escalate their complaint to Stage 3.

Appendix F

Policy for Unreasonable, Vexatious or Excessive Complainants

We are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain.

We adopt the Department for Education definition of unreasonable complainants as:

'Those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints or are having an unreasonably high detrimental impact on key staff being able to fulfil their duties to students.'

We may consider that a complaint demonstrates *'unreasonable behaviour'* by assessing several factors, including those listed below:

- 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 Policy.
- insists on the complaint being dealt with in ways which are incompatible with the adopted Complaints Policy or with good practice.
- introduces trivial or irrelevant information which the complainant expects to be considered 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.
- demands a review of the complaint although the complaint has been comprehensively addressed at previous stages.
- seeks an unrealistic outcome.

A complaint may also be considered *'unreasonably demanding'* if it is manifestly unjustified, inappropriate or an improper use of formal procedures.

In assessing this, the school should have regard for all the case circumstances and the nature of the complaint rather than the complainant's nature. In assessing all the circumstances of the case, the school will consider a range of factors including:

- whether a complaint has a reasonable foundation.
- the history and context of the complaint (and any evidence where relevant)
- whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of.
- whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, distress, or time.
- unexplained delay in raising a complaint or a concern.
- If the complaint's purpose is to obtain an outcome unavailable via the Complaints Policy such as a claim for compensation, or the dismissal of a staff member.
- if the purpose of the complaint is seeking revenge or retribution.
- demands are made about the way the complaint should be handled.
- Creates complexity where there is none and proposes unreasonable arguments.
- any evidence of a complaint being brought for an improper purpose.

A complaint may be considered '*vexatious'* if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

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

- Publishing unacceptable information in various media such as social media websites and newspapers.

We may consider a complaint *'excessive'* by assessing several factors including where the complainant:

- frequently contacts the school thus causing a significant level of disruption.
- contacts several staff at the same time or regarding the same issue.
- 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.
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- reframes the complaint.
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education.

If the behaviour continues, the school will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. **A *communication restriction*** may be considered, which is when the school may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

We will not normally limit the contact complainants have with the schools in the Trust. However, should any individual's approach to their concern/complaint become disturbing, intimidating, or harassing, legal advice will be sought. The Trust has a duty of care to their staff, and this will be upheld, as we do not expect our teaching or support staff to tolerate unacceptable behaviour that may be deemed abusive, threatening, or offensive.

In response to any serious incident of aggression or violence the school will immediately inform the police and communicate its actions in writing. This may include barring an individual from the school.

It is open to the complainant to request that a Complaints Panel be convened to determine the single issue of whether the school's dismissal of the complainant's original complaint was justified.

If a complainant's behaviour is deemed to be vexatious and/or unreasonable under the terms of this policy, we may write to them to inform him/her that their complaint is closed and that the Trust will not respond to any further correspondence on the issue, or a closely related issue. In these circumstances, records of unreasonable, vexatious, or excessive communications should be available to the DfE on request.

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 barring an individual from the Trust's premises.

Whenever possible, the school will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

Appendix G

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for students, staff, and other members of their community.

If an individual's behaviour is a cause for concern, a school can ask them to leave the school premises. In serious cases, the Headteacher can notify them in writing that their right to be on school premises has been temporarily revoked subject to any representations that the individual may wish to make.

This is a Headteacher decision. We will always give individuals/s the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed within 5 school days, considering any representations made by the individual. The decision will then either be confirmed or overturned. If the decision is confirmed the individual should be notified in writing without delay, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Head of Governance.

Appendix H

Model Order of Proceedings. Stage 3 Panel

It is important that the members of the Complaints Panel are impartial and independent, and seen to be so. The Panel members will have had no prior involvement with the case and will be sensitive to the constitution of the Panel regarding equality issues.

It may be the case that parents/carers feel anxious that they will not be provided with opportunities for them to be heard or that the procedure is not seen to be fair (i.e., complainants may perceive the Governors' view to be weighted in the school's favour). Panel members need to be aware these perceptions may exist and endeavour to demonstrate openness and objectivity in their actions.

The Stage 3 Panel Meeting

Reports and statements submitted to the Panel will be made available to all parties in advance of the hearing.

- A round of introductions and an explanation of the purpose of the hearing.
- The complainant will explain their case and their reasoning for why they remain dissatisfied.
- The complainant may call witnesses, if agreed in advance with the Chair of the panel. Witnesses will present their evidence, take questions from all parties, and then leave the meeting.
- The Panel will hear from the person who investigated the complaint at Stage 2, in response.
- The person who investigated may call witnesses, if agreed in advance with the Chair of the Panel. Witnesses will present their evidence, take questions from all parties, and then leave the meeting.
- The complainant can pose questions, via the Chair.
- The investigating officer at Stage 2 can pose questions to the complainant, via the Chair.
- The Panel Members, and their adviser, can pose questions to both parties.
- The Panel will hear closing statements from both parties.
- In closing the meeting, the Chair will explain that the panel will formulate its response as quickly as reasonably possible, aiming to do so within 5 school days. The Clerk will notify all concerned.
- All participants other than the Panel and the Trust adviser to the Panel (and the clerk if this is a different person) will then leave.
- The letter will also explain the complainant's entitlement to have the handling of their complaint reviewed by an external body.
- The written outcome, which will be inclusive of findings and recommendations, will be shared with the complainant and, where relevant, the person complained about. It will also be available in the school and central Trust's records and be available on School premises for inspection by the Trust and the Headteacher.

Reminder: If because of the complaint being upheld, there is disciplinary action contemplated towards a member of staff, the complainant is not permitted any knowledge of this.

Appendix I

Raising a complaint against a Headteacher, a Governor, a Trustee, the Trust, or a Member of Central Team staff

Where a complaint is about a matter relating specifically to the persons/groups below, whilst the general principles of this policy will be applied, the complaint will be considered immediately at Stage 2 of the policy.

- a Central Trust employee (including the CEO)
- a Headteacher
- a Governor
- a Trustee
- the Local Academy Board of a Worcestershire based school (as a whole)
- the Local Governing Body of a Shropshire based school (as a whole)
- the Trust Board or Multi Academy Trust (as a whole)

The Investigating Officer/body may differ depending on the complaint. In exceptional circumstances, an independent investigator may be commissioned, who will submit a report on their investigation's completion.

Where such a complaint is not made by the parent/carer of a student on roll at one of the Trust's schools Appendix E will apply.

Appendix J

Data Protection – Rights of Access

Right of Access requests such as Subject Access Requests (SARs) are handled via a specific process and will be dealt with separately if included in a complaint. The timeframe for the completion of such requests is subject to Data Protection legislation and may vary to the timeline for more general school complaints.

The Trust maintains internal Data Protection policies which govern this process. The Trust also maintains public facing Privacy Notices which will inform you of this process and these can be found on Four Stones Gateway Trust website.

If a Right of Access request is made as part of the complaint, you will be informed of this and referred to the Trust's Central Team who will coordinate its resolution.

Freedom of Information (FOI) requests. Requests which fall under the definition of a Freedom of Information Request are handled via a specific process and will be dealt with separately if included in a complaint. The timeframe for the completion of such requests is subject to the Freedom of Information Ace 2000 and Environmental Information Regulations and may vary to the timeline for more general school complaints.

If a FOI is made as part of a complaint, you will be informed of this and referred to the Trust's Central Team who will coordinate the resolution of it.

Appendix K

Frequently Asked Questions

Why are there 3 distinct stages of the complaint procedure?
It is important that we treat all complaints fairly; at every stage, the ideal outcome is to address concerns, provide clear information of the school's position and seek an acceptable resolution for both parties.

The Trust Complaints procedure consists of 3 stages:

1. **Stage 1. Informal Stage.** This is a meeting between the complainant and the most relevant member of school staff will try to resolve the issue.
2. **Stage 2. Formal Stage.** This is where the complaint is put in writing to the Headteacher who will investigate and try to resolve the issue. (See Section 7 and Appendix A)
3. **Stage 3. Panel Stage.** The complaint progresses to a meeting where the matter is discussed in front of a panel. (See Section 8 and Appendix B)

Why can't I just take my complaint straight to the Panel, I don't want to speak to the school.
Affiliates, Governors and Trustees are volunteers they do not have the expertise or capacity to deal with complaints that could be addressed informally. The panel stage will check to see if the previous 2 steps have been followed; if they have not you will be directed back to Stage 1.

I have a complaint about a member of staff, why can't I bring it to the Complaints Panel?
If your concern or complaint has a safeguarding element, or there is a suggestion that a child has been harmed then the Trust / School will follow our Safeguarding Policy and/or Staff Disciplinary Policy. We recognise there is frequently an overlap and confusion over which policy is followed. The Head of Governance will advise on which policy is being followed and the reason for this. Contact governance@fourstonesgateway.org.uk for advice.

I have a complaint about the food provided in the school, who do I speak with?
Direct your complaint to the service provider in your school; this information is on your school website.

The School / Trust employs me, and I want to complain about the behaviour of a colleague why can't I use the complaints procedure?
The Complaints Policy is reserved for parents/carers, students and anyone not employed by the School or Trust. In this instance, follow the 'Staff Grievance Procedure'.

I am not happy with the outcome of the Stage 3 panel meeting.
Stage 3 is the final part of the Complaint's Procedure, and the complaint is considered closed. If you are unhappy with the *process* followed, you can complain to the DfE (See Section 11) or to Ofsted (See Section 12). Ofsted advises that "you should complete all steps in the school's Complaints Policy before you contact Ofsted."
Neither organisation can affect the outcome of the Complaint's Panel.

Why have I been told I can now only contact the school via a specific email address?
Sometimes the complaint is deemed unreasonable (see Appendix F). **A communication restriction** may be considered 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 be reviewed after 6 months.

We will not normally limit the contact complainants have with the schools in the Trust. However, should any individual's approach to their concern/complaint become disturbing, intimidating, or harassing, legal advice will be sought. The Trust has a duty of care to their staff, and this will be upheld, as we do not expect our teaching or support staff to tolerate unacceptable behaviour that may be deemed abusive, threatening, or offensive.