



The Oak Partnership

Complaints Policy

v.4

We are committed to safeguarding and ensuring the health, safety and well-being of all pupils in accordance with safeguarding procedures and guidance for staff outlined in the schools' Health and Safety, Child Protection, Security and Safeguarding policies.

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1.0 Scope of this Complaints Policy

- a. This policy and the procedures it encompasses covers all complaints about any provision of community facilities or services by The Oak Partnership's schools, other than complaints that are dealt with under other statutory procedures, including those listed in [Appendix 2](#). The nature of the complaints procedure differs depending on whether the complaint is about a school or about the Trust or CEO of the Trust.
- b. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The Oak Partnership Trust (TOPT) takes concerns and complaints seriously and will make every effort to resolve the matter as quickly as possible.

2.0 Who can make a complaint?

- a. This complaints policy is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to The Oak Partnership about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.
- b. In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete the complaints procedure. For example, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations. Please contact the relevant school office if you need support.

3.0 The difference between a concern and a complaint

- a. For the purposes of this policy, a concern is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought” and a complaint is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.
- b. If you have difficulty discussing a concern with a member of staff, we will respect your view and refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, we will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.
- c. We understand that there are occasions when people would like to raise their concerns formally. In this case, The Oak Partnership will attempt to resolve the issue internally, through the stages outlined within this policy.

4.0 Resolving complaints

- a. At each stage in the procedure, The Oak Partnership Trust (TOPT) wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:
 - an explanation
 - an admission that the situation could have been handled differently or better
 - an assurance that we will try to ensure the event complained of will not recur
 - an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
 - an undertaking to review The Oak Partnership’s policies in light of the complaint
 - an apology

5.0 Anonymous complaints

- a. We will **not** normally investigate anonymous complaints. However, the Head Teacher, Chair of the Local School Committee (“LSC”), CEO or Chair of Trustees, (whichever is appropriate), will determine whether the complaint warrants an investigation.

6.0 Stage 1- Informal Complaints

- a. It is to be hoped that most concerns can be expressed and resolved on an informal basis without the need to use the formal stages of the complaint's procedure.
- b. TOPT works to form good relationships within our school communities which we hope enable all parties to feel comfortable with communicating concerns or complaints directly with the member of staff concerned, member of the leadership team or head teacher.
- c. If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the head teacher or member of school leadership team, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the head teacher or member of the school leadership team will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.
- d. Complainants should not approach individual governors to raise concerns or complaints; they have no power to act on an individual basis, and it may also prevent them from considering complaints at Stage 3 of the procedure.
- e. Whilst Stage 1 is an informal process, the member of staff will make every effort to respond within the [timeframes below](#) and written notes will be kept of all conversations, meetings and agreed actions as they may be required should the matter proceed to the next stage of the process.
- f. If the issue remains unresolved, the next step is to make a formal complaint.

7.0 Stage 2- Formal Complaint

- a. Formal complaints must be made to the head teacher (unless they are about the head teacher), via the school office. This may be done in person or in writing (preferably on the [Complaint Form](#)).
- [See Section 9 for timescales.](#)
- b. The head teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email).
 - c. Within this response, the head teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face to face meeting is the most appropriate way of doing this.
 - d. ***Note: The head teacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.***

- e. During the investigation, the head teacher (or investigator) will:
 - if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
 - keep a written record of any meetings/interviews in relation to their investigation.
- f. At the conclusion of their investigation, the head teacher will provide a formal written response. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school or Trust will take to resolve the complaint.
- g. The head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.
- h. If the complaint is about the head teacher, or a member of the LSC (including the Chair or Vice-Chair), a suitably skilled governor, or leader within the Trust, will be appointed to complete all the actions at Stage 2.
- i. Complaints about the head teacher or member of the LSC must be made to the Clerk, via the school office.
- j. If the complaint is:
 - jointly about the Chair and Vice Chair or
 - the entire governing body or
 - the majority of the LSC

Stage 2 will be escalated to the CEO of the Trust. The CEO will determine the most appropriate course of action for investigating the complaint. This will depend on the nature of the complaint.

8.0 Stage 3- Panel Hearing

- a. If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school.

[See Section 9 for timescales.](#)

- b. With the exception of the MAT's trustees, a governor from a LSC at a different school within the MAT, who has no conflict of interest or prior knowledge of the complaint, can be an independent panel member. This is because such person

would have no direct involvement with the management and running of the school being complained about.

- c. This is the final stage of the complaint's procedure. The complaints panel can review the process followed in previous stages and also review the outcomes/ judgements made at previous stages.
- d. A request to escalate to Stage 3 must be made in writing to the LSC Clerk, via the school office. Complainants are asked to advise the clerk of any relevant disability or accessibility requirement so that the school may provide appropriate support.
- e. The Clerk will record the date the complaint is received and forward to the Complaints Co-ordinator.
- f. The Complaints Co-ordinator will acknowledge receipt of the complaint in writing. They will also write to the complainant to inform them of the date of the meeting.
- g. If the complainant rejects the offer of three proposed dates, without good reason, the Complaints Co-ordinator will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- h. If the complaint is:
 - jointly about the Chair and Vice Chair or
 - the entire LSC or
 - the majority of the LSC

Stage 3 will be heard by the trustees and an independent panel member.

- i. A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.
- j. Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.
- k. Representatives from the media are not permitted to attend.
- l. The Complaints Co-ordinator will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
 - request copies of any further written material to be submitted to the committee before the meeting.
- m. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- n. The committee will also 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.
- o. The meeting will be held in private. The panel hearing is not a court case, will be as informal as circumstances allow and conducted in such a manner as at the discretion of the panel. The complainant, subject of the complaint and any potential witnesses do not have to be present in the meeting at the same time.
- p. The panel members are not legally trained and therefore cannot make findings as to points of law.
- q. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.
- r. The panel may speak with the following, either as part of the review meeting/ process, or as part of any further investigation:
- the complainant
 - the investigating officer who investigated the complaint and made the decision at Stage 2
 - relevant persons involved the complaint.
 - persons whom, in the view of the panel, can provide relevant advice and information relating to the subject of the complaint and the review process at Stage 3
- s. The committee will consider the complaint and all the evidence presented. The committee can:
- uphold the complaint in whole or in part
 - dismiss the complaint in whole or in part.
- t. If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
 - where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.
- u. The Chair of the Committee will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing. The letter to the complainant will include details of how to contact the DfE if they are dissatisfied with the way their complaint has been handled. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust will take to resolve the complaint.
 - v. The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about.
 - w. A written record will be kept of all complaints by the Complaints Co-Ordinator, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.
 - x. All 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 2008 Act requests access to them.

9.0 Timescales

- a. You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. After this time, it may be more difficult to gather evidence and resolve a complaint. Exceptions to this will be considered on a case-by-case basis.
- b. Any complaint should be raised as soon as possible with the relevant member of school staff or the headteacher, either in person or by letter, telephone or email. If you are unclear who to contact or how to contact them, you should contact their school office. Formal complaints need to be made in writing.
- c. Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- d. **The table below gives the timelines that we will make every effort to meet. If there are operational reasons which mean we will be unable to meet the timescales at any stage, the complainant will be provided with a revised timeline at the earliest point possible.**

	Parent brings complaint to attention of member of staff
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Stage 1: Informal concerns	Concern acknowledged within 5 school days
	Concern responded to within 10 school days of acknowledgement
	Where no satisfactory solution has been found, parent to be advised that they should proceed to Stage 2
Stage 2: Formal Written Complaint	Parent to put complaint in writing using Complaint Form within 15 school days
	Complaint to be acknowledged within 5 school days
	(Optional) Meeting with parents within 15 school days
	Response to the complaint sent within 15 school days of meeting with the parents.
Stage 3: Referral to Complaints Committee	Parent to request hearing within 15 school days of receiving notice of the outcome of Stage 2
	Request to be acknowledged within 5 school days
	Aim for hearing to take place within 20 school days of receipt of request
	Notification of date, time and place of the hearing, details of the committee members present, and meeting documents circulated at least 5 school days before the hearing
	School representative and parents to submit evidence in support of their case to Complaints Co-Ordinator no later than 10 school days before the hearing
	Complaints Committee decision sent not more than 10 school days after the hearing

10.0 Complaints escalated to / about the Trust, CEO or Trustee

- If a complaint is escalated to the Trust or if a complainant wishes to complain directly about the Trust, then the complaint should be sent to the CEO to be investigated.
- The Complaints Co-ordinator will write to the complainant acknowledging the complaint within 5 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under

Stage 2 of this Complaints Policy and will confirm the date for providing a response to the complainant.

- c. Following the investigation, the CEO will write to the complainant confirming the outcome within 15 school days of the date that the letter was received.
- d. If this time limit cannot be met, the Complaint Co-ordinator will write to the Complainant as soon as possible explaining the reason for the delay and providing a revised date.
- e. If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation.

NB. Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

- f. If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Governance Professional asking for the complaint to be heard before a Complaint Panel.
- g. They will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.
- h. Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- i. The Governance Professional will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 2 request. If this is not possible, they will provide an anticipated date and keep the complainant informed.
- j. If the complainant rejects the offer of three proposed dates, without good reason, the Governance Professional will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- k. If the complaint is:
 - jointly about the Chair and Vice Chair or
 - the entire trust board or
 - the majority of the trust board

Stage 3 will be heard by a completely independent committee panel.

- l. The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to

the complaint or have been involved in dealing with the complaint in the previous stages, or have any detailed prior knowledge of the complaint. One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

- m. A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.
- n. For instance, if a trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.
- o. Complaints about staff conduct will not generally be handled under this complaint's procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.
- p. Representatives from the media are not permitted to attend.
- q. At least 5 school days before the meeting, the Governance Professional will:
 - confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
 - request copies of any further written material to be submitted to the committee at least 10 school days before the meeting.
- r. Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- s. The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.
- t. The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.
- u. The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
 - dismiss the complaint in whole or in part.
- v. If the complaint is upheld in whole or in part, the committee will:
- decide on the appropriate action to be taken to resolve the complaint
 - where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.
- w. The Chair of the Committee will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, within 20 school days. The letter to the complainant will include details of how to contact the DfE if they are dissatisfied with the way their complaint has been handled by the Trust. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust will take to resolve the complaint. The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about.
- x. A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.
- y. All 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 2008 Act requests access to them.

11.0 Complaints received outside of term time

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

12.0 Withdrawal of a Complaint

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

13.0 Unreasonably persistent complainants and unreasonable complainant behaviour

- a. There are rare circumstances where we will deviate from the Complaints Procedure.

b. These include, but are not necessarily limited to:

- where the complainant's behaviour or language towards staff, members of the LSC or trustees is abusive, offensive, discriminatory or threatening;
- where the complainant's behaviour or communication is perceived to be threatening or harassing.
- when the complaint'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

[See Appendix 3](#) for specific examples.

c. In these circumstances, we may:

- inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it;
- 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 academy's premises. Any such arrangements will be reviewed after six months;
- conduct the Complaints Committee on the papers only i.e. not hold a hearing;
- refuse to consider the complaint further. In this instance, the Chief Executive Officer, Chair of LSC or Chair of the Trust Board (as relevant) may at any time inform the complainant that the complaints procedure has been exhausted and has come to an end by reason of the conduct of the complainant. The complainant will be informed of the next steps in section 1

d. Where the behaviour is so extreme that it threatens the safety and wellbeing of staff, members of the local governing committee or trustees, 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.

e. 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.

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

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

g. The case for ceasing further correspondence is stronger where:

- letters, emails, or telephone calls are often or always abusive or aggressive or make insulting personal comments about or threats towards staff
- we have reason to believe the complainant is contacting us with the intention of causing disruption or inconvenience.

14.0 Next Steps

- a. If the complainant believes the Academy did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under law, they can contact the DfE after they have completed Stage 3.
- b. The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by The Oak Partnership Trust. Their responsibility is to ensure academies comply with their funding agreements. They will consider whether The Oak Partnership Trust has adhered to legislation and any statutory policies connected with the complaint and where they feel that the Trust has not dealt with the complaint properly, they will request that the complaint is looked at again.
- c. If the Trust's procedure does not meet regulations, they will ask the school to put this right and will enforce this request under the terms of the funding agreement.
- d. The complainant can refer their complaint to the DfE online at:
<https://www.gov.uk/complain-to-dfe>

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

Appendix 1- Roles and Responsibilities

Complainant

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

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint

- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The head teacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (Trust Governance Professional)

The complaints co-ordinator has a role in stage 2 and 3 complaints and should:

- Track all stage 2 complaints
-  Oversee, track, and keep records of all stage 2 and 3 complaints outcomes and resulting recommendations
- Clerk and organise all stage 3 complaint panels. As Clerk, set the date, time and venue of the meeting (ensuring that the dates are convenient to all parties [if they are invited to attend] and that the venue and proceedings are accessible), collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties (being aware of potential issues sharing third-party information) in advance of

the meeting within an agreed timescale. In addition, they should ensure that the complainant is fully updated. They should also 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). In addition, they should record the proceedings, circulate the minutes of the meeting and notify all parties of the committee's decision.

Committee Chair for Stage 3 Complaints

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

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

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

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

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
No governor / trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- Many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.

Appendix 2- Exclusions from Complaints Policy

Excluded Matters	Signposting
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 and safeguarding 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 School suspensions and permanent exclusions - GOV.UK (www.gov.uk)
National Curriculum content	Please contact the Department for Education at www.education.gov.uk/contactus
School re-organisation proposals	Where concerns are not adequately addressed by the trust, complaints can be raised direct 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 direct.
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 direct 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: www.education.gov.uk/contactus Volunteer staff who have concerns should complain through the school's complaints procedure. You may also be able to complain direct to the Department for Education (see link above), depending on the substance of the complaint

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

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

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Appendix 3- Examples of Unreasonable Behaviour

These are behaviours that we consider to be unreasonable complainant behaviour:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaint's investigation process
- refuses to accept that certain issues are not within the scope of the complaint's procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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
- seeks an unrealistic outcome, such as the inappropriate dismissal of staff
- 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
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums
- seeks to re-open complaints or progress concerns that have previously not been escalated by the complainant within the timescales provided and which are regarded as withdrawn or settled.
- 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:** complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value
- 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.

Appendix 4 – Complaint Form

Your name:
Pupil(s) name:
Your relationship to pupil (s):
Your address and postcode:
Your daytime telephone number:
Your evening telephone number:
Your email address:
Date incident causing complaint occurred:
Your complaint is: (if you have more than one complaint, please number these)
What action have you already taken to try and resolve your complaint(s)? (Who did you speak to and what was the response?)

What would you like as an outcome from your complaint(s)?

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

Signature:

Name:

Date:

OFFICE USE:

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: