

Title	Complaints
Associated Policies	<ul style="list-style-type: none"> • Safeguarding and Child Protection (TPO/HS/05) • Behaviour Policy for Members of the School Community (TPO/HS/08) • Single Equality Policy (TPO/EO/01)

REVIEWED: MAY 2021

NEXT REVIEW: MAY 2024

1. Policy Statement
<p>1.1 Brooke Weston Trust takes all concerns seriously and will make every effort to resolve the matter as quickly as possible.</p> <p>1.2 Where possible, Brooke Weston Trust seeks to resolve issues informally without the need to use the formal stages of the complaint procedure. However, Brooke Weston Trust acknowledges that there are occasions where people would like to raise their concerns formally. In this case, Brooke Weston Trust will attempt to resolve the issue as soon as possible, through the stages outlined within this complaints procedure.</p> <p>1.3 Definitions:</p> <ul style="list-style-type: none"> • A concern is an expression of worry or doubt over an issue considered to be important for which reassurances are sought • A complaint is an expression of dissatisfaction however made about actions taken or a lack of action. <p>1.4 This policy does not form part of any employee's contract of employment and is entirely non-contractual. It may be amended, withdrawn, suspended or departed from at the discretion of the Trust.</p>
2. Who does this policy apply to?
<p>2.1 This policy applies to all staff, parents, students, visitors and Directors of the Trust.</p>
3. Who is responsible for implementing and reviewing this policy?
<p>3.1 The implementation of this policy will be monitored by the Executive Leadership Team and remain under review by The Brooke Weston Trust Board of Directors.</p>
4. What are the principles behind this policy?
<p>4.1 The Brooke Weston Trust is serious about the quality of its service and will continuously review its standards. Opinions of stakeholders will be sought in a variety of ways throughout the academic year. One of the ways to accomplish this is to have open and clear channels of communication, and to take seriously concerns or complaints by any of the people affected by The Brooke Weston Trust.</p> <p>4.2 The Brooke Weston Trust will seek to ensure that all concerns or complaints are managed as quickly and effectively as possible and in a manner which respects confidentiality and is non-adversarial in approach.</p> <p>4.3 The Brooke Weston Trust will seek to determine an effective outcome of concerns or complaints with appropriate redress where necessary.</p> <p>4.4 In line with The Brooke Weston Trust's commitment to improving quality, where appropriate the outcome of concerns or complaints will be used to inform further improvement in its operations and services.</p> <p>4.5 In accordance with equality law, Brooke Weston Trust will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance,</p>

providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

5. Procedures

Concerns

- 5.1 Concerns (as defined in 1.3 above) can be raised either in writing or by telephone for the attention of the Principal, via the school office. These will be dealt with by the member of staff who in the view of the Principal is best placed to address the issue.
- 5.2 If the person raising the concern has difficulty discussing the concern with the appointed member of staff they must advise the Principal who will seek to refer the concern to another member of staff, provided that they will be able to consider the concern objectively and impartially.
- 5.3 Upon receipt of a concern an initial response will be provided as soon as possible and in any event within 5 school days and a final resolution of issues arrived at as soon as possible.
- 5.4 Resolutions may include an apology, explanation, admission that the situation could have been dealt with more effectively, an assurance that the situation will not recur or that The Brooke Weston Trust or Academy will review the procedure in light of the complaint.
- 5.5 If the issue remains unresolved, the next step is to make a formal complaint.
- 5.6 Where a resolution cannot be found through an informal discussion through email or phone call conversations within a two-week period, the person/s with the concern will be directed to follow the formal complaints procedure, as detailed below, in order that a full investigation can be undertaken. Should the complainant refuse to engage with the complaints procedure but continue to correspond with the Trust or Academy with concerns or complaints, the Trust or Academy will review whether this could be considered a vexatious complaint (see paragraph 6).

Complaints

5.7 How to make a complaint

A complaint (as defined in 1.3 above) can be made in writing, marked as Private and Confidential.

- **Route 1:** Complaints against school staff (except the Principal) should be made in the first instance, to the Principal via the school office.
- **Route 2:** Complaints that involve or are about the Principal, Executive Principal or Central Team member should be addressed to the Chief Executive (c/o Anna Chambers, Executive Officer).
- **Route 3:** Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the clerk of the governing body.
- **Route 4:** Complaints about the Chief Executive Officer (CEO) or a Director of the Trust, should be addressed to the Chair of the Board of Directors (c/o Anna Chambers, Executive Officer).

- 5.8 Complainants should not approach individual governors to raise complaints as they have no power to act on an individual basis and it may also prevent them from considering complaints at later stages of the procedure.
- 5.9 We will not normally investigate anonymous complaints. However, the Academy/Trust, if appropriate, will determine whether the complaint warrants an investigation.
- 5.10 For ease of use, a template complaint form is included at the end of this procedure.
- 5.11 **Scope of this complaint procedure**

This procedure covers all complaints about any provision of services or community facilities by Brooke Weston Trust and its academies, other than complaints that are dealt with under other statutory procedures which are listed below:

Exceptions	Who to contact/Policy to refer to
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• Admissions	Admissions Policy
• Matters likely to require a Child Protection investigation	Safeguarding and Child Protection Policy
• Exclusions	Exclusions Policy
• Whistleblowing	Whistleblowing Policy
• Staff grievances	Grievance Procedure
• Staff conduct	Disciplinary Policy
• Complaints about services provided by other providers who may use school premises or facilities	Providers will have their own complaints procedures. Please contact them directly.

5.12 Timescales

Complaints must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this timeframe if exceptional circumstances apply (i.e. where new evidence has come to light, where the complaint is of an especially serious matter or where there is reasonable justification for why the complainant has been unable to raise the complaint before this time).

5.13 Requests to progress a complaint to the next stage of the complaints process must also be made within 15 school days of the date of the outcome of the previous stage. The complaint will be considered to be closed if no further contact is received from the complainant.

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

5.15 In every case an initial response will be provided as soon as possible and in any event within 5 school days and a substantive response provided as soon as possible or within 15 school days. The Trust will endeavour to abide by these timeframes however it acknowledges that in some circumstances this is not always possible due to the complexity of information needed to review a complaint or difficulties regarding an individual's availability to deal with the complaint. This could also include complaints where other bodies are investigating aspects of the complaint (e.g. the Police or the Local Authority) which may impact on our timescales. If it becomes apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the individual responsible for handling the complaint will contact the complainant as soon as possible and come to an agreed timeframe that works for all parties involved.

5.16 At any stage of the complaints process, the complainant will be invited to attend a face-to-face meeting with the person investigating or hearing the complaint. Where this is not practicable to do so within the stipulated timeframes or for other relevant reasons, the complainant will be contacted for a mutually agreed alternative to be found to mitigate any delays or concerns in the handling of the complaint.

5.17 Once the complaint has been expressed in writing a record of the process of the resolution of the complaint will be kept on the Complaints Action Record which will be retained by the Academy/Trust. The record will also set out the action taken by the Academy/Trust as a result of the complaint.

5.18 Withdrawal of a complaint

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

5.19 Resolving complaints

- 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 school policies in light of the complaint
- an apology.

Main Route

Stage 1

- 5.20** Formal complaints must be made to the Principal in writing, via the school office (unless they are the subject of the complaint – see paragraph 5.7). The Principal will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.
- 5.21** The Principal will appoint an investigating officer from the senior leadership team who is neither the Principal nor the subject of the complaint. At this stage, the complainant may request an alternative member of staff if they have a difficulty with the nominated member of the SLT.
- 5.22** This investigating officer will aim to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. During the investigation, the 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.
- 5.23** At the conclusion of the investigation the investigator will provide a formal written response to the complainant as soon as possible or within 15 school days of the date of receipt of the complaint. If for any reason this deadline cannot be met, the investigator will provide the complainant with an update and revised response date.
- 5.24** 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 Academy will take to resolve the complaint.
- 5.25** If the complainant is dissatisfied with the outcome of the complaint it may be referred to Stage 2 (see paragraph 5.13 for detail of timeframes in which this request is to be made).

Stage 2

- 5.26** Complainants who wish to pursue a formal complaint at Stage 2 should be asked to put the complaint and their desired outcome in writing to the Principal within 15 school days of receipt of the Stage 1 response. The complainant is invited to provide any relevant supplementary documentation to support their complaint.
- 5.27** The complaint will be heard by the Principal within 10 school days, where practicable, of being notified that the complainant is unhappy with the outcome of Stage 1. If it is not possible to deal with the matter in this time, the complainant should be informed of when it is likely to be concluded. The hearing will not involve any individual who has been involved in the previous stage of the complaint.
- 5.28** Once all the relevant facts have been established, the Principal (or designated member of staff) should either write to the complainant or arrange a meeting to discuss or resolve the matter, addressing each of the issues raised by the complainant. This meeting should be followed up with a letter summarising the outcome of the meeting. A substantive response to the complaint will be provided as soon as possible or within 15 school days.
- 5.29** The Principal (or designated member of staff) should keep written records of meetings, telephone conversations and other documentation.

- 5.30 If the complainant is dissatisfied with the outcome of the complaint after Stage 2 they may access Stage 3 of the procedure within 15 school days of receipt of the Stage 2 response (see paragraph 5.13 for further detail).

Stage 3

- 5.31 If the complainant is dissatisfied with the outcome at Stage 3 and wishes to take the matter further, they can escalate the complaint to Stage 3 by contacting the clerk of the governing body. An initial response will be provided as soon as possible and in any event within 5 school days.
- 5.32 The Local Governing Body will appoint a single governor to investigate the complaint. They may refer to any relevant documentation from the previous stages of the complaints process.
- 5.33 The Governor (on behalf of the Local Governing Body) will review all the information and may wish to discuss the complaint in more detail with the complainant as part of their investigation.
- 5.34 The Governor (on behalf of the Local Governing Body) will decide on the outcome and inform the complainant in writing of the decision (within 15 school days), together with details of the final stage of the complaints process if they remain dissatisfied. A meeting may also be arranged to convey the reasons for the decision.
- 5.35 Where the complainant is dissatisfied with the outcome of Stage 3 they may request to consider the complaint at Stage 4 (see paragraph 5.13 for detail of timeframes in which this request is to be made).

Stage 4 – Complaints Panel

- 5.36 This is the final stage of the of the complaints process. The complainant must write to the Chief Executive of The Brooke Weston Trust at Brooke Weston Coomb Road, Great Oakley, Corby, Northamptonshire, NN18 8LA (c/o Anna Chambers, Executive Officer) outlining the nature of the complaint. This should be actioned within 15 school days of receiving the stage 3 response.
- 5.37 An initial response confirming receipt of the complaint will be provided by the Chief Executive as soon as possible and in any event within 5 school days.
- 5.38 The Chief Executive will convene a complaints panel of 3 members to attend a hearing with the complainant within 15 school days of acknowledgment of the complaint, unless this is not reasonably practicable. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.
- 5.39 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 panel members must be independent to the management and running of the Academy. The panel will appoint its own Chair when it is constituted.
- 5.40 The complainant will be invited to attend the hearing. If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- 5.41 If the complainant wishes to attend the hearing, they may bring someone along to provide support. This can be a relative or friend. Generally, the Trust does not encourage either party to bring legal representatives to the panel hearing however there may be occasions when legal representation is appropriate. It is expected that the complainant informs the clerk to the panel of any additional person who may be attending.
- 5.42 Any written material will be circulated to all parties at least 5 school days before the date of the hearing. 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.

- 5.43 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.
- 5.44 The aim of the hearing will be to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the panel does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- 5.45 The panel 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.
- 5.46 Where a complaint involves a child, the panel, in conjunction the parent/guardian, will determine the degree of the child's involvement in the hearing. It would not normally be appropriate for the child to be present throughout the hearing. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of any adults at the meeting.
- 5.47 The outcomes of the complaints panel meeting are as follows:
- Dismiss the complaint in whole or in part
 - Uphold the complaint in whole or in part
- If the complaint is upheld in whole or in part, the committee will:
- Decide upon an appropriate action to resolve the complaint
 - Recommend changes to the Academy's or Trust's systems or procedures to ensure that problems of a similar nature to not recur
- 5.48 A substantive response to the complaint will provided by the Chair of the Panel as soon as possible or within 15 school days. The response will be sent to the parties to the complaint and any person complained about.
- 5.49 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 Brooke Weston Trust will take to resolve the complaint.
- 5.50 The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled. The response will be available for inspection at the Trust's premises.
- 5.51 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. All documentation relating to individual complaints will remain confidential and would not be disclosed except as required by law.

Route 2: Complaints escalated about a Brooke Weston Trust Principal, Executive Principal or member of the Central Team

5.52 Stage 1

If a complaint is regarding a Brooke Weston Trust Principal, Executive Principal or member of the Central Team, then the complaint should be sent to the Chief Executive. The Chief Executive will appoint an investigating officer to investigate the complaint.

- 5.53 The investigating officer will acknowledge receipt of the complaint in writing within 5 school days.

- 5.54 At the conclusion of the investigation the investigator will provide a formal written response to the complainant as soon as possible or within 15 school days of the date of receipt of the complaint. If for any reason the deadline cannot be met, the investigator will provide the complainant with an update and revised response date.
- 5.55 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 Academy will take to resolve the complaint.
- 5.56 If the complainant is dissatisfied with the outcome of the complaint it may be referred to Stage 2 (see paragraph 5.13 for detail of timeframes in which this request is to be made).
- 5.57 Stage 2 – Complaints Panel**
- 5.58 For route 2, this is the final stage of the of the complaints process. The complainant must write to the Chief Executive outlining the nature of the complaint. This should be actioned within 15 school days of receiving the stage 1 response.
- 5.59 An initial response confirming receipt of the complaint will be provided by the Chief Executive as soon as possible and in any event within 5 school days.
- 5.60 The Chief Executive will convene a complaints panel of 3 members to attend a hearing with the complainant within 15 school days of acknowledgment of the complaint, unless this is not reasonably practicable. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.
- 5.61 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 panel members must be independent to the management and running of the Academy/Trust. The panel will appoint its own Chair when it is constituted.
- 5.62 The complainant will be invited to attend the hearing. If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- 5.63 If the complainant wishes to attend the hearing, they may bring someone along to provide support. This can be a relative or friend. Generally, the Trust does not encourage either party to bring legal representatives to the panel hearing however there may be occasions when legal representation is appropriate. It is expected that the complainant informs the clerk to the panel of any additional person who may be attending.
- 5.64 Any written material will be circulated to all parties at least 5 school days before the date of the hearing. 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.
- 5.65 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.
- 5.66 The aim of the hearing will be to resolve the complaint and achieve reconciliation between the Academy/Trust and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the panel does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- 5.67 The panel 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.

- 5.68 Where a complaint involves a child, the panel, in conjunction the parent/guardian, will determine the degree of the child's involvement in the hearing. It would not normally be appropriate for the child to be present throughout the hearing. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of any adults at the meeting.
- 5.69 The outcomes of the complaints panel meeting are as follows:
- Dismiss the complaint in whole or in part
 - Uphold the complaint in whole or in part
- If the complaint is upheld in whole or in part, the committee will:
- Decide upon an appropriate action to resolve the complaint
 - Recommend changes to the Academy's or Trust's systems or procedures to ensure that problems of a similar nature to not recur
- 5.70 A substantive response to the complaint will provided by the Chair of the Committee as soon as possible or within 15 school days. The response will be sent to the parties to the complaint and any person complained about.
- 5.71 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 Brooke Weston Trust will take to resolve the complaint.
- 5.72 The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled. The response will be available for inspection at the Trust's premises.
- 5.73 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. All documentation relating to individual complaints will remain confidential and would not be disclosed except as required by law.

Route 3: Complaints about the Chair of Governors, any individual governor or the whole governing body

5.74 Stage 1

If a complaint is regarding a Chair of Governors, any individual governor or the whole governing body, then the complaint should be sent to the Chair of the Board (c/o Anna Chambers, Executive Officer). The Chair will appoint an investigating officer to investigate the complaint.

- 5.75 The investigating officer will acknowledge receipt of the complaint in writing within 5 school days.
- 5.76 At the conclusion of the investigation the investigator will provide a formal written response to the complainant as soon as possible or within 15 school days of the date of receipt of the complaint. If for any reason the deadline cannot be met, the investigator will provide the complainant with an update and revised response date.
- 5.77 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 Academy will take to resolve the complaint.
- 5.78 If the complainant is dissatisfied with the outcome of the complaint it may be referred to Stage 2 (see paragraph 5.13 for detail of timeframes in which this request is to be made).

5.79 Stage 2 – Complaints Panel

For route 3, this is the final stage of the of the complaints process. The complainant must write to the Chair of the Board outlining the nature of the complaint. This should be actioned within 15 school days of receiving the stage 1 response.

5.80 The process, as set out in paragraphs 5.58 to 5.73 will be followed.

Route 4: Complaints escalated about the Trust, the Chief Executive or Director of the Board

5.80 Stage 1

If a complaint is escalated to the Brooke Weston Trust or if a complainant wishes to complain directly about the Trust, the Chief Executive or a Director of the Board then the complaint should be sent to the Chair of the Board (c/o Anna Chambers, Executive Officer). The Chair will appoint an investigating officer to investigate the complaint.

5.81 The investigating officer will write to the complainant acknowledging the complaint within 5 school days of the date that the written request was received.

5.82 Following the investigation, the investigating officer will write to the complainant confirming the outcome within 15 school days of the date that the letter was received. If this time limit cannot be met, the investigating officer will write to the Complainant within 10 school days of the date that the letter was received, explaining the reason for the delay and providing a revised date.

5.83 If the complaint concerns the Chief Executive or a Director, 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.

5.84 If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Clerk to the Trust Board asking for the complaint to be escalated to stage 2 within 15 school days.

5.85 The Clerk 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.

5.86 Stage 2 – Complaints Panel

For route 4, this is the final stage of the of the complaints process. An initial response confirming receipt of the complaint will be provided by the Chair as soon as possible and in any event within 5 school days.

5.87 The process, as set out in paragraphs 5.58 to 5.73 will be followed.

5.88 If the complaint is:

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

Stage 2 will be heard by a completely independent committee panel.

Next Steps

5.89 If the complainant believes the Academy/Trust 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 education law, they can contact the ESFA after they have completed the final stage of the complaints process (stage 4 for main route or stage 2 for routes 2-3).

5.90 The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Brooke Weston Trust. They will consider whether the Trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

5.91 The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry

CV1 2WT

6. Serial, Persistent and Vexatious Complaints

- 6.1 Brooke Weston Trust seeks to provide assistance to people who are wishing to raise a concern or complaint, however where all stages of the complaints procedure have already been followed and the complainant remains dissatisfied and wishes to re-open the same issue, the Chief Executive will inform the complainant in writing that the procedure has been exhausted and that the matter is now closed from the Trust's point of view.
- 6.2 If further contact is received by the complainant, Brooke Weston Trust will consider it as a 'serial' or 'persistent' complaint which does not require a response. The decision not to respond will be based on the following:
- Brooke Weston Trust has taken every reasonable step to address the complainant's concerns
 - the complainant has been given a clear statement of the Trust's position and their options
 - the complainant contacts the Trust repeatedly, making substantially the same points each time
 - the letters, emails, or telephone calls are often or always abusive or aggressive
 - the complainant makes insulting personal comments about or threats towards staff
 - Brooke Weston Trust has reason to believe the individual is contacting the Trust with the intention of causing disruption or inconvenience

- 6.3 Brooke Weston Trust considers 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

In such cases, Brooke Weston Trust may take the decision not to respond, based on the considerations outlined in 6.2.

- 6.4 Complainants should limit the numbers of communications with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached. Whenever possible, the Principal or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking. If the behaviour continues, the Principal will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the school causing a significant level of disruption, the school may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.
- 6.5 In some circumstances, if an individual's behaviour is a cause for concern they can be asked to leave school premises. In some cases, individuals can be barred from entering school premises. Brooke Weston Trust will refer to the procedures outlined in the Parent and Visitor Code of Conduct in such cases. In other cases where there are concerns about an individual's behaviour towards specific member/s of staff, all communications from this individual will be routed to one designated point of contact within the school.
- 6.6 Further information on what the Trust considers as serial and unreasonable behaviour can be found in Annexe C.

7. Complaint Campaigns

- 7.1 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 an academy or the Trust) which are all based on the same subject.

7.2 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 academy/Trust's website (as applicable)

8. Policy Review

8.1 This policy will be monitored as part of the Academy's annual internal review and reviewed on a three year cycle or as required by legislature changes.

ANNEX A**Complaints Form**

Please complete and return to the Principal of the Academy who will acknowledge receipt and explain what action will be taken.

Your Name:	
Student's Name:	
Your relationship to the student (if relevant):	
Address:	
Postcode:	
Day time telephone number:	
Evening telephone number:	
Please give details of your complaint including any action you have you already taken to try and resolve your complaint?	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	
Date:	

Official Use:

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

ANNEX B

Checklist for Complaints Panel Meeting

Where possible, the Complaints Panel hearing should follow the format laid out below. This should only be deviated from with the consent of both parties. Some complainants may not feel comfortable speaking to or in front of the Principal and this should be taken into account when formalising the procedure. The meeting should be as informal as possible.

- Witnesses are only required to attend for the part of the meeting in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Principal may question both the complainant and the witnesses after each has spoken.
- The Principal is then invited to explain the Academy's actions and be followed by the Academy's witness.
- The complainant may question both the Principal and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Principal is then invited to sum up the Academy's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel as soon as possible but in any event within a seven day period.

ANNEXE C

Definition of serial and unreasonable behaviour

That which hinders the consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- introduces trivial or irrelevant information which the complainant expects to be considered 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
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- pursues complaints in a manner which causes ongoing distress to school staff or others
- aggressively pursues complaints in any manner not appropriate to an effective resolutions
- deliberately targets one or more members of school staff over a significant period of time
- 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

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

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.