



**SYNERGY**  
**EDUCATION**  
**TRUST**

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# Complaints Policy

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## Contents

|                                                                              |           |
|------------------------------------------------------------------------------|-----------|
| <b>1. Statement of Intent</b>                                                | <b>3</b>  |
| <b>2. Legal Framework</b>                                                    | <b>3</b>  |
| <b>3. Definitions</b>                                                        | <b>4</b>  |
| <b>4. Making a complaint</b>                                                 | <b>4</b>  |
| 4.1 Complaints procedure                                                     | 4         |
| 4.2 Complaints about school staff, trust staff, local governors and trustees | 5         |
| 4.3 Complaints Procedure Timeline                                            | 6         |
| 4.4 Serial and unreasonable complaints                                       | 7         |
| 4.5 Complaints campaigns                                                     | 8         |
| 4.6 Resolving a complaint                                                    | 8         |
| 4.7 Withdrawal of a complaint                                                | 8         |
| 4.8 Stage 1- informal complaint                                              | 9         |
| 4.9 Stage 2 – formal complaint                                               | 9         |
| 4.10 Stage 3- Panel Hearing                                                  | 10        |
| 4.11 Complaints escalated to / about the Trust, CEO or about any trustee     | 13        |
| 4.12 Next steps (reporting to the ESFA)                                      | 16        |
| <b>5. Barring from the premises</b>                                          | <b>17</b> |
| <b>6. Standard of fluency complaints</b>                                     | <b>17</b> |
| <b>7. Transferring of data</b>                                               | <b>18</b> |
| <b>8. Learning Lessons</b>                                                   | <b>18</b> |
| <b>9. Monitoring arrangements</b>                                            | <b>19</b> |
| <b>10. Appendix 1: Serial and Unreasonable Complaints Guidance</b>           | <b>19</b> |
| <b>11. Appendix 2: Roles and Responsibilities</b>                            | <b>21</b> |
| <b>12. Appendix 3: Stage 2 Complaints Proforma</b>                           | <b>26</b> |
| <b>13. Appendix 4: Stage 3 Complaints appeal proforma</b>                    | <b>28</b> |

## 1. Statement of Intent

Synergy Education Trust and its schools, aims to resolve complaints at the earliest possible stage and, where possible, informally, and is dedicated to continuing to provide the highest quality of education possible in all its schools throughout the procedure.

This policy has been created to handle complaints relating to any aspects of the provision of facilities or services against:

- Any member of staff.
- Any school within the trust.
- Any LGB of the trust.
- Individual trustees or the board of trustees.
- The trust as a whole.

It is designed to ensure that the trust's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality, and delivers an effective response and appropriate redress.

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

## 2. Legal Framework

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

This policy complies with our funding agreement and articles of association.

This policy also meets the requirements of section 35 of the schedule to the Education (Non-Maintained Special Schools) (England) Regulations 2011, which states that non-maintained special schools must have and make available a written procedure to deal with complaints relating to their school.

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

### 3. Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A concern is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- A complaint is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure. The Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff at any one of our schools, we will respect your views. In these cases, the Headteacher of the school concerned will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher 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.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the Trust/any of its schools will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

### 4. Making a complaint

#### 4.1 Complaints procedure

Any person, including a member of the public, can make a complaint about the provision of facilities or services that the trust provides. Complaints may also be made by a third party on behalf of a complainant, contingent on appropriate consent having been obtained to do so. All complaints made will be handled via the procedures outlined in this policy. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

The trust will not normally investigate anonymous complaints.

This policy does not cover complaints procedures relating to:

- Admissions – please follow admissions policy on website
- Statutory assessment of special educational needs– please contact the local authority
- Child Protection and Safeguarding matters– please follow the Trust safeguarding policy or contact the LADO on [lado@blackpool.gov.uk](mailto:lado@blackpool.gov.uk)
- Suspension and permanent exclusion– please follow Trust individual policy
- Whistle-blowing– please follow whistleblowing policy on website
- Staff grievances– please follow Trust individual policy
- Staff discipline and conduct– please follow Trust individual policy
- Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

All other complaints will be directed towards the procedures laid out in this policy.

Complainants may make complaints in person, in writing or by telephone. Complaints should be made using the appropriate channels of communication.

Complaints are expected to be made as soon as possible after an incident arises to amend the issue in an appropriate timescale. The trust upholds a **three-month** time limit in which a complaint can be lodged regarding an incident. Complaints made outside this time limit will be considered in exceptional circumstances. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.

Complaints received outside of term time will be treated as **being received on the first school day after the holiday period.**

A complaint can progress to the next stage of the procedure even if it is not viewed as “justified”. All complainants are given the opportunity to fully complete the complaints procedure.

#### 4.2 Complaints about school staff, trust staff, local governors and trustees

Complaints against staff of a school in the trust will:

- Be dealt with by the headteacher of the school or delegated to a member of the leadership team.

Complaints against a headteacher of a school in the trust will:

- Be dealt with by the Chair of the LGB of the school.

Complaints against local governors or trustees will:

- Be made in writing to the clerk, who will arrange for them to be heard.
- Be dealt with by the Chair of the LGB or the Chair of trustees, respectively.
- Potentially involve escalation to the trust board to investigate – this will be handled by the CEO.

Complaints against the Chair of trustees, or an entire LGB will:

- Be made in writing to the clerk, who will determine the most appropriate course of action dependent on the nature of the complaint.

Complaints against the Board of trustees will:

- Be dealt with by the CEO.

Complaints against staff in the central trust team will:

- Be dealt with by the CEO of the trust or delegated to a member of the leadership team.

Complaints against the CEO will:

- Be dealt with by the chair of trustees, with a panel hearing where applicable.

Complaints against the trust will:

- Be dealt with by the CEO.

#### 4.3 Complaints Procedure Timeline

| School Led Complaints – staff, head, local governors |                                                                                                                                                                                                                                                                                                                                                 |
|------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Stage                                                | Timeline                                                                                                                                                                                                                                                                                                                                        |
| Informal Complaint (Stage 1)                         | <p>Acknowledged within 5 school days</p> <p>Complaint recorded and further actions to resolve concern or complaint reported to parent over the phone/face to face or via email within 10 days.</p> <p><i>Please note in some cases – investigations can take some time. In these cases, the complainant will be given updates as to the</i></p> |

|                                                               | <i>stage of the investigation every 10 working days.</i>                                                                                                                                                                                            |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Formal Complaint (Stage 2)                                    | Acknowledged within 5 school days                                                                                                                                                                                                                   |
| Investigation and Response (Stage 2)                          | Written response within 15 school days of acknowledgment<br><i>Please note in some cases – investigations can take some time. In these cases, the complainant will be given updates as to the stage of the investigation every 10 working days.</i> |
| Panel Hearing (Stage 3)                                       | Must be requested within 5 days of Stage 2 closure<br>Acknowledged within 5 school days                                                                                                                                                             |
| Investigation (Stage 3)                                       | Panel convened within 10 school days of request                                                                                                                                                                                                     |
| Response (Stage 3)                                            | Written response within 15 school days of acknowledgment                                                                                                                                                                                            |
| <b>Trust led – central staff, CEO, Chair of LGB, trustees</b> |                                                                                                                                                                                                                                                     |
| Stage                                                         | Timeline                                                                                                                                                                                                                                            |
| Formal Complaint (Stage 2)                                    | Acknowledged within 5 school days                                                                                                                                                                                                                   |
| Investigation and Response (Stage 2)                          | Written response within 15 school days of acknowledgment                                                                                                                                                                                            |
| Panel Hearing (Stage 3)                                       | Must be requested within 5 days of Stage 2 closure<br>Acknowledged within 5 school days                                                                                                                                                             |
| Investigation (Stage 3)                                       | Panel convened within 10 school days of request                                                                                                                                                                                                     |
| Response (Stage 3)                                            | Written response within 15 school days of acknowledgment                                                                                                                                                                                            |

#### 4.4 Serial and unreasonable complaints

The Trust recognises that most complainants making use of this policy do so to reach a resolution to a specifically identified area of concern. However, there are some instances where complainants make unreasonable use of the policy/use it to make serial complaints to the school/Trust. Regardless of whether the complaint is directed towards one of the Trust's schools or the Trust itself, where the Trust deems complainants to be making serial or unreasonable use of this policy, they will be referred to Appendix 1, which has been

adapted from the DfE's guidance for schools, and the guidance therein will be implemented.

Separately, in situations where a complainant tries to reopen the same issue with the school/Trust, the Chair of the Local Governing Body of the school (where the complaint is regarding an issue at one of the Trust's schools)/Chair of the Trust Board (where the complaint is regarding a Trust level issue) will write to the complainant explaining that the complaint has been through all stages of the procedure, is now exhausted and the matter is now closed. Should the complainant attempt to reopen the same complaint after this notification, they will be immediately referred to Appendix 1.

#### 4.5 Complaints campaigns

Where the trust becomes the subject of a complaints campaign from complainants who are not connected with the trust, a standard, single response will be published on the trust's website.

If the trust receives many complaints about the same subject from complainants who are connected to the trust, e.g. parents, each complainant will receive an individual response.

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

#### 4.6 Resolving a complaint

At each stage in the procedure, the Trust and its schools want 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 school policies considering the complaint
- an apology.

#### 4.7 Withdrawal of a complaint

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



#### 4.8 Stage 1– informal complaint

It is to be hoped that most concerns can be expressed and resolved on an informal, face to face basis.

Concerns at any Synergy school at this stage, should be raised with either the class teacher, year head / subject head, senior leader or head of school.

The school/Trust will record the date the complaint is received and let you know any further action they have taken to resolve your complaint or concern.

NB. Complainants should not approach individual governors to raise concerns or complaints. Neither governors nor trustees have the power to act on an individual basis, and it may also prevent them from considering complaints at Stage 3 of the procedure.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal response within **ten** school days of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

#### 4.9 Stage 2 – formal complaint

This stage should only be used where Stage 1 has not resolved the complaint. Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person or in writing.

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

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

*Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*

During the investigation, the Headteacher (or appointed investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish; and will
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response within **fifteen** school days of the date of receipt of the complaint.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 that the school (and the Trust as a whole, if applicable) will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor from any Synergy school other than the one at which the complaint has been lodged, or any Synergy trustee, will be appointed to complete all the actions at Stage 2.

Complaints about the Headteacher or member of the school's governing body must be made to the CEO at [admin@seteducation.org.uk](mailto:admin@seteducation.org.uk). The CEO will liaise with the Trust's clerking service to make the necessary administrative arrangements.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- most of the governing body at any Synergy school, Stage 2 will be escalated to the CEO of the Trust.

The school office at which the complaint is lodged will retain all records of Stage 1 and Stage 2 of this procedure.

#### 4.10 Stage 3- Panel Hearing

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 governors, who can be from any Synergy school (including the school at which the complaint was lodged), who were not directly involved in the matters detailed in the complaint. The panel may also contain any number of Synergy trustees; one of the three-member panel will be independent of the management and running of the school at which

the complaint was lodged. The committee members will appoint a Chair in advance of the meeting (the Roles and Responsibilities section describes this role in more detail). This is the final stage of the complaint's procedure.

All requests to escalate to Stage 3, at any school, must be made to the Trust, via [admin@seteducation.org.uk](mailto:admin@seteducation.org.uk), within **five** days of receipt of the Stage 2 response.

The Trust will record the date the complaint is received and acknowledge receipt of the complaint in writing (by email) within **five** school days. The Trust will keep a record of all Stage 3 complaints.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Trust, with support from HR and Clerk to the Board, will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **ten** school days of receipt of the Stage 3 request. If this is not possible, the Trust will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Trust will decide when to hold the meeting. It will then proceed in the complainant's absence based on written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- most of the governing body at any Synergy school,

Stage 3 will be heard by a panel of at least three people: an independent panel member and at least two Synergy trustees.

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.

*Note: 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 (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

Representatives from the media are not permitted to attend.

At least ten school days before the meeting, the Trust 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, and
- request copies of any further written material to be submitted to the committee at least five school days before the meeting.

Any written material will be circulated to all parties at least **five** 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.

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.

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.

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.

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 (or, where appropriate, the Trust's) systems or procedures to prevent similar issues in the future.

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 fifteen school days of the date on which the complaint was received.

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 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 that the school concerned (and, where appropriate, the Trust as a whole) 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. Furthermore, they will be available for inspection at the Trust's office.

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. Records of Stages 1 and 2 will be kept locally at Trust schools; records of stage 3 complaints will be held at the Trust's office.

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.

#### 4.11 Complaints about the Trust, CEO or about any trustee

If a complainant wishes to complain directly about the Trust, then the complaint should be sent to the CEO to be investigated (via the address [admin@seteducation.org.uk](mailto:admin@seteducation.org.uk))

The CEO may delegate responsibility to a member of the leadership team who will write to the complainant acknowledging the complaint within **five** school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage two of this Complaints Policy and will confirm the date for providing a response to the complainant

Following the investigation, the CEO (or delegate) will write to the complainant confirming the outcome within **fifteen** school days of the date that the letter was received. If this time limit cannot be met, the CEO (or delegate) will write to the Complainant within five school days of the date that the letter was received, explaining the reason for the delay and providing a revised date.

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.

*Note: 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*

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the CEO asking for the complaint to be heard before a Complaint Panel, within **five** school days.

The CEO (or delegate) will record the date the complaint is received and acknowledge receipt of the complaint in writing (by email) within **five** school days

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The CEO (or delegate) will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within ten school days of receipt of the Stage 3 request. If this is not possible, the CEO (or delegate) will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the CEO (or delegate) will decide when to hold the meeting. It will then proceed in the complainant's absence based on written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust board or
- most of the trust board of Synergy,

Stage 3 will be heard by a completely independent committee panel

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. Trustees may not sit on the panel, but Company Members of the Trust may occupy two of the three panel positions.

One of the Complaint Panel members will be independent of the management and running of the Trust. This means that the independent Complaint Panel member will not be a member, a trustee or an employee of the Trust.

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 trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

*Note: 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.*

Representatives from the media are not permitted to attend.

At least ten school days before the meeting, the CEO (or delegate) 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, and
- request copies of any further written material to be submitted to the committee at least five school days before the meeting.

Any written material will be circulated to all parties at least five 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.

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 2 of the procedure.

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.

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

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; and
- where appropriate, recommend changes to the Trust's systems or procedures to prevent similar issues in the future.

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 **fifteen** school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Synergy Education 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 to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection at the Trust's offices.

A written record will be kept of all complaints, and of whether they are resolved at Stage 2 or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

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.

#### 4.12 Next steps (reporting to the DFE)

If the complainant believes the school / Trust / both 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 DFE.

The DFE will not normally reinvestigate the substance of complaints or overturn any decisions made by the Trust or any of its schools. They will consider whether the Trust or any of its schools have 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. Barring from the premises**

School premises are private property and therefore any individual may be barred from entering the premises.

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

The headteacher will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and why, subject to any representations that the individual may wish to make. The individual involved will be given the opportunity to formally express their views regarding the decision to bar them.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including via email, to the headteacher or chair of governors.

## **6. Standard of fluency complaints**

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

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

The trust will be satisfied that an individual has the necessary level of fluency appropriate for the role they will be undertaking, whether this is an existing or potential new member of staff.

If a member of the school community feels that a staff member has insufficient proficiency in spoken English for the performance of their role, they are required to follow the 'Complaints procedure' outlined in this policy.

For this policy, a "legitimate complaint" is one which is about the standard of spoken English of a member of staff; complaints regarding an individual's accent, dialect, manner or tone of communication are not considered legitimate complaints. All legitimate complaints regarding the fluency duty will be handled in line with the processes detailed in this policy.

In addition to the processes outlined in this policy, the trust will assess the merits of a legitimate complaint against the necessary standard of spoken English fluency required for the role in question.

To assess the merits, the academy at which the staff member works will undertake an objective assessment against clear criteria set out in the role specification or, against the level of fluency descriptors relevant to the role in question.

If the complaint is upheld, the trust will consider what action is necessary to meet the fluency duty. This may include:

- Specific training.
- Specific re-training.
- Assessment.
- Redeployment.
- Dismissal.

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

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

## **7. Transferring of data**

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

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

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

## **8. Learning Lessons**

The Trust leadership team will review any underlying issues raised by complaints with the head where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school/trust can make to its procedures or practice to help prevent similar events in the future.

The CEO will receive regular reports on the types of complaints received in each school to support the development of appropriate support structures, and to inform any improvements to procedures or practice.

## 9. Monitoring arrangements

- The local governing body will monitor the effectiveness of the school complaints procedure in ensuring that complaints are handled properly.
- The Chief Operating Officer will track the number and nature of complaints, and review underlying issues as stated in the section entitled 'Learning lessons.
- The complaints records are logged and managed by School Leadership Team and the Trust COO.
- The COO will monitor the effectiveness of the complaint's procedure trust wide.
- This policy will be reviewed by COO and CEO at least once every 3 years.
- At each review, the policy will be approved by the Trust board.

## 10. Appendix 1: Serial, Unreasonable and Vexatious Complaints Guidance

Synergy Education Trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our schools or with our Trust. However, we do not expect our staff to tolerate unreasonable and unacceptable behaviour, and we will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Our Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school/Trust 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 cooperate 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 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 complaints policy and procedure has been fully and properly implemented and completed including contact details being provided for the Department for Education.
- seeks an unrealistic outcome.
- 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.
- uses threats to intimidate.
- uses abusive, offensive or discriminatory language or violence.
- knowingly provides falsified information; or
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school/Trust 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 Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact any of our schools, or the Trust Office, causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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

## 11. Appendix 2: Roles and Responsibilities

|             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Complainant | <p>The complainant will receive a more effective response to the complaint if they:</p> <ul style="list-style-type: none"> <li>• Explain the complaint in full as early as possible and provide all relevant evidence</li> <li>• Co-operate with the school in seeking a solution to the complaint</li> <li>• Respond promptly to requests for information or meetings or in agreeing the details of the complaint</li> <li>• Ask for assistance as needed</li> <li>• Treat all those involved in the complaint with respect</li> <li>• Refrain from publicising the details of their complaint on social media and respect confidentiality.</li> </ul> |
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| Investigator | <ul style="list-style-type: none"> <li>• The investigator's role is to establish the facts relevant to the complaint by:</li> <li>• Providing a comprehensive, open, transparent and fair consideration of the complaint through:</li> <li>• Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved, (this may be face to face, virtual or telephone based).</li> <li>• Interviewing staff and children/young people and other people relevant to the complaint</li> <li>• Consideration of records and other relevant information</li> <li>• Analysing information</li> <li>• Liaising with the complainant as appropriate to clarify what the complainants feels would put things right.</li> </ul> <p>The investigator should:</p> <ul style="list-style-type: none"> <li>• Conduct interviews with an open mind and be prepared to persist in the questioning</li> <li>• Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting</li> <li>• Ensure that any papers produced during the investigation are kept securely</li> <li>• Be mindful of the timescales to respond</li> <li>• Prepare a comprehensive report for the Head or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.</li> <li>• The Head or complaints committee will then determine whether to uphold or dismiss the complainant and communicate that decision to the complainant, providing the appropriate escalation details.</li> </ul> |
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| <p>Clerk to the Governing Body</p> | <p>The Clerk is the contact point for the complainant and the committee and should:</p> <ul style="list-style-type: none"> <li>• Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relation 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).</li> <li>• 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.</li> <li>• Collate any written material relevant to the complaint (for example, stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale.</li> <li>• Record the proceedings</li> <li>• Circulate the minutes of the meeting</li> <li>• Notify all parties of the committee's decision</li> </ul> |
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| Committee Chair | <p>The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• 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</li> <li>• 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</li> <li>• The remit of the committee is explained to the complainant</li> <li>• 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.</li> <li>• 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</li> <li>• The issues are addressed</li> <li>• Key findings of fact are made</li> <li>• The committee is open-minded and acts independently</li> <li>• 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</li> <li>• The meeting is minuted</li> <li>• They liaise with the Clerk</li> </ul> |
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| Committee Member | <p>Committee members should be aware that:</p> <ul style="list-style-type: none"> <li>• The meeting must be independent and impartial, and should be seen to be so, no governor may sit on the committee if they have had a prior involvement in the complaint or the circumstances surrounding it.</li> <li>• The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.</li> <li>• 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</li> <li>• Many complainants will feel nervous and inhibited in a formal setting. Parents / carers often feel emotional when discussing an issue that affects their child.</li> <li>• 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.</li> <li>• The committee should respect the views of the child/young person and give them equal consideration to those of adults.</li> <li>• 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.</li> <li>• Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which part of the meeting, if any, the child/young person needs to attend.</li> <li>• 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.</li> <li>• The welfare of the child/young person is paramount</li> </ul> |
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## 12. Appendix 3: Stage 2 Complaints Proforma

Please complete and return to ..... (Head of School/ Head)

who will acknowledge receipt and explain what action will be taken.

|                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------|
| Your Name:                                                                                                                      |
| Pupil's Name:                                                                                                                   |
| Your Relationship to the Pupil:                                                                                                 |
| Address:                                                                                                                        |
| Post Code:                                                                                                                      |
| Daytime Telephone Number:                                                                                                       |
| Evening Telephone Number:                                                                                                       |
| Please give details of your complaint:                                                                                          |
| What action, if any, have you already taken to try and resolve your complaint (who did you speak to and what was the response): |

What actions do you feel might resolve the problem at this stage:

Please provide any evidence or information to support your complaint. Please list attachments that you are providing.

Signature:

Date:

OFFICIAL USE

Date Acknowledgement Sent:

By Whom:

Complaint Referred to:

Date:

### 13. Appendix 4: Stage 3 Complaints appeal proforma

Please complete and return to ..... who will acknowledge receipt and explain what action will be taken.

|                                                                                  |
|----------------------------------------------------------------------------------|
| Your Name:                                                                       |
| Pupil's Name:                                                                    |
| Your Relationship to the Pupil:                                                  |
| Address:                                                                         |
| Post Code:                                                                       |
| Daytime Telephone Number:                                                        |
| Evening Telephone Number:                                                        |
| Please give details of the grounds for your complaint:                           |
| What concerns remain outstanding from your initial Stage 2 complaint submission. |

What actions do you feel might resolve the outstanding concerns at this appeal stage:

Please provide all supporting evidence regarding this appeal which you wish to be considered by the panel:

Signature:

Date:

OFFICIAL USE

Date Acknowledgement Sent:

By Whom:

Complaint Referred to:

Date: