



# Complaints Policy

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| Policy No.            | 010A                    |
| Approved by           | Trust Board             |
| Owned by              | Chief Executive Officer |
| Effective Date        | 1 September 2026        |
| Date of next revision | 1 September 2028        |
| Version No.           | 1                       |

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## 1. Aims

The aim of this policy is to **resolve complaints** or concerns about The Heath Family Trust (the “Trust”, any school within the Trust or any individual connected with the Trust), in a fair, thorough and transparent way. The Trust takes complaints seriously and views them as a chance to learn and improve for the future. **Resolution should remain the core objective throughout the complaints process.**

We want all children, families and staff to feel heard, respected and supported. Most concerns can be resolved quickly through calm and open conversation. Where concerns cannot be resolved informally, this policy sets out a fair, structured process for handling complaints.

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.” The school will resolve concerns through day-to-day communication as far as possible.
- **A complaint** is defined as “an expression of dissatisfaction about actions taken or a lack of action.”

We encourage parents and carers to raise concerns early so that we can work together constructively to seek resolution.

Please note that:

- School days in this policy refers to days when a school is open to pupils for teaching and does not include INSET days.
- References to ‘parents’ in this policy include carers

This policy applies to all schools within the Trust.

## 2. Our principles

Our Trust aims to meet its statutory obligations when responding to complaints, both from parents/carers of pupils at the school, and others.

Underpinned by our Trust values of Kindness, Integrity and Tenacity we are committed to an approach that is restorative; focussed on understanding and repair. We will use all feedback as an opportunity for improvement, feeding learning into school and Trust-level evaluation and development.

When responding to complaints, we will:

- Listen carefully and respectfully.
- Seek to understand before responding.
- Avoid defensiveness.
- Respond proportionately to the issues raised.
- Maintain clear and timely communication.
- Protect confidentiality.

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We ask complainants to:

- Communicate respectfully
- Focus on resolution
- Share clearly what they would like us to know
- Tell us what they would like to happen

**At every stage we will ask:**

**“Please tell us what you would like us to know and what you would like to happen.”**

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The Trust will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will make sure we publicise the existence of this policy and make it available on our website, and on the websites of our schools.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

### 3. Legislation and guidance

This document 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 in our Trust. It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations, and refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association. In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the Trust’s fulfilment of Early Years Foundation Stage (EYFS) requirements.

### 4. Scope

This policy does **not** cover complaints procedures relating to:

- admissions;
- child protection and safeguarding investigations;
- Suspension and permanent exclusions;
- school re-organisation proposals;
- data protection and freedom of information complaints;
- services provided by third party suppliers/contractors who may use the Trust’s premises;
- employee grievances and disciplinary procedures;
- withdrawal from the curriculum;
- statutory assessment of special educational needs; and,
- whistleblowing.

See section 14 for links with other policies.

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## 5. Roles and responsibilities

### 5.1 The complainant

The complainant should:

- Follow these procedures
- Co-operate with the school or Trust throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Not publish details about the complaint on social media

### 5.2 The investigator

An individual will be appointed to look into the complaint and establish the facts, and respond to the complainant, along the lines indicated in sections 8 and 9 below, as appropriate.

### 5.3 The Complaints Manager

The Complaints Manager can be:

- The Principal/Headteacher or a nominated member of staff

The Complaints manager will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with members of staff as appropriate.
- Be aware of issues relating to:
  - Sharing third-party information
  - Additional support needed by complainants; for example, interpretation support or where the complainant is a child or young person
- Keep records

### 5.4 The Trust Complaints Process

A nominated member of the executive team has overall responsibility for ensuring the implementation of the policy.

They will monitor all formal complaints to ensure consistency and identify any learning from individual cases that can be shared across the Trust.

For complaints at stage 2, or above, they will follow up with schools/Trust any recommendations outlined by the investigator to seek assurance that actions have been taken and learning implemented as appropriate.

## 6. Timescales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where we determine there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

## 7. Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the Trust's fulfilment of the Early Years Foundation Stage requirements and notify the complainant of the outcome within 28 days of receiving the complaint. Schools will keep a record of the complaint and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that a school is not meeting Early Year Foundation Stage requirements, by:

- Calling 0300 123 4666
- Emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)
- Using the online contact form available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>

Schools will notify parents and carers if they become aware that they are to be inspected by Ofsted. Schools will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

## 8. Complaints procedure for parents /carers of current pupils

This policy works on the basis that a complainant has sought to resolve their complaint informally with the school/Trust in the first instance. If however this has not enabled the concerns to be resolved then a more formal process will be followed.

The complaints procedure consists therefore of 4 stages:-

**Initial stage:** Informal resolution

**Stage 1-** Formal Resolution: Investigation by a Nominated Individual at school level

**Stage 2** - Formal Resolution: Investigation by a Nominated Individual at Trust level

**Stage 3** - Formal Resolution: Review Panel

### 8.1 Initial stage: Informal Resolution

The Trust will take informal concerns seriously and make every effort to resolve that matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

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Any matter of concern or complaint should first be raised, and attempted to be resolved, on an informal basis.

Generally, it is expected that where the matter relates to a pupil it will have been raised with relevant staff in the school before a request is made to deal with it under the formal stages of this policy.

The complainant should raise the concern as soon as possible with the relevant member of school staff or the Headteacher/Principal. If the complainant is unclear who to contact or how to contact them, they should contact their school office.

The school (or Trust, where the concern does not relate to an individual school) will aim to respond to and resolve concerns within five days of the issue being raised.

The informal stage may involve a meeting or call between the complainant and a member of staff appointed by the school to look into the concern and/or the subject of the concern, if appropriate. Any relevant documentation will also be reviewed at this stage.

At Stage 1, staff will ask the person raising the complaint:

- What happened?
- What would you like us to understand?
- What outcome would be helpful?

#### **Initial stage: Peer Support**

If a member of staff feels unsure about interpretation or response, they may request an internal peer review to ensure fairness and proportionality.

Learning from Stage 1 is recorded and reviewed.

If the concern is not resolved informally, to the satisfaction of the complainant, it should be escalated to a formal complaint.

## **8.2 Stage 1: Formal Resolution: Investigation by a Nominated Individual (at school level)**

A complaint enters stage 1 when:

- The parent escalates the matter following an informal stage complaint;
- No informal stage has been carried out, but the parent requests a formal investigation and the school agrees that the informal stage can be bypassed;
- The school determines the matter is sufficiently complex or serious.

### **8.2.1 Submitting a complaint at Stage 1**

The formal stage involves the complainant putting the complaint in writing (unless the complainant has sufficient reason to request a reasonable adjustment be made to amend this).

Complaints at stage 1 must be submitted directly to the school's complaints manager within 10 days of any informal stage response (where applicable).

Otherwise, parents must submit a complaint using the school's online form which can be accessed via the QR code or link:



[Complaints Form – Fill in form](#)

The complainant should set out:-

- What happened and what they want us to know (the grounds of the complaint)
- What they would like to happen (the outcome sought)

The written communication should be submitted alongside copies of any relevant documents.

If complainants have trouble accessing the online form, or need advice in raising a formal complaint, they can contact the school's Complaints Manager for assistance.

The complainant will receive written acknowledgement of their complaint within 3 school days.

### 8.2.2 Addressing the complaint

The school will ensure that a senior member of staff from the school is appointed to investigate.

The investigation will be carried out by the nominated individual who will offer the parent a meeting. Whenever reasonably practicable, the meeting with the parent will take place within 10 days of the written complaint being received.

As part of the Stage 1 process the investigator will ask the person raising the complaint:-

- What happened?
- What would you like us to understand?
- What outcome would be helpful?

The Investigator will meet with any other relevant witnesses as well as reviewing any other evidence relevant to the complaint.

The investigator will put her/his findings in writing and will detail any actions taken to investigate the complaint, providing a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of recommendations to resolve the complaint as well as any learning for the school/Trust.

The school may also seek to resolve the complaint at this stage through further discussion with the complainant, clarification of any outstanding concerns, mediation, or a meeting with an appropriate senior member of staff.

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Whenever reasonably possible, this will be done within 15 school days of any meeting with the parent; if no meeting is arranged and whenever reasonably possible, it will be within 25 school days of the written complaint being received.

If the school is unable to meet this deadline, the Complaints Manager or Investigator will provide the complainant with an update and revised response date.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they must contact the Complaints Manager within 10 days of receipt of the notification of outcome where it will be escalated to Stage 2: Formal resolution: Investigation by a Nominated Individual (at Trust level).

#### **Stage 1: Peer Support**

The investigator, the headteacher/Principal or Trust complaints manager may commission a stage 1 internal peer review to:

- Check fairness
- Review interpretation of behaviour
- Assess proportionality
- Provide quality assurance

Please note that a peer review supports confidence in the outcome and is not a disciplinary.

### **8.3 Stage 2: Formal Resolution: Investigation by a Nominated Individual (at Trust level)**

A complaint enters stage 2 when:

- The parent escalates the matter following a Stage 1 complaint
- The parent escalates the matter following an informal stage concern regarding the Headteacher/Principal.
- The school determines the matter is sufficiently complex or serious.

For complaints starting at this stage (eg regarding the Headteacher/Principal) written communication must be made via The Trust's online form accessed via the QR code or link:



[Complaints Form – Fill in form](#)

For complaints that have been escalated from Stage 1: details will be passed on to The Trust Complaints Manager by the school.

The complainant will receive written acknowledgement of their complaint being managed at Stage 2 within 3 school days.

At Stage 2 the Trust complaints manager will ensure that a senior member of staff from the central team/another Trust school is appointed to investigate. Where appropriate, and where this does not compromise impartiality, the Principal of the school concerned may also be appointed or involved in the investigation. (Please note that in the case of a complaint regarding the CEO or a governor/Trustee an independent investigator may be sought from outside of The Heath Family.)

The investigator will offer the parent a meeting. Whenever reasonably practicable, the meeting with the parent will take place within 10 days of the stage 2 complaint being received.

As part of the Stage 2 process the investigator will ask the person raising the complaint:-

- What happened?
- What would you like us to understand?
- What outcome would be helpful?

The Investigator will meet with any other relevant witnesses as well as reviewing any other evidence relevant to the complaint.

The investigator will put her/his findings in writing and will detail any actions taken to investigate the complaint, providing a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of recommendations to resolve the complaint as well as any learning for the school/Trust.

Whenever reasonably possible, this will be done within 15 school days of any meeting with the parent; if no meeting is arranged, whenever reasonably possible it will be within 25 school days of the written complaint being received.

If the Trust is unable to meet this deadline, the Trust Complaints Manager or Investigator will provide the complainant with an update and revised response date.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they must contact the Trust complaints manager within 10 days of receipt of the notification of outcome. They will escalate the complaint to Stage 3: Review Panel.

### **Stage 2: Peer Support**

The investigator, Trust Complaints Manager or CEO may commission a Stage 2 internal peer review to:

- Check fairness
- Review interpretation of behaviour
- Assess proportionality
- Provide quality assurance

Please note that a peer review supports confidence in the outcome and is not a disciplinary.

## 8.4 Stage 3: Review panel

### 8.4.1 Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the Stage 2 response.

The Complaints panel will be appointed by or on behalf of the Trust and must consist of at least 3 people who have had no prior connection with the complaint. At least one panel member must be independent of the management and running of the school.

The independent panel member may include, but is not limited to, persons from the following categories:-

- i) A member of a Local Governing Body from another school within the Trust.
- ii) A member of a Local Governing Body or Trustee from another Academy Trust.

The panel will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 10 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

The Trust will endeavour to circulate any written material to all parties at least 5 school days before the date of the meeting.

### 8.4.2 At the meeting

The meeting will be held in private. A formal electronic recording will be taken and shared with all parties. No other recordings are permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

At the review meeting, the panel will meet with the complainant. The complainant must be allowed to attend the hearing and be accompanied if they wish. The meeting can take place in person or virtually.

The complainant will have the opportunity to put forward her/his reasons for dissatisfaction and to expand upon on them but may not introduce reasons that were not previously put in writing or raise new complaints. The Complaints Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

As part of their review, the panel may then choose to meet individually with representatives from the school/Trust including the investigator. Alternatively they may seek further information via email for example if seeking responses to key questions.

All parties will have an opportunity to set out written or oral submissions prior to the meeting.

We do not encourage either party to bring legal representation but we recognise there are occasions where legal representation may be appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

### 8.4.3 The outcome

The aim of the panel hearing is to continue to find a resolution and a satisfactory outcome for all parties.

The panel can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school or Trust systems or procedures to prevent similar issues in the future

The Complaints Manager will inform those involved of the decision in writing within 5 school days. If the panel are unable to meet this deadline, the clerk will provide the complainant with an update and revised response date.

## 8.5 Complaints against specific role-holders

### 8.5.1 Complaints made against the Principal/Headteacher

Any concerns regarding the Principal/Headteacher will be investigated as per Stage 2: Formal Resolution: Investigation by a Nominated Individual (at trust level).

### 8.5.2 Complaints made against the Chief Executive Officer

If the complaint is against the Chief Executive Officer, it is the Chair of Trustees who will investigate the complaint (or appoint another member of the Board of Trustees to do so) in the same way as per Stage 2 – Formal Resolution process.

### 8.5.3 Complaints made against a governor/trustee

Complaints made against a governor/trustee will be investigated as per Stage 2: Formal Resolution: Investigation by a Nominated Individual.

## 9. Complaints raised by those who are not parents/carers of current pupils.

Complaints made by those who are not parents of current pupils, which includes complaints made by parents of former pupils after they have left the school, will be dealt with as follows:

- a) Complainants should first attempt to address their complaint to the relevant school or the Trust (as appropriate) informally by raising the matter with a relevant member of school or Trust staff, within 3 months of the incident or, where a series of associated incidents have occurred, within 3 months of the last of these incidents.

The school/Trust (depending on the nature of the complaint) will seek to resolve the matter informally within 15 school days.

- b) If it is not possible to resolve the matter informally, the complaint must be submitted in writing via the QR code or link:



[Complaints Form – Fill in form](#)

The complaint will be acknowledged within 5 school days and a final written response will be issued within 15 school days.

With the exclusion of the section outlining the “Complaints Procedure for parents / carers of current pupils” the remainder of the policy applies.

Note: Where the complaints process has been started (but not completed) whilst parents/carers have children at the school, but the children have since left, the procedure for current parents should continue to be used.

## 10. Referring complaints on completion of the school and Trust procedures

If the complainant is unsatisfied with the outcome of the school or Trust complaints procedure, they can refer their complaint to the Department for Education (DfE). The DfE will check whether the complaint has been dealt with properly. The DfE will not overturn the school or Trust’s decision about a complaint but can take certain interventions in certain circumstances.

For more information or to refer a complaint, see the following webpage:

[www.gov.uk/complain-about-school](http://www.gov.uk/complain-about-school)

We will include this information in the outcome letter to complainants.

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## 11. Persistent complaints

### 11.1 Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously.

However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following this complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory, or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner, e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

#### Steps the Trust will take

The Trust will take every reasonable step to address the complainant's concerns and give them a clear statement of the Trust's position and their options. The Trust will maintain the role of an objective arbiter throughout the process, including when meetings are held with individuals. The Trust will follow this complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school or Trust in a disruptive way, communication strategies may be put in place. The school/Trust may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

#### Stopping responding

The school/Trust may stop responding to the complainant when all of these factors are met:

- The school/Trust has taken all reasonable steps to help address their concerns
- The complainant has received a clear statement of the school's/Trust's position and their options
- The complainant contacts the school/Trust repeatedly, and the school/Trust believes their intention is to cause disruption or inconvenience

The Trust will inform the individual that they intend to stop responding and explain that any new complaints will still be considered.

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In response to any serious incident of aggression or violence, the school/Trust will immediately inform the police and communicate these actions in writing.

The Trust reserves the right to bar an individual from the school/trust site in line with guidance.

### 11.2 Complaint campaigns

Where the school/Trust receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school/Trust may respond to these complaints by:

- Publishing a single response on the school/Trust website
- Sending a template response to all the complainants

If complainants are not satisfied with the school's/Trust's response, or wish to pursue the complaint further, the normal procedures will apply.

### 11.3 Record-keeping and confidentiality

The Trust will record the progress of all complaints, including information about:

- Actions taken at all stages
- The stage at which the complaint was resolved
- The final outcome

The record will also include copies of letters and emails, and notes related to meetings and phone calls.

This material will be treated as confidential and stored securely and will be viewed only by those involved in investigating the complaint or on the review panel.

However, there may be occasions when there is a legal obligation to permit a third party to inspect the records or for them to be provided as evidence to relevant agencies or in judicial proceedings.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and [records management policy / record retention schedule].

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Trust.

## 12. Learning and improvement

We view complaints as opportunities to improve and therefore at every stage seek to capture any learning.

The CEO will review any underlying issues raised by complaints to determine whether there are any improvements that the Trust can make to its procedures or practice to help prevent similar events in the future.

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

### 13. Support for staff

Any staff involved who are feeling unduly stressed or impacted should seek support from their line manager. Staff can also access support via the Trust's Employee Assistance Programme which can be accessed via the link: <https://wisdom.healthassured.org/home>

### 14. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Suspension and permanent exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- Special educational needs policy and information report
- Privacy notices

### 15. Monitoring arrangements

This policy will be reviewed and approved by the Trust Board every two years.

## Appendix 1 – The Heath Family Trust Complaints Form

By following the links included in this policy complainants will be prompted to provide the following information regarding their concerns.

Please note that a formal complaint should only be raised after a matter has been raised informally under section 8.1 of the Complaints Policy and you are not satisfied with the response.

Please refer to the Complaints Policy when submitting a formal complaint.

|                                                                                                               |  |
|---------------------------------------------------------------------------------------------------------------|--|
| <b>Your details</b>                                                                                           |  |
| Name                                                                                                          |  |
| Email                                                                                                         |  |
| Address                                                                                                       |  |
| Name of pupil, year group and your relationship to them (if applicable)                                       |  |
| <b>Complaint details</b>                                                                                      |  |
| School name (if complaint relates to a specific school)                                                       |  |
| Grounds of complaint:<br>What happened?<br>What would you like us to understand?                              |  |
| What steps have been taken to resolve the complaint informally (as per section 8.1 of our complaints policy)? |  |
| <b>Outcome sought</b>                                                                                         |  |
| What outcome would be helpful to resolve the matter?                                                          |  |

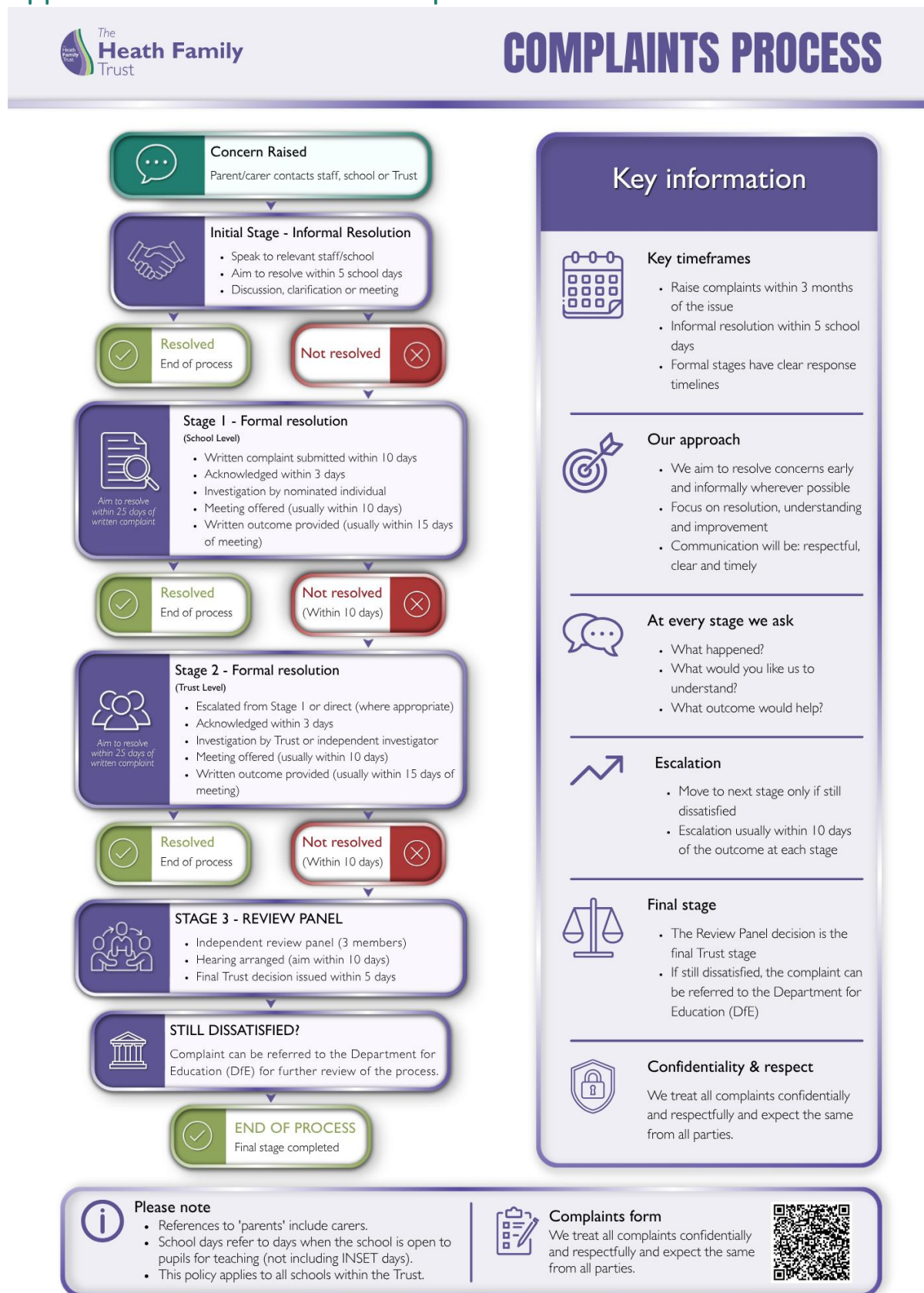
Signed.....

Date.....

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## Appendix 2 – Flow Chart of Complaint Process



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