



MERCHANT TAYLORS' OXFORDSHIRE ACADEMY TRUST

COMPLAINT PROCEDURE

June 2026

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1. Statement of Intent

We take all concerns and complaints seriously and are committed to resolving them fairly, openly and promptly. Wherever possible, we aim to resolve issues informally at the earliest stage, while maintaining our high standards of education and care throughout.

1.1 Purpose of this procedure

This procedure ensures that our complaints procedure is:

- Straightforward and accessible
- Impartial and non-adversarial
- Thorough and fair
- Respectful of confidentiality
- Effective in delivering appropriate outcomes

The trust will ensure that the complaints procedure:

- Is easily accessible and publicised on its website
- Is simple to understand and put into practice
- Involves thorough investigation and, where necessary, by an independent person

1.2 Key principles

- Complaints can be resolved or withdrawn at any stage
- We aim to resolve complaints as quickly as possible while ensuring thoroughness
- The person who receives a complaint will delegate an appropriate person to manage it
- Timescales provided in this procedure are estimates, and all parties will be kept informed if timeframes need to change.

1.3 Scope

This procedure applies to complaints about:

- Any member of staff
- Any school within the trust
- Individual governors or the governing body of a school in the trust
- Individual trustees or the board of trustees.
- The trust as a whole

This procedure is applicable for all schools within the Merchant Taylors' Oxfordshire Academy Trust (MTOAT):

- Aylesbury UTC
- Brightwell Primary School

- Wallingford School

1.4 Flexibility and reasonable adjustments

The trust recognises its duty under the Equality Act 2010 to make reasonable adjustments to minimise disadvantages for people with disabilities. While this procedure sets out our standard procedures and timeframes, we will make reasonable adjustments to ensure all complainants can access and participate in this process. Any adjustments will be documented, and all parties will be kept informed.

1.5 Our approach to resolving complaints

At each stage of the complaint procedure, the trust is committed to resolving complaints fairly and constructively. Where a complaint is upheld (in whole or in part), we may offer one or more of the following:

- **An explanation** of what happened and why
- **An acknowledgement** that the situation could have been handled better
- **An assurance** that we will try to ensure the incident does not occur again
- **An action plan** outlining steps that have been or will be taken to prevent recurrence, with indicative timescales
- **A procedure review** if the complaint highlights a gap or issue in our procedures
- **An apology**

In line with DfE guidance, any acknowledgement that the trust could have handled a situation better is not an admission of unlawful or negligent action.

1.6 Further guidance

DfE guidance for best practice in school complaints policies:

<https://www.gov.uk/government/publications/setting-up-an-academies-complaints-procedure/best-practice-guidance-for-academies-complaints-procedures>

School complaints and whistleblowing guidance:

<https://www.gov.uk/education/school-complaints-and-whistleblowing>

2. Legislative Framework and Related Policies

This procedure has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Freedom of Information Act 2000
- Education Act 2002
- Equality Act 2010
- The Education (Independent School Standards) Regulations 2014
- Immigration Act 2016

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'
- DfE (2025) 'Academy trust handbook 2024'
- The School Admissions Code 2021

This procedure operates in conjunction with the following school policies:

- Admissions Policy
- Safeguarding and Child Protection Policy
- Equality Information and Objectives Policy
- Behaviour Policy
- Suspensions and Exclusions Policy

Also, the following trust policies:

- MTOAT Whistleblowing Policy
- MTOAT Grievance Policy
- MTOAT Data Protection Policy
- MTOAT Management and Retention of Records Policy

3. Definitions

For the purpose of this policy:

A “**concern**” is an expression of worry or doubt over an issue that requires reassurance or clarification’. Day-to-day concerns about a child's education or wellbeing are typically raised with and resolved by teaching staff (such as form tutors, heads of year or subject teachers) without needing to follow the complaints procedure.

A “**complaint**” is an expression or statement of dissatisfaction about the trust's or academy's actions or lack of action. A concern becomes a complaint when it cannot be resolved or addressed through informal discussion with teaching staff or when the matter requires escalation. Complaints are handled through our three-stage procedure and may be resolved at any stage.

“**Unreasonable complaints**” include vexatious, serial or frivolous complaints. The full definition and examples are outlined in the **Managing Challenging Situations** section of this procedure.

“**Serial or persistent complaints**” are complaints where:

- The same complainant repeatedly raises the same issue after the complaints procedure has been completed.

- A complainant tries to reopen a complaint that has already been through all stages of the procedure without providing any new evidence or information.

Serial or persistent complaints will only be marked as such once the complainant has completed the full complaints procedure. It is the complaint that will be marked as 'serial', meaning the complainant can raise a separate, new complaint if necessary.

"Complaints from multiple family members":

Where the trust receives complaints about the same issue from different members of the same family (e.g., both parents/carers), the trust will:

- Treat each complaint on its individual merits
- Recognise that each parent/carer has an independent right to raise concerns about their child's education
- Where the complaints are substantially identical and relate to the same incident, consider handling them together to ensure an efficient process
- Investigate any new details or perspectives provided by different family members

"**Complaints campaigns**" are where the trust, or school within the trust, receives large volumes of complaints that are all based on the same subject.

For the purposes of this procedure, an "**independent**" panel member is someone who is independent of the management and running of the trust. This means they:

- Were not directly involved in the matters detailed in the complaint
- Have no conflict of interest in relation to the complaint

For complaints about an individual school within the trust: An independent panel member should ideally have no association with the trust. However, in line with DfE guidance, where this is not possible, a governor from a local governing body at a different school within the trust may serve as the independent panel member, provided they have no clear connection with the school being complained about and no prior knowledge of the complaint.

For complaints about the trust as a whole: The independent panel member must have no association with the trust.

4. Making a Complaint

4.1 Who can make a complaint

Any person, including a member of the public, is able to 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.

The trust will not normally investigate anonymous complaints.

4.2 Complaints covered by other procedures

Some complaints are covered by separate statutory procedures and will be handled differently. These include:

- **Admissions** – see the Admissions Policy appeal process.
- **Child protection** – see the Child Protection and Safeguarding Policy.
- **Exclusion** – see the Behaviour or Suspensions and Exclusion Policy.
- **Whistleblowing** – see the Whistleblowing Procedure (for concerns about the trust).
- **Staff grievances** – see the Grievance Policy (for staff employment matters).
- **Staff conduct** – handled through internal disciplinary procedures.
- **Third-party suppliers** – contact the supplier directly using their own complaint procedure. The school will ensure any third-party supplier using school premises or facilities to offer community facilities or services has its own complaints procedures in place.

All other complaints should follow the procedures in this policy.

4.3 When to make a complaint

Day-to-day concerns or queries

Many day-to-day concerns or queries can often be resolved quickly and informally by speaking directly with the most appropriate member of staff, without needing to follow the complaints procedure.

Who to contact for day-to-day concerns:

- **For concerns about your child's learning, behaviour or wellbeing:** Contact your child's form tutor in the first instance
- **For more significant concerns, or if the form tutor cannot resolve the matter:** Contact the relevant head of year
- **For concerns about specific subjects:** Contact the relevant subject teacher or head of department
- **For concerns about SEND provision:** Contact the SENCO
- **For concerns about safeguarding:** Contact the Designated Safeguarding Lead

If you remain dissatisfied after raising your concern or query, or if the matter requires escalation, you should make a complaint using the procedure below.

When to make a complaint

You should use the complaint procedure set out in this policy if you are dissatisfied with:

- Any aspect of your child's education or wellbeing
- The trust's or school's actions (or lack of action)
- How a day-to-day concern has been handled

4.4 The three-stage process

It is a statutory requirement for academies to have three stages in their complaint procedure:

- **Stage one:** The complaint is discussed with a representative of the trust or individual school, usually through a meeting or conversation, with the aim of reaching a resolution through dialogue. No formal investigation is conducted at this stage.
- **Stage two:** The complaint is put in writing and formally investigated. This involves gathering evidence, interviewing witnesses where appropriate, and producing written findings.
- **Stage three (review panel):** The complaint is heard by a panel of at least three people who were not directly involved in the matters detailed in the complaint, including one person who is independent of the management and running of the trust (as defined in section 3).

4.5 How to make a complaint

Stage one complaint may be made in person, by telephone, by video call, or in writing / by email. Where only an email address is provided, please send a brief email and we will arrange the most appropriate way to discuss your complaint with you.

Stage two and three complaint must be submitted in writing. Please include the following in your complaint:

- Details of the issue and any previous attempts to resolve it
- What resolution you are seeking
- Any relevant dates, names and supporting information

Reasonable adjustments can be requested if you need help putting your complaint in writing.

4.6 Who to contact

This complaint procedure has three stages. The information that follows shows who to contact at each stage, depending on who or what your complaint is about.

Complaint about a member of staff at a school in the trust or a school as a whole

- **Stage one:** Contact the headteacher/principal of the school (or someone they delegate)
- **Stage two:** Submit a written complaint to the headteacher/principal of the school
- **Stage three (review panel):** Request a review panel by writing to governance@mtoat.co.uk

Complaint about other individuals or groups in the trust

This includes complaints about:

- The headteacher/principal of a school in the trust
 - A governor at a school in the trust
 - A trustee
 - The CEO
 - An entire governing body or the board of trustees
- **Stage one:** Contact the governance team at governance@mtoat.co.uk
 - **Stage two:** Submit a written complaint to governance team at governance@mtoat.co.uk
 - **Stage three (review panel):** Request a review panel by writing to governance@mtoat.co.uk

Complaint about the trust as a whole

Complaints about the trust as a whole relate to systemic issues, trust-wide policies or matters affecting the entire organisation rather than specific individuals or schools.

- **Stage one:** Not applicable – complaints about the trust begin at stage two
- **Stage two:** Submit a written complaint to the governance team at governance@mtoat.co.uk
- **Stage three (review panel):** Request a review panel by writing to governance@mtoat.co.uk

Key contacts

AUTC:

Principal: principal@aylesburyutc.co.uk
Governance team: governance@mtoat.co.uk

Wallingford School:

Headteacher: head.4140@wallingfordschool.com
Governance team: governance@mtoat.co.uk

Brightwell School:

Headteacher: head.3221@brightwell.oxon.sch.uk
Governance team: governance@mtoat.co.uk

MTOAT:

CEO email: marstonj@mtoat.co.uk
Governance team: governance@mtoat.co.uk

If you are unsure

If you are unsure about any aspect of this procedure or who to contact, please contact the governance team for advice at governance@mtoat.co.uk

The individual who receives the complaint will delegate an appropriate person to be the first point of contact during the complaint procedure and a complaint manager/investigator where appropriate.

Handling complaints at trust level

Where a complaint is received at trust level that has been escalated from a school, it will continue from the stage it has reached at school level. Where a complaint is made directly about the trust, it will begin at stage two, as there is no stage one for trust-level complaints.

4.7 Time limits for making a complaint

Complaints should be made **as soon as possible** after an incident arises, and normally **within 60 school days** of the incident. Complaints made outside this time limit will only be considered in exceptional circumstances. Complaints received outside of term time will be treated as being received on the first school day after the holiday period.

4.8 Right to progress through all stages

All complainants are given the opportunity to fully complete the complaint procedure. If any timescales need to change during the process, all parties involved will be informed in writing in a timely manner.

4.9 Support for complainants

Complainants may be accompanied by a friend or family member to any meetings. If the complainant requires any additional support (such as translation services, accessibility adjustments, or communication in an alternative format), they should inform the school when making their complaint so appropriate arrangements can be made.

4.10 Reasonable adjustments

The trust has a duty to make reasonable adjustments for complainants with disabilities to ensure they can access and complete this complaints procedure.

We will make adjustments where needed, which may include:

- Providing information in alternative formats
- Offering communication support
- Assisting complainants in raising a written complaint
- Holding meetings in accessible locations
- Arranging meetings at times that accommodate the complainant's needs
- Allowing additional time for responses where appropriate
- Making adjustments for neurodivergent complainants (such as providing agendas in advance, allowing breaks during meetings or considering sensory needs)

How to request adjustments: If you need any adjustments to help you make or progress your complaint, please contact the person managing your complaint or the governance team at governance@mtoat.co.uk as early as possible. We will discuss your needs with you and agree appropriate adjustments.

All adjustments will be documented and reviewed throughout the complaints process to ensure they remain appropriate.

4.11 Use of AI tools when making a complaint

We understand that complainants may wish to use AI to help structure their complaint. The trust similarly uses AI tools to help draft policies, which are then thoroughly reviewed and verified by staff.

This is acceptable provided:

- The complaint is based on your genuine first-hand knowledge and experience
- You do not enter personal information (names, dates of birth, medical details, etc.) into open AI tools such as ChatGPT or Google Gemini, as these tools may store or share this information

This is not acceptable:

- Submitting AI-generated complaints that do not reflect your actual experience or contain unverified facts and legal references

If a complaint appears to be wholly or predominantly AI-generated and this is impeding our ability to investigate it fairly (for example, because it contains inaccuracies, contradictions, or does not reflect your actual experience), we will ask you to resubmit it in your own words before progressing it. The decision as to whether a complaint appears to be AI-generated rests with the person managing the complaint at the relevant stage.

If you need help writing your complaint: We recognise that not everyone finds it easy to put their concerns into writing. If you would like help articulating your complaint, please contact the school office or the governance team at governance@mtoat.co.uk. You may also seek support from organisations such as Citizens Advice.

5. Stage One Complaint

5.1 Making a stage one complaint

A stage one complaint may be made in person, by telephone, by video call or in writing/email. The school will work with the complainant to arrange the most appropriate and convenient method of discussion based on their individual circumstances and preferences.

5.2 Who to contact

Please see section 4.6 for details.

5.3 Governor and trustee involvement

Where a complaint is made initially to a governor or trustee, the governance team will refer the complainant to the appropriate person. No governor or trustee will act alone on a complaint outside of the procedure. If they do become involved at this stage, they cannot participate if the complaint is subject to a review panel at a later stage of the procedure.

5.4 Timeframe and process

Within **10 school days** of notification of a complaint, the person managing the complaint will normally arrange a discussion with the complainant and, where appropriate, the relevant member of staff. This discussion will be conducted in a respectful and informal manner to seek a mutual resolution.

At this initial stage, the complainant will be asked for their input as to what they believe may resolve the issue to avoid further escalation where possible.

5.5 Support for complainants

Please see section 4.9.

5.6 Recording the complaint

At stage one, the school will keep an appropriate record of complaints, with the level of detail proportionate to how the complaint was raised and resolved. The purpose of this record is to ensure accountability, identify any patterns and provide context if the matter escalates.

Where a complaint is resolved immediately through a brief conversation, a simple note confirming the issue and resolution may be sufficient. Where the matter is more complex or takes longer to resolve, more detailed records may be kept.

All records will be kept confidentially and stored securely in accordance with data protection requirements.

5.7 Outcome and next steps

Following the discussion, the person managing the complaint will confirm the outcome to the complainant in a manner appropriate to the nature of the complaint. This may be verbal or in writing.

The confirmation should cover:

- What was discussed and any actions agreed
- Next steps and timescales (if applicable)
- How to escalate to stage two if the complainant remains dissatisfied

Stage one should normally be completed within **20 school days** of the complaint being raised.

6. Stage Two Complaint

6.1 When to use stage two

Stage two should be used when:

- The complainant is dissatisfied with the outcome of stage one, or
- The complaint is of a serious nature that requires formal investigation from the outset.

6.2 Making a stage two complaint

Stage two complaints must be made in writing to the appropriate person – see below. The complaint should include:

- Details of the issue and any previous attempts to resolve it
- What resolution the complainant is seeking
- Any relevant dates, names and supporting information

6.3 Who to contact

Please see section 4.6 for details.

6.4 Timeframe

Stage two will normally be completed within **20 school days** of receiving the stage two complaint. This might typically include:

- Acknowledgement of the complaint
- Investigation of the complaint
- A meeting with the complainant
- Written communication of the outcome

Where the complaint is complex and cannot be resolved within this timescale, the person managing the complaint (the investigator) may contact the complainant in writing to:

- Explain why additional time is needed
- Provide a revised target date for completion
- Keep the complainant updated on progress

6.5 The investigation process

The investigator may:

- Arrange a meeting with the complainant, as soon as reasonably practicable, to discuss the complaint in detail
- Conduct interviews with relevant parties, including the member of staff concerned, witnesses, and where appropriate, students
- Take written statements from those involved
- Gather and review any relevant documentation or evidence
- Keep a written record of all investigation activities

Where the investigator has made reasonable attempts to arrange a meeting with the complainant at mutually convenient times, but the complainant is unable or unwilling to attend, the investigation will proceed based on the written complaint and other evidence gathered. The investigator will reach a conclusion based on the available information in order to bring the complaint to a resolution.

6.6 Support for complainants

Please see section 4.9.

6.7 Recording the complaint

The school will keep a written record of the formal complaint, including:

- The written complaint and any supporting documentation
- Notes and/or minutes from all meetings
- Records of interviews and statements taken
- The investigation findings
- The outcome and any actions agreed
- All correspondence with the complainant

Minutes of meetings will be taken and, where appropriate, shared with the complainant. The complainant may request copies of minutes, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR to protect the privacy of other individuals.

All records will be kept confidentially and stored securely in accordance with data protection requirements.

6.8 Outcome and next steps

Once the investigation is complete, the investigator may:

- Contact the complainant in writing with a full explanation of the findings and decision
- Invite the complainant to a meeting to discuss the findings (if appropriate and if the complainant wishes)

- Explain any actions the trust plans to take to resolve the issue
- Advise the complainant of their right to escalate to stage three if they remain dissatisfied

The written outcome may include:

- A summary of the complaint
- Details of the investigation undertaken
- The findings on each aspect of the complaint (upheld, partially upheld or not upheld)
- The reasons for the decision
- Any actions the school will take as a result
- Information about how to escalate to stage three

In line with DfE guidance, complainants should note that any acknowledgement by the trust that it could have handled a situation better is not an admission of unlawful or negligent action.

6.9 Escalation to stage three

If the complainant is not satisfied with the outcome of stage two, they may request escalation to stage three (review panel). See Section 7 for full details of how to request a review panel.

7. Stage Three (review panel)

7.1 When to use stage three

Stage three should be used when the complainant is dissatisfied with the outcome of stage two and believes the complaint was not handled properly.

Important: The review panel will not re-investigate the complaint. Instead, it will review whether the complaint was handled fairly and in accordance with this policy.

7.2 Requesting a review panel

Requests for a review panel must be made in writing to the governance team at governance@mtoat.co.uk within **10 school days** of receiving the stage two outcome.

The request should include:

- Why the complainant remains dissatisfied with the stage two outcome
- What aspect(s) of the stage two process they believe were not handled properly
- What resolution they are seeking

The governance team will acknowledge receipt of the request within **5 school days**.

7.3 Composition of the review panel

The complaint is heard by a panel of **at least three people** who were not directly involved in the matters detailed in the complaint, including one person who is independent (as defined in section 3).

For complaints about an individual school: The independent panel member will have no clear connection with that school, such as having conducted work for the school. Where possible, the independent panel member will also have no association with the trust. Where this is not possible, in line with DfE guidance, a governor serving on the governing body of a different school within the trust may fulfil this role, as they will be sufficiently separate from the school being complained about.

7.4 Arranging the review panel

The governance team will, where possible:

- Convene the panel within **30 school days** of receiving the request
- Provide all parties with **at least 5 school days' notice** of the panel meeting date
- Inform all parties in writing of the scheduled date, time and location
- Provide information about how the panel will be conducted

If it is not possible to convene the panel within 30 school days, the governance team will provide an anticipated date and keep the complainant informed of progress.

If the complainant cannot attend: If reasonable attempts are made to accommodate the complainant with dates for the review panel and they are unable or unwilling to attend, the panel may:

- Convene the meeting in their absence
- Reach a conclusion based on the written evidence available

7.5 Before the review panel

Prior to the review panel meeting, the governance team will:

- Write to the complainant explaining how the review panel will be conducted
- Provide a copy of this information to the headteacher/principal (where the complaint concerns a school)
- Share relevant documentation with panel members in advance

7.6 The review panel meeting

Who may attend:

- The complainant (who may be accompanied by a friend or family member if they wish)

- The person who investigated the stage two complaint
- The headteacher/principal (where relevant)
- Any witnesses approved in advance by the panel
- The panel members
- Governance professionals, as required

The meeting will allow for:

- The complainant to explain why they believe the complaint was not handled properly at stage two
- The investigator to explain the stage two process and the reasons for their decision
- The complainant and investigator to question each other about the complaint
- Panel members to question both the complainant and the investigator
- Any witnesses (who have been approved in advance by the panel) to be questioned
- Final statements from both the complainant and the investigator

Legal representation: Legal representation is strongly discouraged at review panels, as the panel is not a legal proceeding. The presence of legal representatives can make the process more formal and intimidating for all parties.

However, if either party wishes to bring legal representation, they must notify the governance team at least **5 school days** before the panel meeting. The other party will then be informed and may also choose to bring legal representation if they wish.

A member of staff who is a witness may be accompanied by a union representative or workplace colleague for support.

7.7 Purpose of the review panel

The purpose of the review panel is to:

- Review whether the complaint was handled fairly and in accordance with this policy
- Consider whether the investigation was thorough and impartial
- Determine whether the outcome was reasonable based on the evidence
- Promote reconciliation where possible
- Identify any lessons learned to improve future complaint handling

The panel will **not** re-investigate the complaint or hear new evidence that was not presented at stage two, unless there are exceptional circumstances.

7.8 The panel's decision

Within **30 school days** of the panel meeting, the complainant will receive a written response. This may include:

- The panel's findings on whether the complaint was handled appropriately

- The panel's recommendations (if any)
- That the panel's decision is final and there is no further right of appeal within the trust's complaints procedure
- Information about the complainant's right to contact the Department for Education (DfE) if they believe the trust has not followed its complaints procedure correctly (see Section 9 for details)

Possible outcomes

The panel may:

- Dismiss the complaint if it finds the complaint was handled appropriately at stage two
- Uphold the complaint in full or in part if it finds the complaint was not handled appropriately, and make recommendations such as:
 - An apology
 - A review of the trust's policies or procedures
 - Staff training
 - A fresh investigation (in exceptional circumstances)
 - Other appropriate action

7.9 Sharing the panel's findings

Following the panel meeting, the panel's written findings and recommendations will be provided to:

- The complainant
- The person complained about (in summary form, where relevant)
- The headteacher/principal (where the complaint concerns a school)
- The CEO

The complainant and the person complained about may request copies of the panel meeting minutes, subject to redactions to protect the privacy of other individuals under the Data Protection Act 2018 and the UK GDPR.

All findings and minutes will be kept confidentially in accordance with data protection requirements and will not be shared more widely except where required by law or where the Secretary of State or an inspectorate requests access.

7.10 Considering recommendations

The trust will give careful consideration to all recommendations made by the review panel. While the trust is not legally obliged to implement every recommendation, any decision not to implement a recommendation will be based on clear and justifiable reasons.

8. Roles and Responsibilities

8.1 The complainant

The complainant is responsible for:

- Cooperating with the trust, or school within the trust, in seeking a solution to the complaint.
- Expressing the complaint and their concerns in full at the earliest opportunity.
- Promptly responding to any requests for information and meetings.
- Asking for assistance as needed.
- Treating anyone involved in the complaint with respect.

8.2 The complaint manager/investigator

The role of the investigator will differ depending on the nature of the complaint and who it is directed at. This might typically be a member of the school or trust leadership team.

The complaint manager/investigator is typically responsible for:

- Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved.
- Considering all records, evidence and relevant information provided.
- Interviewing all parties that are involved in the complaint, including staff and students.
- Analysing all information in a comprehensive and fair manner.
- Liaising with the complainant and clarifying an appropriate resolution to the problem.
- Identifying and recommending solutions and courses of actions to take.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales.
- Responding to the complainant in a clear and understandable manner.

8.3 The review panel

Composition and key responsibilities

The review panel will consist of at least three people who were not directly involved in the matters detailed in the complaint. At least one panel member must be independent of the management and running of the trust, as defined in section 3 of this policy.

Panel members must:

- Have no prior involvement in the complaint or the circumstances surrounding it.
- Have no conflict of interest in relation to the complaint.
- Meet the trust's definition of independence as set out in section 3.

Panel members' responsibilities

Where complaints are escalated to a review panel, all panel members will be aware that:

- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain reconciliation between the parties involved.
- Reconciliation between the trust and complainant is not always achievable, and it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.
- Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.
- When a student is present at the review panel, extra care needs to be taken to ensure that the student does not feel intimidated, as well as ensuring the student's view is represented equally.

8.4 The review panel chair

The review panel chair will:

- Ensure that minutes of the review panel are taken on every occasion.
- Explain the remit of the review panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease and console individuals involved who are not used to speaking at such review panels, particularly any students involved.
- Conduct the review panel in a manner that ensures everyone is treated with respect and courtesy.
- Ensure that the room's layout and setting is non-adversarial, yet still sets the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has a conflict of interest in the outcome of the proceedings.
- Give both the complainant and the school/trust the opportunity to state their case and seek clarity without undue interruption.
- Provide copies of any written material or evidence to everyone in attendance at the meeting, ensuring that everyone has seen the necessary material.
- Organise a short adjournment of the review panel if required.
- Continuously liaise with the governance team to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

8.5 Review panel governance professionals

The governance team will be responsible for:

- Recording the date the request for a review panel was received.
- Acknowledging receipt of the request in writing.
- Arranging a suitable date for the panel hearing, in consultation with panel members and all parties involved.
- Where possible, providing at least 5 school days' notice to all parties attending the review panel.
- Informing the complainant in writing of how the review panel will be conducted.
- Taking comprehensive minutes during the panel hearing.
- Circulating the panel's findings and recommendations to all relevant parties within the specified timescale.
- Ensuring all documentation is stored securely and in accordance with data protection requirements.

Governance professionals will not be members of the panel.

9. Complaints to the Department for Education (DfE)

9.1 When to contact the DfE

After completing our procedure: If a complainant remains dissatisfied once the complaints procedure has been completed (including the stage three review panel), they have the right to refer their complaint to the Secretary of State for Education.

Before completing our procedure (exceptional circumstances only): The DfE expects complainants to complete the trust's complaints procedure before contacting them. However, complainants may contact the DfE before completing our procedure in exceptional circumstances, such as when:

- Students are at risk of harm
- Students are missing education
- A complainant is being prevented from progressing their complaint through the trust's procedure
- There is evidence that the trust is proposing to act, or is acting, unlawfully or unreasonably

9.2 What the DfE will consider

The DfE will not:

- Overturn the trust's or review panel's decision about a complaint
- Re-investigate the original complaint

The DfE will only consider a complaint if there is evidence that the trust:

- Doesn't have a complaints procedure

- Didn't provide a copy of its complaints procedure when requested
- Doesn't have a procedure that complies with statutory regulations
- Hasn't followed its published complaints procedure
- Hasn't allowed its complaints procedure to be completed

9.3 What action the DfE may take

The DfE may take action if there is evidence that the trust has:

- Breached a clause in its funding agreement
- Failed to act in accordance with education law
- Acted (or is proposing to act) unreasonably when exercising related education functions

If the DfE identifies serious failings, it may share information about the complaint with relevant bodies, such as the local authority or Ofsted.

9.4 How to contact the DfE

Complainants can contact the DfE via the **online form**:

https://form.education.gov.uk/service/Contact_the_Department_for_Education

Or by **writing to**: Complaints Team, Department for Education, Cheylesmore House, Quinton Road, Coventry CV1 2WT.

9.5 The trust seeking advice from the DfE

When making a final decision about a complaint, the trust reserves the right to seek advice from the DfE on whether it is acting reasonably and lawfully. However, the DfE will not be able to advise on how to resolve the complaint.

10. Withdrawal of a Complaint

Where a complainant wishes to withdraw their complaint, the trust will ask them to confirm this in writing.

The trust will not under any circumstances ask or pressure an individual to withdraw a complaint.

Even where a complaint has been withdrawn, the trust will consider whether there are any lessons to be learned to improve our procedures or practices and to prevent similar issues arising in future.

11. Record Keeping

11.1 What we will record

A written record will be kept of all complaints at stage two and stage three, including:

- The main issues raised
- The findings and any recommendations
- Whether the complaint was resolved at stage two or proceeded to a review panel
- Actions taken by the trust as a result of the complaint, regardless of whether the complaint was upheld

Records of stage one complaints may be in the form of email correspondence, meeting notes or a brief summary of the complaint and its resolution. The level of detail recorded for these complaints will be proportionate to the nature and seriousness of the complaint.

11.2 How records will be stored

All correspondence, statements, and records relating to individual complaints will be kept confidential and stored securely in accordance with the trust's management and retention of records policy and data protection policy.

The trust will hold records of complaints separately from student records while a complaint is ongoing, to ensure appropriate access can be maintained.

Personal data will only be kept for as long as necessary. As an academy trust, we will determine appropriate retention periods in accordance with data protection legislation and our Records Management Policy.

11.3 Access to records

General confidentiality:

All complaint records are kept confidential, except where:

- The Secretary of State requests access
- An inspectorate (such as Ofsted) requests access
- Access is required under the UK GDPR, the Data Protection Act 2018 or the Freedom of Information Act 2000

Complainant access:

Complainants have the right to request access to records relating to their complaint under data protection and freedom of information legislation. Such requests will be handled in accordance with the trust's data protection policy.

Board and trustee access:

Details of individual complaints will not be routinely shared with the entire governing body or board of trustees. However, they may access complaint records where:

- A complaint is made against the whole governing body or board of trustees
- They need to be aware of allegations to respond to an independent investigation
- They are members of a stage three (review panel)
- They receive summary information for monitoring purposes (with personal details redacted)

Stage three (review panel) findings:

The board of trustees will receive summary information about stage three panel findings for governance and monitoring purposes, with personal details redacted. Individual trustees who were not involved in the panel will not normally have access to the full findings unless required for governance purposes.

11.4 Central record keeping

The trust will hold all records of complaint from each school, as well as those regarding the trust itself, centrally. This enables effective monitoring and identification of trends across the trust.

12. Additional Procedures

12.1 Interviewing witnesses

Interviewing students: When interviewing students to gather information regarding a complaint, the interview should normally be conducted in the presence of an additional member of staff.

All students interviewed will be made fully aware of:

- What the interview concerns
- Their right to have someone with them

Safeguarding considerations: The trust will ensure that interviews do not prejudice any investigation by the local authority designated officer (LADO) or the police. Where there are safeguarding concerns, the trust will follow the procedures set out in the Child Protection and Safeguarding Policy.

Interviewing staff: Staff members are entitled to be accompanied by a colleague or trade union representative at any interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.

Conducting interviews: The interviewer will:

- Ensure interviews take place in a friendly and relaxed environment, free from intimidation
- Not express opinions in words or attitude that might influence the interviewee
- Provide the interviewee with a copy of the interview notes to review and agree

12.2 Postponing the complaint procedure

If a social services authority or the police decide to investigate a situation related to a complaint, the trust may postpone the complaints procedure until those investigations are complete. The complainant will be informed in writing if this happens, with an explanation of the reasons and, where possible, an indication of when the complaints procedure will resume.

13. Managing Challenging Situations

13.1 Our commitment

The trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect them from behaviour that is abusive, offensive, threatening, or unreasonably persistent.

13.2 What is an unreasonable complaint?

A complaint may be considered unreasonable if the complainant:

Behaves unreasonably:

- Acts in an aggressive, abusive, offensive, threatening, or violent manner
- Uses discriminatory, racist, or sexist language
- Publishes unacceptable information on social media or in other public forums
- Makes excessive demands on staff time through frequent, lengthy, or complicated contact

Pursues the complaint unreasonably:

- Refuses to articulate the complaint, specify the grounds, or identify the outcome they are seeking
- Refuses to cooperate with the investigation while still wanting the complaint resolved
- Insists the complaint is dealt with in ways incompatible with this procedure
- Repeatedly changes the basis of the complaint as the investigation proceeds
- Introduces trivial or irrelevant information and expects detailed responses
- Makes unjustified complaints about staff handling the complaint and seeks to have them replaced

Makes vexatious, serial, or persistent complaints:

- Persists in pursuing a complaint that is clearly without merit or seeks an unrealistic outcome
- Re-submits the same complaint after the complaint procedure has been completed
- Refuses to accept the findings of a properly conducted investigation, including after a review panel
- Submits multiple new complaints about the same issue while the original complaint is still open
- Knowingly provides false or falsified information

This list is not exhaustive, and the trust will consider each case on its individual circumstances.

13.3 How we will respond

Initial approach: Wherever possible, the person managing the complaint will discuss concerns with the complainant informally before formally designating a complaint as unreasonable. We will:

- Explain which aspects of their behaviour are causing concern
- Ask them to change their behaviour
- Explain the consequences if the behaviour continues

If the behaviour continues: We will write to the complainant explaining:

- Why their behaviour is considered unreasonable
- What action we will take if it continues
- How long any restrictions will be in place
- When the decision will be reviewed

Possible actions may include:

- Limiting contact to written communication only
- Restricting the number of contacts (e.g., one email/call per week)
- Requiring all future contact to be through a single point of contact
- Specifying methods and times for communication
- In serious cases, stopping responding to the complainant on that particular issue

Communication plans: For complainants who excessively contact the trust causing significant disruption, we may implement a communication plan that specifies:

- Acceptable methods of communication
- Frequency of contact permitted
- A single point of contact

Communication plans will normally be reviewed after six months.

13.4 When we will stop responding

We will only stop responding to a complainant when **all** of the following apply:

- Every reasonable step has been taken to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options (including referral to the DfE if appropriate)
- The complainant continues to contact us repeatedly, making substantially the same points each time
- The complainant's intent appears to be to disrupt or inconvenience the trust

We will **not** stop responding simply because a complainant is difficult to deal with or asks complex questions.

13.5 Complaints campaigns

Campaigns from non-connected complainants: If the trust becomes the subject of a complaints campaign from people not connected with the trust, we will publish a single standard response on our website.

Multiple complaints about the same issue from connected complainants: If we receive numerous complaints about the same subject from parents/carers or others connected to the trust, each complainant will receive an individual response. If they remain dissatisfied, they will be directed to the DfE.

13.6 Serious incidents and barring from premises

Aggressive or violent behaviour: In response to any serious incident of aggression or violence, we may:

- Put our concerns and actions in writing immediately
- Inform the police
- Consider temporarily barring the individual from school premises

Barring procedure: School premises are private property, and any individual may be barred from entering. If an individual's behaviour is cause for concern:

1. The headteacher/principal or a member of the senior leadership team will ask the individual to leave the premises
2. The headteacher/principal will write to the individual explaining:
 - That their implied licence to access the premises has been temporarily revoked
 - The reasons for this decision
 - Their right to make representations
3. The individual will be given the opportunity to formally express their views
4. The decision will be reviewed by the CEO and chair of governors/trustees

5. If the bar continues, the individual will be informed in writing of:
 - How long the bar will remain in place
 - When the decision will be reviewed

14. Availability and Review

A copy of this procedure will be made available on request. It will also be published on the trust website, and the websites of individual schools within the trust, as recommended by the DfE.

The complaint procedure will be reviewed **annually**, taking into account any legislative changes and the latest guidance issued by the DfE.

Artificial intelligence (AI) tools may be used to support efficient drafting. However, all AI-generated content will be thoroughly reviewed, verified and adapted by trust staff to ensure accuracy and compliance.

Responsibility for reviewing the procedure belongs to the board of trustees. All projected review dates will be adhered to.

Information gathered through reviewing the complaint procedure will be used to continuously improve and develop the process. The monitoring and reviewing of complaints will be used to help evaluate each school's performance, and the performance of the trust as a whole.