

COMPLAINTS POLICY

Unreasonably Persistent Complainants Policy

Policy Type	
Adopted by the Trustees	
Chair of the Trustees	Rev Nigel Sinclair
Date	23.05.2019
To be reviewed	23.05.2020

Aims of the Policy:

- To ensure that a concern or complaint by a parent, carer or other person is managed sympathetically, efficiently and at the appropriate level and is resolved as soon as possible;
- To deal with concerns or complaints about Elevate Multi Academy Trust (Elevate), any of its Academies or any member of staff, volunteer, governor or Trustee of Elevate or any of its Academies by following the correct procedure;
- Part 1 outlines how parents or carers of children attending an Elevate Academy may raise a concern or complaint;
- Part 2 outlines how others may raise a concern or complaint;
- To ensure all Elevate and Academy staff are made aware of the applicable process and procedures;
- To promote the confidence of parents, carers and children in Elevate's ability to safeguard and promote the welfare of its children;
- To resolve every concern or complaint in a positive way with the aim of resolving the issue in a transparent manner;
- An expectation that most concerns can be resolved informally;
- To treat seriously and confidentially all concerns whether raised informally or formally.

This policy appears on the websites of Elevate and its Academies.

Procedure on the Handling of Concerns and Complaints:

This policy applies to all concerns and complaints relating to Elevate and its Academies other than:

- Admissions;
- Statutory assessments of special educational needs (SEN);
- Safeguarding matters;
- Exclusions;
- Whistle-blowing;
- Staff grievances;
- Staff discipline;
- Child protection issues.

Please see Elevate's separate policies for procedures relating to these types of complaint.

Legislation:

This policy complies with Part 7 of the Schedule to the Education (Independent School Standards) (England) Regulations 2014, which requires Elevate to have and make available a written procedure to deal with complaints from parents of children at its Academies.

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 Elevate's Funding Agreements and Articles of Association. In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regard to dealing with complaints about Elevate's fulfilment of Early Years Foundation Stage requirements.

Links with other Policies:

Policies dealing with other forms of complaints include:

- Elevate Child Protection and Safeguarding Policy
- Elevate Admissions Policy
- Elevate Exclusions Policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices
- Elevate Expected Behaviour of Parents and Visitors Policy

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".

As far as possible, Elevate and its Academies will resolve concerns through day-to-day communication.

A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action".

Elevate and its Academies intend to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such a complaint.

References to the Head Teacher includes the Head of School and Executive Head Teacher.

SEN:

Arrangements for handling complaints from parents of children with SEN about an Academy's support for their child or children are within the scope of this policy. Such complaints should first be made to the class teacher/special educational needs co-ordinator (SENCO) or Head Teacher; they will then be referred to this Complaints Policy.

Others using Elevate's Premises:

Complaints about services provided by other providers who use the premises or facilities of Elevate and/or any of its Academies should be directed to the provider concerned.

Principles:

When investigating a complaint, Elevate and its Academies will try to clarify:

- What has happened;
- Who was involved; and
- What the complainant believes would put things right.

Timings:

Elevate and its Academies intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

For the purposes of this policy, a "working day" is defined as a weekday during term time, when the Academy is open. The definition of "working day" excludes weekends and Bank Holidays.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

Elevate and its Academies expect that complaints will be made as soon as possible after an incident arises and no later than **3 months** afterwards. If the complaint is about a series of related incidents, they must raise the complaint **within 3 months** of the last incident. Elevate and its Academies will consider exceptions to this time frame in circumstances where 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.

Holidays:

When complaints are made out of term time, Elevate and its Academies will consider them to have been received on the next school day.

If at any point the time scales cannot be met as set out in this policy:

- New time limits will be set with the complainant;
- Details of the new deadline and an explanation for the re-scheduling will be sent to the complainant.

An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances.

Behaviour of Parties:

Elevate and its Academies expect all those persons involved with a concern or complaint to conduct themselves in an appropriate, non adversarial manner at all times. The particular requirements are set out in Elevate Expected Behaviour Policy.

English Language Requirement – Immigration Act 2016:

A legitimate complaint received in respect of the above, whereby a member of the public feels that a public-facing member of staff has insufficient proficiency in English, will be investigated in line with this policy and will adhere to the relevant Code of Practice.

Members of staff subject to the complaint will be notified of the complaint and given an opportunity to give their own account of the incident. A complaint will be assessed against an objective assessment of the level of fluency relevant to the role in question.

A complaint about a member of staff's accent, dialect, origin or nationality will not be considered a legitimate complaint.

Roles and Responsibilities:

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures;
- Co-operate with Elevate and its Academies throughout the process, and respond to deadlines and communication promptly;
- Treat all those involved with respect;
- Not share details relating to the complaint by email, publicly and/or on social media.

The Head teacher will report to the LGB the number of complaints made each term in the Head Teachers Report. This information will be passed to the Trustees who will review the number of complaints made.

Complaints about Fulfilment of Early Years Requirements:

Elevate and its Academies will investigate all written complaints relating to their fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within **28 days** of receiving the complaint.

The Academy 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 the Academy is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

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

Training: Appropriate training will be given to those involved in the complaints process.

PART 1: Complaints Procedure for Parents or Carers:

Not including a complaint against a Head Teacher or Governor:

Stage 1: Informal

Concerns: Many enquiries and concerns can be dealt with satisfactorily by the child's class teacher or other members of staff without the need to resort to the formal procedure. Elevate and its Academies value informal meetings and discussions and encourage parents and carers to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

- It is always helpful if parents or carers can fully explain the nature of the concern and identify the outcome they are looking for. Where appropriate, they may be invited to an informal meeting with the member of staff most appropriate for dealing with that concern. The member of staff dealing with the concern will make sure that they are clear on what action (if any) has been agreed. This may be confirmed in writing if appropriate.
- If the matter is brought to the attention of the Head Teacher, he/she may decide to deal with concerns of the parent or carer directly at this stage. In the vast majority of cases, the relevant Academy will be the Academy which their child attends.
- Parents or carers should raise their complaint as soon as possible with the relevant member of staff or the Head Teacher, either in person or by letter, telephone or email. If they are unclear who to contact or how to contact them, they should contact the Academy office.

The Academy will ensure that informal complaints are resolved within **10 working days** of being raised.

Unresolved concerns: A concern which has not been resolved by informal means within **10 working days** from the receipt of the complaint can be notified as a formal complaint in accordance with Stage 2 below.

Record of concerns: In the case of concerns raised under Stage 1 of this procedure, the only record of the concern and its resolution will be file notes by the person dealing with the complaint and/or file correspondence between the person raising the concern and the respondent.

Stage 2: Formal

The formal stage involves the parent or carer putting the complaint to the Head Teacher by :

- Completing the Complaint form - Appendix C
- In a letter or email;

- Through a third party acting on their behalf.

The written complaint should include details which might assist the investigation, such as the nature of the complaint, details of how the matter has been dealt with so far, the names of potential witnesses, dates and times of events and copies of all relevant documents.

It is very important that the written complaint includes a clear statement of the actions the parent or carer would like the Academy to take to resolve the complaint. If the parent or carer requires help in providing this statement, they should contact the Academy office. They can also ask third party organisations, like the Citizens Advice Bureau, to help them.

If a parent or carer needs help in raising a formal complaint, they can contact the Academy office.

The complaint will normally be acknowledged in writing **within 5 school days of receipt**. The acknowledgement will provide a target date for a response to the complaint. This will normally be within **15 school days of receipt**.

If appropriate, the Head Teacher or someone appointed by them may invite the parent or carer to a meeting to clarify the complaint and to explore possible resolutions. If the invitation is accepted, the parent or carer may be accompanied by one other person, such as a friend, relative, advocate or interpreter. Where possible, this meeting will take place **within 10 school days** of receipt of the written complaint.

If necessary, witnesses will be interviewed and statements taken from those involved. If the complaint concerns a child, the child should also be interviewed. Children should normally be interviewed with their parent or carer present, but if this would seriously delay or compromise the investigation of a serious or urgent complaint, another representative or member of staff with whom the child feels comfortable should be present.

If a member of staff is complained against, they must have the opportunity to present their case.

Once all the relevant facts have been established as far as possible, the parent or carer will be provided with a written response to the complaint, including a full explanation of the decision and the reasons for it. This will include what action will be taken to resolve the complaint (if any). They will be advised that, if they are dissatisfied with the outcome of the complaint, they may request that the complaint be heard by the Complaints Review Panel.

Record of complaints: Written records will be kept of any meetings and interviews held in relation to the complaint.

Stage 3: Complaint Heard by the Complaints Review Panel

Request: A request for a complaint to be heard by a Complaints Review Panel must be made in writing and **within 10 working days** of the date of the Academy decision made at Stage 2 to the Compliance Officer and sent to them at Elevate Multi Academy Trust, Halfpenny Lane, Knaresborough, North Yorkshire, HG5 0LU.

Acknowledgement: The Compliance Officer will acknowledge, in writing, receipt of the appeal **within 3 working days** and inform the complainant of the steps involved in the process.

The Compliance Officer will be the contact point for the complainant.

Panel Hearing: The Compliance Officer will aim to convene a Complaints Review Panel hearing as soon as possible, normally no later than **20 working days** after receipt of the Stage 3 request.

Panel Membership: The Panel will be appointed by or on behalf of Elevate and must consist of people who were not directly involved in the matters detailed in the complaint and/or their review under Stages 1 and 2 above.

They shall include not less than 3 members which number shall include 2 Elevate Trustees (in the case of a complaint concerning Elevate more generally) or 2 governors from one or more other Academies operated by Elevate (in the case of a complaint regarding a specific Academy).

At least 1 panel member must be independent of the management and running of the Academy.

The Compliance Officer shall appoint one of these members to be the Chair of the Panel.

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

Procedure for the Complaints Review Panel:

Unless otherwise stated, the procedure is as follows:

- the parent or carer and Elevate/Academy representative will enter the hearing together;
- the Chair of the Panel will introduce the panel members and outline the process;
- the parent or carer will explain the complaint;
- the Panel members and Elevate or Academy representative will question the parent;
- the Elevate or Academy representative will explain the actions of Elevate or the Academy;
- the Panel members and parent or carer will question the Academy representative;
- the parent or carer will sum up their complaint;
- the Elevate or Academy representative will sum up the actions of Elevate or the Academy;
- the Chair of the Panel will explain that both parties will hear from the Panel **within 5 school days**;

- both parties will leave together while the Panel decides;
- the Compliance Officer will stay to assist the Panel with its decision making.

The Compliance Officer and/or Complaints Review Panel reserve(s) the right to modify the above procedure at their sole discretion, for example requiring the parent or carer and Elevate/the Academy representative to present their complaint or actions (as the case may be) separately to the Panel in the absence of the other party.

After the hearing, the Complaints Review Panel will consider their decision and inform the complainant, the person/body against who the complaint was made, the Head teacher and Elevate (the proprietor) of their decision in writing **within 5 school days**. The letter will set out the decision of the Panel together with the reasons for that decision. The Panel can (by a majority if necessary):

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the systems/procedures or Elevate and/or the Academy to ensure that problems of a similar nature do not happen again.

The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the Elevate/the Academy and the complainant. The Panel Chair will ensure that the proceedings are as informal as possible.

Evidence: All parties will be given the opportunity to submit written evidence to the Panel in support of their position including;

- Documents;
- Chronology and key dates;
- Written statements setting out further detail.

The evidence will be considered by the Panel along with the submissions made under Stage 2.

All written evidence must be received by the Compliance Officer **no later than 5 working days** in advance of the Panel Hearing.

The Compliance Officer will distribute the evidence to all parties **no later than 3 working days** in advance of the Panel Hearing.

Roles and Responsibilities:

The Role of the Clerk: The Panel will be clerked by Elevate's Compliance Officer. All panels considering complaints must be clerked.

The Compliance Officer will be the contact point for the complainant and be required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- Collate any written material and send it to the parties in advance of the hearing;
- Meet and welcome the parties as they arrive at the hearing;
- Record the proceedings;
- Notify all parties of the Panel's decisions.

The Role of the Chair of the Panel: The Chair of the Panel has a key role, ensuring that:

- The remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents or carers or others who may not be used to speaking at a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The Panel is open minded and acting independently;
- No member of the Panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties.
- If a new issue arises, all parties are given the opportunity to consider and comment on it.

Record Keeping: The Compliance Officer will keep a record of all appeals, decisions and recommendations of the Complaints Review Panel.

The complaints records are logged and managed by Elevate's Compliance Officer.
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The record of appeals, decisions and recommendations of the Complaints Review Panel will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the Complaints Review Panel.

This is except where the Secretary of State for Education (or someone acting on their behalf) or the complainant requests access to records of a complaint through an information request under the Freedom of Information Act 2000, through a subject access request under the Data Protection Act 2018 or where the material must be made available during a school inspection or as a regulatory requirement

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, Elevate's privacy notices and Elevates Retention Policy.

Complaints against a Head Teacher, governor, the CEO or an Elevate Trustee:

Head teacher: Complaints made against the Head Teacher should be sent to Elevate's Chief Executive Officer (CEO) via the Compliance Officer and sent to Elevate Multi Academy Trust, Halfpenny Lane, Knaresborough, North Yorkshire, HG5 0LU.

The CEO will either carry out an investigation or instruct an authorised person to investigate the complaint as set out in Stage 2.

Chair of LGB: Where a complaint is against the Chair of the Local Governing Body (LGB) for an Academy or any member of the LGB, it should be made in writing to the Compliance Officer and sent to Elevate Multi Academy Trust, Halfpenny Lane, Knaresborough, North Yorkshire, HG5 0LU.

The Compliance Officer will instruct an Elevate trustee to investigate the complaint as set out in Stage 2.

Clerk: If the complaint is about Elevate's Clerk, it should be made in writing to the CEO and sent to Elevate Multi Academy Trust, Halfpenny Lane, Knaresborough, North Yorkshire, HG5 0LU.

The CEO will instruct an authorised person to investigate the complaint as set out in Stage 2.

CEO: If the complaint is about the CEO, the complaint should be to the Compliance Officer and sent to Elevate Multi Academy Trust, Halfpenny Lane, Knaresborough, North Yorkshire, HG5 0LU.

The Compliance Officer will arrange for an Elevate trustee to carry out the Stage 2 procedures.

Trustee: If the complaint is about an Elevate Trustee, the complaint should be to the Compliance Officer and sent to Elevate Multi Academy Trust, Halfpenny Lane, Knaresborough, North Yorkshire, HG5 0LU.

The Compliance Officer will arrange for another Elevate Trustee to carry out the Stage 2 procedures.

Board of Trustees: If the complaint is about Elevate's Board of Trustees, the complaint should be sent to the Compliance Officer and sent to Elevate Multi Academy Trust, Halfpenny lane, Knaresborough, North Yorkshire, HG5 0LU.

The Compliance Officer will arrange for the matter to be independently investigated under Stage 2.

Education Skills and Funding Agency (ESFA):

If the complainant is unsatisfied upon conclusion of the above complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by Elevate and the relevant Academy. The ESFA will not overturn a finding or decision under this complaints policy. However, it will look into:

- Whether there was undue delay, or the Academy did not comply with its own complaints procedure;
- Whether Elevate was in breach of its funding agreements with the Secretary of State for Education;
- Whether the Academy has failed to comply with any other legal obligation.

If Elevate or the relevant Academy did not deal with the complaint properly, the ESFA may ask Elevate or the relevant Academy to re-investigate the complaint. If this complaints policy is found not to meet the requirements of Elevate's funding agreements with the Secretary of State for Education and/or any other legal obligation, the ESFA may ask Elevate to correct the policy accordingly.

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

<https://www.gov.uk/complain-about-school>

Elevate and the Complaints Review Panel will include this information in their decision letter sent to a complainant.

PART 2: Concerns or Complaints from Persons other than a Parent or Carer of a Current Registered Child:

Part 1 of this complaints policy applies solely to complaints made by parents or carers of current registered children at an Academy. Elevate also wishes to work closely with other members of the local community and will deal with their concerns and complaints as follows:

- A concern regarding an Academy or its operations may be made to any member of staff at that Academy. That member of staff will attempt to resolve the matter or may, if appropriate, refer the matter to their line manager or a member of the senior leadership team (SLT) at the Academy who is best placed to deal with the concern. It is expected that most concerns will be responded to orally or in writing **within 5 school days**. If a longer period is required, you will be kept informed of the progress of the investigation.
- Where a concern is not resolved at stage 1, or you would like your concern to be dealt with as a formal complaint, you should put your complaint in writing and send this to the Head Teacher of the relevant Academy to investigate. The Head Teacher may delegate the

task of investigation and/or responding to the complaint to a member of the SLT at the Academy or may escalate the complaint to stage 3. A formal response to the complaint will usually be provided **within 10 school days** of receipt of the letter of complaint although if a longer period is required for a response, you will be kept updated.

- If you are not satisfied with the response at stage 2, you may request a review by writing to the Compliance Officer at Elevate Multi Academy Trust, Halfpenny Lane, Knaresborough, North.Yorkshire, HG5 0LU. You should write to the Compliance Officer **within 10 school days** of receipt of the letter at stage 2. Requests received outside of this time frame will only be considered if exceptional circumstances apply. The Compliance Officer will convene a Complaints Review Panel to consider the complaint on the same terms as set out in Part 1 of this complaints policy. The decision at this stage will usually be sent to you **within 20 school days** of receipt of the request for a review.

Concerns or complaints regarding the Head teacher or the Trust as a whole should be referred direct to the Compliance Officer Elevate Multi Academy Trust, Halfpenny Lane, Knaresborough, N.Yorkshire HG5 0LU.who will arrange for the stages above to be considered by an appropriate person.]

PART 3: Complaint Campaigns

For the purposes of this policy, a complaint campaign is defined as a complaint from 2 or more separate individuals (whether or not connected with Elevate and/or any of its Academies) which all relate to the same subject.

Depending on the subject in question, Elevate and/or any of its Academies may deviate from the procedure set out in this policy and instead:

- send a template response to all complainants and/or
- publish a single response on the website(s) of Elevate and/or the relevant Academy or Academies (as applicable)

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Most complaints raised will be valid where Elevate and its Academies will treat them seriously.

However, a complaint may be unreasonable if the person:

- Has made the same complaint before which has been resolved in accordance with this policy;
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive;
- Knowingly provides false information;
- Insists on pursuing a complaint that is unfounded, or out of scope of this complaints policy;
- Pursues a valid complaint, but in an unreasonable manner, for example by refusing to articulate the complaint, refusing to co-operate with this complaints policy, or insisting that the complaint is dealt with in ways that are incompatible with this policy and the time frames above;
- Changes the basis of the complaint as the investigation progresses;
- Makes a complaint designed to cause disruption, annoyance or excessive demands on Elevate and/or Academy time;
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

Steps Elevate and its Academies will take:

Elevate and its Academies will take every reasonable step to address the complainant's concerns, and give them a clear statement of the position and their options. They will maintain their role as an objective arbiter throughout the process, including when they meet with individuals. Elevate and its Academies will follow this complaints policy wherever possible. If the complainant continues to contact Elevate and/or the relevant Academy in a disruptive way, Elevate and/or the Academy may put communications strategies in place which:

- 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;
- Requesting contact in a particular form (for example, letters only);
- Requiring contact to take place with a named member of staff;
- Restricting telephone calls to specified days and times; and/or

- Asking the complainant to enter into an agreement about future contact
- Ask the complainant to engage a third party to act on their behalf, such as the [Citizens Advice Bureau](#);
- Put any other strategy in place as necessary.

In all cases where Elevate and/or any of their Academies decide to treat someone as an unreasonably persistent complainant, the complainant will be informed in writing why their behaviour falls into that category, what action is being taken and the duration of that action. They will be informed how they can challenge the decision if they disagree with it. If Elevate and/or any of its Academies decide to carry on treating someone as an unreasonably persistent complainant and are still investigating their complaint 6 months later, a review will be carried out and a decision will be made if the restrictions are to continue.

Where a complainant whose case is closed persists in communicating with Elevate and/or any of its Academies about it, they may decide to terminate contact with that complainant. In such cases, they will read all correspondence from that complainant, but unless there is fresh evidence which affects the previous decision regarding the complaint they will acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under this unreasonably, persistent complainant's section of the complaints policy will be treated on their merits.

Stopping Responding:

Elevate and/or any of its Academies may stop responding to the complainant when all of these factors are met:

- They believe they have taken all reasonable steps to help address the concerns;
- They have provided a clear statement of the position and the options.
- The complainant contacts Elevate and/or any of its Academies repeatedly, and it is believed their intention is to cause disruption and/or inconvenience.

Elevate and/or the relevant Academy will be most likely to choose not to respond if:

- They have reason to believe the individual is contacting Elevate and/or the Academy with the intention of causing disruption and/or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, Elevate and/or any of its staff, volunteers, governors and/or Trustees.

Unreasonable behaviour which is abusive, offensive and/or threatening may constitute an unreasonably persistent complaint.

Where Elevate and/or any of its Academies stop responding to the complainant, Elevate or the relevant Academy will inform the individual that they intend to do so. They will also explain that they will still consider any new complaints made.

In response to any serious incident of aggression and/or violence, Elevate and/or any of its Academies will immediately inform the police and communicate their actions in writing. This may include barring the relevant individual from Elevate and/or premises.

Duplicate Complaints:

If Elevate and/or any of its Academies have resolved a complaint under this policy and receive a duplicate complaint on the same subject from a partner, family member or other individual connected or related to the original complainant, they will assess whether there are aspects that they had not previously considered, or any new information they need to take into account. If they are satisfied that this is not the case, they will:

- Inform the new complainant that the matter has already been investigated and responded and this policy has been complied with;
- Direct them to the ESFA if they are dissatisfied with the handling of the original complaint.

If new aspects are as raised, this policy will be followed again.

Actions and Behaviour of Unreasonable and Unreasonably Persistent Complainants:

These are some examples of the actions and behaviours of unreasonable and unreasonably persistent complainants. It is by no means an exhaustive list and factors may vary, but they are examples that may come to our attention:

- Refusing to specify the grounds of a complaint, despite offers of assistance with this from the Elevate or Academy staff;
- Refusing to co-operate with this complaints process while still wishing their complaint to be resolved;
- Refusing to accept that issues are not within the remit of this complaints policy despite having been provided with information about the scope of this policy;
- Insisting on the complaint being dealt with in ways which are incompatible with this complaints policy or with good practice;
- Making what appear to be groundless complaints about the people dealing with the complaint, and seeking to have them replaced;
- Changing the basis of the complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage;

- Introducing new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed questions which are particularly time consuming and costly to respond to and insisting they are all fully answered;
- Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved;
- Adopting a 'scattergun' approach: pursuing a complaint or complaint with Elevate and/or an Academy and, at the same time, with a Member of Parliament, the local authority, the police, OFSTED, the ESFA and/or the DFE;
- Making unnecessarily excessive demands on the time and resources of Elevate or Academy staff, volunteers, governors and/or trustees whilst a complaint is being looked into by, for example, excessive telephoning or emails to numerous staff, volunteers, governors and/or trustees, writing frequent lengthy, complex letters and expecting prompt responses;
- Submitting repeat complaints, after this complaints process has been completed, essentially about the same issue(s), with additions and/or variations which the complainant insists make 'new' complaints which should be processed by Elevate and/or any of its Academies;
- Refusing to accept the decision made under this complaints policy, repeatedly arguing the same issue and complaining about the decision;
- A combination of any or all of the above.

Appendix A Checklist

Checklist for a Complaint Review Panel Hearing:

- The hearing is as informal as possible;
- Witnesses are only required to attend for the part of the hearing in which they give their evidence;
- After introductions, the complainant is invited to explain their complaint, and be followed by the witnesses for the complainant;
- Elevate or the Head Teacher may question both the complainant and the witnesses for the complainant after each has spoken;
- Elevate or the Head Teacher is then invited to explain the Academy's actions and be followed by the witnesses for Elevate and/or the Academy;
- The complainant may question both Elevate or the Head Teacher and the witnesses for Elevate and/or the Academy after each has spoken;
- The Panel may ask questions at any point;
- The complainant is then invited to sum up their complaint;
- The Elevate or the Head Teacher is then invited to sum up the actions of Elevate and/or the Academy and the response to the complaint;
- Both parties leave together while the Panel decides on the issues;
- The chair explains that both parties will hear from the Panel within a set time-scale.

Appendix B: Summary of dealing with Part 1 Complaints

Stage 1: Informal concerns	Parent brings complaint to attention of member of staff
	Issue to be resolved within 15 school days
	Where no satisfactory solution has been found, parent to be advised that they should proceed to Stage 2
Stage 2: Formal Written Complaint	Parent to put complaint in writing using Complaint Form - Appendix C
	Complaint to be acknowledged within 5 school days
	(Optional) Meeting with parents within 10 school days
	Response to the complaint sent within 15 school days
Stage 3: Referral to Complaints Review Panel	Parent to request hearing within 10 school days of receiving notice of the outcome of Stage 2
	Request to be acknowledged within 5 school days
	Hearing to take place within 20 school days of receipt of request
	Notification of date, time and place of the hearing and details of the committee members present sent at least 5 school days before the hearing
	Academy representative and parents to submit evidence in support of their case to Compliance Officer at least 3 school days before the hearing
	Complaints Review Panel decision sent not more than 5 school days after the hearing

Appendix C: Stage 2 - Complaint Form

Academy Name - Complaints Form

Parent/carers name:
Child's name:
Relationship to child:
Address and postcode:
Daytime telephone number:
Evening telephone number:
Email address:
Complaint is: (if there is more than one complaint, please number these)

What action has already taken to try and resolve the complaint(s)? (Who did you speak to and what was the response?)

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

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

Signature..... Date

All functions of the complaints procedure must adhere to the requirements of the Data Protection Act 2018 and the Freedom of Information Act 2000.

Please complete and return to the Academy Office in a sealed envelope addressed to the Head teacher.

Office use

Date received

Date acknowledgement sent

Responsible member of staff