



The Athelstan Trust

Complaints Policy

Date of Review	Approved by	Date of Approval	Next Review Date	Website
Feb 2022 & Feb 2024, June 2025,	Board	10 th July 2025	March 2027	Y

This Policy applies to all schools within the Athelstan Trust.

1. Introduction

The Athelstan Trust endeavours to provide the best possible education for all its students in an open and transparent environment. We welcome any feedback that we receive from parents, students and third parties, and we accept that not all of this will be positive. Where concerns are raised the Trust intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without Prejudice

In order to do so, the Board of Trustees has approved the following procedure which explains what you should do if you wish to make a complaint about your child's school.

2. Actions before making a formal complaint

Our complaints procedure is not intended to replace the normal informal discussions which take place between individuals and staff about problems and concerns as they arise. Most issues can be resolved through this dialogue and without resorting to the formal stages of this process: the Trust encourages those that have concerns to raise them with the appropriate person in the school and to work constructively towards resolving the issue. The extent to which this was both attempted and followed may be taken into consideration when assessing the reasonableness of a complaint during the formal stages of the procedure.

When raising your concerns, please be patient: staff may need time to gather information or put corrective measures in place and then determine their effectiveness. This informal stage may require several meetings to reach a conclusion satisfactory to all parties, who may need to discuss desired actions for the school, the individual raising the concern, timescales, and further meetings.

If an individual feels that a concern has not been solved through discussions with staff, or that it is of a sufficiently serious nature, then the formal stages of the procedure should be followed.

3. General Principles about the Complaints Process

3.1 Complaints that fall outside of this procedure

Complaints relating to the following issues are covered by a separate policy.

- Student admissions; please see the school's Admissions policy (please note that queries and complaints regarding requests for an admission out of the normal age group do fall within this procedure)
- Student suspensions, exclusions and off site directions; please see the school's Behaviour policy or Trust Suspension and Exclusion policy.

- Staff grievance, capability or disciplinary; these are covered by the Trust's Grievance, Disciplinary and Capability procedures as detailed on the Athelstan Trust website.
- Where the complaint concerns a third party used by the school; please complain directly to the third party themselves.
- Subject Access Requests and Freedom of Information Requests – please see the school's Data Protection and Freedom of Information policy

These policies are available on the school website or on request from the school.

3.2 Complaints about the headteacher or the governors

Where a complaint is about the headteacher, the complainant should notify the clerk to the governors (see contact details at the end of the document). The stage one process (see the formal stages below) will then commence, but with the chair of governors as the individual responsible for the investigation, rather than the headteacher.

Where a complaint concerns a governor, the complainant should contact the clerk to the governing board. The clerk will then determine the most appropriate course of action, seeking advice as appropriate. This will depend upon the nature of the complaint.

3.3 Timescales

Notification of a complaint should be given as soon as possible after the issue that led to the complaint has occurred and after informal attempts to seek resolution have proved unsuccessful. Complaints that are submitted three months after the issue that led to the complaint occurred will not be considered under this procedure unless there are exceptional circumstances. These may include (but are not limited to) subsequent information about the complaint coming to light and a valid explanation of why it was not possible to give notification of the complaint sooner. In such cases the headteacher/chair of the governing board/clerk to the governing board (as appropriate) will review the circumstances, seek advice and determine whether the complaint should be considered under the formal procedure.

Further timescales for the formal complaints process are detailed in section 4.1 and 4.2 below. Each school will endeavour to complete the formal stages of its complaints procedure in a timely manner and within the timescale for each stage that is referred to. However, if it becomes clear that for any reason the school is unable to meet the timescale for completing a stage of the procedure, the complainant will be advised of this immediately, along with the reason for the delay and the revised timescale.

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

3.4 Maintaining confidentiality

Informal concerns and complaints will be dealt with confidentially at all stages and at the conclusion of the procedure. Confidentiality should be maintained all times by everyone involved. The board of trustees requests that complaints are not discussed publicly, including via social media.

Actions taken in relation to school staff that arise as a result of the complaint will remain confidential to the school and the member of staff concerned.

Written records taken and used throughout the complaints process, including correspondence, notes of meetings, telephone calls etc., will be kept securely and in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

3.5 Safeguarding

Wherever a concern indicates that a child's wellbeing or safety is at risk, the school is duty bound to report this immediately to the local authority. Any action taken will be in accordance with the school's child protection policy which can be found on the school's website.

4. The formal stages of the Complaints Procedure

The majority of concerns can be dealt with without resorting to the formal stages of the procedure. Please see the “Actions before making a complaint” paragraph above.

There are **two** formal stages of the complaints procedure. The steps are illustrated in the flow diagram in section 5.0.

4.1 Stage 1 – Formal investigation by nominated investigation officer

1. Once the informal stages of the procedure have been completed, a request for a formal investigation of a complaint should be made in writing c/o the school, or by completing the formal complaints form that is included as Appendix 1 of this procedure. The investigation will be conducted by the nominated investigation officer (or chair of the governing board as appropriate)
2. The nominated investigation officer (or chair of the governing board as appropriate) will acknowledge the request in writing no later than 10 working days (excluding those that fall in the school holidays) of receiving it. The written acknowledgment will, as far as possible, explain how the complaint will be investigated and the timescale for completing the investigation.
3. A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles.
4. The nominated investigation officer (or chair of the governing board as appropriate) will consider all relevant evidence. This **may** include, but is not limited to:
 - obtaining statements from the complainant and those involved with the complaint
 - meeting with the complainant and those involved in the complaint
 - reviewing correspondence and other document relating to the complaint
5. After considering the available evidence, the nominated investigation officer (or chair of the governing body as appropriate) can decide to:
 - uphold the complaint and direct that certain action be taken to resolve it
 - uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint) direct for certain action to be taken, or
 - dismiss the complaint entirely
6. The nominated investigation officer (or chair of the governing body as appropriate) will inform the complainant of the decision in writing, the grounds on which it was made and any actions taken as a result of the complaint. This will be within 20 working days (excluding those that fall in the school holidays) of having issued written acknowledgement of receipt of the complaint (see 2 above). The written notification shall also advise the complainant of their right to escalate the complaint to stage 2 of the formal complaints procedure if they are not satisfied with the outcome at stage 1, including the contact details of the clerk to the governing board (see page).

4.2 Stage 2 – Review by a panel of the Local Governing Body

The complainant is entitled to request a review of the decision taken at stage 1 and the actions taken. This review can only be requested once the informal stages of the process, and stage 1 of the process have been completed. The review is carried out by a panel of the Local governing Body at a meeting convened by the clerk to the governing board.

Requests for a review of the decision taken at stage 1 should be made in writing to the clerk (see contact details below) no later than 4 weeks after written notification of the decision taken has been received. The

request should include a brief summary of the complaint, why the complainant is dissatisfied with the outcome of stage 1 and the outcome they are seeking.

The clerk will fulfil the role of organising the time and date of the review meeting, inviting all the attendees, collating all the relevant documentation and distributing this 5 days in advance of the meeting. Minutes of the review meeting will be taken by the clerk and provided with the written notification of the decision taken at stage 2 (see below).

The following steps are taken at stage 2:

1. The Clerk will acknowledge the written request for the complaint to be reviewed no later than ten working days (not including the school holidays) after receiving it.
2. The Clerk will convene a panel of two school governors and one independent member to review the complaint. All three panel members will have no prior knowledge of the content of the complaint. The panel will have access to the existing record of the complaints progress.
3. The review meeting will take place within 20 working days (excluding those which fall in the school holidays) of receipt of the written acknowledgement from the clerk (see 1 above). 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 the complainant.
4. The Complainant must be allowed to attend the panel hearing and be accompanied if they wish. The panel may also decide to invite the following to attend the review meeting:
 - the headteacher (or chair of the governing board as appropriate) or school representative who investigated the complaint and made the decision at stage 1
 - relevant persons involved the complaint
 - persons whom, in the view of the panel, can provide relevant advice and information relating to the subject of the complaint and the review process at stage 2
5. The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless required as part of reasonable adjustments. 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.
6. Where the complainant, headteacher and/or relevant person involved in the complaint have been invited to attend the review meeting, they are entitled to be accompanied by a family member/friend/representative as appropriate. However, legal representatives and representatives from the media are not permitted to attend the review meeting.
7. At the meeting, each individual will have the opportunity to give statements and present their evidence. The Panel, Complainant and Headteacher / School Representative will be given the chance to ask and reply to questions. Once the complainant and Headteacher / School Representative have presented their cases, they will be asked to leave and evidence will be considered.
8. The Panel may, at its discretion, arrange for the panel to meet with the complainant and school representatives separately. A decision to conduct the panel in this way will taken if it is felt necessary to protect the welfare of either party, or if it is otherwise deemed appropriate to do so.
9. The panel will discuss its findings and recommendations from the case. Copies of minutes of the hearing and the findings and recommendations will be available to the complainant, individual who is the subject of the complaint and Headteacher / School Representative.

10. Where the relevant persons involved in the complaint include students at the school, and their attendance at the review meeting has been requested by the panel, parental permission must be sought if they are under the age of 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.
11. Where the complaint is about a governor/trustee/governing board the complainant may request that the review meeting is held by an independent panel. This is at the discretion of the governing board who will notify the clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school source appropriate individuals for the review.
12. After considering the complaint afresh and reviewing the available evidence, the panel reviewing the complaint can decide to:
 - Uphold the complaint, in whole or in part
 - Dismiss the complaint, in whole or in partIf the complaint is upheld, the committee will:
 - Decide the appropriate action to resolve the complaint
 - Where appropriate, recommend changes to the school's systems or procedures to move forward from the presenting issues in the best interests of all concerned, and / or to prevent similar issues in the future.
13. The complainant, the nominated investigation officer (or chair of the governing board as appropriate) who investigated the complaint and made the decision at stage 1, and, where relevant, the person complained about will be informed in writing of the outcome of the review meeting no later than 10 working days (excluding those which fall in the school holidays) after the review meeting has taken place.

This is the **final stage** at which the school will consider the complaint. If the complainant remains dissatisfied and wishes to escalate the complaint further they should refer to the following:

- If the complainant feels that the governing board acted 'unreasonably' in the handling of the complaint, they can complain to the Department for Education after the complaints procedure has been exhausted. Please note that 'unreasonable' is used in a legal sense and means acting in a way in which no reasonable school or authority would act in the same circumstances.

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester M1 2WD

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

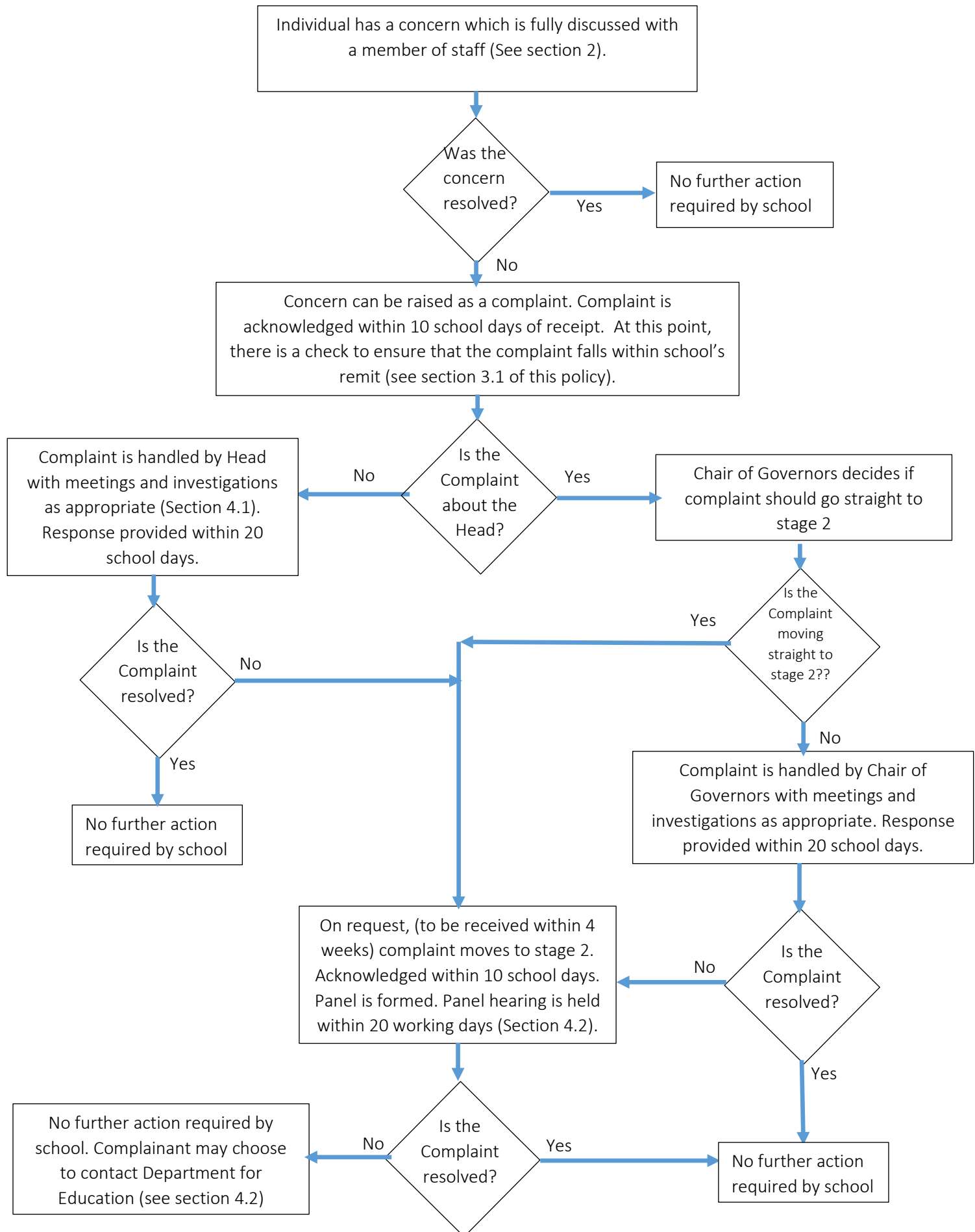
Telephone 0370 000 2288

Opening times:

Monday to Friday 9am to 5pm

Closed at weekends and bank holidays

5.0 Flow diagram of complaints process



5. Accessibility

If you require help in completing the complaint form, please contact the school office. You can also ask a third-party organisation - for example Citizens Advice - to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

6. Unreasonable complaints

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

We define unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- deliberately targets one or more members of school staff without good cause
- uses threats to intimidate

- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

In summary, the Trust expects anyone who wishes to raise concerns with a school to:

- Treat all members of the school community with courtesy and respect;
- Respect the needs of pupils and staff within the school;
- Avoid the use of violence, or threats of violence, towards people or property;
- Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
- Follow this Complaints Policy.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

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

In response to any serious incident of aggression or violence, (including verbal abuse) we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site. Please also refer to the Trust Violence and Aggression Towards Staff Policy

We will also follow DfE [Best practice guidance for academies complaints procedures - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/best-practice-guidance-for-academies-complaints-procedures)

7. Serial / persistent complaints

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. The School may stop responding to the complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

The Headteacher and Chair of Governors will agree where these thresholds have been met and will be responsible to informing the complainant that correspondence will not be responded to. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern.

8. Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the Department for Education if they are dissatisfied with our original handling of the complaint

If a duplicate complaint is raised which in the view of the school warrants further consideration, the procedure outlined in section 4 will be repeated.

9. Complaint campaigns

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

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

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

10. Record keeping and confidentiality

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating 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.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

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.

11. Who to contact:

Queries regarding any aspect of the complaints procedure should be directed to the clerk to the governing board at the following address:

Avening Primary School: clerk@avening.gloucs.sch.uk

Bradon Forest School: clerk@bradonforest.wilts.sch.uk

Charter Primary School: clerk@charter.wilts.sch.uk

Chipping Sodbury School: clerk@chippingsodbury.school

Kings Lodge Primary School: fgbclerk@kingslodge.wilts.sch.uk

Leigherton Primary School: admin@leigherton.gloucs.sch.uk

Malmesbury School: admin@malmesbury.wilts.sch.uk

Sir William Romney's School: clerk.governors@swr.gloucs.sch.uk

The Dean Academy: clerk@thedeacademy.org

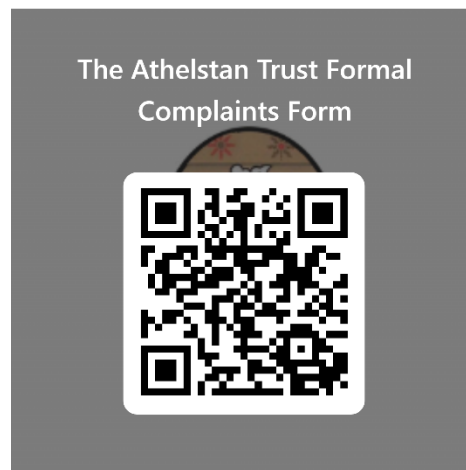


Appendix

Formal Complaints Form

An online version of our Complaints Form can be accessed via this link, or through the QR code shown below. Alternatively, please see below for a paper copy of the form.

<https://forms.office.com/e/Fm0aSASQ8c>



Name	
Name of student, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint	
Action taken so far (including staff member who has dealt with it so far) or solutions offered	
The reason that this was not a satisfactory resolution for you	
What action would you like to be taken to resolve the problem?	

Signed:					
Dated:					

<i>Official use</i> Date received:
