



UNITY SCHOOLS PARTNERSHIP

COMPLAINTS PROCEDURE

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Changes History

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1.0	March 2021	Deputy CEO	
2.0	March 2022	Head of Governance & Director of HR	Record keeping section
3.0	October 2022	Head of Governance & Director of HR	Document control page, clarity on wording and check against DFE template. Under the different stages, references to 'should' changed to 'will'. Amended conduct wording, page 5. Added wording covering recordings.

Authorisation (Responsible Owner)

Name	Role	Approval Date
Tim Coulson	Chief Executive	19.10.22

Approval (Accountable Owner)

Name	Role	Approval Date
Becky Poynter Angela Bull	Head of Governance Director of HR	19.10.22

Reviewers (Consulted)

Name and/or Role	Approval Date
Executive team Headteachers	

Distribution List – Once authorised (Informed)

Name	Method
All schools	Via trust website as necessary

Review Period

Date Document Reviewed	By Whom
Next review - September 2023 Reason: Annual review.	Head of Governance and Director of HR

Complaints Procedures

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at any of Unity Schools Partnership schools. Any person, including members of the public, may make a complaint to Unity Schools Partnership about any provision of facilities or services that it provides. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), this complaints procedure will be used.

It is the policy of the Unity Schools Partnership (“the trust”), to treat all complaints very seriously, with proper dispatch, and where errors have been made to learn from them. Should the occasion arise, the Trust will act fairly but firmly where its provision or the conduct of its staff has been less than satisfactory.

Complaints are a valuable indicator of performance and are to be responded to in a sympathetic and consistent manner. It is vital that the complainant is kept informed of progress by the nominated person to avoid confusion and/or conflicting messages.

The complainant may withdraw the complaint at any time. Findings are to be recorded and appropriate action taken to reduce the likelihood of similar complaints in the future. In all cases, correspondence and/or records of any discussions must be documented, and a copy retained for a minimum of 10 years for future reference or query.

Availability of the Complaints Policy and Procedures

This policy and procedure is available on request. Copies are available from any of the schools’ offices and/or may be downloaded from the school or trust website.

The difference between a concern and a complaint

A **concern** may be defined as *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’*.

A **complaint** may be defined as *‘an expression of dissatisfaction however made, about actions taken or a lack of action’*.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Unity Schools Partnership and all of its schools take concerns seriously and will make every effort to resolve the matter as quickly as possible.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing (by post or by email) or by telephone. They may also be made by a third party acting on behalf on a complainant if they have appropriate consent to do so. Where the formal procedures are to be used, the complaint should be made in writing.

Complaints against school staff (except the head teacher) will be made in the first instance, to the Head Teacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the head teacher will be addressed to the chair of governors with a copy to the trust’s director of education, via the school office. Please mark them as Private and Confidential.

Complaints about the chair of governors, any individual governor or the whole governing body will be addressed to the trust's director of education via the school office or the central trust office. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, will be addressed to Chair of Trustees, via the trust office. Please mark them as Private and Confidential.

In order that complaints can be dealt with consistently, a template complaint form is included at the end of this procedure (Appendix 1). If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example like the 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.

Please see appendix 2 and 3 for receiving a complaint or concern and flowchart.

Persons who have a conflict of interest should not take part in the complaints process. If there's any reasonable doubt as to a person's ability to act impartially, they should withdraw from considering the complaint.

Anonymous complaints

The Trust will not normally investigate anonymous complaints. However, the CEO, the head teacher, or chair of governors, if appropriate, will determine whether the complaint will be dealt with under the trust's Whistleblowing policy warrants an investigation.

Time scales

The complaint must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Complaints made outside of this time frame may be considered if exceptional circumstances apply. The timescales in general apply to times during school terms.

Complaints received outside of term time

Complaints made outside of term time will be deemed to have been received on the first school day after the holiday period.

Persistent, trivial or serial complaints

There may be rare occasions when, despite a complaint being considered under all stages in this Complaints Policy, the complainant persists in making the same complaint to the school. There may also be rare occasions when a complainant raises unreasonable persistent complaints or raises complaints about matters which do not affect them. There may also be rare occasions when a complaint is made about a matter which is clearly so trivial that it would be a poor use of the school's resources to deal with it under the formal stages of the procedure. In all of these cases, the school reserves the right to regard the complaint as persistent or serial and to refuse to investigate further, if it appears reasonable and fair to do so (see appendix 4 for specific details). This procedure may also be used to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.

Where it is decided that a complaint is persistent or serial and will not be investigated, the trust will write to the complainant within 5 school days of the complaint being received to notify them of the decision. If the complainant is unhappy with the decision not to investigate a persistent or serial complaint, they may write to the chair of governors to ask for the decision to be reviewed. The chair of governors will review the decision not to investigate the complaint after considering all documentation relating to the complaint, together with the letter from the school to the complainant. The chair of governors will not investigate the complaint itself during the review. In exceptional

circumstances, the chair of governors can delegate the authority for the review to the vice-chair of governors. Following due consideration (including taking advice from the director of education or trust head of governance), the chair of governors will confirm the outcome of their review to the complainant in writing within 10 school days after the receipt of the letter from the complainant seeking a review.

In the event that the chair of governor’s review indicates that the decision not to investigate the concern or complaint should be quashed, it will be referred to the appropriate staff member to be dealt with under the procedure in this Complaints Policy in the usual way. If the chair of governor’s review indicates that the decision not to investigate the concern or complaint should be upheld, the complainant may refer the concern or complaint to the Education and Skills Funding Agency using the procedure identified under the fourth stage of the formal procedure.

Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services provided by the trust and its schools, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools 	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
<ul style="list-style-type: none"> Exclusion of children from school* 	Schools’ behaviour policies explain how parents may raise concerns about exclusions. <i>*complaints about the application of the behaviour policy can be made through the school’s complaints procedure. Please refer to the schools’ behaviour policy.</i>
<ul style="list-style-type: none"> Whistleblowing 	The trust has an internal whistleblowing procedure for all our employees, including temporary staff and contractors. Volunteers who have concerns about one of our schools should complain through the school’s complaints procedure.
<ul style="list-style-type: none"> Staff grievances 	Complaints from staff will be dealt with under the trust’s internal grievance procedures.
<ul style="list-style-type: none"> Staff conduct 	Complaints about staff will be dealt with under the Trust’s internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.







If other bodies are investigating aspects of the complaint, for example the police, local authority (LA)

safeguarding teams or tribunals, this may impact on the trust's ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, you will be informed of a proposed new timescale.

If a complainant commences legal action against the trust in relation to their complaint, the trust will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure the trust wants to resolve the complaint. If appropriate, the trust will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

-  an explanation
-  an admission that the situation could have been handled differently or better
-  an assurance that we will try to ensure the event complained of will not recur
-  an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
-  an undertaking to review school policies in light of the complaint
-  an apology.

Each complaint will be considered individually based on the context and content of the complaint and not with reference to the handling or outcomes of previous complaints.

Withdrawal of a complaint

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

Stage 1 – Informal resolution

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

Concerns will be raised with either the class teacher, head of year / subject head or head teacher. Complainants will not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response, unless there are exceptional circumstances, within 10 school days of the date of receipt of the complaint.

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

Stage 2 – Formal procedure


Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person and in writing using the Complaints Form (Appendix 1)


The head teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

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

Note: The headteacher may delegate the investigation to another member of the school's senior leadership team or member of the trust executive, but not the decision to be taken.

During the investigation, the headteacher (or investigator) will:

-  if necessary, interview those involved in the matter and/or those complained of, allowing

- them to be accompanied if they wish
-  keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the headteacher will provide a formal written response within 10 school days of the date of receipt of the complaint.




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

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the trust will take to resolve the complaint.

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

If the complaint is about the headteacher, or a member of the governing body (including the chair or vice-chair), either the trust director of education, head of governance, suitably skilled governor, or independent adviser from outside the trust, will be appointed by the trust to complete all the actions at Stage 2.

If the complaint is:

-  jointly about the chair and vice chair
-  the entire governing body or
-  the majority of the governing body

Stage 2 will be heard by Deputy CEO or CEO

Stage 3 – Panel Hearing




If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who have no prior connection with the complaint with one panel member who is independent of the management and running of the school. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Head of Governance (or in their absence Director of HR or Deputy CEO), via the trust office or school office, within 10 school days of receipt of the Stage 2 response. A nominated person in school will be appointed to liaise with the complainant and they will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 2 school days. They will ensure the Head of Governance (Deputy CEO or Head of HR as appropriate) and the Trust Secretary are notified so that the panel can be arranged.

The trust works with Schools' Choice to co-ordinate and clerk the stage 3 Hearings Panel. Schools' Choice will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 2 request. If this is not possible, Schools' Choice will provide an anticipated date and keep the complainant informed.

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

If the complaint is:

-  jointly about the chair and vice chair
-  the entire governing body or
-  the majority of the governing body

Stage 3 will be heard by the CEO and two independent panel members.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, it is not encouraged that either party to bring legal representatives to the



committee meeting.

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

Note: Complaints about staff conduct are treated as complaints about the school. Any individual responsibility will not be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, Schools' Choice will:



-  confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
-  request copies of any further written material to be submitted to the panel at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.



The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken. Consideration should be given to the personal information recorded and how any decision to allow recordings may affect any third parties called to act as witnesses and the impact / consequences on the individuals involved in the complaint in the event recordings are lost or leaked. Schools are data controllers and will have the discretion via our trust policies to decide whether to allow complainants to record meetings, if it is not required for the purpose of a reasonable adjustment.

The committee will consider the complaint and all the evidence presented. The committee can:

-  uphold the complaint in whole or in part
-  dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

-  decide on or recommend the appropriate action to be taken to resolve the complaint
-  where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The chair of the panel will provide the complainant, the respondent and CEO with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

The letter will include details of how to contact the Education and Skills Funding Agency (ESFA) if the complainant is dissatisfied with the way their complaint has been handled.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school or trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore,

they will be available for inspection on the school premises by the trust and the head teacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.

Complaints about the Central Team, CEO or Trustee

If a complaint is about a member of the central team, CEO or trustee, then the complaint must be sent to the Deputy CEO or CEO to be investigated.

The CEO (unless the complaint is about the CEO) will write to the complainant acknowledging the complaint within 5 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 1 of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 10 school days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within 5 school days of the date that the letter was received, explaining the reason for the delay, and providing a revised date.

If the complaint concerns the CEO or a trustee, the complaint should be investigated by a trustee selected by the chair of the trust board. If a formal complaint form is received about the Chair, the complaint will be referred to the vice chair for investigation

NB. Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the clerk to the trust board asking for the complaint to be heard before a complaint Panel, within 5 school days. The process will then follow as per the stage 3 process above and heard by the parties as listed in appendix 2.

Record Keeping

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Next Steps

If the complainant believes the school / trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by UnitySP. They will consider whether any of the trust's schools have adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

APPENDIX 1

Unity Schools Partnership Complaints Form

Please complete and return to the staff member (or headteacher) who will acknowledge receipt and explain what action will be taken.

School name:	
Your name:	
Pupil's name:	
Your relationship to the pupil:	
Address:	
Postcode:	
Day time telephone number:	
Evening telephone number:	
Email address:	
Please give details of your complaint, including whether you have spoken to anybody at the school about it.	
What actions do you feel might resolve the problem at this stage?	

Are you attaching any paperwork? If so, please give details.
Signature:
Date:
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Date:

Department for Education - If a complainant feels that the school has or is proposing to act unreasonably, or has failed to discharge a duty under certain legislation they can contact the Department for Education via the following link: [Contact the Department for Education](#)

APPENDIX 2

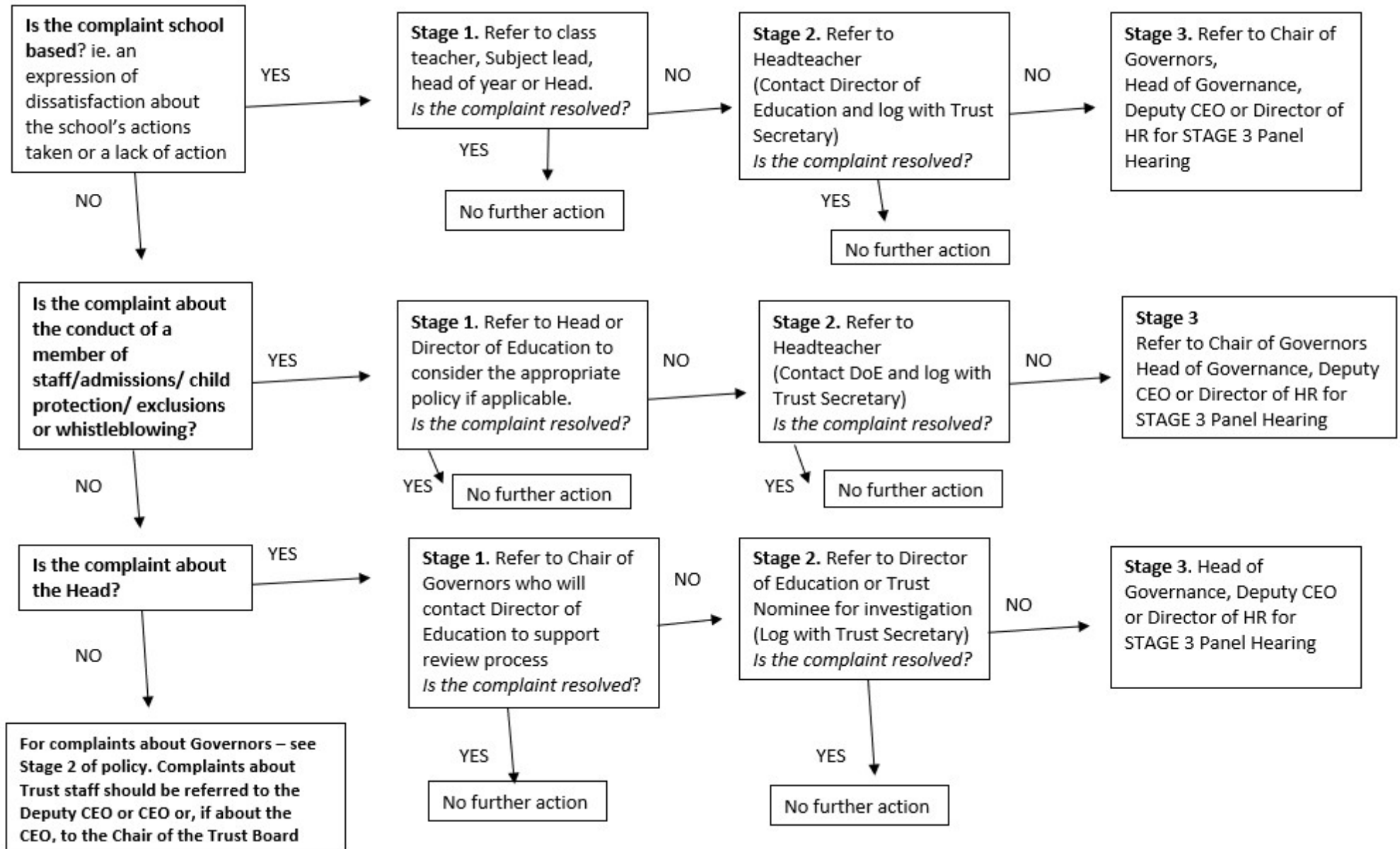
Receiving a concern or complaint

For clarity, this guidance relates to complaints received from parents, the community or anyone external to the organisation. Staff complaints will be dealt with under the grievance, disciplinary or whistleblowing policies if applicable.

Complaint about:	Stage 1. Informal Resolution Submit to	If not resolved under stage 1 informal resolution: Stage 2 formal complaint responded by	If not resolved under stage 2 formal complaint: Stage 3 panel hearing, submitted to	Stage 3 panel hearing heard by
School based concern ie. an expression of dissatisfaction about what the school has or hasn't done.	Class teacher, subject head, head of year, line manager or Headteacher	Headteacher Headteacher to contact and provide a copy to the Director of Education to support process. Added to complaint log with Trust Secretary	Head of Governance, Deputy CEO or Director of HR	Three people not previously involved, including one person independent to the day to day management and running of the school
Member of school staff *	Headteacher	Headteacher Headteacher to contact and provide a copy to the Director of Education to support process. Added to complaint log with Trust Secretary	Head of Governance, Deputy CEO or Director of HR	Three people not previously involved, including one person independent to the day to day management and running of the school
Headteacher *	Chair of Governors and then the Chair of Governors will contact and provide a copy to the Director of Education to support process.	Director of Education Or Suitably skilled governor supported by the Director of Education with support from Head of Governance Added and tracked on complaint log with Trust Secretary	Head of Governance, Deputy CEO or Director of HR	Three governors not previously involved, including one person independent to the day to day management and running of the school
Governor or Chair of Governors Chair & Vice Chair or group of governors	Head of Governance or Director of Education Deputy CEO or CEO	Director of Education with support from Head of Governance Added and tracked on complaint log with Trust Secretary	Head of Governance, Deputy CEO or Director of HR	CEO and two independent panel members
Central Team / Executive Team	Deputy CEO or CEO [CEO if regarding Deputy CEO]	Deputy CEO or CEO Added and tracked on complaint log with Trust Secretary	Nominated Trustee Or Clerk to the Trust Board	Nominated Trustee and two independent panel members
CEO or Trustee	Chair of Trustees	Nominated Trustee Added and tracked on complaint log with Trust Secretary	Clerk to the Trust Board	Chair of Trustees and two independent panel members

* The following are not within the scope of this policy: staff grievance and staff conduct, admissions, involving child protection, exclusions, whistleblowing.

PARENTAL COMPLAINT FLOWCHART



APPENDIX 4

Managing serial and unreasonable complaints:

Unity Schools Partnership and our trust schools are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our schools. 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.

All trust schools 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
- 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.

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. They must also seek advice from the Director of Education, Deputy CEO or Chief Executive Officer.

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 the school, causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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