Hope SENTAMU LEARNING TRUST

COMPLAINTS POLICY AND PROCEDURE

THIS POLICY APPLIES TO THE HOPE SENTAMU LEARNING TRUST BOARD, THE CENTRAL TEAM, ALL TRUST SCHOOLS/ACADEMIES AND THE WORKFORCE DEVELOPMENT TEAM

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Policy updates

Date	Page	Policy updates
March 2021		NEW policy - this policy replaces the Trust's previous Complaints Procedure. The policy has been re-written in line with new DfE model guidance.
July 2021	p11, item 4 and p14, item 5	Amended to include reference to record keeping in-line with an update to the DfE model policy

Signed by:

_____	Chief Executive Officer	Date: _____
_____	Chief Operating Officer	Date: _____
_____	Chair of the Trust Board	Date: _____

1. Procedure

Who can make a complaint?

This complaints procedures is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to the Hope Sentamu Learning Trust (HSLT) about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

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. Schools within Hope Sentamu Learning Trust take concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher/Principal will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher/Principal will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Hope Sentamu Learning 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 or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate written consent to do so.

Complaints against school staff (except the Headteacher/Principal or Executive Leadership team members) should be made in the first instance, to the Headteacher/Principal via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher/Principal or Executive Leadership team

members should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole Local Governing Committee should be addressed to the Clerk to the Trust Board via the Trust Office (Hope Sentamu Learning Trust, Rawcliffe Drive, York, YO30 6ZS). Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) should be addressed to the Chair of Trustees, via the Trust Office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure (**Appendix A**). If you required help in completing the form, please contact the school office. You can also ask a third-party organisation (for example Citizens Advice Bureau) 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.

Anonymous Complaints

We will not normally investigate anonymous complaints. However, the CEO, Headteacher/Principal, Chair of Governors or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

Timescales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this timeframe if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this complaints procedure

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

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs or school re-organisation proposals should be handled through a separate process – either through the appeals process (Admissions) or via the local authority (LA) where the school is based (City of York Council, North Yorkshire County Council or as appropriate i.e. in the event of merger or future academisation)
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our Safeguarding and Child Protection 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): - MASH (City of York) **01904 551900** - Duty LADO (North Yorkshire) for consultations, new referrals and urgent matters **01609 533080** Or other appropriate LA designates i.e. in the event of merger or future academisations)
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at www.gov.uk/school-discipline-exclusions/exclusions ** complaints about the application of the Behaviour Policy can be made through this complaints procedure.*
• Whistleblowing	We have an internal Whistleblowing Procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about the Trust or its schools should complain through this complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the Trust's internal Grievance Procedures or equivalent.
• 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.
• Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.

If other bodies are investigating aspects of the complaint, for example the Police, LA safeguarding teams or Tribunals, this may impact on our 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, we will inform you of a proposed new timescale.

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

Resolving complaints

At each stage in the procedure, Hope Sentamu Learning Trust wants to resolve the complaint. If appropriate, we 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 Trust and/or school policies in light of the complaint
- An apology

Withdrawal of a complaint

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

2. Stage 1 - Informal complaints

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

Concerns should be raised with either the Class Teacher, Head of Year / Subject Leader or Headteacher/ Principal. Complainants should not approach individual governors to raise concerns or complaints. Governors do not have power to act on an individual basis or with prior knowledge of a complaint. Should the complaint escalate through the stages of this policy, this may exclude them from the process in the future.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within **ten school days** of the date of receipt of the complaint. If the Class Teacher, Head of Year / Subject Leader or Headteacher/Principal is unable to meet this deadline, they will provide the complainant with an update and revised response date. If the issue remains unresolved, the next step is to make a formal complaint.

3. Stage 2 - Formal complaints

Formal complaints must be made to the Headteacher/Principal (unless they are about the Headteacher/Principal), via the school office. This may be done in person or in writing preferably on the complaint form (**Appendix A**).

The Headteacher/Principal will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within **five school days**.

Within this response, the Headteacher/Principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher/ Principal can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Headteacher/Principal may delegate the investigation to another member of the school's Senior Leadership Team or a designated Senior Leader from within the Trust but not the final decision on outcome.

During the investigation, the Headteacher/Principal (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/Principal will provide a formal written response within **20 school days** of the receipt of the complaint.

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

The response will detail any action 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 will take to resolve the complaint.

The Headteacher/Principal 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/Principal a suitably skilled governor will be appointed to complete all the actions at Stage 2. Complaints about the Headteacher/Principal must be made to the Chair of Governors, via the school office.

If the complaint is about the CEO, a suitably skilled Trustee will be appointed to complete all of the actions at Stage 2. Complaints about the CEO must be made to the Chair of Trustees via the Trust Office.

If the complaint is about a member of the Local Governing Committee, a suitably skilled governor will be appointed to complete all of the actions at Stage 2. Complaints about a governor must be made to the Clerk to the Trust Board, via the Trust Office.

If the complaint is:

- Jointly about the Chair and Vice Chair of Governors or
- The entire Local Governing Committee or
- The majority of the Local Governing Committee

Stage 2 will be escalated to the CEO of the Trust.

If the complaint is about the Trust Board, the complaint should be sent to the Chair of the Trust Board, via the Hope Sentamu Learning Trust Office. The Chair of the Trust Board will instruct an independent organisation to investigate and report back to the Chair.

4. 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 will be formed of the first three, impartial governors available, who were not directly involved in the matters detailed in the complaint, with one panel member who is independent of the management and running of the school. The Trust reserves the right to utilise governors from other Trust schools to support, if it is deemed appropriate. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within **five school days** of receipt of the Stage 2 response.

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

Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the hearing. They will aim to convene a hearing within **20 school days** of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the hearing. 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 or

- The entire Local Governing Committee or
- The majority of the Local Governing Committee

Stage 3 will be heard by a panel of trustees and an independent panel member.
A complainant may bring someone along to the hearing to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the hearing. However, there may be occasions when legal representation is appropriate.

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

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least **ten school days** before the meeting, the Clerk will:

- Confirm and notify the complainant of the date, time and venue of the hearing, 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 **six school days** before the meeting.

Any written material will be circulated to all parties at least **five school days** before the date of the hearing. 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 this procedure.

The hearing 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.

The panel will consider the complaint and all the evidence presented. The panel 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 panel will:

- Decide on 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 and the school with a full explanation of their decision and the reason(s) for it, in writing, within **five school days.** Where appropriate, it will include details of actions the school or Trust will take to resolve the complaint.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by Hope Sentamu Learning Trust.

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 Headteacher/Principal and CEO.

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, along with what actions have been taken, regardless of the decision.

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.

5. Complaints escalated to / about the Trust, CEO or a trustee

If a complaint is escalated to Hope Sentamu Learning Trust ("the Trust") or if a complainant wishes to complaint directly about the Trust, then the complaint should be sent to the CEO to be investigated.

The CEO will write to the complainant acknowledging the complaint within **five school days** of the date that the written request was received. The acknowledgement will confirm that the complaint will be now be investigated under **Stage 2** of the complaints procedure 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 **20 school days** of the date that the formal letter was received. If this time limit cannot be met, the CEO will write to the complainant within **ten school days** of the date that the formal letter was received, explaining the reason for the detail and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint is received about the Chair, the complaint will be referred to the Vice-Chair for investigation.

Note: 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 complaint is about the Trust Board, the complaint should be sent to the Chair of the Trust Board. The Chair of the Trust Board will instruct an independent organisation to investigate and report back to the Chair.
If the complainant is not satisfied with the outcome of the Stage 2 investigation, they should write to the Clerk to the Trust Board within **five school days** asking for the complaint to be heard before a panel.

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

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the hearing. They will aim to convene a hearing within **20 school days** of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the hearing. 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 or
- The entire Trust Board or
- The majority of the Trust Board

Stage 3 will be heard by a completely independent panel.

The panel will consist of three members. None of the three members of the panel will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, or have any detailed prior knowledge of the complaint.

One of the panel members will be independent of the management and running of the Trust. This means that the independent panel member will not be a Trustee or an employee of the Trust.

The complainant may bring someone along to the hearing to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the hearing. However, there may be occasions when legal representation is appropriate. For instances, if a Trust employee is called as a witness in a complaint hearing, they may wish to be supported by union and / or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least **ten school days** before the meeting, the Clerk will:

- Confirm and notify the complainant of the date, time and venue of the hearing, 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 **six school days** before the meeting.

Any written material will be circulated to all parties at least **five school days** before the date of the hearing. 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 this procedure.

The hearing 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.

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

- Decide on 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 and the Trust with a full explanation of their decision and the reason(s) for it, in writing, within **five school days.** Where appropriate, it will include details of actions the Trust will take to resolve the complaint.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by Hope Sentamu Learning Trust (refer to 'Next Steps').

The panel will ensure that this 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 in the Trust Offices by the CEO.

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 along with what actions have been taken, regardless of the decision.

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.

6. 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 Hope Sentamu Learning Trust or any of its schools. They will consider whether Hope Sentamu Learning Trust has 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 A

Complaint Form

Please complete and return to the Headteacher/Principal / CEO / Chair / Clerk as appropriate, who will acknowledge receipt and explain what action will be taken.

Your Name:	
Pupil's Name (if relevant):	
Your relationship to the pupil (if relevant):	
Address:	
Postcode:	
Daytime telephone number:	
Evening telephone number:	
Email address:	

Please give details of your complaint, including whether you have spoken to anybody at the school / Trust 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:	
Action taken:	

Appendix B

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to their complaint if they:

- Explain the complaint in full as early as possible in the process
- Co-operate with the school in seeking a solution to the complaint
- Respond promptly to requests for information or meetings or in agreeing the details of the complaint
- Ask for assistance as needed
- Treat all those involved in the complaint with respect
- Refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:
    - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
    - interviewing staff and children / young people and other people relevant to the complaint
    - consideration of records and other relevant information
    - analysing information
- Liaising with the complainant as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- Conduct interviews with an open mind and be prepared to persist in questioning
- Keep notes of interviews or arrange for an independent note taker to record minutes of any meetings
- Ensure that any papers produced during the investigation are kept securely pending any appeal
- Be mindful of the timescales to respond
- Prepare a comprehensive report for the Headteacher/Principal or panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems
- The Headteacher/Principal or panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Clerk to the Local Governing Committee / Trust Board

The Clerk is the contact point for the complainant and the Stage 3 panel and should:

- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- Collate any written material relevant to the complaint (for example: Stage 1 and 2 paperwork, school and complainant submissions) and send it to all parties in advance of the hearing within an agreed timescale
- Record the proceedings
- Circulate the minutes of the hearing
- Notify all parties of the panel's decision.

Panel Chair

The panel Chair, who is nominated in advance of the hearing, should ensure that:

- Both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the hearing
- The meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- Complainants who may not be used to speaking at such a hearing are put at ease. This is particularly important if the complainant is a child / young person
- The remit of the panel is explained to the complainant
- Written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR. If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the hearing
- Both the complainant and the school / Trust are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- The issues are addressed
- Key findings of fact are made
- The panel is open-minded and acts independently
- No member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- The meeting is minuted
- They liaise with the Clerk.

Panel Member

Panel members should be aware that:

- The hearing must be independent and impartial, and should be seen to be so. No Governor / Trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. We recognise that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting. Parents / carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child / young person and present during all or part of the hearing. Careful consideration of the atmosphere and proceedings should ensure that the child / young person does not feel intimidated.
- The panel should respect the views of the child / young person and give them equal consideration to those of adults.
- If the child / young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child / young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the meeting, if any, the child / young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child / young person to attend a part of the hearing that the panel considers is not in the child / young person's best interests.
- The welfare of the child / young person is paramount.

Policy for Managing Serial and Unreasonable Complaints

(to be read in conjunction with The Hope Sentamu Learning Trust's Complaints Procedure)

The Hope Sentamu Learning Trust 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(s). 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.

The Hope Sentamu Learning Trust defines 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/Principal or Chair of the Local Governing Committee will discuss any concerns with the complainant informally before applying an '*unreasonable'* marking.

If the behaviour continues, the Headteacher/Principal will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact a school within the Hope Sentamu Learning Trust, 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 in question.