



COMPLAINTS POLICY

Policy Dated:	September 2025
Adopted by Trust Board:	July 2025
Date of Next Review:	July 2026
Reason for Review/Revision:	Updated December 2025 in response to Data (Use and Access) Act 2025
Publication Scheme	Trust & Academy websites
Version	06
Lead	CEO

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1. STATEMENT of INTENT

Extol Trust aims to resolve complaints at the earliest possible stage and, where possible, informally, and is dedicated to continuing to provide the highest quality of education possible in all of its schools throughout the procedure.

This policy has been created in line with the DfE's guidance for academies complaints procedures to handle complaints relating to any aspects of the provision of facilities or services against:

- Any member of staff.
- Any school within the Trust.
- Any LGB of the Trust.
- Individual Trustees or the Board of Trustees.
- The Trust as a whole.

It is designed to ensure that the Trust's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality, and delivers an effective response and appropriate redress.

This policy outlines the procedure that the complainant, the Trust and its schools will follow. Once a complaint has been made, it can be resolved or withdrawn at any stage.

The Headteacher and/or Chair of Governors of the relevant school will delegate an appropriate person to be the first point of contact during the complaint's procedure.

2. LEGAL FRAMEWORK

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

- Freedom of Information Act 2000
- Education Act 2002
- Equality Act 2010
- The Education (Independent School Standards) Regulations 2014
- Immigration Act 2016
- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'

This policy operates in conjunction with the following Trust and school policies:

- Admissions Policy
- Behaviour Policy
- Data Protection Policy
- Grievance Policy
- Records Management Policy
- Safeguarding and Child Protection Policy
- Staff Code of Conduct
- Suspension and Exclusion Policy
- Whistleblowing Policy

3. SCOPE

- This is a statutory policy which covers the procedures for all complaints against Extol Trust or any of its schools, employees or governors.
- This policy applies to all employees, Trustees and Local Governors of Extol, including casual, agency staff, self-employed workers and volunteers of the Trust. For ease of reference the term “employee” is used throughout this policy to cover all of the above categories of personnel.
- In addition, our policy addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the Trust’s fulfilment of Early Years Foundation Stage requirements.

This policy will not be used for complaints where other procedures are in place.

Exceptions:	Who to Contact:
Admission to schools	Please refer to the individual school’s Admissions Policy for the appeals process.
Statutory assessments of Special Educational Needs	Concerns about assessment of Special Educational Needs should be made directly to the local authority in which the child resides.
School re-organisation proposals	Anyone wishing to raise a concern about school reorganisation should follow the procedures for the consultation of stakeholders set out as part of the proposals.

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 responsibilities for safeguarding or the Multi-Agency Safeguarding Hub (MASH). Contact details available from Local Authorities in which a school is situated.
Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/schooldisciplineexclusions/exclusions <i>*complaints about a school's application of the Behaviour Policy can be made through this Complaints Policy.</i>
Whistleblowing	Employees, contractors working for the Trust on school premises, suppliers and those providing services under a contract with the Trust who have a concern regarding malpractice or wrongdoing, should refer to the "Extol Whistleblowing Policy".
Staff Grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures.
Staff Conduct	Complaints about staff will be dealt with under the Trust's internal disciplinary procedures or the Managing Allegations of Abuse against Staff Policy, if appropriate. <i>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.</i>
Third-party suppliers using school premises or facilities	The school will ensure any third-party supplier using school premises or facilities to offer community facilities or services has its own complaints procedures in place and such complaints do not fall within the scope of this policy.

All other complaints will be directed towards the procedures laid out in this policy.

4. DEFINITIONS

The difference between a Concern and a Complaint

The DfE guidance explains 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”.

Extol will resolve concerns through day-to-day communication as far as possible.

A **complaint** may be defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”. Complaints can be resolved formally or informally.

Extol intends to resolve complaints informally where possible, at the earliest possible stage.

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 complaint’s procedure. Extol Trust and all of our family of schools take concerns seriously and will make every effort to resolve the matter as quickly as possible.

The definition of “**unreasonable complaints**” is outlined in the Managing unreasonable complaints section of this policy.

For the purpose of this policy, “**duplicate complaints**” are identical complaints received from a complainant’s spouse, partner or child. These complaints will not be addressed again and the individual making the second complaint will be informed that the complaint has been dealt with on a local level. If the individual is dissatisfied with the result, they can appeal to the DfE, as outlined in ‘The role of the DfE’ subsection of this policy. Any new details provided by a complainant’s spouse, partner or child, however, will be investigated and managed in line with the complaint’s procedure.

For the purpose of this policy, “**complaints campaigns**” are where the Trust, or a school within the Trust, receives large volumes of complaints that are all based on the same subject.

For the purposes of this policy, having “**independence**” from the Trust and its schools is defined as having no association with the Trust, including through being a member, trustee or employee, and having no clear connection with any of the Trust’s schools, including through being an employee or solicitor. Independent panel members will meet the Trust’s and DfE’s definition of independence.

5. MAKING A COMPLAINT

Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the Trust provides. Complaints may also be made by a third party on behalf of a complainant, contingent on appropriate consent having been obtained to do so. All complaints made will be handled via the procedures outlined in this policy.

Any parent and/or carer of a pupil in a Trust school is able to make a complaint about the provision of facilities or services that the Trust provides. Any complaints made by other parties may be handled via different procedures to those outlined in this policy. This includes complaints made by a third party on behalf of a parent or carer of a pupil in a Trust school.

The Trust will not normally investigate anonymous complaints.

Complainants may make complaints in person, in writing or by telephone. Complaints should be made using the appropriate channels of communication.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the Trust or school office. You can also ask a third-party organisation for example like the Citizens Advice to help you.

Complaints are expected to be made as soon as possible after an incident arises to amend the issue in an appropriate timescale. The Trust upholds a three-month time limit in which a complaint can be lodged regarding an incident. Complaints made outside this time limit will be considered in exceptional circumstances. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner. Complaints received outside of term time will be treated as being received on the first school day after the holiday period.

A complaint can progress to the next stage of the procedure even if it is not viewed as “justified”. All complainants are given the opportunity to fully complete the complaints procedure.

Complaints about staff or Trustees

Complaints against staff of a school in the Trust will:

- Be dealt with by the Headteacher of the school.
- Follow the complaints procedure, including a panel hearing where applicable.

Complaints against a Headteacher of a school in the Trust will:

- Be dealt with by the Chair of the LGB of the school.
- Follow the complaints procedure, including a panel hearing where applicable.

Complaints against local governors or Trustees will:

- Be made in writing to the clerk, who will arrange for them to be heard.
- Be dealt with by the Chair of the LGB or the Chair of Trustees, respectively.
- Potentially involve escalation to the Trust board to conduct an investigation – this will be handled by the CEO.

- Involve a panel hearing where applicable.

Complaints against the Chair of Trustees, or an entire LGB will:

- Be made in writing to the clerk, who will determine the most appropriate course of action dependent on the nature of the complaint.

Complaints against the Board of Trustees will:

- Be dealt with by the CEO.
- Follow the complaints procedure, including a panel hearing where applicable.

Complaints against the CEO will:

- Be dealt with by the Chair of Trustees, with a panel hearing where applicable.

Complaints against the Trust will:

- Be dealt with by the CEO.
- Begin with stage two of the 'Complaints procedure' outlined in this policy, i.e. via a formal, written complaint.

Complaints escalated to the Trust

- Where a complainant wishes to escalate their complaint to the Trust, the complaint will be handled by the CEO.
- The clerk to the Board of Trustees will write to the complainant to acknowledge their complaint within **15** days of receiving it. If appropriate, the CEO will investigate the complaint and provide an initial response.
- Where the complainant is not satisfied with the outcome of the initial response, they will be prompted to write to the clerk to the Board of Trustees to ask for the complaint to be held before a panel within **10** school days. The clerk will record the date this complaint is received and will respond within **10** school days. The panel hearing will be organised in accordance with stage three of the Complaints procedure.
- If a complaint is escalated beyond the panel, its resolution may involve sourcing an independent investigator to deal with the complaint. In exceptional circumstances, where it is necessary to deviate from the complaint's procedure, this deviation will be appropriately documented.
- Information about a complaint will not be disclosed to a third party without written consent from the complainant.

6. ROLES and RESPONSIBILITIES

The complainant is responsible for:

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

The role of the investigator will differ depending on the nature of the complaint and who it is directed at. This means that:

- For complaints against staff of schools in the Trust, the investigator will be the Headteacher.
- For complaints against Headteachers of schools in the Trust, the investigator will be the Chair of the LGB.
- For complaints against local governors, the investigator will be the Chair of the LGB.
- For complaints against Trustees, the investigator will be the Chair of Trustees.
- For complaints against the Chair of Trustees or an entire LGB, the clerk will appoint an appropriate person to be the investigator.
- For complaints against the CEO, the investigator will be the Chair of Trustees.

The investigator of the complaint is responsible for:

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

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

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

The panel chair will:

- Ensure that minutes of the hearings are taken on every occasion.
- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any pupils involved.
- Conduct the hearing in a manner that ensures everyone is treated with respect and courtesy.
- Ensure that the room's layout and setting is non-adversarial yet still sets the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the trust the opportunity to state their case and seek clarity without undue interruption.

- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the Clerk to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

The role of the DfE

If a complainant remains dissatisfied once the complaint procedure has been completed, they have the right to refer their complaint to the Secretary of State. If a complainant wishes to escalate a complaint, the trust will refer them to the relevant [contact form](#), and prompt them to follow the instructions on this form to submit a complaint to the Secretary of State.

The DfE will not overturn the trust or panel's decision about a complaint or re-investigate the original complaint. The DfE will only intervene following a complaint if it believes the trust has:

- Breached a clause in its funding agreement.
- Failed to comply with education law or acted unreasonably when exercising related education functions.

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

7. COMPLAINTS PROCEDURE

This policy is implemented on a Trust-wide level. The Trust will ensure that the complaints procedure is:

- Easily accessible and publicised on its website.
- Simple to understand and put into practice.
- Impartial and fair to all parties involved.
- Respectful of confidentiality duties.
- Continuously under improvement, using input from the SLTs of all individual schools within the Trust.
- Fairly investigated, by an independent person where necessary.
- Used to address all issues to provide appropriate and effective responses where necessary.

Stages of complaint

- **Informal** – which will usually come in the form of a meeting between a representative of the Trust or individual school and the complainant.
- **Formal** – where the complaint is put in writing to the Trust.
- **Panel hearing** – where the panel includes at least three people who were not directly involved in the matters detailed in the complaint and one person who is independent of the management and running of the Trust.

At each stage, complainants will be informed of their options for escalation if they are unsatisfied with the outcome of their complaint. The appropriate person will communicate the details of the next stage of the process when delivering the outcome of the current stage, where applicable.

To prevent later challenge or disagreement over what was said in any in-person meetings or telephone conversations at any stage of the procedure, brief notes will be kept, and a copy of any written response will be added to the record of the complaint. Notes and paper copies of any complaints and/or responses are kept securely on each school's ICT system, or on the central Trust ICT system where the complaint is against the Trust as a whole or a member of the Board of Trustees.

Stage one – informal complaint

An informal complaint may be made in person, by telephone or in writing; however, it is preferred that initial, informal complaints are made via an in-person meeting.

Where a complaint has been made about a member of staff, the complainant can discuss the concern with the Headteacher, or a person delegated to hear the complaint on their behalf, to seek support. If the concern is about the Headteacher, the Chair of the LGB should be informed and will need to handle the complaint. The complainant can then be referred to the Chair of Trustees.

Where a complaint is made initially to a Trustee, the complainant will be referred to the appropriate person. No member of staff or Trustee will act alone on a complaint outside of the procedure; if they do, they cannot be involved if the complaint is subject to a hearing at a later stage of the procedure.

Within **5** school days of notification of the complaint, the complainant and the relevant member of staff should discuss the issue in a respectful and informal manner to seek a mutual resolution.

At this initial communication stage of the complaint, the complainant will be asked for their input as to what they believe may resolve the issue about which the complaint has been made to avoid further escalation where possible.

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

If an appropriate resolution cannot be sought at this informal level, or if the complainant is dissatisfied with the outcome following the initial discussions, the person managing the response to the complaint will inform the complainant about the next level of the procedure.

Stage two – formal complaint

Formal complaints must be made in writing.

Stage two of the process will be completed within **15 school days**.

- The Headteacher (or respondent) acknowledges receipt of complaint within **5 school days** and provides a full written response within **10 school days**.

Where the situation is recognised as complex, and it is deemed to be unable to be resolved within this timescale, the person managing the complaint will contact the complainant to inform them of the revised target date via a written notification.

An appointment with the appropriate person for managing the complaint should be made, as soon as reasonably practical, to avoid any possible worsening of the situation.

If the complaint is against a Headteacher, the complainant will initially need to write, in confidence, to the Chair of the schools LGB.

- The Chair of Governors acknowledges receipt within **5 school days** of receiving the complaint and provides a full written response within **10 school days**.

Where the appropriate person has made reasonable attempts to accommodate the complainant with dates for a complaint meeting and they refuse or are unable to attend, the meeting will be convened in their absence and a conclusion will be reached in the interests of drawing the complaint to a close.

In terms of a complaint being made against a member of staff, the Headteacher will discuss the issue with the staff member in question. Where necessary, the Headteacher will conduct interviews with any relevant parties, including witnesses and pupils, and take statements from those involved. All discussions shall be recorded by the Headteacher, and findings and resolutions will be communicated to the complainant either verbally or in writing.

Once all facts are established, the person handling the complaint shall contact the complainant in writing with an explanation of the decision. The complainant will be advised of any escalation options (e.g. escalation to stage three) and will be provided with details of this process.

The complainant will also be provided with copies of minutes, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR. Any further action the Trust plans to take to resolve the issue will be explained to the complainant in writing.

If the complainant is not satisfied with the outcome suggested, the procedure will progress to stage three. A request to escalate to stage three will be made to the Clerk to the Board of Trustees within **10** school days of the end of stage two, i.e. communication of an outcome.

Stage three – panel hearing

Where the complaint progresses to stage three, a panel will be constituted to hear the complaint, consisting of at least three individuals who were not directly involved in the matters detailed in the complaint, and at least one independent panel member. Where the complaint concerns an individual school, the independent panel member will have no clear connection with that school, such as having conducted work for the school. Where possible, the independent panel member will also have no association with the Trust. Where this is not possible, however, and the complaint concerns an individual school, in line with the DfE's guidance, a local governor serving on the LGB of a different school within the Trust may occupy this role, as they will be sufficiently separate from the school being complained about.

The Clerk will record the date the escalation request was received, acknowledge receipt of the complaint, and inform the complainant of the scheduled time and date of the panel hearing in writing. The meeting will be convened within **15** days of the receipt of the escalation request where possible. Where this is not possible, the Clerk will provide an anticipated date and ensure the complainant is kept up to date.

5 days' notice will be given to all parties attending the panel hearing, including the complainant.

Prior to the hearing, the Clerk will have written to the complainant informing them of how the review will be conducted. The Headteacher of the school in question, the Chair of Governors and the Chair of Trustees will also have a copy of this letter.

At the hearing, all participants will be given the opportunity to put their case across and discuss any issues. The meeting will allow for:

- The complainant to be present and accompanied at the hearing if they wish.
- The complainant to explain their complaint and the individual handling the complaint to explain the reasons for their decision.

- The complainant to question the individual handling the complaint, and vice versa, about the complaint.
- Any evidence, including witnesses who have been prior approved by the chair of the panel, to be questioned.
- Members of the panel to question both the complainant and the individual about whom the complaint was made.
- Final statements to be made by both parties involved.

Neither the complainant nor the Trust will bring legal representation to this hearing, unless in exceptional circumstances, where this will be agreed beforehand. A member of staff who may be a witness to the complaint can bring a union representative or legal representative if desired; this will be agreed before the hearing.

The purpose of the hearing will be reconciliation and ensuring that things that may have gone wrong are corrected.

The complainant will receive a written response explaining the panel's findings and recommendations within **15** school days. This letter will also explain whether there are any further rights of appeal and to whom they need to be addressed.

The panel will make findings and recommendations, and a copy of those findings and recommendations will be made available for inspection on the school premises by the Board of Trustees and the Headteacher.

Where relevant, the person complained about will receive a summary of the panel's findings and recommendations. They will also receive a copy of the minutes, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR.

Complaints to the DfE

If a complainant has exhausted the Trust's complaints procedure, they will be advised that they can submit a complaint to the DfE via their [webpage](#) or by writing to:

Department for Education
School complaints compliance unit
Piccadilly Gate
Store Street
Manchester
M1 2WD

8. RESOLVING COMPLAINTS

At each stage of the complaint's procedure, the Trust is committed to resolving the complaint. Where appropriate, the Trust will acknowledge that the complaint is upheld in whole or in part, and may offer one of the following:

- An explanation
- An admission that the situation could have been handled better
- An assurance that the Trust will try and ensure the incident will not occur again
- An outline 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 changes will be made • An undertaking to review Trust policies in light of the complaint
- An apology

It would be useful if complainants were encouraged to state what actions/outcome they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

9. MANAGING AND RECORDING COMPLAINTS

Recording a Complaint

A written record shall be kept of any complaint made, whether made via phone, in person or in writing, detailing:

- The main issues raised, the findings and any recommendations.
- Whether the complaint was resolved following an informal route, formal route or panel hearing.
- Actions taken by the Trust as a result of the complaint (regardless of whether the complaint was upheld).

All records are made available for inspection on the school premises by the Trust.

The Trust holds the right to use recording devices, where appropriate, to ensure all parties involved are able to review the discussions at a later date. Where there are communication difficulties or disabilities, the Trust may provide recording devices to ensure the complainant is able to access and review the discussions at a later point.

Recording devices will not be used without the prior consent of all parties.

The Trust will not accept as evidence any recordings that were obtained covertly and without the informed consent of all parties being recorded.

Details of any complaint made shall not be shared with the entire Board of Trustees. The exception to this is when a complaint is made against the whole Board, and they need to be aware of the allegations made against them to respond to any independent investigation.

Complainants have a right to access copies of these records under the UK GDPR and the Freedom of Information Act 2000. The Trust will hold all records of complaints from each school, as well as those regarding the Trust itself, centrally. Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection request to access them.

Interviewing witnesses

When interviewing pupils to gather information regarding a complaint, the interview should be conducted in the presence of another member of staff or, in the case of serious complaints, e.g. where the possibility of criminal investigation exists, in the presence of their parents. All pupils interviewed will be made fully aware of what the interview concerns and their right to have someone with them.

The Trust will ensure that the conduction of interviews does not prejudice an investigation by the LA designated officer (LADO) or the police.

The Trust understands the importance of ensuring a friendly and relaxed area which is free from intimidation. Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager. The interviewer will not express opinions in words or attitude, so as to not influence the interviewee. The interviewee will sign a copy of the transcription of the interview.

Managing unreasonable complaints

The Trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The Trust will not normally limit the contact complainants have with the Trust itself or any of its schools; however, the Trust does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. For the purposes of this policy, **“unreasonable complaints”** include:

- Vexatious complaints, which:
 - Are obsessive, persistent, harassing, prolific, or repetitious.
 - Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
 - Insist upon pursuing meritorious complaints in an unreasonable manner.
 - Are designed to cause disruption or annoyance.

- Demand for redress which lacks any serious purpose or value.
- Serial or persistent complaints, which:
 - Are duplicated, sent by the same complainant once the initial complaint has been closed.
 - Are new complaints that are submitted additionally, as part of an existing open complaint, by the same complainant.

A complaint may also be regarded as unreasonable when 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 cooperate with the complaints investigation process while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaint's procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on or 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 Trust's complaints procedure has been fully and properly implemented and completed, including referral to the DfE.
- Seeks an unrealistic outcome.
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the complainant:

- Acts maliciously or aggressively.
- Uses threats, intimidation or violence.
- Uses abusive, offensive or discriminatory language.

- Knows the complaint to be false.
- Uses falsified information.
- Publishes unacceptable information in media such as social media websites and newspapers.

The above applies regardless of the method the complaint is made, e.g. face-to-face, by telephone, in writing or electronically.

Complainants should limit the number of communications with the Trust while a 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 member of staff, local governor or Trustee leading the response to a complaint will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

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

If the behaviour continues, the individual handling the complaint will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the Trust or any of its academies causing a significant level of disruption, the Trust may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

A decision to stop responding will only be considered in circumstances where the following statements are true:

- Every reasonable step has been taken to address the complainant's concerns
- The complainant has been given a clear statement of the Trust's position and their options
- The complainant contacts the Trust or any of its academies repeatedly, making substantially the same points each time

If the above criteria are met, in making a decision to stop responding, the Trust will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about or threats towards staff, or if the Trust believes their intent is to disrupt or inconvenience the Trust or its schools.

The Trust will not stop responding to a complainant on the basis that they are difficult to deal with or they ask complex questions.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the premises.

Complaints campaigns

Where the Trust becomes the subject of a complaints campaign from complainants who are not connected with the Trust, a standard, single response will be published on the Trust's website.

If the Trust receives a large number of complaints about the same subject from complainants who are connected to the Trust, e.g. parents, each complainant will receive an individual response. If complainants remain dissatisfied with the Trust's response, they will be directed to the DfE.

Barring from the premises

School premises are private property and therefore any individual may be barred from entering the premises. If an individual's behaviour is cause for concern, the Headteacher of the relevant school will ask the individual to leave the premises.

The Headteacher will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and why, subject to any representations that the individual may wish to make. The individual involved will be given the opportunity to formally express their views regarding the decision to bar them.

This decision to bar will be reviewed by the chair of the LGB, or the Chair of Trustees where escalated, taking into account any discussions following the incident. If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place, and when the decision will be reviewed.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including via email, to the Headteacher or Chair of Governors.

Withdrawal of a complaint

Where a complainant wishes to withdraw their complaint, the Trust will ask them to confirm this in writing. Despite the complaint having been withdrawn, the Trust and the school will still take the complainant's voice seriously and attempt to avoid causing similar distress to others in the future. The Trust and school will not under any circumstances ask or pressure an individual to withdraw a complaint.

Record keeping

A written record will be kept of all complaints that are made, regardless of the stage at which they are resolved, including any action taken by the Trust as a result of those complaints, whether they are upheld or not.

All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or an inspectorate requests access to them.

Schools are data controllers in their own right and must decide for themselves how long to keep records, unless statutory regulations apply, e.g. attendance records must be kept for 3 years. The Trust will retain records of complaints and related documents in line with the Data Protection Policy and Records Management Policy. Personal data will only be kept for as long as necessary.

10. BREACHES of the POLICY

Addressing complaints is a sensitive area and should be carried out with a view to reconciliation between all parties. It is therefore important that all those with responsibilities follow the steps set out within this policy to avoid confusion or misunderstanding, which may lead to unjust loss of reputation of an individual, the School or the Trust.

11. EXCEPTIONAL CIRCUMSTANCES

The DfE expects complainants to have completed the Trust's complaints procedure before directing a complaint to them. The exceptions to this include when:

- Pupils are at risk of harm.
- Pupils are missing education.
- A complainant is being prevented from having their complaint progressed through the Trust's complaints procedure.
- The DfE has evidence that the Trust is proposing to act or is acting unlawfully or unreasonably.

If a social services authority decides to investigate a situation, the Board of Trustees may postpone the complaints procedure.

12. STANDARD of FLUENCY COMPLAINTS

As members of a public authority, all staff are subject to the fluency duty imposed by the Immigration Act 2016, which requires staff members to have an appropriate level of fluency in English in order to teach pupils.

The Trust is free to determine the level of spoken communication necessary in order for staff members to develop effective performance, but it will be matched to the demands of the role in question.

The Trust will be satisfied that an individual has the necessary level of fluency appropriate for the role they will be undertaking, whether this is an existing or potential new member of staff.

If a member of the school community feels that a staff member has insufficient proficiency in spoken English for the performance of their role, they are required to follow the Complaints procedure outlined in this policy.

For the purpose of this policy, a **“legitimate complaint”** is one which is about the standard of spoken English of a member of staff; complaints regarding an individual’s accent, dialect, manner or tone of communication are not considered legitimate complaints. All legitimate complaints regarding the fluency duty will be handled in line with the processes detailed in this policy.

In addition to the processes outlined in this policy, the Trust will assess the merits of a legitimate complaint against the necessary standard of spoken English fluency required for the role in question.

To assess the merits, the school at which the staff member works will undertake an objective assessment against clear criteria set out in the role specification or, against the level of fluency descriptors relevant to the role in question.

If the complaint is upheld, the Trust will consider what action is necessary to meet the fluency duty. This may include:

- Specific training.
- Specific re-training.
- Assessment.
- Redeployment.
- Dismissal.

Appropriate support will be provided to staff to ensure that they are protected from vexatious complaints and are not subjected to unnecessary fluency testing.

Records of complaints regarding fluency will be kept in accordance with the processes outlined in the [‘Recording a complaint’](#) section of this policy.

13. TRANSFERRING DATA

When a pupil changes school, the pupil’s educational record will be transferred to the new school and no copies will be kept.

The Trust will hold records of complaints separate to pupil records while a complaint is ongoing, so that access to these records can be maintained.

Information that the Trust retains relating to a complaint will be stored securely and in line with its Records Management Policy.

14. AVAILABILITY

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

15. MONITORING and REVIEW

The complaints procedure will be reviewed annually, taking into account any legislative changes and the latest guidance issued by the DfE. The next scheduled review date for this policy is July 2026.

Responsibility for reviewing the procedure belongs to the Resource Committee of the Board of Trustees. All projected review dates will be adhered to.

Information gathered through reviewing the complaints procedure will be used to continuously improve and develop the process. Any changes to this policy will be communicated to all relevant stakeholders.

The monitoring and reviewing of complaints will be used to help evaluate each school's performance, and the performance of the Trust as a whole.

16. EQUALITY STATEMENT

Those within Extol Trust who have responsibilities defined within this policy will carry out their duties with regard to the Trust's Equality Statement and commitment to abide by the Equality Act 2010:

- accepting our legal duty to ban unfair treatment and achieve equal opportunities in the classroom, the workplace and in wider society.
- We have regard for our duty to:
 - Eliminate unlawful discrimination, harassment and victimisation
 - Advance equal opportunity
 - Foster good relations

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.

Appendix 1 – Roles and Responsibilities

A The Role of the Complainant

The Complainant will receive a more effective response to the complaint if they:

- Explain the complaint in full as early as possible
- Co-operate with the School in seeking a solution 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

B The Role of the 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 and the Complaints Co-ordinator as appropriate to clarify what the Complainant feels would put things right

The Investigator should:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview or arrange for an independent note taker to record minutes of the meeting

- 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 or governor's panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

C The Role of the Headteacher/Chair of the LGB

Where appropriate, the Investigator will present a report of their findings to the Headteacher or Chair of the LGB who will determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Where an investigation is being carried out by the Chair of the LGB in relation to a complaint against the Headteacher, they should complete a full report and make their own determination regarding the outcome.

D The Role of the Complaints Co-ordinator

The School based Complaints Co-ordinator could be the Headteacher, designated complaints governor or other staff member providing administrative support. Where appropriate, this function will be carried out by the Trust Clerk to Governance.

The Complaints Co-ordinator should:

- Ensure that the Complainant is fully updated at each stage of the procedure
- Liaise with staff members, Headteacher, Chair of Governors, Clerk (if appropriate) to ensure the smooth running of the complaints process
- Be aware of issues regarding:
 - Sharing third party information
 - Additional support. This may be needed by the complainants when making a complaint, including interpretation support or where the complainant is a child or young person
- Keep records

E The Remit of the Complaints Panel

The Panel can:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points, which any governor sitting on a Complaints Panel needs to remember.

- It is important that the panel is independent and impartial and that it is seen to be so. No Trustee or governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the Panel, the Trust needs to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation. If necessary, the Panel may be made up of independent governors from other academies and as a minimum one must be an independent member who is not concerned in the management or running of the school.
- The aim of the Complaints Panel, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the Panel does not find in their favour. It may only be possible to establish the facts and make recommendations, which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The Chair of the Panel will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone, and care is needed to ensure the setting is informal and not adversarial. (see Appendix 6)
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The Panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the Panel hearing if any the child needs to attend.
- The school must allow the parent(s) to attend the Panel and be accompanied if they wish.
- The governors sitting on the Panel need to be aware of the complaints procedure.

F The Role of the Clerk

Complaints Panels should be formally clerked. The clerk would then be the contact point for the complainant and be required to:

- Ensure a written acknowledgement of the complaint and the request for it to be heard by the Panel be sent to the parent within five school days.

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible. This will be within twenty school days of receiving the complaint. It will also inform the parent of the right to submit any further documents other than the complaints form (see Appendix 5) and that these must be made available to the Clerk to the Governance within five school days of receipt of the acknowledgement letter.
- 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)
- The Clerk will inform all those concerned of their right to call witnesses to the meeting, subject to the approval of the Chair of the Panel, and their right to be accompanied by a companion of their choice (particularly parents).
- The Clerk will also ensure that the Headteacher or Chair of the Panel provides a written report in response to the complaint and advise them of their right to call witnesses and be accompanied by a supporter. Subject to the approval of the Chair.
- Collate any written material provided by the school or the parents and send it to the parties at least five school days prior to the meeting. This will also include the names of all parties and witnesses (if any) who will be attending the meeting.
- Meet and welcome the parties as they arrive at the hearing.
- Record the proceedings.
- Notify all parties of the Panel's decision.

G The Role of the Nominated Chair of the Complaints Panel

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

- The correct procedure has been followed
- Both parties have been asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting.
- The remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption and ask questions.
- The issues are addressed and only the issues identified in the complaint.
- Key findings of facts are made.
- Parents and others who may not be used to speaking at such a meeting are put at ease.
- The Panel is conducted in an informal manner, is not adversarial, with each party treating the other with respect and courtesy.
- The Panel is open minded and acting independently.

- No member of the Panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- All parties see written material, providing it does not breach confidentiality or any individuals' rights to privacy under the Data Protection Act 2018 or General Data Protection Regulations. If a new issue arises, it would be useful to give all parties the opportunity to consider and comment on it.
- Both the complainant and the school 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 meeting is minuted
- The Complainant is notified of the Panel's decision.

The Chair of the Panel needs to ensure that the complainant is notified of the Panel's decision, in writing, with the Panel's response. Any findings and recommendations from the Panel should be provided to the complainant and in addition to the person complained about and should be made available for inspection on the school premises by the Headteacher.

H The Role of the Panel Member

Panel members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so. No governor 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 meeting 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 and present during all or part of the meeting.
 - Careful consideration of the atmosphere and proceedings should ensure that the child does not feel intimidated.
 - The Panel should respect the views of the child and give them equal consideration to those of adults.
 - If the child is the complainant, the Panel should ask in advance if any support is needed to help them present their complaint. Where the child's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child needs to attend.

- However, the parent should be advised that agreement might not always be possible if the parent wishes the child to attend a part of the meeting that the committee considers is not in the child's best interests. - The welfare of the child/young person is paramount.

I The role of the DfE

If a complainant remains dissatisfied once the complaint procedure has been completed, they have the right to refer their complaint to the Secretary of State. If a complainant wishes to escalate a complaint, the Trust will refer them to the relevant [contact form](#), and prompt them to follow the instructions on this form to submit a complaint to the Secretary of State.

The DfE will not overturn the Trust or panel's decision about a complaint or re-investigate the original complaint. The DfE will only intervene following a complaint if it believes the Trust has:

- Breached a clause in its funding agreement.
- Failed to comply with education law or acted unreasonably when exercising related education functions.

When making a final decision about a complaint, the Trust reserves the right to seek advice from the DfE on whether they are acting reasonably and lawfully; however, they will not be able to advise on how to resolve the complaint.

Appendix 2 - Checklist for Complaints Panel

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



Appendix 3 - Procedure for Complaints Panel Hearing

Introduction

The aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the parent.

The Chair of the Panel will ensure that the meeting is properly minuted.

Although the meeting will follow the structured order below, given potential sensitivities and anxieties, the Chair will endeavour to ensure that the proceedings are as informal as possible and that all parties are put at their ease.

The introduction of new information or witnesses, previously not notified to all parties, would be reason to adjourn the meeting so that everyone has time to consider and respond to the new information.

Order of Meeting

1. The Chair welcomes the Parent/Carer (Complainant) and his/her companion and introduces everyone present.
2. The Chair explains the purpose of the meeting, the procedure, and confirms that all written evidence has been made available to all parties.
3. The Parent/Carer or Companion explains the complaint, calling in witnesses if appropriate.
4. The members of the Panel and Headteacher may question the Complainant and witnesses.
5. The Headteacher/Chair of the LGB are then invited to present a response to the complaint, including action taken to address the complaint at Stage 1 and 2 of the procedure and calling witnesses, if appropriate.
6. The members of the Panel and Parent/Carer or Companion may question the Headteacher/Chair of the LGB.
7. The members of the Panel may ask questions at any point.
8. The Complainant summarises their case, highlighting evidence, including anything that has emerged in the questioning.
9. The Headteacher/Chair of the LGB summarises the school's position, highlighting evidence, including anything that has emerged in the questioning. *N.B. No new points should be added at stages 8 or 9.*
10. The Chair of the Panel checks that all parties feel that they have had a fair hearing and reminds everyone of the confidentiality of the case.



11. The Chair of the Panel thanks both parties for attending and gives an indication of when they can expect to hear the outcome. All parties then leave the room together.
12. The Panel considers the complaint and reaches a unanimous or majority decision. The Panel also decides what action (if any) to take to resolve the complaint and, if appropriate, recommends changes to ensure similar complaints are not made in future.
13. When a decision has been made, the Chair informs both parties in writing of the outcome of the complaint.



Appendix 4 - Complaints Flowchart

CONCERN OR COMPLAINT RECEIVED

INFORMAL STAGE 1	SCHOOL /TRUST ACTION
Informal discussion with the relevant class teacher or other relevant member of staff usually resulting in resolution to the issue. If the complaint is about the Headteacher – proceed to Stage 2	The person is informed of the action to be taken to resolve the issue. If they are not satisfied, they should be provided with a copy of the Trust's complaints procedure and information on how to proceed to stage 2.
FORMAL PROCEDURE- STAGE 2	SCHOOL/TRUST ACTION
The complaint is submitted in writing to the Headteacher. (Appendix 5a)	The Headteacher acknowledges receipt within 5 school days and provides a full written response within 10 school days. Information is provided to the complainant on how to progress the complaint to stage 3. Complainant has 10 school days to lodge a request to escalate to Stage 3.
In the case of a complaint against the Headteacher the submission should be in writing to the Chair of Governors.	The Chair of Governors acknowledges receipt within 5 school days of receiving the complaint and provides a full written response within 10 school days. Information is provided to the complainant on how to progress the complaint to stage 3. Complainant has 10 school days to lodge a request to escalate to Stage 3.
In the case of a complaint to the Trust	The complaint will be handled by the CEO. The clerk to the Board will acknowledge the complaint within 5 school days of receiving it. If appropriate, the CEO will investigate and provide initial response with 10 school days. Where the complainant is not satisfied with the outcome of the initial response, they will be prompted to write to the clerk to the Board of Trustees to ask for the complaint to be held before a panel within 10 school days
PANEL HEARING – STAGE 3	SCHOOL /TRUST ACTION
Complaints Panel convened.	Clerk arranges for Panel to meet within 15 school days from receipt of letter and informs the complainant of findings within 5 school days from the date of the hearing.
FURTHER RECOURSE	
Complainant referred to DfE	The DfE will not overturn an Academy/School's decision, however, if they find an Academy/School did not deal with a complaint properly they will request the complaint is looked at again and procedures meet the requirements set out in the Regulations.



Appendix 5 – Model Complaint Form

If you are not satisfied or feel that you have been unfairly treated, we would like you to indicate the problem.

It is, however, very important that you seek to resolve any difficulties in the first instance by discussing your concerns/complaint with a member of staff at the school.

If you have tried this and are still not satisfied with the response, then please fill in all the sections of this form and return it to XXX (*either Headteacher / Chair of LGB/ Clerk / CEO/ Chair of Trustees – delete as appropriate*) who will acknowledge receipt and explain what action will be taken. the Headteacher or Chair of the Local Governing Body.

Your Name:	
Pupil's Name (if relevant):	
Class/Group:	
Your Address:	Mobile Number:
	Home Number:
Email address:	
Details of Complaint: Please give details of your complaint, including whether you have spoken to anybody about it.	
<i>Please attach a continuation sheet/additional information if you wish</i>	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If se, please give details.	



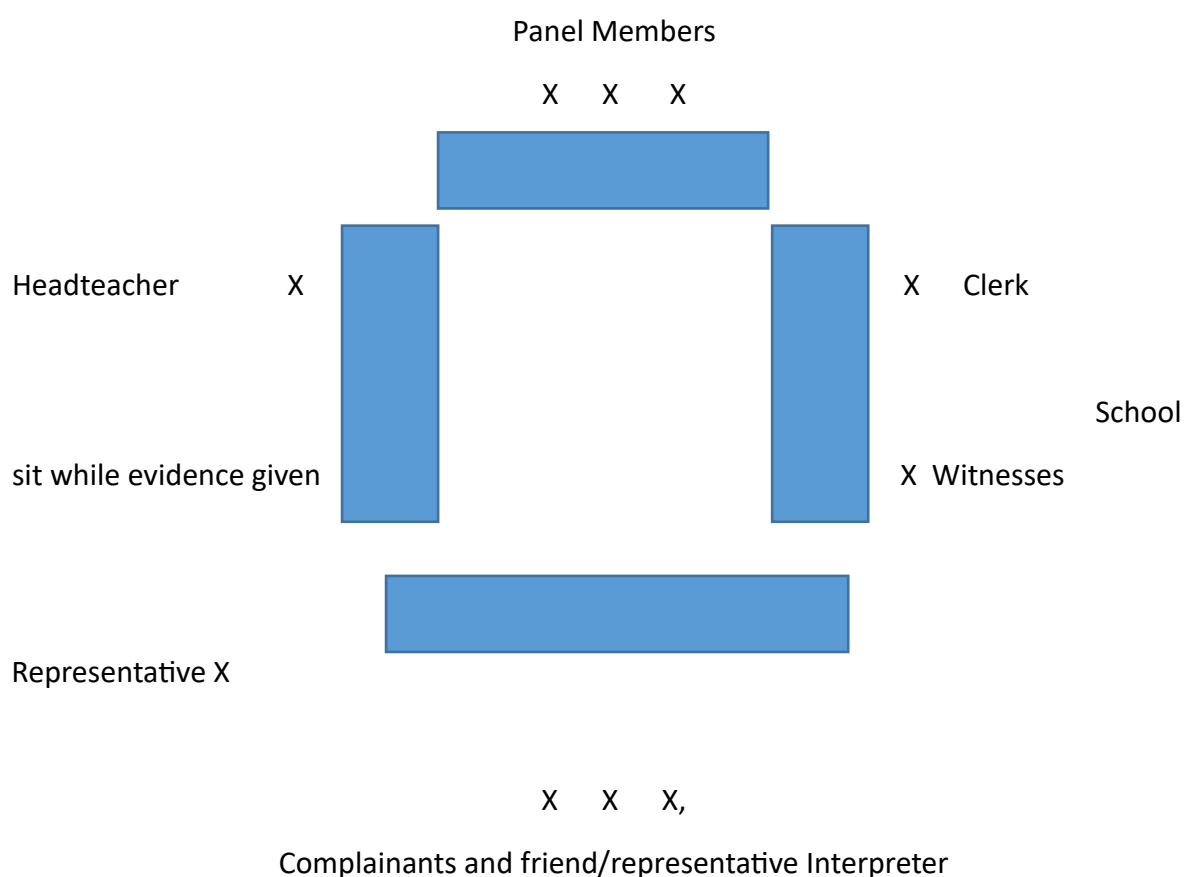
Have you complained to the School/Trust about this before? (delete as appropriate) Yes / No	
If so, ☐ Who did you report the problem to? ☐ When did you report the problem?	
Signed:	

OFFICIAL USE ONLY

Date form sent to complainant:	By whom:
Date completed form received:	By whom:
Informal Complaint: Yes/No	Formal Complaint: Yes/No
Complaint referred to:	
Action Taken:	



Appendix 6 - Suggested Layout for a Complaints Panel Hearing



It is important that the Headteacher, staff and complainants are treated equally at all times, e.g. that the Headteacher is not in the room with the Panel members without the complainant and vice-versa



Appendix 7 – Managing Serial and Unreasonable Complaints Statement

Extol 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. 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 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 Trust or 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 complaint's 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 Trust or the School, in relation 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, Chair of the Local Governing Body (LGB), Chief Executive Officer or Chair of the Trust Board will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Headteacher, Chair of the LGB/IAB, Chief Executive Officer or Chair of the Trust Board (as appropriate) will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the Trust or one of its 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, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from School or Trust premises.

This process will also be used to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.



Appendix 8 – Letter from Headteacher/Chair of LGB/ CEO/Chair of Trust Board to acknowledge formal complaint (to be sent within 5 working days)

Date

Dear XXXX,

Re: Stage 2 Formal Complaint – Acknowledgement

It has come to my attention that you wish to make a formal complaint under stage two for the Trust Complaint Policy. Please accept this written communication as formal acknowledgement of your complaint.

As xxx Primary School/Academy is part of Extol Trust, your complaint will be managed in line with the Trust's complaint policy. I enclose a copy of this for your information/a copy of this can be found on the school website at XXXX.

Either

I have received your complaint form, and this has provided me with enough information to undertake an investigation of your complaint. I expect to complete my investigation and write to you with an outcome within 10 school days. If circumstances arise which means I am unable to fulfil this timescale, I will write to you again to update you.

Or

I have received your written response, however in order that I have enough information to investigate your complaint properly, I need to clarify some details. I would be grateful if you could attend a meeting/respond to the following questions in writing via letter or email (delete as appropriate). I expect to complete my investigation and write to you with an outcome within 10 school days of receiving this additional information.

Please be assured that I take your complaint very seriously and will make sure that this is thoroughly investigated.

Yours sincerely

XXXX

Headteacher/Chair of LGB/ CEO/Chair of the Trust Board



Appendix 9 – Letter from Headteacher/Chair of LGB/CEO/Chair of Trust Board to

update complainant with revised timescales for complaint investigation

Date

Dear XXXX,

Re: Stage 2 Formal Complaint –Complaint Investigation Update

Unfortunately, I am unable to meet my expected deadline for concluding the investigation of your complaint. In order that your complaint is investigated thoroughly, I need more time in order to do this effectively. I now expect to conclude my investigation and write to you by[date]. Please be assured that I take your complaint very seriously.

Thank you for your patience while I investigate this matter.

Yours sincerely

XXXX

Headteacher/Chair of LGB/CEO/Chair of the Trust Board



Appendix 10 – Data Protection Complaint Policy

Data (Use and Access) Act 2025 - Complaint Process

Introduction

Extol Trust is committed to protecting the privacy and personal data of its students, staff, parents/carers, governors and the wider school community. This policy outlines the procedure for handling complaints related to data usage and access, in accordance with the Data Usage Access Act (DUAA) and other relevant UK data protection legislation, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018).

The UK GDPR documents as set out on our website provide an overview of how personal data is managed across our settings.

This is in addition to the main complaint policy and reflects the requirement for standalone data usage complaints to be handled using a separate procedure. Any complaint that is linked to other matters whether raised as a formal or informal complaint are to be dealt with under the standard complaint process as outlined within the main complaint policy.

Roles and responsibilities

The Data Controller (DC) is responsible for ensuring compliance with this policy and the legal obligations imposed by the UK GDPR, Data Protection Act 2018, Data Usage and Access Act 2025 and other relevant legislation. The DC will delegate day to day management of this to the relevant staff member and the DC will expect that staff member to investigate any complaint unless there is a conflict of interest, in which case the DC will appoint a suitable person.

The headteacher and leadership team are responsible for ensuring all staff are aware of this policy and their data protection obligations.

All staff members are responsible for handling personal data in a secure and lawful manner and for co-operating fully with any investigation into a data usage or access complaint.

Scope

This policy applies to all individuals who have dealings with Extol Trust and believe that their personal data has been used or accessed inappropriately, or that their rights under the DUAA and other data protection laws have been infringed.

This includes but is not limited to:

- current and former students
- parents/carers
- school staff (teaching, support, and administrative)



- governors
- volunteers
- contractors and suppliers

Principles

Fairness and transparency: All complaints will be handled in a fair, impartial, and transparent manner.

Confidentiality: Complaints and all related information will be treated with the utmost confidentiality, unless disclosure is required by law.

Timeliness: Complaints will be acknowledged and investigated in a prompt manner.

Compliance: All actions taken will comply with the DUAA, UK GDPR, DPA 2018, and other relevant legislation.

The complaint procedure

Step 1: Informal resolution

We encourage individuals to first attempt an informal resolution of their concerns. If you have a concern about data usage or access, you should, in the first instance, raise it with the Headteacher.

In many cases, issues can be resolved quickly and informally at this stage.

Step 2: Formal complaint submission

If the informal approach is not successful or deemed inappropriate, a formal complaint should be submitted in writing using the Personal Data Misuse Complaint Form. *Appendix 11* The complaint should be addressed to the Headteacher.

The written complaint should be made on the form that can be accessed via Extol Trust website and include the following information:

1. your full name and contact details.
2. a clear and concise description of the complaint, including what happened, when it happened, and who was involved.
3. a description of the data involved and how you believe it was used or accessed inappropriately.
4. any relevant dates, times, or evidence.
5. details of any informal steps you have already taken to resolve the issue.
6. the desired outcome of the complaint.

Step 3: Acknowledgment and investigation

You will receive an acknowledgment of the written complaint within 5 working days of the setting receiving it.

The DC will conduct a thorough and impartial investigation into the complaint.

This may involve:



- interviewing the complainant
- interviewing relevant staff members
- reviewing school records, logs, and policies
- consulting with external legal or data protection experts if necessary

The trust will aim to complete the investigation and provide a substantive response within 20 working days of the complaint's acknowledgment. If the investigation is complex and requires more time, the DC will write to the complainant to explain the reason for the delay and provide a new estimated completion date.

Response

The DC will provide a formal written response to the complainant.

This response will include:

- the findings of the investigation.
- a clear and reasoned conclusion as to whether the DUAA or other data protection laws have been breached.
- details of any corrective action taken or planned to prevent a recurrence of the issue.
- the outcome of the complaint, including whether it has been upheld, partially upheld, or not upheld.
- information on the next steps available to the complainant if they remain dissatisfied.

Escalation

If the complainant is not satisfied with the trust's final response, they have the right to escalate their complaint to the Information Commissioner's Office (ICO).

The ICO's contact details are as follows:

Website: <https://ico.org.uk>

Telephone: 0303 123 1113

Postal Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Policy Review

This appendix to the Complaints Policy will be reviewed annually by the Data Protection Officer and the school leadership team to ensure it remains relevant, effective, and compliant with all current legislation.

Date of implementation: December 2025

Review date: August 2026

