



Procedure for Dealing with Complaints

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Date Ratified: 2nd April 2025

Date for Review: 2nd April 2026

Contents

1	Dealing with issues of concern or complaint	3
1.1	<i>Introduction</i>	3
1.2	<i>The difference between a concern and a complaint</i>	3
2	How to raise a concern	4
3	How to make a complaint	4
3.1	<i>Complaints about pastoral or academic issues</i>	4
3.2	<i>Complaints about a member of the Academy's staff</i>	5
3.3	<i>Complaints about the Head Teacher or Governors</i>	5
4	Scope	5
5	Resolving Complaints	7
6	Complaints about a member of the Academy's staff (except the Head Teacher) or the support it provides you or your child	7
6.1	<i>Stage 1 – Seeking Direct Resolution</i>	8
6.2	<i>Stage 2 - Seeking Resolution through the Head Teacher</i>	8
6.3	<i>Stage 3 - Seeking Resolution through Appeal to the Board of Governors</i>	9
6.4	<i>Conduct of the Hearing</i>	10
7	Complaint about the Head Teacher or Governors	11
7.1	<i>Complaint about the Head Teacher</i>	11
7.2	<i>Complaint about Governors</i>	12
8	Your next step	12
9	Time Scales	12
10	Documentation and Record Keeping	13
11	Bias in the Proceedings	14
12	Serial and Persistent Complaints	14
13	Reviewing this Procedure	16
	Complaint Form	17
	Roles and Responsibilities	19

1 Dealing with issues of concern or complaint

1.1 Introduction

This policy and its procedures are primarily intended for use by the parents or carers of pupils of the King's Cross Academy regarding their children or on their behalf (see section 4 'Scope' below). However, any person, including members of the public, may make a complaint to the Academy about any provision of community facilities or services that we provide. In such an event, we will use this complaints procedure unless the issues of concern or complaint are dealt with under separate contractual or statutory procedures (such as appeals relating to exclusions or admissions).

At King's Cross Academy we pride ourselves on the outstanding quality of the teaching and pastoral care that we provide to our pupils.

Supporting and educating a child to meet their full potential requires a partnership between you, as parents or carers, and us. Therefore we encourage on-going informal discussion about your child's progress, achievement, behaviour and welfare.

We recognise that as parents or carers you may, from time to time, have concerns about the support and services that we provide to your child, to you or the behaviour of other pupils towards your child. We encourage you to make us aware of any concerns you have as soon as possible so that we can address them together. On occasion, it may be that you feel we have not responded appropriately to concerns that you have raised. In such cases, you may feel that you need to make a complaint. Or, you may feel an issue is sufficiently serious that you need to make a complaint straight away.

If you have concerns about the health or welfare of another child enrolled at the Academy you should speak to a member of staff immediately and confidentially as this may constitute a Safeguarding matter.

This procedure meets the requirements of the *Education (Independent School Standards (England) Regulations 2014 Schedule 1, Part 7* and is informed by the Education and Skills Funding Agency's (ESFA's) *Best Practice Guidance*.

This procedure works in conjunction with other Academy policies and procedures such as those regarding Safeguarding, Behaviour, Bullying and Staff Conduct.

1.2 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 of concern can be resolved informally, without the need to use the complaints procedure. We take your concerns seriously and will make every effort to resolve the matter as quickly as possible.

2 How to raise a concern

Your first point of contact will normally be your child's class teacher. If they can, they will address your concern immediately themselves. If they are not able to address your concern themselves they will tell you who to speak to. The member of staff to whom you are referred may be more senior but does not have to be; the ability to consider the concern objectively and impartially is more important. If you have difficulty discussing a concern with a particular member of staff, we will respect your views and enable you to speak to someone else. In these cases, please contact the Head Teacher who will address your concern themselves or refer you to another member of staff who is well placed to do so.

We understand however, that circumstances may arise when you would like to raise your concerns more formally by asking us to consider your concern as a complaint. In this case, we will attempt to resolve the issue internally, through the three stages outlined within this procedure.

3 How to make a complaint

There are three stages in the Complaint Procedure:

- Stage 1, Seeking Direct Resolution
- Stage 2, Seeking Resolution through the Head Teacher
- Stage 3, Seeking Resolution through Appeal to the Board of Governor's

All complaints, apart from those about or involving the Head Teacher or Governors will be considered at Stage 1. Those relating to the Head Teacher or the Board of Governors will be considered from Stage 2.

A complaint can be made in person, by telephone or in writing (including email). If your complaint is not raised in writing an appropriate member of the team will work with you to complete a complaint form. A complaint may also be made by a third party acting on your behalf, as long as they have your written consent to do so and you provide us with a copy of this consent.

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

We will not normally consider anonymous complaints. However, the Head Teacher or Chair of Governors (as appropriate) will determine whether the complaint warrants an investigation and can be considered whilst maintaining anonymity.

We will investigate complaints from groups, although to do so we will need written and signed confirmation of the members of the group and for written and signed authority from all members of the group for one member of the group to act as its spokesperson.

To make the process more efficient, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the Academy office. You can also ask a third-party organisation such as Citizens Advice to help you.

3.1 Complaints about pastoral or academic issues

Your first point of contact will normally be your child's class teacher. If they can, they will look into your complaint themselves. If they are not able to themselves they will tell you who to speak to. The member of staff to whom you are referred may be more senior but does not have to be; the ability to consider the complaint objectively and impartially is more important. If you have difficulty discussing a complaint with a particular member of staff, we will respect your views and enable you to speak to someone else. In these cases, please contact the Complaint Co-ordinator at complaintcoordinator@kingscrossacademy.org.uk who will consult the Head Teacher to establish who is best placed to look into your complaint.

3.2 Complaints about a member of the Academy's staff

A complaint specifically about a member of the Academy's staff (except the Head Teacher) should be made in the first instance, to the Head Teacher via the Complaint Coordinator at complaintcoordinator@kingscrossacademy.org.uk. It is helpful if you use the Complaint Form. Please mark your email as Private and Confidential. If you do not have access to email, you can either telephone or call in, in-person, to the Academy Office who will help you to submit your complaint.

This process is described in Section 6.

3.3 Complaints about the Head Teacher or Governors

Complaints that involve or are about the Head Teacher should be addressed to the Chair of the Board of Governors, via the Complaint Co-ordinator at complaintcoordinator@kingscrossacademy.org.uk. This must be in writing and ideally by completing the Complaint Form. Please mark your email as Private and Confidential. If you do not have access to email, you can either telephone or call in, in-person, to the Academy Office who will help you to submit your complaint.

This process is described in Section 7.

Complaints about governors (including the Chair or Vice-Chair of the Board of Governors) should be sent to the Complaints Co-ordinator at complaintcoordinator@kingscrossacademy.org.uk. This must be in writing and ideally by completing the Complaint Form. Please mark your email as Private and Confidential. If you do not have access to email, you can either telephone or call in, in-person, to the Academy Office who will help you to submit your complaint.

This process is described in Section 7.

4 Scope

This procedure covers all complaints about any provision of community facilities or services (including education and care) by the Academy, other than complaints that are dealt with under other contractual or statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions	Concerns about admissions should be handled through the appeals process of London Borough of Camden.
Statutory assessments of special	Concerns about statutory assessments of

educational needs	Special Educational Needs should be raised directly with the London Borough of Camden.
Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our Child Protection and Safeguarding policy and in accordance with relevant statutory guidance.</p> <p>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).</p>
Exclusion of children from school*	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>* Complaints about the application of the Behaviour policy can be made through this procedure.</i></p>
Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>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.</p> <p>Volunteer staff who have concerns about the Academy should complain through this procedure. You may also be able to complain direct to London Borough of Camden or to the Department for Education (see link above), depending on the substance of your complaint.</p>
Staff grievances	Complaints from staff will be dealt with under the Academy's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the Academy's internal disciplinary procedures, if appropriate. You will not be informed of any disciplinary action taken against a member of staff as a result of a complaint. However, you will

	be notified that the matter is being addressed.
Withdrawal from the curriculum	<p>Parents and carers can withdraw their child from any aspect of Religious Education (RE), including the Daily Act of Collective Worship (DACW). You do not have to explain why.</p> <p>If you are not satisfied with the handling of a request to withdraw your child from RE or the DACW, you should follow this complaints procedure.</p> <p>The right of withdrawal does not apply to other areas of the curriculum where religious matters may be spontaneously raised by pupils or arise in other subjects such as history or citizenship.</p>
	Parents and carers can withdraw their children from Families and Committed Relationship lessons in Year 6 (please see the Relationships and Sex Education policy on our website).

5 Resolving Complaints

At each stage in the Procedure, we want to resolve the complaint. We take all complaints seriously. At the end of each stage we will confirm that the complaint is upheld or not in whole or in part. We will always explain how we have reached our conclusions and, in addition, where appropriate we may offer one or more of the following:

- an admission that the situation could have been handled differently or better;
- an assurance that we will try to ensure the circumstances complained about 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 Academy policies, procedures or practices in light of the complaint; and
- an apology.

If you want to withdraw your complaint at any time you can do so. We will ask you to confirm this in writing.

6 Complaints about a member of the Academy's staff (except the Head Teacher) or the support it provides you or your child

It is to be hoped that most concerns can be expressed and resolved on an informal basis quickly. However, from time-to-time it may be the case that you feel you need to pursue the

issue you are concerned about more formally by escalating it to a complaint.

You should not approach individual governors to raise concerns or complaints as they have no power to act on an individual basis and it may also prevent them from being involved in the formal procedure.

6.1 Stage 1 – Seeking Direct Resolution

Your first point of contact will normally be your child's class teacher. If it is appropriate, they will look into your complaint themselves. If it is not, they will tell you who to speak to. The member of staff to whom you are referred may be more senior but does not have to be; the ability to consider the complaint objectively and impartially is more important. They will ensure you have access to a copy of this procedure at this time.

The member of staff considering your complaint will listen carefully to your complaint and, if you have not done so already, help you complete the Complaint Form. They will confirm receipt of the complaint within three school days by sending the form, with the sections they need to fill-in completed, back to you via email. Please confirm in writing that you have received the completed Complaint Form and that you agree with its content as soon as possible and within three school days.

Looking into your complaint may require us to speak with other people or gather information: this is known as an Informal Investigation. The member of staff doing this will endeavour to reach a conclusion within twenty school days of you making the complaint, providing you with a written explanation of how they have undertaken their investigation, what conclusions they have reached, what action (if appropriate) will be taken to resolve the issues you have raised and how long this action will take. If they can't conclude this process within twenty school days, they will inform you and explain why this is the case and their intended deadline.

If you are not satisfied with the proposed actions to resolve your complaint at this stage, you should escalate your complaint to Stage 2. The member of staff will explain how to do this.

6.2 Stage 2 - Seeking Resolution through the Head Teacher

To make a Stage 2 complaint you must contact the Complaint Co-ordinator at complaintcoordinator@kingscrossacademy.org.uk. This must be in writing and preferably on the Complaint Form.

The Complaint Co-ordinator will record the date your complaint is received and will acknowledge receipt of your complaint in writing (usually by email) as promptly as possible and within three school days. They will refer your complaint to the Head Teacher. The Head Teacher will then seek to clarify:

- the nature of your complaint;
- what remains unresolved after Stage 1; and
- what outcome you would like to see.

The Head Teacher will consider whether a face-to-face meeting is the most appropriate way of doing this. If they do, they will arrange a meeting with you at the earliest mutually convenient opportunity and confirm in writing their understanding within three school days of the meeting taking place.

The Head Teacher will then decide who is the most appropriate person to undertake an investigation. This may be another member of senior staff, a governor or someone external to the Academy. Whomsoever the investigator is, they will not have been involved in the

issues you are complaining about or any investigation at Stage 1.

The Investigator will interview those involved in the matter you have raised and gather any documentary material, including correspondence, they deem necessary. The Investigator will keep notes of each interview and provide a copy of the notes to the individual concerned. Anyone interviewed may be accompanied by a family member or friend, or in the case of staff, a colleague or Union Representative not otherwise connected to the issues of complaint.

At the conclusion of their investigation, the Investigator will provide a written report and copies of the evidence they have gathered to the Head Teacher who will then decide what action, if any, is appropriate. The Head Teacher will then provide you with a formal written outcome which will:

- explain how your complaint has been investigated;
- explain the reasons for the decisions they have reached; and
- describe the actions that they have decided are necessary to resolve the issues you have raised and the timescales for their implementation.

The Head Teacher will endeavour to complete this process within twenty school days of receiving your Stage 2 complaint. If they are unable to meet this deadline, they will explain to you why this is the case and provide you with a revised deadline.

The Head Teacher will advise you how to escalate your complaint to Stage 3 should you remain dissatisfied after the completion of Stage 2.

It is helpful if you confirm receipt of the Head Teacher's written Stage 2 Outcome and any response to it within three school days of receiving it.

6.3 Stage 3 - Seeking Resolution through Appeal to the Board of Governors

If you are dissatisfied with the outcome at Stage 2 and wish to take the matter further, you can escalate your complaint to Stage 3 which is the final stage of the internal procedure.

To escalate your complaint to Stage 3 you should write to the Complaint Co-ordinator complaintcoordinator@kingscrossacademy.org.uk as soon as possible and within twenty school days of receiving the outcome of Stage 2 of the process. Requests received outside of this time frame will only be considered if exceptional circumstances apply. The Complaint Co-ordinator will record the date your complaint is received and acknowledge receipt of it in writing (usually by email) within three school days.

If your request is received during the Academy's holidays, the process may be delayed owing to the limited availability of staff. The Academy will normally consider complaints made outside of term time to have been received on the first school day after the holiday period.

Stage 3 involves your complaint being considered by a panel of at least three people who were not directly involved in the matters detailed in your complaint or the previous two stages of the procedure. Normally, at least two members of the panel will be governors and at least one will always be external to the Academy and someone who is independent of the management and running of the Academy. The Panel considers your complaint afresh of the previous stages.

After its initial consideration of your complaint at Stage 3, the Panel will determine if a further investigation is necessary and recruit an appropriately qualified person to conduct the

Investigation if one is merited. The Complaint Co-ordinator will inform you in writing of their decision.

A meeting (the Hearing) will be held to which you will be invited. The purpose of the Hearing is to resolve the complaint and to achieve reconciliation between the Academy and you, as the complainant. The Panel may decide that it is necessary to meet with the Head Teacher, to describe the processes of Stage 1 and 2 and the decisions at each stage. The panel may also decide that it should hear from the Investigator(s) at Stage 1 or 2 and any other members of the Academy community either because they have been involved in the circumstances about which you are complaining or as witnesses to them.

The Complaint Co-ordinator will write to you to arrange a mutually convenient date and time for the Hearing. They will aim to convene the hearing within twenty school days of receipt of your request to escalate the complaint to Stage 3. If we consider further investigation is necessary, the Hearing may be delayed. If you reject the offer of three proposed dates for the Hearing, without good reason, the Panel will decide when to hold the meeting which will take place in your absence and on the basis of written submissions from you and the Head Teacher.

At least ten school days before the Hearing, the Complaint Co-ordinator will write to you to:

- confirm the agreed date, time, venue and arrangements of the meeting;
- any requirements you have to accommodate disabilities or other needs;
- request copies of any further written material to be submitted to the Panel, to be received no less than seven school days before the Hearing.

Any written material will be circulated to all parties at least five days (including three 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 not consider any new matters of complaint or any evidence unrelated to the initial complaint. New matters of complaint must be dealt with from Stage 1 of the procedure.

The Panel will consider your complaint and all the evidence submitted. The Panel can:

- uphold your complaint in whole or in part; or
- dismiss your complaint.

If your 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 Academy's systems, practices or procedures to prevent similar circumstances occurring in the future.

The Chair of the Panel will provide you and the Academy with a full explanation of the Panel's decision(s) and the reason(s) for it/them, in writing, within fifteen school days of the Hearing taking place. This will include details of how to contact the Education and Skills Funding Agency (ESFA) if you are dissatisfied with the way your complaint has been handled by us.

The Panel has no power to compel the Academy to take action.

6.4 Conduct of the Hearing

The Hearing will be held in private.

The Panel will endeavour to ensure that everyone is treated with respect at the Hearing and that it is conducted in such a way as to put everyone at ease, recognising that many people will feel nervous and inhibited in a formal setting and that parents or carers often feel emotional when discussing an issue that affects their child.

If the complainant is a child, the Panel will:

- ask in advance if any support is needed by the child to help them present their complaint;
- give careful consideration to the atmosphere of the Hearing and make sure that proceedings should ensure that the child does not feel intimidated;
- respect the views of the child and give them equal consideration to those of adults;

Where the child's parent is the complainant, the Panel will normally give the parent the opportunity to say which parts of the Hearing, if any, the child needs to attend. However, the Panel will decide if it is in the best interests of the child for them to attend all or part of the Hearing.

In all circumstances, it is the welfare of the child which is paramount.

Electronic recordings are not normally permitted unless a participant's disability or special needs require it. Prior knowledge of and consent by all parties attending must be sought before recording commences. Consent will be recorded in the notes of the Hearing.

You may be accompanied at the Hearing by a relative or friend to support you. Generally, we do not encourage you, the Senior Leadership Team or any witnesses to bring legal representatives to the Hearing. However, there may be occasions when formalised support is appropriate, for example if an Academy employee is called as a witness they may wish to be supported by union representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure, they will normally be considered under the Academy's Staff Disciplinary procedures, if appropriate. The outcomes of this process will not normally be shared with you.

Representatives from the media are not permitted to attend.

7 Complaint about the Head Teacher or Governors

7.1 Complaint about the Head Teacher

If your complaint is about the Head Teacher, you should write to the Chair of the Board of Governors (including by email) via the Complaint Co-ordinator at complaintcoordinator@kingscrossacademy.org.uk. It is very helpful if you complete a Complaint Form.

All complaints about the Head Teacher will be considered at Stage 2 of the Procedure (above). A suitably skilled and experienced governor will be appointed to complete all the actions otherwise undertaken by the Headteacher at Stage 2. This governor will determine if an investigation is necessary and, if so, recruit an appropriately qualified person to undertake the investigation.

7.2 Complaint about Governors

If your complaint is about a member of the Board of Governors, who is not the Chair or Vice-Chair, you should contact the Chair of the Board of Governors via the Complaint Co-ordinator at complaintcoordinator@kingscrossacademy.org.uk. The Chair of the Board of Governors will then determine whether to enact Stage 2 or Stage 3 of the procedure.

If Stage 2 of the process is deemed appropriate, it will be considered by an appropriately qualified person independent of the Academy who will complete all the actions otherwise undertaken by the Head Teacher at Stage 2. If an alternative process is deemed appropriate you will be informed that this is the case and the reasons for the decision.

If your complaint is about a the Chair or Vice-Chair, the majority of members, or the Board of Governors as a whole you should contact the Academy Trustees via the Complaint Co-ordinator at complaintcoordinator@kingscrossacademy.org.uk. The non-governor members of the trustees, will then determine the most appropriate course of action, in consultation with relevant bodies, depending on the nature of the complaint.

8 Your next step

After you have completed Stage 3 of the procedure, if you believe we did not handle your complaint in accordance with this (the published complaints procedure) or that we have acted unlawfully or unreasonably in exercising our duties under education law, you can contact the Education and Skills Funding Agency (ESFA).

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

You can refer your 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

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

www.gov.uk/complain-about-school

9 Time Scales

The time scales provided in this document are intended to provide you with an indication of how long the process will normally take. We will always endeavour to meet these targets, but if this is proving challenging we will inform you, explain why and provide revised deadlines. If other bodies are investigating aspects of the complaint, for example the Police, local authority 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 you commence legal action against the Academy in relation to your complaint, we will consider whether to suspend the procedure until those legal proceedings have concluded.

The term 'school days' is used throughout the document. A 'school day' is a normal term-time working day (Monday to Friday) for the Academy and so it excludes inset days, holidays and bank holidays.

It is most helpful to all those concerned if you raise a complaint as soon after the events you wish to complain about have taken place. We will not normally consider complaints received more than three months from the time that the event took place unless there are clear and substantial reasons for them not to have been raised earlier.

10 Documentation and Record Keeping

We process data in accordance with our Privacy Notice which can be found on our website.

When dealing with your complaint the Academy (including any panel member appointed under Stage 3 of the process) may process a range of information, which is likely to include the following:

- Your name;
- Your child's name;
- The date and time at which you made the complaint;
- The details of your complaint;
- Your desired outcome from your complaint;
- How your complaint has been investigated (including written records of interviews held);
- Findings and recommendations of investigations;
- Any action taken;
- Your response at each stage (satisfaction or further pursuit of complaint).

This may include 'special category personal data' (including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

The outcome of the Hearing with the evidence it considered will be retained on secure file for three calendar years on the Academy premises where it will be accessible to the Academy Trust and the Head Teacher. You may have a right to copies of these records under the Freedom of Information Act 2000, the Data Protection Act 2018 and GDPR.

We will keep a written record of all complaints, whether they are upheld or not, containing:

- key dates
- correspondence
- which Stage of the process they conclude
- what actions have been taken.

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

11 Bias in the Proceedings

You are entitled to a fair hearing and can request an independent panel if you believe there is likely to be bias in the proceedings. You should provide us with evidence of bias in support of your request, as it is our decision whether to agree to it. If we believe the appearance of bias is sufficient to taint the decision(s) reached, then we will grant such requests.

Anyone who has a conflict of interest should not take part in the complaints process, including proceedings of the Board of Governors meetings and its committees. If there is any reasonable doubt as to a person's ability to act impartially, they should withdraw from considering the complaint. Where a governor or trustee has a financial interest in any related matter, they should also withdraw.

When making decisions, we will not act in a way that is biased. We recognise that the appearance of bias may be sufficient to taint a decision even if there is no actual bias. This concept derives from the principle that justice must not only be done, but be seen to be done.

If you are not content with our decision regarding impartiality you can contact the Education and Skills Funding Agency (ESFA) which requires that you provide evidence of bias.

12 Serial and Persistent Complaints

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

We define unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the Academy, 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 investigation process;
- refuses to accept that certain issues are not within the scope of the complaint procedure;
- insists on the complaint being dealt with in ways which are incompatible with the complaint 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 focus 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 Academy'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 Academy 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.

If the inappropriate behaviour continues, the Head Teacher (or alternate if the complaint is related to the Head Teacher or Governors) will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Academy 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 banning an individual from King's Cross Academy premises.

We will do our best to be helpful to people who contact us with:

- a concern;
- a complaint; or
- a request for information.

However, there will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue, we can inform them that the procedure has been completed and that the matter is now closed. If the complainant contacts us again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and we may choose not to respond.

Under no circumstances will we consider a complainant as 'serial' for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

We may receive complaints we consider to be vexatious. The characteristics of vexatious complaint are:

- complaints which are obsessive, persistent, harassing, prolific, repetitious;
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
- insistence upon pursuing meritorious complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance; or
- demands for redress that lack any serious purpose or value.

We will not refuse to accept further correspondence or complaints from an individual we have had repeat or excessive contact with. A 'serial' or 'persistent' judgement is about the subject of complaint itself rather than the complainant.

12.1 Communication strategy for persistent correspondents

If an individual's behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, we can implement a tailored communication strategy. For example, we can:

- restrict the individual to a single point of contact via an email address
- limit the number of times they can make contact, such as a fixed number of contacts per term

However, regardless of the application of any communication strategy, we will provide parents and carers with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005, within the statutory time frame.

If an individual persists to the point that may constitute harassment, we will seek legal advice. In some cases, injunctions and other court orders have been issued to individuals preventing them from contacting academies direct.

12.2 *Barring from Academy Premises*

Although fulfilling a public function, academies are private places. The public has no automatic right of entry. The Academy will therefore need to act to ensure it remains a safe place for pupils, staff and other members of the community.

If an individual's behaviour is a cause for concern, the Head Teacher can ask the individual to leave Academy premises. In some cases, individuals can be barred from entering our premises. We will always give the individual the opportunity to express formally their views on a decision to bar.

The Head Teacher's decision to bar will then be reviewed by the Chair of Governors who will take into account any representations made by the individual and decide whether to either confirm or lift the bar. If the decision is confirmed, the individual will be notified in writing, explaining:

- a) how long the bar will be in place
- b) when the decision will be reviewed

13 *Reviewing this Procedure*

We formally review this Procedure every two years, to take into account:

- our experience of operating the procedure including any lessons learnt from complaints;
- legislative changes;
- new guidance from ESFA and DfE.



Complaint Form

Please complete this form if you wish to escalate your concern to a complaint and provide it to the person with whom you are raising the complaint who will then acknowledge receipt and explain what action will be taken.

Stage of Complaint (Delete as appropriate):		
Stage 1	Stage 2	Stage 3
Your name:		
Given name:		Family Name:
Pupil's name (if relevant):		
Your relationship to the pupil (if relevant):		
Your contact details:		
Address:		
Postcode:		
Day time telephone number:		
Evening telephone number:		
Email address:		
Please give details of your complaint, including whether you have spoken to anybody at the Academy about it.		
What actions do you feel might resolve the problem at this stage?		
Are you attaching any paperwork? If so, please give details. (1) (2) etc.		

Do you require any support to complete the complaint process?
Signature:
Date:
For Academy use
Date Received:
By whom:
Date acknowledgement sent:
By whom:
Complaint referred to:

Roles and Responsibilities

You, the Complainant

You will receive a more effective response to your complaint if you:

- explain the complaint in full as early as possible
- co-operate with us 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 if you need it
- treat all those involved in the complaint with respect
- refrain from publicising the details of your complaint on social media
- respect confidentiality.

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 you as the complainant to establish what has happened and who has been involved
 - interviewing staff, pupils and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with you and the Complaints Co-ordinator to clarify what you feel would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews 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 Head Teacher (Stage 2) or Complaint Panel (Stage 3) that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

Complaints Co-ordinator

The Complaints Co-ordinator should:

- act as the point of contact for all those involved in the Procedure;
- ensure that you are fully updated at each stage of the Procedure;
- liaise with staff members, the Head Teacher and Governors to ensure the smooth running of the procedure;
- be aware of issues regarding:
 - sharing third party information
 - additional support to you, as the complainant, including in respect of any disabilities, language requirements, etc.
 - keep accurate records.
- ensure that everyone involved in the Procedure is 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 paperwork, your written submissions and those from the Academy) and send it to all those concerned in advance of the Hearing within an agreed timescale;
- record the proceedings of the Hearing;
- circulate the notes of the Hearing to all those in attendance; and
- notify all parties of the Panel's decision.

The Panel

All members of the Panel must:

- not have had a prior involvement in the complaint or in the circumstances surrounding it;
- not have been involved in consideration of your complaint at Stage 1 or 2 of the procedure;
- not have a relationship with you, as the complainant, beyond that of being a governor of the Academy;
- not have an external interest in the outcome of the proceedings;
- be familiar with the Complaint Procedure;
- act impartially and fairly within their role;
- act to put at their ease all those present at the Hearing
- support the Panel's endeavour to resolve the complaint and achieve reconciliation between the Academy and the complainant;
- 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.
- conduct themselves professionally, maintaining confidentiality and treating all those involved in the Hearing with respect.

Panel Chair

The Panel's chair, who is nominated in advance of the Hearing by the members of the Panel, should ensure that:

- the remit of the Panel is explained to you as the Complainant;
- both you and the Academy are asked (via the Complaint Co-ordinator) to provide any additional information relating to the complaint by a specified date in advance of the meeting;
- the Hearing is conducted in an informal manner, is not adversarial and that everyone is treated with respect and courtesy;
- ensure that complainants who may not be used to speaking at such a meeting as the Hearing are put at ease. This is particularly important if the complainant is a child.
- 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.
- both you and the Senior Leadership Team of the Academy are given the opportunity to make their case and seek clarity, either through written submissions ahead of the Hearing or verbally in the Hearing itself;
- the issues within the complaint are addressed;
- key findings of fact are made;

- that accurate notes of the Hearing are taken; and
- that the outcomes of the Hearing are articulated clearly to you, as the complainant, and to the Academy in a timely manner.