# Policy and Procedure

## Complaints Policy 2025

**Reviewed and approved by:**

Finance and Resources Committee

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2

# TRUST COMPLAINTS PROCEDURE

St Bede's and St Joseph's Catholic College operates its own complaints procedure. Please refer directly to the college's Complaints Policy.

## Introduction

As a Catholic Academy Trust, we are guided by Gospel values in all that we do. Our approach to complaints reflects the principles of justice, reconciliation, respect, and the dignity of each person. In handling concerns, we seek outcomes that are fair and compassionate, ensuring that relationships are restored wherever possible.

The Blessed Christopher Wharton Catholic Academy Trust is required to comply with part 7 of the Education (Independent School Standards) Regulations 2014. This Complaints Policy is based on guidance issued by the Education and Skills Funding Agency (ESFA).

This procedure applies to most general complaints. Some matters, such as admission appeals, exclusion appeals, statutory SEN assessments, safeguarding concerns, or staff grievances, follow separate statutory procedures set out in other Trust policies.

In most cases, complaints will be handled at academy level. Complaints against the Trust Central Team or Trust Board follow the same principles, though different individuals will investigate or hear the complaint.

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## 1. Aims

The Trust aims to ensure complaints are managed fairly, impartially, and promptly. Decisions will be lawful, reasonable, and proportionate. Our commitments:
- Treat complainants with respect and courtesy
- Encourage informal resolution where possible
- Provide clear and timely communication
- Ensure independence and impartiality at review stage
- Learn lessons from complaints to improve practice

## 2. Legislation and guidance

This policy meets the requirements of:
- Education (Independent School Standards) Regulations 2014
- ESFA guidance on academy complaints procedures
- Our funding agreement and Articles of Association
- Early Years Foundation Stage (EYFS) requirements

## 3. Scope

This policy does not cover complaints relating to:
- Admissions
- SEN statutory assessments
- Safeguarding matters
- Suspension and permanent exclusion
- Whistleblowing
- Staff grievances or discipline

Please see separate policies for these matters.

## 4. Roles and responsibilities

- Complainant: raise concerns within 3 months, co-operate with the process, treat all involved respectfully.
- Investigator: establish facts, interview relevant parties, consider evidence, prepare a report.
- Complaints co-ordinator: oversee process, liaise with staff/governors, support complainants with additional needs.
- Governance administrator/clerk: organise hearings, circulate papers, record minutes and outcomes.
- Committee chair: chair hearings, ensure fairness and equal opportunity to present cases.

## 5. Principles for investigation

Investigations will clarify what happened, who was involved, and what outcome the complainant seeks. Complaints should normally be raised within 3 months of the incident. Exceptions may apply where a fair investigation is still possible.

## 6. Stages of complaint

Stage 1 – Informal: Complaint raised with staff or headteacher. Acknowledged within 5 school days. Meeting offered and written response within 10 school days.

Stage 2 – Formal: Written complaint to the headteacher. Acknowledged within 5 school days. Investigation and written conclusion within 10 school days.

Stage 3 – Review Panel: If dissatisfied, complainant may request a review within 10 school days. Panel of at least 3 people (including one independent) will meet within 20 school days. Written decision within 10 school days.

Stage 4 – If the complainant remains dissatisfied following the outcome of the Stage 3 Review Panel, they may request that the complaint is considered by a Trust Complaints Panel.

The request must be made in writing within 10 school days of receipt of the Stage 3 decision and should clearly set out the reasons why the complainant believes the complaint has not been resolved.

The Trust Complaints Panel will be convened within 20 school days of the request being received, where reasonably practicable.

The panel will consist of at least three members, including at least one independent member who has had no prior involvement in the matter. The panel will review the handling of the complaint and the decisions made at previous stages.

The complainant will be given the opportunity to attend the panel hearing and be accompanied if they wish.

The panel's decision will be communicated in writing within 10 school days of the hearing. The decision of the Trust Complaints Panel is final within the Trust.

## 7. Complaints against headteachers or governors

If a complaint is about the headteacher, it should be submitted to the Chair of Governors via the Governance Administrator at governance@bcwcat.co.uk.

The Governance Administrator will acknowledge receipt of the complaint within 5 school days and ensure it is passed to the Chair of Governors. The Chair of Governors will investigate the matter and provide a written outcome within 10 school days. If the complaint remains unresolved following this stage, it will progress to Stage 4 of this policy.

Where the complaint is not resolved, it will be referred to an independent complaints panel. This panel will include at least one Director and one independent member who has no involvement in the governance or management of the academy.

If the complaint relates to the Chair, Vice Chair, the majority, or the entire governing board, the investigation will be undertaken by an independent investigator appointed by the Trust Board.

## 8. Complaints against the Trust Central Team or Trust Board

Complaints made against the Trust Central Team or Trust Board follow the same principles and stages of the procedure form complaints against academies. The differences are the people who investigate or hear the complaint.

In reading the above policy and procedure the following should be applied:

| **Complaints Against the Trust Central Team** | | **Complaints Against the Trust Board** | |
|---|---|---|---|
| **Complaint Against** | **Investigated/Decided By** | **Complaint Against** | **Investigated/Decided By** |
| Member of staff | Their line manager | A Director | Chair of the Trust Board |
| Chief Finance Officer | Chief Executive Officer | A Committee Chair | Chair of the Trust Board |
| Director for Primary Education | Chief Executive Officer | The Chair of the Trust Board | Clerk to the Trust Board liaises with Diocesan Director of Education |

| | | | |
|---|---|---|---|
| Executive Headteacher | Chief Executive Officer | The whole Trust Board | Clerk to the Trust Board liaises with Diocesan Director of Education |
| Chief Executive Officer | Chair of the Trust Board | A member of the Trust | Clerk to the Trust Board liaises with Diocesan Director of Education |

**The Complaints Panel** will be comprised of at least three people. The Complaints Panel will usually be made up of:

- 2 Directors who serve on the Trust Board.
- 1 Independent Person who is not involved with the management or running of the Trust.

The panel cannot be made up solely of Directors because they are not independent of the management and running of the Trust. It is a matter for the Trust to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member.

The independent member of the panel will not be a director or an employee of the Trust. For the avoidance of doubt, a Governor of an academy within the Trust may be the independent member of the panel if they are not an employee of the Trust, and they are sufficiently removed from the management and running of the Trust to be considered truly independent.

## 9. Escalation to the Department for Education (DfE)

**If a complainant remains dissatisfied after completing the Trust's complaints procedure, they may refer their complaint to the Department for Education (DfE).**

**The DfE will not re-investigate the complaint or overturn the Trust's decision. Instead, it will consider whether the Trust has:**

- **Followed its published complaints procedure;**
- **Complied with its funding agreement and relevant education law;**
- **Acted reasonably in the exercise of its duties.**

**If the DfE identifies concerns regarding the Trust's handling of the complaint or its complaints procedure, it may require the Trust to take appropriate action to address these concerns.**

**Further information can be found at:**
**www.gov.uk/complain-about-school**

## 10. Unreasonable, persistent or vexatious complaints

Most complaints will be valid and dealt with seriously. However, a complaint may become unreasonable if it is pursued in a way that is disproportionate, obstructive, repetitive, or abusive.

### 10.1 Unreasonable complaints

A complaint may be considered unreasonable if the complainant:

- Refuses to clearly state their complaint or desired outcome, despite offers of help
- Refuses to co-operate with the investigation process
- Insists on outcomes that are unrealistic or outside the scope of the policy

- Repeatedly changes the nature of the complaint during the investigation
- Introduces irrelevant information or excessive detail that delays progress
- Makes repeated complaints on the same issue after it has been investigated and concluded
- Makes unjustified complaints about staff handling the issue
- Submits excessive, frequent or lengthy communications that place unreasonable demands on staff time
- Uses threats, intimidation, abusive or discriminatory language, or harassment

**Steps the Trust may take**

- Discuss concerns with the complainant informally before applying restrictions
- If behaviour continues, write to the complainant explaining why their conduct is unreasonable and reminding them of expected behaviour
- In cases of serious aggression, intimidation, or violence, inform the police and consider restricting access to Trust or school premises

### 10.2 Serial or persistent complaints

If the complainant continues to contact the school or Trust repeatedly on the same issue, without presenting new evidence or information, the correspondence may be treated as serial or persistent.

The Trust may decide to stop responding if:

- All reasonable steps have already been taken to address the complaint
- The complainant has been given a clear statement of the Trust's position and options
- The complainant continues to make substantially the same points each time

This decision is stronger if communications are abusive, aggressive, or appear intended to cause disruption. The complainant will be informed in writing if the Trust decides to stop responding. New complaints will be considered if they raise materially different issues.

### 10.3 Vexatious complaints

A complaint may be deemed vexatious if it is pursued in a way that is unreasonable, persistent, or intended to cause disruption.

**Process for managing vexatious complaints**

1. **Assessment** – The Governance Administrator, with senior leaders, will assess whether the complaint is vexatious.
2. **Notification** – The complainant will be informed in writing, with reasons, and told of any restrictions on future contact.
3. **Restrictions** – This may include limiting communication to a single point of contact, setting response timescales, or refusing to respond to repetitive issues.
4. **Right of appeal** – The complainant may appeal in writing within 10 school days. An independent panel will review the appeal and its decision will be final.
5. **Review** – Restrictions will be reviewed periodically to ensure they remain fair and proportionate.

### 10.4 Anonymous complaints

The Trust is not required to respond to anonymous complaints. However, if an anonymous complaint raises a safeguarding concern or suggests possible criminal activity, the matter will be investigated or referred to the appropriate agencies.

### 10.5 Duplicate complaints

If a complaint has already been investigated under this procedure and a new complaint is made on the same issue by a partner, family member, or other individual, the Trust will check if there are new aspects or evidence to consider.

- If no new information is provided, the complainant will be informed that the matter has already been addressed and the process is complete. They may be directed to the ESFA if they remain dissatisfied.
- If there are new aspects or evidence, the complaint will be reviewed under the relevant stage of this procedure.

### 10.6 Complaint campaigns

If the Trust receives a large volume of complaints on the same subject, especially from individuals not directly connected to the school, it may respond by:

- Publishing a single response on the Trust or school website, or
- Sending a standard response to all complainants.

If complainants remain dissatisfied, they may pursue the matter under the usual stages of this policy.

## 11. Record keeping and confidentiality

All complaints will be logged and stored securely. Records will remain confidential unless disclosure is legally required. The governing board will not be given full details if they may need to sit on a review panel.

## 12. Learning lessons

The Trust and academies will review complaints to identify improvements in procedures and practice.

## 13. Monitoring arrangements

The Trust Board monitors the effectiveness of this policy. Records are logged and managed by the Governance Administrator.

## 14. Links with other policies

Policies dealing with other forms of complaints include:

- Admissions policy
- Child protection and safeguarding policy and procedures
- Parents, Visitors & Carers Code of Conduct
- Suspension and permanent exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- Special educational needs policy and information report

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- Privacy notices
- Whistleblowing