



## King's Group Academies

### CONCERNS AND COMPLAINTS POLICY

|                       |          |                         |        |
|-----------------------|----------|-------------------------|--------|
| <b>Approved by:</b>   | Trustees | <b>Date:</b>            | Dec 25 |
| <b>Maintained by:</b> | SC       | <b>Next review due:</b> | Dec 26 |



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**To find contact details of your local academy, please go to Appendix Four, at the end of this policy.**

### 1. Legislation

The School is an academy and is therefore governed by the Education (Independent School Standards) Regulations 2014 (as amended) (“the Regulations”).

This Complaints Policy has been formulated to comply with Schedule 1, Part 7 of the Regulations (as well as equality legislation and the rules of natural justice). In the case of any variance between the procedure outlined in this Complaints Policy and the Regulations, the procedure outlined in the Regulations will apply. This Complaints Policy has been formulated with regard to the Department for Education’s best practice guidance for complaints.



## 2. Introduction

At King's Group Academies, we understand that, at times, parents, students, or members of the public may feel the need to raise a concern or formal complaint regarding the trust or one of its academies. We take all concerns and complaints seriously and are committed to resolving them constructively while implementing any necessary improvements identified during the process.

This policy covers all concerns and complaints related to King's Group Academies and its schools in relation to the facilities or services provided, except in the following cases where specific procedures apply:

- admissions processes
- exclusions from school
- statutory assessments of Special Educational Needs (SEN)
- school reorganisation proposals
- cases likely to involve Child Protection investigations
- employee grievances
- whistleblowing matters
- external examination results
- complaints made directly by students (which will be directed to the school for investigation, and, where appropriate, parents will be informed)
- complaints concerning third-party providers or contractors

A 'concern' refers to 'an expression of anxiety or doubt about an issue considered important, where reassurance is being sought'.

A complaint is generally described as 'an expression of dissatisfaction, however communicated, about actions taken or the lack thereof'.

Often there are opportunities to resolve concerns informally by providing reassurance. For all parties concerned the opportunity to allay a concern is usually preferable to the situation escalating to a complaint.

To ensure a proper investigation, concerns or complaints should be raised with the relevant academy or the trust as soon as possible, (or the latest occurrence in a series of incidents). Complaints submitted after three months will not be considered.

Concerns must not be directed to members of the Local Governing Body, as they may be required to serve a formal role if the complaint progresses to a Complaint Panel Hearing.

Anonymous complaints will not be investigated under this policy unless there are exceptional circumstances. Any anonymous complaint received will be referred to the King's Group Academies Central Team, which will determine whether any action is necessary.

## 3. Aims

The aim of this policy is to seek a resolution to a complaint in a sympathetic and efficient way and to restore positive relationships and confidence of parents and pupils. In the case of parental complaints, the aim is to arrive at a resolution that is in the best interests of their child whilst taking into account the interests and Special Educational Needs and Disabilities of all children or pupils in the academy.

In summary, the aim of this policy is:

- To provide a clear and accessible complaints procedure that is easy to follow for anyone wishing to raise a concern or make a complaint.
- To ensure our complaints procedure is well-publicised, so people understand how to contact us to raise concerns or submit a complaint.



- To handle all concerns and complaints in a fair, impartial, and non-confrontational manner.
- To promote the resolution of concerns informally, wherever possible, before moving to the formal stages of the procedure.
- To ensure that all complaints are thoroughly and promptly investigated at the appropriate level.
- To strive for the resolution of complaints in a way that repairs relationships wherever possible.
- To identify and learn from feedback in order to improve our practices.
- To align with and support the mission, vision, and values of the trust and its schools.

#### **4. Responsibilities:**

- The Trust holds ultimate responsibility for the effective implementation of this policy and for ensuring adherence to the relevant statutory or trust guidelines. The day-to-day management of the policy has been delegated to the Local Governing Body (LGB) and the Senior Leadership Team (SLT) of each academy.
- The LGB and SLT of each academy are specifically tasked with ensuring that this policy is applied fairly, and all staff members are expected to assist and support their colleagues in ensuring its successful execution.

#### **5. Complaint Resolution**

The trust acknowledges that there may be times when parents or others have legitimate concerns regarding decisions made within its establishments. These may include issues related to a child's progress, achievement, behaviour, or welfare. Individuals are encouraged to voice their concerns at the earliest opportunity so that they can be addressed promptly.

Concerns are often resolved quickly and informally through discussion, clarification, the provision of further information, or, in some cases, simply through acknowledgement of the issue and an apology. This would be deemed pre-stage one action, and should be attempted before Stage One of the Complaints Procedure.

In the first instance, concerns should be raised with the relevant staff member, such as the class teacher, form tutor, subject teacher, or head of year. Contact may be made via letter, email, telephone, or by requesting a meeting through the school office.

If the staff member is unable to resolve the concern immediately, they will conduct an investigation and follow up with the individual as soon as possible.

If an individual has difficulty discussing a concern with a particular member of staff, the Head will refer them to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Head will refer the individual to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

If this pre-Stage One communication does not resolve the issue, individuals may begin the Trust's five-stage Complaints Procedure

A summary of the stages in this policy is outlined in the flowchart provided in Appendix 1.

The five stages of the Complaints Procedure are:

- Stage One: Informal Resolution
- Stage Two: Formal Procedure
- Stage Three: Governor Review
- Stage Four: Complaint Panel Hearing
- Stage Five: Trust Review



Each stage aims to ensure that the complaint is thoroughly considered, and a clear outcome is communicated to the complainant. This may either resolve the issue to their satisfaction or provide a reasoned explanation if this is not possible.

If new issues or complaints arise at Stage Two, they should first go through Stage One to allow for a swift and efficient resolution for all parties. Complainants will be encouraged to resolve new concerns through Stage One of the process.

Complainants will be allowed to complete the complaints procedure in line with this policy unless it is evident that the complaint meets the criteria for being unreasonably persistent or vexatious, as outlined in Appendix 3.

For complaints that reach Stage Four, the Complaint Panel Hearing is applicable to complaints made by parents. In cases involving non-parental complaints, the Chief Executive Review will apply.

While every effort will be made to adhere to the timescales set out at each stage of the process, there may be instances where this is not feasible, for example, due to the complexity of the investigation or the unavailability of key witnesses. If a timescale cannot be met, the complainant will be informed of the reasons for the delay and given an updated timeline.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform the complainant of a proposed new timescale.

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

The term 'school days' refers to term time only and does not include school holidays or INSET days.

Complaints regarding staff will be managed in accordance with the relevant internal disciplinary procedures of the academy. Any disciplinary action taken against staff members as a result of a complaint will not be disclosed to the complainant.

If a complaint involves an active criminal investigation, any internal school investigation under this policy will be paused until the police have confirmed that it is appropriate to proceed.

### **Stage One – Informal Resolution**

If a pre-Stage One concern is raised with a staff member who is not best positioned to address the issue, the concern will be referred to a more appropriate member of staff, while still aiming for informal resolution. The school will aim to resolve the concern within 10 school days.

### **Stage Two – Formal Procedure**

If the complainant feels that their concern was not resolved through informal discussions during Stage One, they may escalate the matter by lodging a formal complaint under Stage Two of the policy.

The Trust or the relevant academy reserves the right, exercised reasonably, to decline pursuing a formal complaint if no informal resolution has been sought first.

To submit a formal complaint, the complainant must complete the Trust's Complaint Reporting Form, available on the academy's website (a blank form can also be found in Appendix 2). If the complainant is unable to complete the form due to a disability, learning difficulty, or limited English proficiency, they should contact the



academy for assistance, and reasonable adjustments will be considered. Complaints should be addressed to the head of the academy.

When submitting the complaint, the complainant should provide as much detail as possible, including specific dates and times, the names of potential witnesses, copies of any relevant documentation, and a clear explanation of the resolution they are seeking.

Upon receiving a Stage Two complaint, the head of the academy will acknowledge receipt of the complaint within five school days and assign a senior member of staff to investigate the matter.

The nominated senior staff member will conduct a thorough investigation, gathering all relevant evidence. This may involve interviewing any pupils or staff named in the complaint, as well as any witnesses. The findings will then be reported to the head of the academy, and clarification from the complainant will be sought if necessary.

The head of the academy, along with the senior staff member who conducted the investigation, will discuss the findings with the complainant either in person or over the phone. This conversation should occur, wherever reasonably possible, within 20 school days of the complaint being received. This verbal discussion aims to clarify the findings and avoid misunderstandings that can arise from written communication. The complainant's agreement to a verbal discussion is required; if they do not agree within the set timeframe, the complaint may be closed without further action.

Following the discussion, the head of the academy will provide a formal written response detailing the investigation's findings and any agreed outcomes or recommendations. Whenever possible, this will be completed within five school days of the verbal discussion.

If the complaint directly involves the head of the academy, a member of the Local Governing Body will take over this role during Stage Two. It should be noted that the head of the academy is not considered directly involved in the complaint if they are performing their management oversight duties.

### **Stage Three – Governor Review**

If the complainant is not satisfied with the outcome of the Stage Two investigation, they may request a Governor Review by submitting a written request to the Local Governing Body. This request must clearly outline the reasons for dissatisfaction and should be made within five school days of receiving the Stage Two written response.

The purpose of the Governor Review is not to reinvestigate the complaint, but rather to assess the procedural fairness of the Stage Two investigation and the conclusions reached.

The designated Governor may reach out to the complainant for clarification if needed. If the Governor identifies areas of the complaint that were overlooked or not fully addressed in Stage Two, they may instruct the academy to carry out further investigation and provide recommendations for a suitable resolution.

The Governor will aim to complete the review within 20 school days of receiving the complainant's request. This timeframe includes providing the complainant and the academy with a written response outlining the outcome of the review.

### **Stage Four – Complaint Panel Hearing**

If the complainant remains dissatisfied with the outcome of the earlier stages, they may request that the complaint progresses to Stage Four. This request must be submitted in writing to the Chair of the Local Governing Body (LGB) within 10 school days of receiving the previous stage's written response, clearly outlining the reasons for dissatisfaction.



For complaints from parents of pupils within the academy, a Complaint Panel Hearing will be convened. The panel will consist of two members from the LGB who have no prior involvement in the matter, and one independent person who is not connected to the management or operation of the academy. The independent member will be appointed with the approval of the Chair of the LGB.

New allegations that were not previously investigated at Stage Two cannot be introduced at this stage. Additionally, new evidence that was not presented during the Stage Two investigation will not typically be considered, unless the Chair of the panel exercises their discretion to allow it.

The purpose of the panel hearing is not to reinvestigate the complaint, but to evaluate the procedural fairness of the Stage Two investigation and the conclusions reached.

The Clerk to the LGB will arrange the panel hearing, ensuring it is held as soon as practicable. A date that is reasonably convenient for the complainant, the academy, and the panel members will be sought, with the aim of scheduling the hearing within 30 school days of receiving the request.

The complainant is expected to work with the Clerk to arrange suitable dates. If the complainant declines three reasonable date offers, the Clerk will decide when the hearing will take place. If the complainant is unable to attend, the hearing will proceed in their absence, based on the available evidence.

If the complainant fails to engage with the Clerk, the Stage Four complaint may be closed. However, the Chair of the LGB may permit the complaint to proceed if exceptional circumstances for non-engagement are demonstrated.

All parties will receive at least eight school days' notice of the hearing date.

The following individuals are entitled to attend the hearing, submit written representations, and address the panel:

- The complainant and/or one representative.
- A member of the academy's Senior Leadership Team (SLT) and/or one representative.
- Any other individual the panel deems to have a relevant and justifiable interest in the hearing and whose input may assist in the panel's decision-making.

Any written submissions or documents to be considered by the panel, along with the names of any attending representatives, must be provided to the Clerk at least six school days prior to the hearing. Documents not submitted within this timeframe will not be considered unless the Chair, at their discretion, deems it fair to do so.

All parties will receive copies of the documents five school days before the hearing.

The panel may request to speak with witnesses, with the decision resting at the Chair's discretion.

Following the hearing, the panel will reach a decision. The Clerk will communicate the panel's findings and any recommendations in writing to the complainant, the academy, and, where relevant, the individual(s) subject to the complaint, aiming to do so within 10 school days of the hearing.

### **Stage Five: Trust Review**

Individuals have the right to contact King's Group Academies with respect to the way their complaint has been handled. King's Group Academies will usually not take any action until the academy's procedures have been exhausted. If a complainant feels the manner in which a complaint has been dealt with is unsatisfactory, he/she can refer to King's Group Academies which will consider whether the complaint has been dealt with properly by the academy.



King's Group Academies can be contacted at:  
[info@kingsacademies.uk](mailto:info@kingsacademies.uk)

The Trust will not conduct a further investigation of the complaint but will consider the procedural fairness of the investigation undertaken at Stage Two and the determinations made.

The Trust will aim to share their written findings and recommendations with the complainant, the establishment, and, where relevant, the person complained about, within 15 school days of receipt of the request. This concludes the Trust's complaint process.

## **6. Complaints to DfE/OIA**

If a complainant remains dissatisfied with how their complaint has been handled, they may escalate the matter to the Department for Education (DfE) for schools or the Office of the Independent Adjudicator (OIA) for School-Centred Initial Teacher Training (SCITT) provision. Both agencies will require that the complainant has already followed the trust's Complaints Policy to its conclusion.

The DfE will not re-investigate the substance of complaints or overturn any decisions made by the trust. However, if they determine that the trust did not adhere to its own Complaints Policy, as outlined in Part 7 of the Education (Independent School Standards) Regulations 2014, they may request the trust to review the complaint again.

Complaints to the DfE can be submitted through the Department for Education's online school complaint form (available at <https://www.gov.uk/complain-about-school>).

## **7. Confidentiality and Data Protection**

All complaints will be managed with the utmost confidentiality by the Trust and its establishments, adhering to data protection principles as set out in the Trust's Data Protection Policy.

In accordance with data protection legislation, all records concerning individual complaints will remain confidential, except when requested by the Secretary of State or by an inspection body under Section 109 of the Education and Skills Act 2008.

Complainants are also expected to maintain the confidentiality of their complaint. Sharing details or response documentation publicly, including on social media or with third parties, is not permitted.

Any defamatory, offensive, or inappropriate comments posted on social media by parents will be addressed in line with the establishment's Parent Code of Conduct.

Neither the Trust/establishment nor the complainant should make electronic audio or video recordings of meetings. A meeting may be postponed if the complainant insists on recording, unless agreed in advance due to the complainant's disability or special needs. The Trust/establishment will take notes during any meetings related to a complaint, and complainants may do the same.

In cases where an outcome involves a third-party individual, such as disciplinary actions involving staff or pupils, information shared may be restricted due to privacy rights under data protection law.

## **8. Issues relating to staff discipline or capability**

Details relating to staff discipline and capability must remain confidential to the Principal. The complainant should be informed that the academy has taken appropriate follow-up action.



## **9. Monitoring, Evaluation and Review:**

All complaints which are made to the Principal's Office or taken up with the Chair of Governors will be retained indefinitely, with the notes of any investigation, academy response and outcome. An annual review of the number and type of complaints will be undertaken by the Principal as part of the cycle of Academy self-evaluation.

## **10. Publicising this policy**

This policy and the responsibilities of key staff will be publicised through the academy website.

## **11. Complaint Campaigns**

In the event that an establishment or the Trust faces a complaint campaign, a different approach may be taken under this policy to address the situation.

A complaint campaign is defined as multiple complaints from different individuals that all focus on the same issue. In such cases, the establishment or trust may choose to respond by:

- Issuing a consolidated response to all complainants with the same message; or
- Publishing a single response on the establishment or Trust's website.

## **12. Unacceptable Behaviour of Complainants**

The trust reserves the right to reject complaints deemed vexatious. Vexatious complaints may be identified by characteristics such as (but not limited to) the following:

- Complaints that are obsessive, persistent, harassing, prolific, or repetitious.
- The pursuit of unsubstantiated complaints or unrealistic outcomes beyond reason.
- The pursuit of valid complaints in an unreasonable or disproportionate manner.
- Complaints intended to cause disruption or irritation; and/or
- Demands for redress that have no serious purpose or value.

Additional traits of unreasonably persistent or vexatious complaints are outlined in Appendix 3. It should be noted that this list is not exhaustive, and no single characteristic on its own necessarily defines a complaint as vexatious.

The establishment will ensure that each complaint is investigated in accordance with this policy. Where there is concern that a complaint may fall into the category of being unreasonably persistent or vexatious, the head of the establishment will seek advice from King's Group Academies Central Team.

Should a complaint be deemed unreasonably persistent or vexatious, the King's Group Academies Central Team will inform the complainant in writing, outlining the decision and the reasons behind it. The letter will specify that all future communications on the matter should be directed to the King's Group Academies Central Team, who will determine whether the communication raises any substantive new issue(s).

The complainant will be informed that any future complaints will only receive a response if they present substantive new issues. They will also be notified of their right to escalate their complaint to the Education and Skills Funding Agency (ESFA).

There is no internal appeal process against the decision to classify a complaint as persistent or vexatious. If future complaints do raise new, substantive issues, these will be investigated in accordance with this policy.

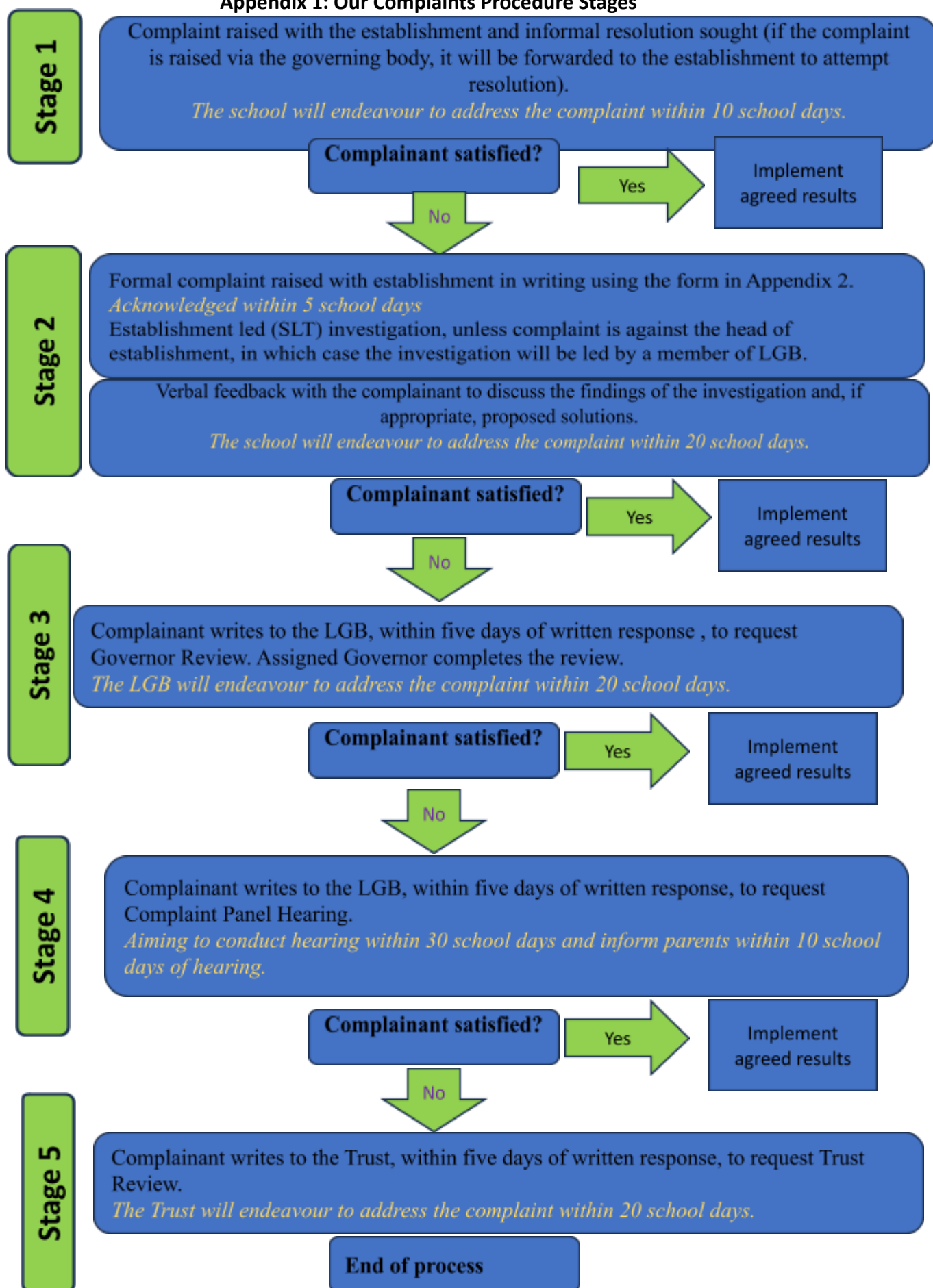


The Trust conducts investigations in a professional manner, with respect for all parties involved. Equally, the Trust expects complainants to engage in a respectful manner and refrain from aggressive or intimidating behaviour. Unacceptable conduct from a parent will be addressed in accordance with the Parent Code of Conduct.

### **13. Management of policy**

The King's Group Academies Board of Trustees has overall responsibility for the maintenance and operation of this policy. They will maintain a record of concerns raised and the outcomes. King's Group Academies policies will be reviewed regularly and will include an evaluation for impact on workload and working hours.

## Appendix 1: Our Complaints Procedure Stages





## Appendix 2: Formal Complaint Form

Please complete and return to the Academy Complaints Officer who will acknowledge receipt and explain what action will be taken, either at main reception or via email. For the contact details of our academies please see their websites, which can be accessed via <https://www.kingsacademies.uk>.

|   |  |         |       |
|---|--|---------|-------|
| Your Name:  |  |         |       |
| Pupil's Name:   |  |         |       |
| Your relationship to the Pupil:   |  |         |       |
| Address:  |  |         |       |
| Postcode:   |  |         |       |
| Daytime telephone number:   |  |         |       |
| Email address:  |  |         |       |
| <b>Please give details of your complaint:</b><br><i>(Provide as much detail as possible about the matter, including dates and times of events, and potential witnesses. You may also attach copies of any relevant documents)</i> |  |         |       |
|   |  |         |       |
| What action has been taken so far, which staff member has dealt with the matter and what solution has been offered (where relevant)?  |  |         |       |
|   |  |         |       |
| The reason for this not being satisfactory for you:   |  |         |       |
|   |  |         |       |
| What actions do you feel might resolve the problem at this stage?   |  |         |       |
|   |  |         |       |
| Are you attaching any paperwork? If so, please give details.  |  |         |       |
|   |  |         |       |
| Signature:  |  |         | Date: |
| Official use only   |  |         |       |
| Date acknowledgement sent:  |  | By who: |       |
| Complaint referred to:  |  | Date:   |       |



### Appendix 3: Examples of Unacceptable Behaviour of Complainants

The following are examples of behaviours that may be considered unreasonably persistent and/or vexatious. This list is not exhaustive, and no single feature on its own necessarily means a complaint will be defined as such:

1. The complaint is baseless or without sufficient grounds and appears to have been made solely to cause annoyance or for reasons that the complainant does not admit or disclose.
2. The complaint lacks specified grounds despite offers of assistance to define the issues.
3. The complainant refuses to engage with the investigation process while still demanding resolution.
4. The complaint involves matters outside the control of the establishment, which cannot be changed or influenced, yet the complainant refuses to accept this.
5. The complainant insists that the complaint be handled in ways that are incompatible with the Complaints Policy, such as refusing a written record or demanding that only the Chief Executive handle the matter.
6. The complainant raises groundless complaints about staff involved in the investigation and attempts to have them replaced.
7. There is an excessive number of contacts (by any means) regarding the same complaint or set of complaints.
8. The complainant makes persistent and unreasonable demands on staff or the complaints process, even after being informed of the unreasonableness. An example could include demanding immediate responses to frequent, complex communications.
9. The complainant attempts to harass, verbally abuse, or intimidate staff dealing with the complaint, using foul, inappropriate, or discriminatory language.
10. The complainant raises new or subsidiary issues during the process that were not part of the original complaint.
11. The complainant introduces trivial or irrelevant information and expects it to be considered and addressed as part of the complaint.
12. The complainant changes the basis or substance of the complaint without reasonable justification during the process.
13. The complainant denies statements made at earlier stages in the complaint process.
14. The complainant electronically records meetings or conversations without informing and receiving the consent of others involved.
15. The complainant refuses to accept the outcome of the complaint process, repeatedly arguing the same points, complaining about the outcome, or denying that an adequate response has been provided.
16. The complainant repeatedly submits the same complaint, with minor differences, after the process has been concluded, insisting these minor changes render the complaint "new" and should be handled afresh.
17. The complainant refuses to accept documented evidence as factual.
18. The complaint concerns a historic decision or incident that is irreversible.



#### **Appendix 4: Contact details for King's Academy Northern parade**

Enquiries and complaints should be addressed to:

Mrs Sarah Rose  
King's Academy Northern Parade  
Doyle Avenue  
Portsmouth  
PO2 9NE

[admin.np@kingsacademies.uk](mailto:admin.np@kingsacademies.uk)