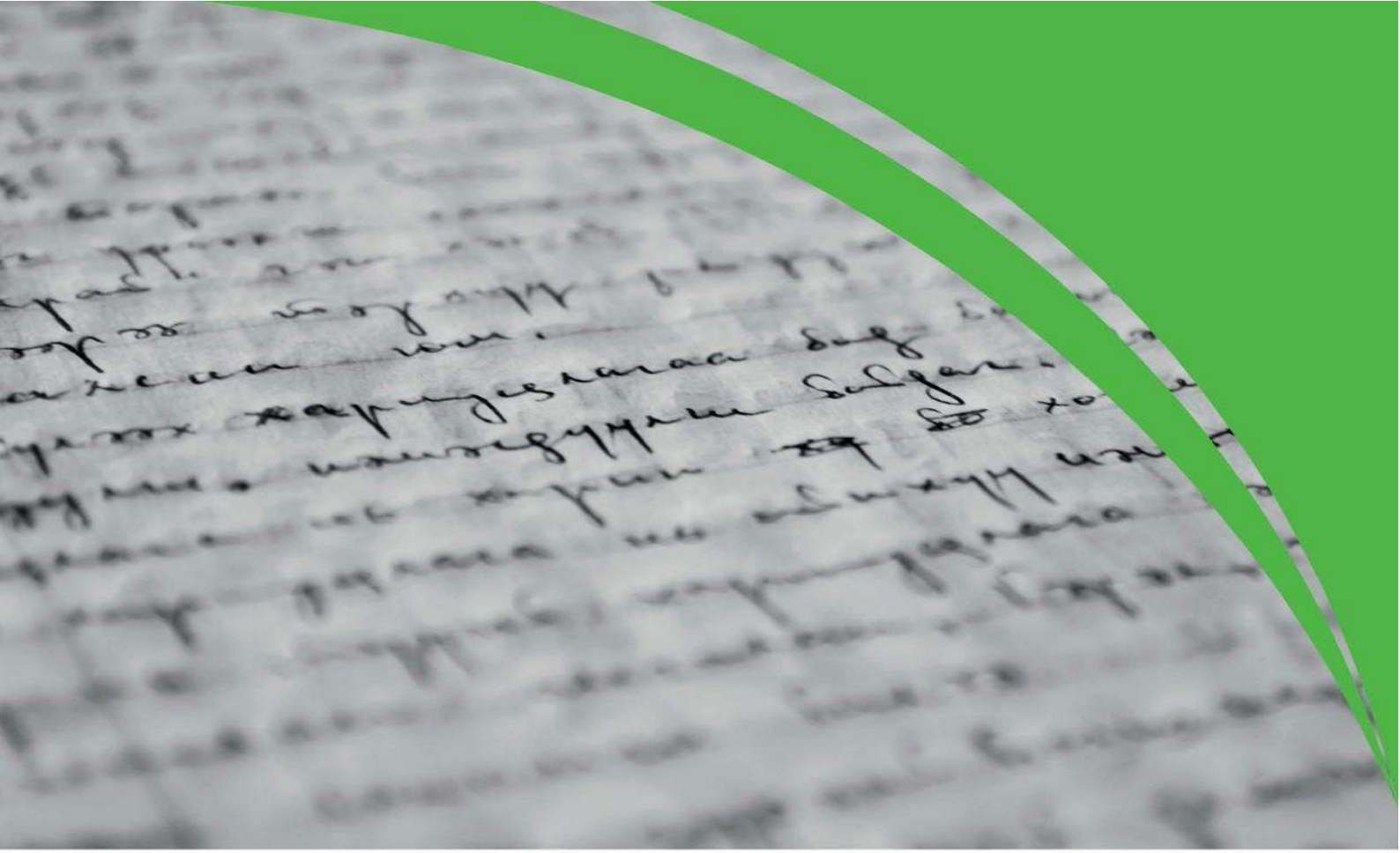


# Complaints Policy

School Name: The White Horse Federation

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Owner: Lyn Rouse

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Approved By: CEO

## History of most recent Policy changes

| Version | Date | Page document | Change | Origin of Change e.g. Change in legislation, Policy review |
|---|---|---|---|---|
| 3.0 | September 2022 | | | Initial version aligned with statutory guidance |
| 4.0 | June 2024 | 2, 3, 4, 6, 12 | Aims, nominated complaints officer, review of process, time constraints for informal stage, notes by request, flow chart added, complaints about the headteacher to go to the complaints officer. | Policy review, wording changed to enhance clarity and procedural changes to informal, stage 2 and stage 3. |
| 5.0 | August 2025 | Page 7<br><br><br><br>Page 10<br>Page 11 | Section updated to remove reference to ESFA as the escalation body, replaced with DFE.<br>Expanded section 11 to include definitions and procedures for managing serial and unreasonable complaints.<br>Added paragraph addressing complaint campaigns, mass submissions and petitions clarifying how these may be managed collectively and proportionately | DfE best practice. |
| 6.0 | June 2026 | Page 4,5<br><br><br><br><br><br>Page 7,8<br><br>Page 8<br><br>Page 10,11 | Procedures – Attendance and expectations around a forensic approach<br>Clarification on what is not covered under the complaints policy and escalation considerations<br><br>Better clarity for 7.1 and 7.2<br><br>Closing a complaint<br><br>Complaints Conduct: Vexatious, Harassment and Malicious | Added for Clarification<br><br><br><br><br>Added for Clarification<br><br>Added clarification on harassment to reflect strengthened expectations on employers to protect staff, including alignment with the Worker Protection (Amendment of Equality Act 2010) Act 2023 and wider duties of care. |

## Executive Summary

The White Horse Trust Complaints Policy outlines the procedures and guidelines for addressing and resolving complaints within the Trust. It aims to ensure transparency, fairness, and accountability in handling complaints from various stakeholders, including parents, students and staff. All academies and trusts must have a complaints procedure, which must meet the requirements in the standard at **the Education (Independent School Standards (England) Regulations 2014 Schedule 1, Part 7**. The policy defines the types of complaints accepted, the process for lodging a complaint, the investigation procedure, and the steps for resolution. By implementing this policy, the Trust ensures that the complaint is handled sympathetically, efficiently and at the appropriate level, and resolved as soon as possible.

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## 1. Aims

The Trust needs to know as soon as possible if there is any cause for dissatisfaction. Parents, carers and third parties should never feel, or be made to feel, that a complaint, made in a reasonable and appropriate manner, will be taken amiss or will reflect adversely on any student or his/her their opportunities at any Academy within the Trust. The Trust / Academy will investigate and try to resolve every complaint in a positive manner and will treat every complaint as an opportunity:

- To put right any matter which may have gone wrong.
- To review systems and procedures considering the relevant circumstances.

## 2. Legislation and Guidance

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
- Part 7 of 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'
- ESFA (2021) 'Best practice guidance for academies complaints procedures'
- ESFA (2023) 'Academy trust handbook 2023'
- The DofE template policy for complaints

This policy operates in conjunction with the Data Protection Policy.

## 3. Definitions

The Trust is clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the number that develop into formal complaints.

For this policy, a "**complaint**" is defined as 'an expression of dissatisfaction' towards the actions taken or a perceived lack of action. Complaints can be resolved formally or informally.

A "**concern**" is be defined as 'an expression of worry or doubt' where reassurance is required. For this policy, concerns will be classed and addressed as complaints.

## 4. Making a Complaint: Procedures

The Complaints Officer is the nominated officer for the Trust and is responsible for the day-to-day administration, implementation and management of the Trust's complaints procedure. The Complaints Officer reports to the Director of Admin and Compliance who retains strategic oversight of the complaints process.

Any parent and/or carer of a pupil in a WHF school can make a complaint about the provision of facilities or services that the Trust provides. We will consider complaints from any other person, and if appropriate, apply this complaints procedure.

Complainants may make complaints in person, in writing or by telephone. Complaints should be made using the appropriate channels of communication. It is helpful if complainants use the complaints template within this policy.

The Trust will consider all complaints carefully and proportionately. The process is intended to establish the facts and reach a fair resolution: it is not a forensic or disciplinary process. We expect all parties to engage constructively and focus on achieving a reasonable and timely outcome.

Individuals raising concerns or complaints about matters that are subject to separate statutory processes, or which relate to policies approved through the Trust's governance arrangements, will be directed to the appropriate process and will not normally be dealt with under this Complaints Policy. The Trust reserves the right to implement and apply its approved policies where these are necessary to support the effective operation of its schools, promote high standards, and secure the best possible outcomes for pupils.

- **Admissions** – referred to the appeals process outlined in the Admissions Policy.
- **Attendance** – referred to the Attendance Policy.
- **Child protection** – referred to safeguarding procedures outlined in the Child Protection and Safeguarding Policy.
- **Data Protection** – referred to the Data Protection Policy
- **Exclusion** – referred to the procedures outlined in the Behaviour Policy and Suspension and Exclusion Policy.
- **Whistleblowing** – referred to the internal whistleblowing procedures outlined in the Whistleblowing Policy.
- **Staff grievances** – referred to the internal grievance procedures outlined in the Grievance Policy.
- **Staff conduct** – referred to the internal disciplinary procedures.

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 during the last week of term or outside of term time will be treated as **being received on the first school day after the holiday period**.

A complaint will not be prevented from progressing to the next stage, however, the Trust reserve the right not to progress complaints that fall outside the scope of this policy, have already been fully considered, or are deemed unreasonable, vexatious or repetitive. All complainants are given the opportunity to fully complete the complaints procedure. At each stage we are seeking to resolve the issue.

There may be occasions when it is necessary or reasonable to deviate from the published complaints procedure. In these cases, the complainant will be kept informed and reasons for the deviation given.

At each stage in the procedure, we keep in mind ways in which a complaint can be resolved, and mediation meetings might be suggested in between these stages. We work on the basis that all parties want to ensure the best resolution, therefore hope that everyone making a complaint is open to mediation.

The Trust will not normally investigate anonymous complaints.

A flow chart is included at Appendix 2.

## 4. Making a Complaint: Procedures continued …

| **Where should I go first with my concern / complaint?** | | |
|---|---|---|
| Concerns should be raised with the class teacher/tutor.<br><br>This should be done within **3 months** of the concern or complaint. | If it remains unresolved you can escalate to Head of Year or Assistant Head Teacher. | If no resolution has been reached, you can raise the concern with the Head Teacher.<br><br>If you are dissatisfied, you can raise a Stage 2 formal complaint with the Complaints Officer. |
| Complaints against staff. | Should be made in the first instance, to the Head Teacher. | Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate.<br><br>Complainants **will not** be informed of any disciplinary action taken against a staff member because of a complaint. However, the complainant will be notified that the matter is being addressed. |
| Complaints about the Head Teacher. | Should be made in writing to the Director of Compliance and Admin Operations. | Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate.<br><br>Complainants **will not** be informed of any disciplinary action taken against a staff member because of a complaint. However, the complainant will be notified that the matter is being addressed. |

| | | |
|---|---|---|
| Complaints about any member of the LGB. | Should be made in writing to the | Complaints Officer. |
| Complaints about the CEO or a trustee of the Trust. | Should be made in writing to the | Director of Compliance and Admin Operations |
| Complaints about a school. | Should be made in writing to the | Complaints Officer. |
| Complaints about the Trust. | Should be made in writing to the | Director of Compliance and Admin Operations |

It is worth noting that complainant **should not** approach individual local governors to raise concerns or complaints, they have no power to act on an individual complaint, and it may also prevent them from considering complaints at Stage 3 of the procedure.

## 5. The Informal Stage

The complainant should make the complaint as soon as possible, or **within 3 months** of the incident occurring if applicable.

An informal complaint may be made in person, by telephone, or in writing. The complaint should be acknowledged by the school as an informal complaint received.

The Trust is keen to resolve concerns and complaints quickly and informally. It is helpful when staff can resolve issues on the spot, including apologising where necessary and appropriate.

Concerns relating to individual schools should be raised with the school directly. The school will discuss the issue in person or via telephone.

To ensure alignment between the school and complainant, a confirmation email should be sent to confirm that the matters have been resolved.

Should the matter not be resolved informally within 30 school days (or where the complainant is not satisfied with the response) they may proceed with Stage 2 of this procedure.

The person managing the response to the complaint will provide the complainant with the complaints policy and details about proceeding to the next level of the procedure.

Whilst it is our aspiration to resolve concerns informally, there will be occasions when complainants choose to invoke Stage 2. The Trust reserves the right to redirect concerns to the school, if felt appropriate and especially in the instance whereby the informal process has not already taken place.

## 6. Stage 2, The Formal Stage

Formal complaints should be made to the Complaints Officer, sbooth@twhf.org.uk, and the Head Teacher. The complaint should provide details such as relevant dates, times, and the names of witnesses to events, alongside copies of any relevant documents and including why they feel it was not resolved at The Informal Stage.

The complainant should also mention their proposed resolution for the complaint. There is a template available in the complaints policy to aid this.

The Complaints Officer will arrange for a Stage 2 investigation to commence. The written conclusion of this investigation will be sent to the complainant **within 15 school days**. Following completion of the investigation, the Complaints Officer will determine whether the complaint is upheld, partially upheld or not upheld and will provide the rationale for this decision within the written outcome. There is a WHF investigation template for this process.

If the investigator is unable to meet this deadline (for instance, if the situation is complex or close to a term break and it is deemed unlikely to be resolved within this policy time scale), an update should be provided to the complainant and a revised response date provided.

If the complainant is not satisfied with the investigation, they can proceed to Stage 3 of this procedure, they should inform the Complaints Officer in writing **within 5 school days** following the investigation response. It is worth noting that Stage 3 is a review of the Stage 2 investigation and not a revisit of the original complaint.

At each stage in the procedure, we keep in mind ways in which a complaint can be resolved, and mediation meetings might be suggested in between these stages. We work on the basis that all parties want to ensure the best resolution and therefore hope that everyone making a complaint is open to mediation.

## 7. Stage 3, The Panel Hearing

Where the complaint has progressed to Stage 3, a panel will be constituted to review the Stage 2 investigation. The panel will be appointed by the Director of Compliance and Admin Operations and will not have been involved in dealing with the complaint in the previous stages or have any detailed prior knowledge of the complaint. One complaint panel member will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust. However, for MATs this can be a governor from another school that has no prior knowledge or conflict of interest.

A member of the WHF senior leadership team will be a panel member.

The panel will have access to existing documentation in relation to the complaint.

The panel hearing will be convened **within 15 school days** of receipt of the escalation request. Where this is not possible, the Complaints Officer will provide an anticipated date and ensure the complainant is kept up to date.

The panel will not review any new complaints or consider evidence unrelated to the initial complaint to be included.

## 7.1 The Panel Hearing Process

Prior to the hearing, the complainant will receive information on how the review will be conducted. Panel members will also receive a copy of this correspondence. The Panel's role is not to reinvestigate every aspect of the complaint but to review the complaint has been handled fairly and objectively, whether the investigation was reasonable, and whether the evidence supports the conclusions reached. The Panel will make its decision based on the evidence and balance of probabilities.

At the hearing, the complainant will be given up to 20 minutes to present their case and answer questions from the Panel. The Stage 2 Investigator will also be given up to 20 minutes to explain the investigation undertaken, the evidence considered and the reason for their findings.

The hearing will provide an opportunity for the Panel to:

- Hear from the complainant, who may be accompanied by a supporter if they wish (legal representation is not permitted at Panel Hearings)
- Hear from the Stage 2 Investigator regarding the investigation undertaken
- Allow both parties to ask reasonable questions
- Consider and question any evidence submitted in advance of the hearing
- Review the evidence, findings, and outcomes from previous stages of the complaints process
- Consider whether the School or Trust has acted in accordance with its policies, procedures, and any relevant guidance.
- Consider whether the complaint has been handled fairly, objectively and proportionately
- Determine whether the evidence supports the findings and conclusions reached at Stage 2
- Consider improvements to procedures, policies, systems or practices to mitigate any future risks Identify lessons learned and areas for service improvement
- Consider whether any actions may support positive future engagement between the complainant and the School or Trust

The Trust will make reasonable efforts to arrange a mutually convenient date for the hearing. If the complainant is unable to attend, they may submit written representation for the Panel's consideration. The Panel will be given priority when making Stage 3 arrangements and may proceed in the complainant's absence.

The hearing will be held in private. Electronic recordings of meetings or conversations are not permitted. A minute taker will be present.

## 7.2 Possible Outcomes from a Stage 3 Hearing

The Complaints Panel will consider the Stage 2 investigation, the outcome reached by the Complaints Officer and any representations submitted by the complainant that are

directly relevant to the original complaint. The Panel will not consider new complaints, allegations, evidence or issues that fall outside the scope of the complaint investigated at Stage 2. Any new matters raised will need to be considered separately in accordance with the Trust's complaints procedures. Possible outcomes are:

- Upheld – The investigation was not conducted appropriately, the complaints procedure was not followed in a material respect, or that conclusions reached were not reasonable based on the evidence.
- Partially Upheld – The investigation was generally conducted appropriately and that all or most conclusions were reasonable; however, specific aspects of the process, consideration of evidence, or conclusions could have been improved.
- Not Upheld – The investigation was conducted appropriately, the complaints procedure was followed, and the conclusions reached were reasonable and supported by the evidence.

The Panel will make its findings based on the balance of probabilities and the information available at the time of the hearing.

Where a complaint is upheld, either in whole or in part, the Panel may:

- Identify actions required to resolve the complaint and where necessary remedy any misunderstandings
- Recommend improvements to procedures, policies, systems or practices to mitigate any future risks Identify lessons learned and areas for service improvement

The complainant will receive a written response explaining the panel's findings and recommendations **within 10 school days**.

## 8. Closing a Complaint

If a complainant does not respond to a request for information or fails to progress their complaint, the Trust may take the decision to close the complaint. In such cases, the complaint will be recorded as closed on the system.

The Trust operates a fair and reasonable process and does not maintain complaints on an open-ended basis.

## 9. Complaints to the DfE

If a complainant believes that the White Horse Federation has not properly followed its published complaints procedure, they may escalate the matter to the Department for Education (DfE). The DFE does not reinvestigate complaints or overturn decisions made by the Trust. Instead, its role is to ensure that the Trust has:

A published complaints procedure
Provided access to the procedure when requested
Followed the procedure correctly and allowed it to be completed

Complaints can be submitted via the DfE's online portal:

How DfE handles complaints about academies - GOV.UK

## 10. Record Management

A record will be kept of all Stage 2 complaints that are formally made, including action taken by the Trust and whether they were upheld or not.

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

Academies are data controllers and must decide for themselves how long to keep records, unless statutory regulations apply, e.g., attendance records must be kept for 6 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.

An Equalities Impact Assessment has been completed and can be obtained from the Complaints Officer.

There is a legal requirement for the Complaints Procedure to be published. The Complaints Policy will be published on the WHF website and that of all WHF academies.

### 10.1 Data Protection

The Trust will keep records of complaints in line with the Record Retention Policy. Complaints will be shared with Ofsted on request. Anonymised data will be shared with the Senior Executive Team and Board.

## 11. Interviewing / Witnesses Statements

Where information is required from pupils as a part of a complaint investigation, the Complaints Officer will normally seek this through written statements or accounts on record where necessary and appropriate. If an interview with a pupil is deemed necessary, 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 Local Authority 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, to not influence the interviewee. The interviewee will sign a copy of the transcription of the interview.

## 12. Complaints Conduct: Vexatious, Harassment and Malicious

The White Horse Federation is committed to handling all complaints fairly, impartially, and professionally. In return, complainants are expected to engage respectfully and constructively in all communications.

The Trust will not tolerate behaviour towards staff, Trustees, or Academy Governors that is abusive, offensive, threatening, harassing, or persistently unreasonable.

If a complainant's behaviour is unacceptable, they will be informed and asked to modify their approach. If the behaviour continues, the Trust may apply reasonable restrictions, such as limiting contact to a designated channel or staff member. The Trust may also decline to respond to issues that have already been addressed unless significant new information is provided.

Continued unacceptable behaviour may result in contact being terminated; further correspondence will be read and filed without response.

While most complaints are handled constructively, behaviour may be deemed unreasonable where it includes, but is not limited to:

**1. Engagement with the process**

- Refusing to clearly explain the complaint or desired outcome
- Failing to cooperate with the investigation
- Rejecting the scope of the complaint's procedure
- Insisting on processes that conflict with policy or good practice

**2. Nature of the complaint**

- Raising irrelevant or trivial matters
- Submitting excessive or repetitive queries requiring immediate response
- Changing the basis of the complaint during investigation
- Repeating issues already fully considered
- Rejecting findings where due process has been followed
- Seeking unrealistic or disproportionate outcomes

**3. Impact on staff and resources**

- Making excessive or complex demands through frequent contact
- Making unjustified complaints about staff to have them replaced
- Making covert recording of staff

**4. Unacceptable behaviour**

- Using threatening, abusive, offensive, discriminatory, or harassing language
- Providing false or misleading information
- Publishing misleading or harmful information publicly or online
- Not adhering to the school's Code of Conduct

Where a complaint has been fully addressed and no new evidence is provided, the Trust may end further contact and will file correspondence without acknowledgement.

Where complaints are submitted as part of a coordinated campaign (e.g. petitions or mass emails), they may be treated as a single complaint. A standard response may be issued, and, where appropriate, a public statement published. Such campaigns will not affect disciplinary decisions.

Complainants may request a review of any decision to restrict or terminate contact.

### 12.1 Harassment

The Trust has a duty to provide a safe working environment for its employees and will take reasonable steps to protect staff from harassment, intimidation, abusive conduct, discriminatory behaviour and inappropriate communication from third parties, including complainants. Where necessary, the Trust may implement restrictions on communication, require contact through a single point of contact or take other proportionate measures to safeguard staff wellbeing.

For the purposes of this policy, behaviour may be regarded as unreasonable, persistent or harassing where it involves the repeated pursuit of a complaint in a manner that places a disproportionate burden on the school or Trust resources or has a negative impact on the wellbeing of staff.

### 12.2 Resolving Complaints

At each stage in the procedure, we keep in mind ways in which a complaint can be resolved, and mediation meetings might be suggested in between these stages. We work on the basis that all parties want to ensure the best resolution, therefore hope that everyone making a complaint is open to mediation. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology.
- An explanation.
- An admission that the situation could have been handled differently or better.
- An explanation of what steps have been taken to ensure that the situation will not recur.
- An undertaking to review policies considering the complaint.

An admission the situation could have been handled better is not an admission of negligence.

### 12.3 Managing and Recording Complaints

The Trust and its Academies will keep a written record of all formal complaints. This will include:

- Basic information about each complaint including the date on which they were received.
- The status of the complaint and whether is proceeded to Stage 3.

- All documents relating to investigations.
- Findings and recommendations from any Stage 2 investigations.
- Lessons learnt from the Trust.

The Trust Risk and Audit Committee should monitor the level and nature of the complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure.

The Complaints Policy will be published on the WHF website and on the website of all WHF academies.

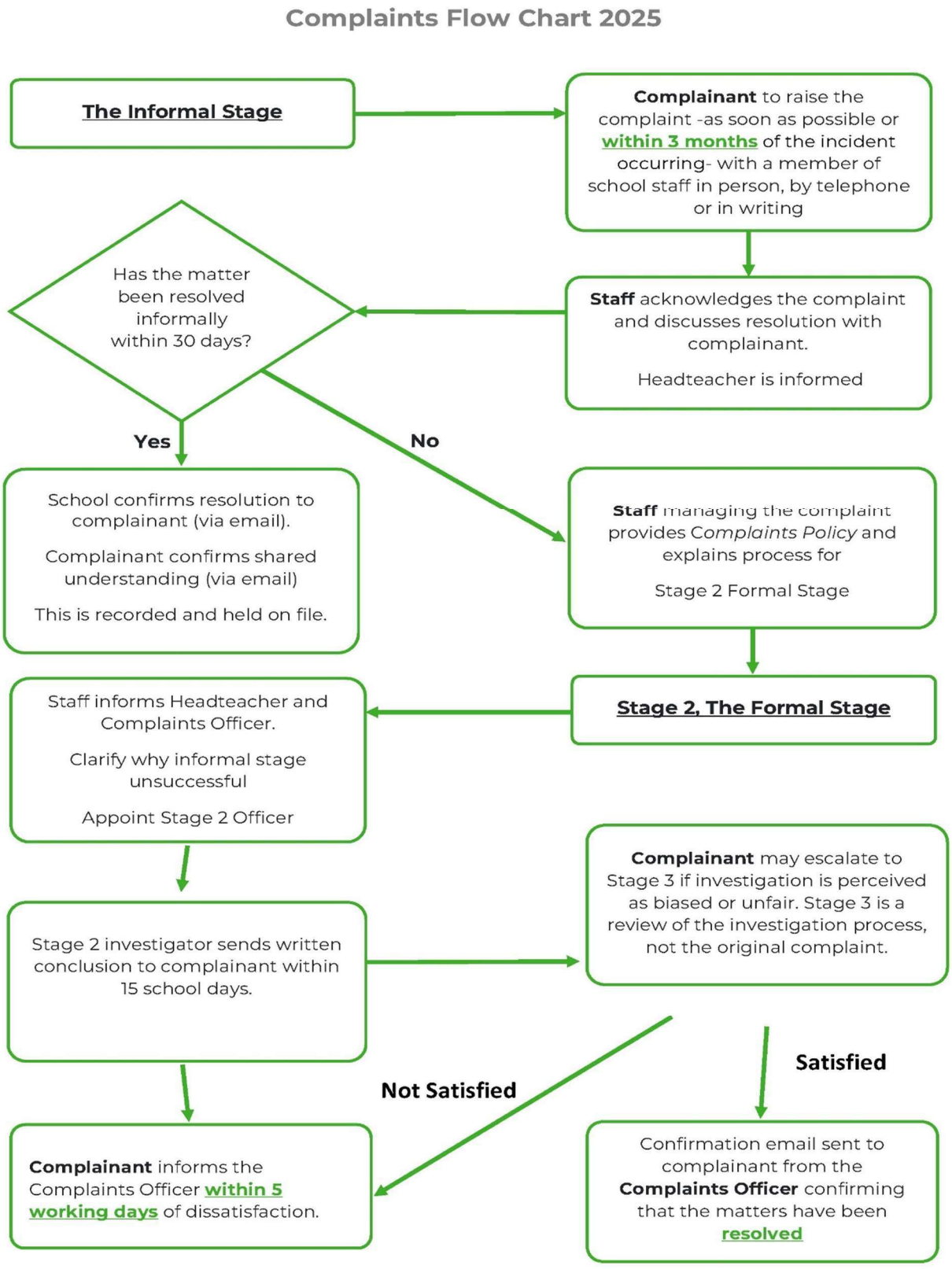
## Appendix 1

## Complaints Form

| **Your Details:** | |
|---|---|
| Your Name: | |
| Pupils Name: | |
| Your relationship to Pupil: | |
| Address:<br><br>Postcode:<br>Day time number:<br>Evening telephone: | |
| School: | |
| Please give details of your complaint (adding extra pages if necessary) | |
| Details of Issue | What action has been taken to resolve the matter, by whom and when? |
| | |
| What actions have been taken so far to resolve the issue? | |
| What actions do you feel might resolve the problem at this stage? | |

## Appendix 2

## Complaints Process Map



**Stage 3, The Panel Hearing**

The **Complaints Officer** appoints two impartial staff members and one external member to Panel

The panel hearing is convened **within 15 days** of the complaint moving to a Stage 3 complaint

Who attends the Panel Hearing?

Two impartial staff members

Typically a LGB member

The Stage 2 investigating officer

Complainant (plus support)

Panel review investigation only – no new complaints or unrelated evidence considered.

The complainant will receive a written response explaining the panel's findings and recommendations **within 15 school days**

**What happens next?**

There is a route to escalate complaints to the DFE but it's limited to specific circumstances.

You can escalate a complaint to the DfE only if:

The school has not followed its published complaints procedure or has prevented you from completing it.

A child is not receiving education.

A child has been exposed to harm.

You are not satisfied how the DfE handled a previous complaint.

The DfE does not investigate the substance of complaints but may intervene if procedures were now followed correctly or if legal obligations were breached.