Educate U

Complaints Policy

and Procedures

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Complaints Policy and Procedure

INTRODUCTION

At Educate U we work closely with our prospective families, current families, children and young people, external agencies and other professionals and we have clear channels of communication to discuss with any issues as they arise. Dealing with complaints can help the school to improve its services. The procedures set out in this policy explain how we will consider complaints fairly and in a timely manner. Taking informal concerns seriously can help to resolve issues on the spot and reduce the number of concerns that turn into complaints. If this is not possible, we aim for complaints to be dealt with before they become serious. We strongly believe that open dialogue is the best and most effective way of working through difficulties. We also recognise that it is important to have a transparent and effective formal way of raising concerns or making a complaint.

At all stages our goal is achieving reconciliation – to establish what you would like to see as a satisfactory outcome for you and to deliver that outcome or explore what alternative outcomes are possible.

LEGAL CONTEXT

We are required to establish procedures for dealing with all complaints relating to the school including the provision of facilities or services by the school. We must have regard for the guidance produced by the Secretary of State.

We must make sure that any **third-party providers** offering services through the school premises, or using school facilities, have their own complaints procedure in place, for example an external provider of an alternative provision. We are required to publish the policy and procedures on the school's website.

PROPRIOITER REPORTING AND REVIEW

Scheduled Review and Updated Guidance from the DfE

The policy and procedures will be reviewed every year but any Proprietor with concerns about its operation can request that it is reviewed at any time.

The policy and procedures will also be reviewed if and when new guidance or legislative changes are introduced by the Department for Education.

Proprietor Monitoring

This policy has been created and it's implementation overseen by a proprietor. The aim is to ensure effective handling of complaints from parents, carers and pupils.

The level and nature of complaints will be reported to the Proprietors as part of their role in overseeing the operation of the school.

Details of complaints will not be shared with the Proprietors at any stage while they are still being considered, in case a complaints committee needs to be organised with the proprietors and directors.

The exception to this is when a complaint is made against the Proprietors and they need to be aware of the allegations made against them, to respond to any independent investigation.

Local Authority (LA) Reporting

The school may be requested to provide statistics on complaints so that overall monitoring can be carried out to advise all schools and the authority on improvements to practice.

The LA may also require details of any complaint and its consideration in order to answer formal enquiries from the Department for Education or others. The school will be consulted before any response to such enquiry is made.

COMPLAINTS PROCEDURE

A. Summary

Informal: concerns or complaints raised directly with staff / headteacher. If not resolved, move to formal procedures.

Formal:

Stage 1a: Investigation – decision on whether or not to uphold complaint.

Stage 1b: Outcome

Stage 2: Complainant can appeal if dissatisfied with outcome of Stage 1

Stage 3: Panel Hearing

See Table A summarising who will manage Stage 1, Stage 2 and Stage 3 depending on the subject of a complaint.

B. Who can make a complaint?

As well as parents or carers of pupils registered at the school, anyone, including members of the public, can make a complaint about any provision of facilities or services that we provide.

C. 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 is generally recognised as 'an expression or statement of dissatisfaction about actions taken or a lack of action'.

D. How to raise a concern or complaint (informal stage)

Concerns and complaints can be raised in person, in writing or by telephone.
If you have a concern or complaint, in the first instance please raise it directly with the member of staff concerned (eg class teacher). If you have difficulty discussing a concern or complaint with a particular member of staff, you should let the headteacher know, and they will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern or complaint, the headteacher will refer you 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 is more important.

E. How to make a formal complaint

If you feel that your concern or complaint (at Informal Stage) has not been resolved and you wish to complain further, you can make a complaint in person, in writing or by telephone, however if you do not make your complaint in writing, you will need to agree to the wording of the record of your verbal complaint by the complaint administrator / school office. This is to allow your complaint to be heard fairly and openly and within appropriate timescales. Complaints can also be made by a third party acting on your behalf, as long as they have appropriate consent to do so.

For submitting the complaint in writing, please use the template complaint form which is included as Appendix E. If you need help in completing the form, please contact the school office. You can also ask third party/external organisations like the Citizens Advice Bureau to help you.

Please do not approach **individual Proprietors and Directors to raise concerns or complaints.** They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure. It could also produce a conflict of interest, for example for proprietors and directors with other businesses, such as Post 16 alternative provisions.

In accordance with equality law, we will consider making reasonable adjustments if needed, to help you access and complete this complaints procedure. For instance,

providing information in alternative formats, assisting you in raising a formal complaint or holding meetings in accessible locations.

F. Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Proprietors and Directors, if appropriate, may decide whether the complaint should be investigated.

G. Data Protection

All people involved in the complaints process must respect your right to confidentiality. For the purposes of the prevention, investigation, and detection of safeguarding issues and of crime and fraud, the right to confidentiality may be waived in some circumstances.
All data will be held securely and processed in accordance with the school's Privacy Notice which enables the school to comply with the Schools' Data Protection Policy (including Data Protection legislation). If you escalate your complaint to the Department for Education, we may share information with them, however this will always be limited to what is required for the investigation.

To see the school's Privacy Notice please click here **Educate U - Privacy Notice** or ask the School Office for it.

H. Timescales, including impact of school holidays

Complaints must be made within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

A complaint made outside of term time will be considered to have been made on the first school day after the holiday period. Similarly, the time frames within the formal procedures will relate to 'school days', so excluding school holidays, weekends and bank holidays.

I. What can you complain about?

You may make a complaint about most areas of the school including any community facilities or services the school provides. This can be in relation to the head teacher, a member of staff or proprietors.

However, there are separate procedures that need to be followed for the following areas (see Appendix D for more details on how to follow those separate procedures):

- Admissions and discharges
- Statutory assessments of Special Educational Needs

- School re-organisation proposals
- Matters likely to require a Child Protection Investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievances
- Staff conduct
- Complaints about services provided by other providers who may use school premises or facilities
- Curriculum – content.

If other organisations such as the police, local authority (LA) safeguarding teams or tribunals are investigating aspects of your complaint, this may impact on our ability to meet the timescales within the procedure or result in the procedure being suspended until those public bodies have completed their investigation.

You may complain to Ofsted if you think a school is not run properly. But you must have already followed the school's complaints procedure before you can do this.

J. Serial and persistent complaints

Please see Appendix D - Excerpt 'Policy for dealing with persistent or vexatious complaints/harassment in school'.

K. Duplicate complaints

If we receive a duplicate complaint about the same subject after an investigation has been completed, we will inform the new complainant that the school has already considered that complaint and the local process is complete.

We will give the new complainant the reason for the outcome of the decision and provide minutes (redacted as necessary). The new complainant can complain to the Department for Education if they feel the complaints procedures have not been followed correctly – see Section P.

L. Resolving complaints

At each stage in the procedure, Educate U is committed to a resolution of the complaint.

If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of 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 school policies in light of the complaint
- an apology.

M. Withdrawal of a complaint

If you wish to withdraw your complaint, we will ask you to confirm this in writing.

N. Stages of processing a formal complaint

Stage 1 usually entails an investigation by an appropriate person and a decision as to whether or not to uphold a complaint and/or to offer the other outcomes as listed in Section L.

Stage 2 usually entails a committee hearing with Proprietors of the school or if against the Proprietors and Directors a committee hearing of Educate U's Central Advisory Team.

Stage 3 (Panel) usually involves a panel of at least three people who were not directly involved in the matters detailed in the complaint. At least one of the panel members will be independent of the management and running of the school.

Table A – Summary of who usually deals with Formal Complaint Stages 1, 2, and 3.

Stages	Against staff	Against Headteacher	Against Proprietor(s)
Stage 1	Headteacher	Proprietors or Directors	Suitably skilled member of our Central Advisory Team.
Stage 2	Headteacher	Suitably skilled Proprietor	Suitably skilled member of our Central Advisory Team.
Stage 3 (Panel)	A panel of at least three people who were not directly involved in the matters detailed in the complaint. At least one of the panel members will be independent of the management and running of the school.		

O. What is the complaint procedure?

Informal

1. If you are concerned about your child's education, you must first talk to your child's teacher or the school's Parent / Carer Connection, Mark Brown, to raise a concern or complaint. Mark's email address is mark@educate.co.uk and he is available every

morning from 09:30 – 10:10am for dedicated time which is available for parent and carer contact.

2. Alternatively, please follow up with your written concerns via letter or email to office@educateu.co.uk. This will be passed to the class teacher or a designated staff member to investigate. You must allow at least five days for the designated staff member to respond.
If you are not satisfied with the response you receive at the Informal, you are may then move to Stage 1 of a formal complaint.

Stage 1a

Complaint against member of staff (not including the head teacher)

1.1. Please make a formal complaint to the head teacher via the school office. Ideally do this in writing (on the Complaint Form, Appendix F). Please mark as Private and Confidential. You can also make your complaint in person or by telephone to the School Office / Complaints Administrator, but you will need to agree to the wording of your complaint that they record in the Complaints Form on your behalf.

1.2. You should be provided with a copy of the Complaints Policy and Procedure and the procedure should be explained to you.

1.3. The head teacher will record the date they receive your complaint and will acknowledge receipt of your complaint in writing (either by letter or email) within five (5) school days.

1.4. Within this response, the head teacher will try to clarify the nature of the complaint, ask what remains unresolved and what outcome you would like to see. The head teacher can consider if a face-to-face meeting is the best way of doing this.

Note: The head teacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

1.5. During the investigation, the head teacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

Stage 1b

1.6. At the conclusion of their investigation, the head teacher will provide a formal written

response within fifteen (15) school days of the date of receipt of the complaint. If the head teacher is unable to meet this deadline, they will provide an update and revised response date.

1.7. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Educate U Will take to resolve the complaint.

1.8. The head teacher may offer to meet you to discuss the findings of the investigation with the aim of achieving reconciliation between the school and yourself using the Resolution Principles set out on Appendix B. The head teacher will advise you of how to escalate your complaint if you remain dissatisfied with the outcome of Stage 1.

Complaint against head teacher

Stage 1a

1.9. Please make a formal complaint about the head teacher ideally using the Complaints Form (Appendix F) to the Proprietors or Directors. Please mark this as Private and Confidential. You can make your complaint in person or by telephone to the School Office but you will need to agree to the wording of your complaint that they record in the Complaints Form on your behalf.

1.10. The Proprietors or Directors will record the date they receive the complaint and will acknowledge receipt of your complaint in writing (either by letter or email) within five (5) school days.

1.11. A Proprietor or Director will be appointed to carry out an investigation at Stage 1. The proprietors can consider appointing an independent investigator to carry out the investigation. This will be a professionally conducted investigation by someone with no involvement in the school and can help to resolve the complaint and avoid escalation.

Stage 1b

1.12. At the conclusion of their investigation, the investigator (Proprietor or independent investigator) will provide a formal written response within fifteen (15) school days of the date of receipt of the complaint.

1.13. The investigator may offer to meet you to discuss the findings of the investigation with the aim of achieving reconciliation between the school and yourself using the Resolution Principles set out on Appendix B.

1.14. The investigator will advise you of how to escalate your complaint if you are dissatisfied

with the outcome of Stage 1.

Stage 2

If you are dissatisfied with the outcome of Stage 1:

2.1. You will need to make a written request to escalate to Stage 2 to the Proprietors or Director, via the school office, within twenty (20) school days of receipt of the Stage 1 response.

2.2. The proprietors or directors will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email).

Complaint against a Proprietor or Director

Stage 1a

1.1. Please make a formal complaint about the proprietor ideally using the Complaints Form (Appendix F) and address this to the Headteacher. Please mark this as Private and Confidential. You can make your complaint in person or by telephone to the School Office but you will need to agree to the wording of your complaint that they record in the Complaints Form on your behalf.

1.2. The Headteacher will record the date they receive the complaint and will acknowledge receipt of your complaint in writing (either by letter or email) within five (5) school days.

1.3. The headteacher will appoint a suitably skilled member of Educate U's external Central Advisory Team to carry out the investigation. This will be a professionally conducted investigation and can help to resolve the complaint and avoid escalation.

Stage 1b

1.4. At the conclusion of their investigation, the investigator (independent investigator from the Central Advisory Team) will provide a formal written response within fifteen (15) school days of the date of receipt of the complaint.

1.5. The investigator may offer to meet you to discuss the findings of the investigation with the aim of achieving reconciliation between the school and yourself using the Resolution Principles set out on Appendix B.

1.6. The investigator will advise you of how to escalate your complaint if you are dissatisfied with the outcome of Stage 1.

Stage 2

If you are dissatisfied with the outcome of Stage 1:

2.3. You will need to make a written request to escalate to Stage 2 to the Headteacher, via the school office, within twenty (20) school days of receipt of the Stage 1 response.

2.4. The Headteacher will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) and request a second independent investigator from the Central Advisory Team to attend a complaints meeting. The second independent investigator will meet with the headteacher and discuss the complaint. The second independent investigator may meet with the complainant.

2.5. At the conclusion of their investigation, the second independent investigator will provide the outcomes of their investigation and the headteacher will provide a formal written response within fifteen (15) school days of the date of receipt of the complaint.

Witnesses

2.6. If you are invited to attend any meeting, including the panel hearing, you may bring someone along to provide support. This can be a relative or friend. Due to the nature of our school we ask that a parent of a student, past or present does not accompany you. Generally, the Department for Education does not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

2.7. The names of any witnesses to be called by you or by the person or people against whom you are complaining should be notified to the Headteacher or Proprietors or Directors– seven (7) school days before the meeting

2.8. Representatives from the media are not permitted to attend.

2.9. The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be obtained before meetings or conversations take place. Consent will be recorded in any minutes taken.

2.10. At the hearing, the Headteacher, Proprietors or Directors will consider the outcome of Stage 1, along with any new documentation and verbal representations and decide:

2.10.i. to uphold or not uphold, in part or in whole, the outcome of Stage 1

OR

2.10.ii. that further investigation is needed and so to **adjourn** the hearing – to reconvene

once further investigation is completed. This may happen where previously undisclosed evidence or witnesses have been introduced so adjournment is necessary for the other side to have time to consider the situation. It may also happen when complaints are complex, involve voluminous material or take a long time to hear.

2.11. When the Headteacher, Proprietors or Directors reach a decision, the Headteacher, Proprietors or Directors will write to inform you, within five (5) school days of the hearing:

- of the decision to uphold or dismiss the complaint in whole or in part;
- of the reasons for the decision;
- of any key findings of fact;
- of any action taken or proposed to be taken to resolve the complaint;
- of any recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not recur;
- that the decision of the committee is the final school-based stage in the complaints procedures and that no further consideration of the substance of the complaint is possible; and
- that you can appeal to the Secretary of State – see Section O.
- For complaints that are complex or involve voluminous material, the timescale for informing you of the committee's decision can be extended by notifying you in writing of the extension.

Stage 3 Panel hearing

3.1 Where a complaint cannot be resolved during stage 2, a hearing before a panel appointed by or on behalf of the school's proprietor will be arranged.

3.2 The panel will consist of at least three people who were not directly involved in the matters detailed in the complaint. At least one of the panel members will be independent of the management and running of the school. This means they are not a member of the school's workforce or proprietorial body and are not otherwise involved in the management of the school.

3.3 A hearing will be scheduled to take place as soon as practicable and normally within 10 working days. Reasonable arrangements will be made to ensure the complainant can attend the panel hearing. If the complainant does not exercise the right to attend the panel hearing, the hearing will still be held. The complainant will be informed that they are able to be accompanied at the hearing if they wish.

3.4 If the panel deems it necessary, it may require that further details of the complaint or any related matters be supplied in advance of the hearing. Copies of such information will be supplied to all parties no later than 5 working days prior to the hearing. After considering all of the relevant facts, the panel will make findings and recommendations. The decision, findings and recommendations will be provided to the complainant in writing within 5 working days of the hearing. A copy of the decision, findings and recommendations will be sent to, where relevant, the person complained about, the head of school and the chair of the proprietorial body. The decision of the panel will be

final and the completion of stage 3 represents the conclusion of the school's complaints procedure. A written record of all formal complaints is kept and this is reported on annually (See Appendix G).

3.5 If it is found that the school has not met its requirements in relation to managing complaints because of the way a particular complaint has been handled, the Secretary of State has no power to compel the school to alter its decision on that complaint, only to take regulatory action designed to address the failure to meet the complaints standard, so that future complaints are dealt with properly.

P. Next Steps

3.1. If you believe the school did not handle your complaint in accordance with the published complaints procedure or we acted unlawfully or unreasonably in the exercise of our duties under education law, you can contact the Department for Education after Stage 3 is completed.

3.2. The Department for Education will not normally reinvestigate the substance of the complaint. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

3.3. You can refer your complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to: Department for Education Piccadilly Gate, Store Street Manchester M1 2WD.

Q. Complaints Documentation

Documentation relating to complaints, including records of complaints and their outcomes, is maintained in accordance with our procedures and is available on request. Requests for access to this documentation can be made to the Headteacher, the Proprietors, or members of the Central Advisory Team. Additionally, Ofsted may request access to complaints records as part of their inspection and regulatory duties.

Appendix A - **Roles and Responsibilities**

Complainant

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

- explain the complaint in full as early as possible
- co-operate with the school 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 as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of your complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:
- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- 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 headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher, Proprietors, Directors, member of the Central Advisory Team or independent investigator from the Panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the

appropriate escalation details.

Complaints Co-coordinator (this could be the headteacher / designated complaints staff member or other staff member providing administrative support).

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, chair of governors, clerk and local authority (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.
- ensure that all people involved in the complaints procedures are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting or 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, school and complainant submissions) and send it to the parties in advance of the hearing or meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the hearing or meeting
- notify all parties of the panel's decision.

Appendix B - **Resolution Principles**

- Identify areas of agreement
- Clarify any misunderstandings
- Encourage complainants to state what actions they feel might resolve the problem at any stage
- Offering one or more of the following may result in a resolution of the matter:
  - an acknowledgment that the complaint is valid in whole or in part;
  - an apology;
  - an explanation;
  - an admission that the situation could have been handled differently or better (this is not the same as an admission of negligence);
  - an assurance that the event complained of will not recur;
  - an explanation of the steps that have been taken to ensure that it will not happen again;
  - an undertaking to review school policies in light of the complaint.

Appendix C – Issues not covered by Complaints Procedures

Exceptions	Who to contact
• Admissions to schools • Discharges from school • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with SENAT SENAT.South@westsussex.gov.uk.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH) – LADO@westsussex.gov.uk
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

Appendix D – Excerpt from 'Policy for dealing with persistent or vexatious complaints/ harassment in school'.

For full policy please visit Educate U - Policies

For the purpose of this policy, a persistent complainant is a parent/carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the school, and whose behaviour is unreasonable. Such behaviour may be characterised by:

- Actions which are obsessive, persistent, harassing, prolific, repetitious
- Prolific correspondence or excessive e-mail or telephone contact about a concern or complaint
- Uses freedom of information requests excessively and unreasonably
- An insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes
- An insistence upon pursuing complaints in an unreasonable manner
- An insistence on introducing trivial or irrelevant information which the complainant expects to be considered and commented upon, or raising many detailed but unimportant questions insisting that they are answered fully makes unjustified complaints about the investigator seeking to have them replaced.
- An insistence on only dealing with the headteacher on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters
- An insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school because it is unlawful.

For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in such a way that they:

- Appear to be targeted over a significant period on one or more members of school staff
- Cause ongoing distress to individual member(s) of school staff
- Have a significant adverse effect on the whole/parts of the school community
- Are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health
- Unnecessarily take up an inordinate amount of staff time, detracting from staff members' ability to undertake legitimate school business.

In the first instance the school will verbally inform the complainant that his / her behaviour is becoming unreasonable / unacceptable and, if it is not modified, action may be taken in accordance with this policy.

This will be confirmed in writing. If the behaviour is not modified the school will take some or all the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the school community:

- Inform the complainant in writing that his/her behaviour is now considered by the School to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy (see further letter template in appendix 2)
- Inform the complainant that all meetings with a member of staff will be conducted
- With a second person present and that notes of meetings may be taken in the interests of all parties (see model letter 2)
- Inform the complainant that, except in emergencies, all routine communication with the complainant to the school should be by letter only (see model letter 2)
  (in the case of physical, or verbal aggression) take advice from HR / legal services
- Consider warning the complainant about being banned from the school site; or
- Proceed straight to a temporary ban
- Consider taking advice on pursuing a case under anti-harassment legislation
- Consider taking advice from HR / legal services about putting in place a specific procedure for dealing with complaints from the complainant, i.e., the complainant will not be able to deal directly with the headteacher but only with a third person to be identified by the monitoring committee of the school, who will investigate, determine whether or not the concern / complaint is reasonable or vexatious and then advise the Headteacher accordingly.

New complaints may still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Schools. However, the school will be advised by HR and Legal Advisers

If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the school may resume the process identified above at an appropriate level. In these circumstances advice may be sought from HR and Legal Advisers. If a parent or carer's behaviour is a cause for concern, a school can ask him/her/them to leave school premises. In serious cases, the Headteacher can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. The schools will always give the complainant the opportunity to express their views formally and in writing, the decision to bar in writing. Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

The school reserves the right to:

- Cease to respond to complaints of a vexatious nature
- Bring legal action for harassment against the complainant
- Direct the complainant to the Education and Skills Funding Agency.

Appendix E – Data Protection Complaints

E1. Legal framework

From 19 June 2026, Section 164A of the Data Protection Act 2018 requires the School, as a data controller, to have arrangements in place to handle certain complaints relating to the processing of personal data.

The School will comply with these requirements in line with ICO guidance, including:

- facilitating the making of data protection complaints;
- acknowledging complaints within statutory timeframes;
- investigating complaints without undue delay; and
- communicating outcomes promptly.

This section forms part of the School's existing Complaints Policy. The School is not required to operate a separate data protection complaints process.

E2. How to make a data protection complaint

Individuals may raise a data protection complaint using any of the School's existing contact channels, including:

- complaint form (Appendix F);
- email;
- telephone;
- in writing; or
- in person via the School Office.

The School will also accept complaints made through other reasonable routes where they clearly relate to data protection matters.

Where appropriate, the School will make available a complaints form and assist complainants in completing it.

E3. What counts as a data protection complaint

A data protection complaint may include concerns about:

- how personal data has been collected, stored, used, or shared;
- alleged breaches of data protection law;
- concerns relating to subject access requests or other data rights; or
- failure to respond appropriately to a data rights request.

Where a complaint contains both data protection and non-data protection elements, the School will ensure the data protection aspects are identified and dealt with in accordance with this section.

H4. Acknowledgement and timescales

The School will:

- acknowledge receipt of a data protection complaint within 30 calendar days of receipt (in line with Section 164A requirements); and
- where possible, continue to acknowledge complaints within 5 school days, consistent with the School's standard complaints procedure.

The School will:

- investigate complaints without undue delay; and
- provide a written outcome as promptly as reasonably practicable following completion of investigation.

Where a complaint forms part of a wider complaint under this policy, the School will ensure that the data protection element is not delayed unreasonably by other issues.

H5. Investigation and handling

The School may:

- seek further information to clarify the complaint;
- verify the identity of the complainant where necessary; and
- where applicable, verify authority if the complaint is made by a third party.

Investigations will be carried out fairly, proportionately, and with appropriate expertise, and may be delegated to a suitably trained member of staff.

Staff will ensure compliance with:

- the UK GDPR;
- the Data Protection Act 2018;
- the Equality Act 2010; and
- safeguarding obligations where relevant.

H6. Children and vulnerable complainants

Where a complaint is made by a child, the School will:

- use clear, age-appropriate and accessible language when communicating;
- consider the child's understanding and competence where relevant; and
- take appropriate account of safeguarding considerations and urgency.

Where a child indicates urgency or safeguarding concerns, the School will prioritise action accordingly.

H7. Outcome of complaints

The School will provide a clear written outcome which may include:

- confirmation of whether the complaint is upheld in whole or part;
- an explanation of findings;
- any corrective action taken or proposed;

- any steps taken to prevent recurrence; and/or
- an apology where appropriate.

H8. Relationship with existing Complaints Procedure

Data protection complaints will normally be handled using the School's existing complaints stages (Informal, Stage 1, Stage 2, Stage 3).

However:

- the requirements of Section 164A will take precedence where there is any conflict in timescales or process; and
- no aspect of the School's complaints procedure will prevent compliance with statutory data protection obligations.

Where necessary, the School may prioritise the data protection element of a complaint to ensure compliance with legal duties.

H9. Records and training

The School will:

- maintain accurate records of all data protection complaints and outcomes;
- ensure complaints data is securely stored in accordance with the School's Privacy Notice; and
- provide appropriate training to staff so that data protection complaints are recognised and correctly routed.

H10. Right to escalate

If a complainant remains dissatisfied after the School's final response, they may refer the matter to the Information Commissioner's Office (ICO).

Appendix F - Complaints Form

You can make a formal complaint in writing, in person or on the phone.

It would be helpful if you could put the complaint in writing so we have a written record in your own words of what your complaint is and what would resolve it for you. If you need help with this, you could ask a friend or family member or advice organisations such as the Citizen's Advice Bureau. You might also be able to get help by asking in the school office – there may be a school-home liaison person or some other member of staff who could help you.

If you make a formal complaint in person or on the phone, your complaint will be recorded on this form on your behalf and you will need to sign at the bottom to confirm the details in the form are correct. This will be used as the basis for your complaint to be considered.

This form should be returned to the Head Teacher who will acknowledge receipt and explain what action will be taken.

FORMAL COMPLAINTS FORM
Your name (PLEASE COMPLETE IN BLOCK CAPITALS):
Name of pupil/s (if relevant) (PLEASE COMPLETE IN BLOCK CAPITALS):
Your relationship to the pupil/s (if relevant):
Address: **Postcode:** **Day time telephone** **number:**

Evening telephone number:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.
Signatu **re:** **Date:**
If you have made the complaint on the phone or in person: **Name and job/role title of person completing the form (PLEASE COMPLETE IN BLOCK CAPITALS):**

I confirm that I agree to the wording in the form putting my verbal complaint into writing: **Name (in BLOCK CAPITALS of complainant)** _____ **Signature of** _____ **complainant Date:** _____
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Date:

Appendix G – Key Contacts (last updated: Sept 2025)

Position	Name	Contact details
Headteacher	Sarah Paoletti	sarahp@educateu.co.uk
Proprietor and Director of Education	Susan Evans	sue@educateu.co.uk
Proprietor and Director of Services	Hayley Tucker	hayley@educateu.co.uk

Appendix H – Number of Complaints by academic year

Academic Year	Number of Formal complaints	Stage achieved
2020-2021	0	N/A
2021-2022	0	N/A
2022-2023	0	N/A
2023-2024	2	1 – Stage 2 1 – Stage 1
2024-2025	2	1 – Stage 1 1 – Stage 1b
2025-2026	0	N/A