



## The Circle Trust Document: **Complaints Policy**

Author:	Chief Executive Officer
Approver:	Trustees
Owner:	Educational Outcomes Trustees
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Category of policy:	Trust

### Changes History:

Version	Date	Amended by:	Substantive changes:	Purpose
1.0	14.6.17	Exec Head	New Document	First release
1.1	17.12.18	Exec Head	Clarification that at least one member of a Complaints Panel must be independent of the management and running of the school Addition of Serial and Persistent (also known as vexatious complaints) section	Compliance with DfE new guidance
1.2	25.2.21	Co Sec	Introduction of timelines in sections 7.2 and 8.2 and confidentiality provisions in section 13	Clarification of process

			Distinguishing between the roles of the Clerk to Local Advisors and the Clerk to Trustees in the formal process	
1.3	11.5.21	Co Sec	Process for specific complaints about the Trust, the Executive Headteacher or Trustees inserted in section 10 Revision to procedure for complaints against Local Advisors Provision for publicity campaigns in section 16	Updates in light of ESFA March 2021 best practice guidance
1.4	8.7.21	Co Sec	Addition of additional sections in section 12 in relation to complaints about the award of Teacher Assessed Grades as part of Summer 2021 Exam series	Clarification as to process
1.5	15.12.22	Co Sec	New section 17 (Amendments to this policy) Change in title of Executive Headteacher to CEO	Compliance
1.6	13.3.23	Co Sec	Formal process streamlined to three stages (informal resolution; formal resolution; complaint panel) Sections 13.3 and 13.4 introduced to clarify calculation of days for responses under the complaints process and impact on process of investigation by other bodies Sections 11.2 to 11.4 (Teacher Assessed Grades for Summer 2021 public examinations) removed	To expedite resolution and clarify process  Now redundant

1.7	3.7.23	Co Sec	Contact details in Appendix added for Emmbrook Infant and Junior Schools and refreshed for the Local Advisory Boards at Shinfield Infant and Nursery School, St Crispin's and The Emmbrook	To align with operations
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## **1. Purpose of the policy**

- 1.1. The purpose of this policy is to set out the procedures for making and dealing with complaints. The policy is for parents/carers or other stakeholders wishing to raise a concern, problem or complaint regarding a school or The Circle Trust.

## **2. Introduction**

- 2.1. This policy is written in compliance with and meets the standards set out in the [Education \(Independent School Standards\) Regulations 2014](#) Schedule 1, Part 7, which sets out how complaints procedures should be drawn up and used effectively to handle complaints. In addition, the policy takes account of the Education and Skills Funding Agency [Best Practice Guidance for Academies Complaints Procedures \(March 2021\)](#).
- 2.2. A complaint is an expression of dissatisfaction, however made, by a person or persons with a legitimate interest in The Circle Trust or schools that are part of The Circle Trust.
- 2.3. The Circle Trust believes it is good practice that every effort should be made to resolve complaints by informal means.
- 2.4. Complainants should however be informed that formal procedures are available should they feel that their concerns cannot be resolved informally.
- 2.5. Complaints are not always easy to define. It is therefore important to keep in mind the distinction between concerns, problems and a complaint. It is not intended that the guidelines suggested in this document should replace the normal discussion, which takes place on day-to-day issues as they arise.
- 2.6. It is only where a Complainant remains dissatisfied with the outcome of such interaction that further steps may need to be taken. Once the formal procedure is instituted, the unresolved concern, problem or complaint will be treated as a formal complaint.

## **3. The Aims and Objectives of the Complaints Policy**

- 3.1. The Circle Trust has developed this policy to ensure that any concern, problem or complaint is dealt with fairly and appropriately. This policy:
  - 3.1.1. Encourages the resolution of concerns, problems or complaints by informal means wherever possible
  - 3.1.2. Ensures that concerns, problems or complaints are dealt with fully and fairly and within clearly defined time limits
  - 3.1.3. Provides effective response and, if appropriate, redress
  - 3.1.4. Seeks to maintain positive relationships

- 3.1.5. Makes clear the responsibility and accountability of decision making with regards to complaints for Trustees, the Chief Executive Officer, Local Advisory Boards and Headteachers

3.2. These aims and objectives will be achieved by:

- 3.2.1. Ensuring this Complaints Policy is clear and easy to follow
- 3.2.2. Consistency and fairness in the treatment and handling of all complaints

#### **4. The Benefits of an effective Complaints Policy**

4.1. An effective Complaints Policy will add value to The Circle Trust, supporting the Trust's objectives by:

- 4.1.1. Building a reputation of trust and integrity
- 4.1.2. Ensuring that complaints are dealt with sensitively and in confidence
- 4.1.3. Enhancing a reflective ethos where there is a purposeful intention to learn from error

4.2. An effective Complaints Policy will also promote and facilitate for all stakeholders the successful and timely resolution of concerns, problems or complaints.

#### **5. The Structure and Administration of the Complaints policy**

5.1. The **Members** have a fundamental role to:

- 5.1.1. Serve on a Complaints Panel, if required.

5.2. The **Trustees** have a fundamental role to:

- 5.2.1. Agree the Complaints Policy, ensuring the policy is in line with The Circle Trust's core values
- 5.2.2. Regularly review the Complaints Policy and approve changes or improvements to key elements of its processes and procedures
- 5.2.3. Serve on a Complaints Panel, if required

5.3. The **Chief Executive Officer (CEO)** will:

- 5.3.1. Operationally adhere to the Complaints Policy
- 5.3.2. Monitor and review the implementation of the Complaints Policy and approve changes or improvements to minor elements of its processes or procedures or to reflect changes in legislation or governmental guidance (any such changes or improvements to be notified to the Educational Outcomes Committee of the Board of Trustees at its next meeting following the change or improvement)

- 5.3.3. Record and retain such record of all formal complaints about The Circle Trust (including progress, final outcome, whether they are resolved following Stage 2 of the procedure or proceed to a Complaints Panel and the action taken by the school or The Circle Trust as result of those complaints (regardless of whether they are upheld)).

**5.4. Local Advisors will:**

- 5.4.1. Adhere to the Complaints Policy
- 5.4.2. Seek advice and support from the Headteacher, CEO and / or the Chair of the Trustees, as appropriate, when dealing with a formal complaint
- 5.4.3. Serve on a Complaints Panel, if required

**5.5. A Headteacher will:**

- 5.5.1. Operationally adhere to the Complaints Policy
- 5.5.2. Seek advice and support from the CEO and / or the Chair of the Trustees, as appropriate, when dealing with a formal complaint
- 5.5.3. Ensure all members of staff are aware of, understand and adhere to the Complaints Policy
- 5.5.4. Record and retain such record of all formal complaints about the school (including progress, final outcome, whether they are resolved following Stage 2 of the procedure or proceed to a Complaints Panel and the action taken by the school or The Circle Trust as result of those complaints (regardless of whether they are upheld)).

## **6. Stage 1: informal resolution**

- 6.1. The main aim at all stages of this complaints procedure will be to ensure that any concern, problem or complaint is fully and fairly considered and is resolved to the satisfaction of the Complainant.
- 6.2. The timescale for dealing with individual concerns, problems or complaints will differ according to the complexity of the issue concerned. It is however reasonable that Complainants, unless there is good reason not to do so, should receive an acknowledgement within three term time days of making initial contact to raise their concern, problem or complaint.
- 6.3. The Complainant will have opportunity to discuss informally the concern, problem or complaint with an appropriate member of staff. This may be the class teacher or another member of staff who is most suited to resolve the issue. This discussion may be by email, phone or face-to-face meeting or a combination of all three.

- 6.4. The purpose of the discussion is for the member of staff to understand fully the concern, problem, or complaint. At the conclusion of the discussion, the member of staff will agree the actions they will take. This may include gathering information, consulting with the CEO/Headteacher/Senior Staff or other actions that may lead to the resolution of the issue. The member of staff will also confirm the timeframe within which the Complainant can expect feedback and by what method of communication.
- 6.5. The member of staff will provide feedback to the Complainant as agreed in section 6.4. At this point, if the Complainant is satisfied with the feedback, the concern, problem or complaint ceases and the issue will be treated as resolved.
- 6.6. It may however be the case during the feedback that it is apparent that there needs to be further action required to satisfy the issue. Once again, the member of staff will also confirm the timeframe when the Complainant can expect feedback and by what method of communication.
- 6.7. Whilst there are no strict periods regarding Stage 1, it is hoped that any concerns, problems or complaints will be resolved within 5 – 10 school term time days. This may not always be possible, and delays may take place. If this is the case, the member of staff dealing with the concern, problem or complaint will keep the Complainant fully informed and be clear when they can expect to receive feedback. If the Complainant, acting reasonably, feels the time dealing with the concern, problem or complaint is excessive or unreasonable, they can at any time request the complaint is dealt with via Stage 2 (formal resolution).
- 6.8. If this Stage 1 has been exhausted and the issue remains unresolved to the Complainant's satisfaction, they should be advised of the avenues available to enable the complaint to be resolved formally. The Complainant should be referred to a copy of this policy, which outlines dealing with complaints via Stage 2 of the procedure (formal resolution).

## **7. Stage 2: formal resolution**

- 7.1. If the Complainant is dissatisfied with the action or response from Stage 1 (informal resolution), then the Complainant must write a letter requesting the issue, concern or complaint be handled at Stage 2 (formal resolution) unless the Complainant has a disability, learning difficulty or difficulties with the English language, in which case the Complainant may contact the school for assistance.
- 7.2. The letter must be sent within 20 school term time days of the conclusion of Stage 1. The letter should (i) give particulars of the complaint, the reason(s) the Complainant is not satisfied with the outcome of Stage 1 (informal resolution) and the action and/or outcome the Complainant seeks to resolve the complaint to their satisfaction and (ii) provide such documents, evidence and other information as the Complainant wishes to be considered. The letter must be addressed to the Headteacher or, if the Headteacher has already led Stage 1 (informal resolution) or the complaint is about the Headteacher, the Chair of the Local Advisors or, if the complaint is about a Local Advisor or Advisors, the clerk to Local Advisors, and sent to the school via the normal postal address or email address (marked private and

confidential). The contact details for this school are set out in the Appendix.

- 7.3. If the complaint is about an individual Local Advisor, the Clerk to Local Advisors will refer the complaint to the Chair of Local Advisors or, if the complaint is against the Chair of Local Advisors, the Vice Chair of Local Advisors to investigate.
- 7.4. All Complainants should notify a complaint as soon as practicable. Complaints submitted 3 months after the issue the subject of the complaint (or where there is a series of associated issues the last of these issues) will not be considered unless there are exceptional circumstances. These may include (but are not limited to) subsequent information about the complaint coming to light and a valid explanation of why it was not possible to give notification sooner, where the complaint is of an especially serious matter or where there is reasonable justification for why the Complainant has been unable to raise the complaint before this time. In such cases, the Headteacher or Chair of Local Advisors or other person responsible for conducting Stage 2 (formal resolution) (as appropriate) will review the circumstances, seek advice from the CEO and determine whether the complaint should be considered.
- 7.5. The letter of complaint will be formally acknowledged within three school term time days.
- 7.6. The Headteacher or the Chair or Vice Chair of the Local Advisors (as applicable) will investigate the complaint and review any and, so far as is practicable and available to them, all relevant documentation and information.
- 7.7. The Headteacher or the Chair or Vice Chair of the Local Advisors (as applicable) will decide whether the complaint should be dealt with via formal letter or formal meeting.
- 7.8. If the Headteacher or the Chair or Vice Chair of the Local Advisors decides to deal with the complaint by formal letter and without convening a formal meeting as contemplated in section 7.9, then they will respond in writing to the Complainant within five school term days of acknowledgement of the complaint.
- 7.9. If it is decided that the complaint is best handled by first convening a formal meeting, then contact will be made with the Complainant within five school term days to agree a mutually convenient time and date. The Complainant will be advised that they may, if they wish, have someone of their choice to accompany and assist them at the formal meeting.
- 7.10. The formal meeting will take place, so far as practicable, within ten school term days of receiving notification of the formal complaint in accordance with sections 7.1 and 7.2. At the formal meeting, the complaint will be considered in full and thereafter the Headteacher or Chair or Vice Chair of the Local Advisors (as applicable) will confirm in writing the outcome of the formal meeting to the Complainant within five school term days of the meeting.
- 7.11. If the complaint is against:
  - 7.11.1. both the Chair and Vice Chair of the Local Advisory Board or
  - 7.11.2. the entire Local Advisory Board or



#### 7.11.3. a majority of the Local Advisory Board

Stage 2 will be escalated to the Chair of Trustees who will investigate and carry out Stage 2 or designate another suitable Trustee to do so.

### 8. Stage 3: Complaint Panel

- 8.1. In the event that the Complainant remains dissatisfied with the outcome of Stage 2 (formal resolution), the Complainant can ask for the complaint to be heard by a Complaint Panel.
- 8.2. This request must be made within 20 school term days of the Complainant receiving the formal written response advising the outcome of Stage 2. The request should give particulars of why the Complainant is dissatisfied with the outcome of Stage 2 and such documents, evidence and other information as the Complainant wishes to be considered, including any witnesses they wish the Complaint Panel to give permission to call. The request should be made in writing to the Company Secretary via [companysecretary@thecircletrust.co.uk](mailto:companysecretary@thecircletrust.co.uk).
- 8.3. The Clerk to Local Advisors (or if there is no Clerk to Local Advisors in post at the school or otherwise available the Company Secretary) will convene a Complaint Panel.
- 8.4. The Complaint Panel will be made up of an Independent Person plus either two Local Advisors or a Local Advisor and a Trustee. The Local Advisors may be Local Advisors serving on the Local Advisory Board of the school or another school in the Trust.
- 8.5. If the complaint is against:
  - 8.5.1. both the Chair and Vice Chair of the Local Advisory Board or
  - 8.5.2. the entire Local Advisory Board or
  - 8.5.3. a majority of the Local Advisory Board

the Complaint Panel will be made up of a suitable Independent Person and either two Trustees or a Trustee and a Local Advisor serving on the Local Advisory Board of another school in the Trust.
- 8.6. It is a matter for The Circle Trust to identify a suitable Independent Person. The Independent Person may not be in the employment or involved in the governance of The Circle Trust. The Independent Person may be for example a Headteacher (serving or retired) or a person experienced in governance such as a serving trustee of another school trust or governor in a school outside the Trust.
- 8.7. No member of the Complaint Panel may be directly involved in the complaint.
- 8.8. The Complaint Panel hearing will be convened, as far as is practicable, within 15 school term time days of the Complainant informing the Company Secretary that they are unsatisfied with the response at Stage 2 and requesting in accordance with section 8.2 their complaint be heard by a Complaint Panel.

8.9. The Complainant will be informed in writing of the Complaint Panel hearing time, date and location and advised that they may, if they wish, have a colleague, friend or relative of their choice to accompany and assist them. This person (i) may be a friend, colleague or relative of the Complainant, (ii) must be over the age of 18 and not a pupil of the school, (iii) must undertake to accept the confidentiality of the Complaint Panel and (iv) shall not have the right to address the Complaint Panel unless expressly invited to do so by the Complaint Panel. Legal representation will not ordinarily be appropriate and requires the approval of the Complaint Panel Chair in advance of the Complaint Panel hearing. If such approval is given, approval shall be subject to such conditions and directions as may be imposed by the Complaint Panel Chair. [The Circle Trust's standard letter informing the Complainant regarding a Complaint Panel Hearing is here.](#)

8.10. The Complaint Panel will listen to the complaint and make findings and recommendations. The agenda for the Complaint Panel hearing can be found in [The Circle Trust's Complaint Panel Hearing Agenda is here.](#)

8.11. A letter outlining the Complaint Panel findings and recommendations will be sent to the Complainant, the Headteacher and or/other appropriate parties; this includes the Chair of Trustees and the CEO. The decision of the Complaint Panel is final. There is no further internal process available once Stage 3 (Complaint Panel) has concluded. [The Circle Trust's standard letter informing the Complainant regarding a Complaint Panel Hearing outcome is here.](#)

## **9. Complaints specifically about the Trust or the CEO or a Trustee**

9.1. If the Complainant has a complaint specifically about The Circle Trust or the CEO or a Trustee, then the Complainant will have opportunity to discuss informally the complaint in line with Stage 1 (informal resolution) of the complaints procedure.

9.2. Typically, the appropriate person to discuss the complaint with will be the CEO or, if the complaint is about the CEO or a Trustee (but not the Chair of Trustees), the Chair of Trustees, or if the complaint is about the Chair of Trustees, the Vice Chair of Trustees or another appropriate Trustee.

9.3. Contact details for the CEO, Chair of Trustees and Vice Chair of Trustees are as follows:

9.3.1. CEO: [ginny@thecircletrust.co.uk](mailto:ginny@thecircletrust.co.uk)

9.3.2. Chair of Trustees: [chairoftrustees@thecircletrust.co.uk](mailto:chairoftrustees@thecircletrust.co.uk)

9.3.3. Vice Chair of Trustees C/O Company Secretary:  
[companysecretary@thecircletrust.co.uk](mailto:companysecretary@thecircletrust.co.uk)

9.4. The appropriate person will follow the Stage 1 procedure as set out in section 6 of this policy (but with references to "member of staff" in section 6 interpreted to refer to the appropriate person as described in section 9.2).

- 9.5. Complainants should raise a complaint as soon as practicable. Complaints submitted 3 months after the issue the subject of the complaint (or where there is a series of associated issues the last of these issues) will not be considered unless there are exceptional circumstances (as described in section 7.4).
- 9.6. If the Complainant remains dissatisfied with the action or response from Stage 1 (informal resolution), then the Complainant must write a letter requesting the complaint be handled at Stage 2 (formal resolution) of the complaints procedure, unless the Complainant has a disability, learning difficulty or difficulties with the English language in which case the Complainant may contact the company secretary at the Trust for assistance.
- 9.7. The letter must be sent within 20 school term time days of the conclusion of Stage 1. The letter should (i) give particulars of the complaint, the reason(s) the Complainant is dissatisfied with the outcome of Stage 1 (informal resolution) and the action and/or outcome the Complainant seeks to resolve the complaint to their satisfaction and (ii) provide such documents, evidence and other information as the Complainant wishes to be considered. The letter must be addressed to the Company Secretary and sent to The Circle Trust office via the normal email address or postal address set out below (marked private and confidential):
- Postal address: The Oval Offices c/o St Crispin's School  
London Road  
Wokingham  
RG40 1SS
- Company Secretary: [companysecretary@thecircletrust.co.uk](mailto:companysecretary@thecircletrust.co.uk)
- 9.8. If a complaint is received against the Chair of Trustees, the complaint will be referred to the Vice Chair of Trustees or another appropriate Trustee for investigation.
- 9.9. If the complaint is against:
- 9.9.1. both the Chair and Vice Chair of the Board of Trustees or
  - 9.9.2. the entire Board of Trustees or
  - 9.9.3. a majority of the Board of Trustees,
- the complaint will be escalated to a Member of the Circle Trust for investigation.
- 9.10. The letter of complaint will be formally acknowledged within three school term time days.
- 9.11. The CEO or Chair of Trustees or Vice Chair of Trustees or relevant Trustee or relevant Member (as applicable) will investigate and handle the complaint following the Stage 2 (formal resolution) process set out in section 7 of this policy.
- 9.12. In the event that the Complainant remains dissatisfied with the outcome of Stage 2, the Complainant can ask for the complaint to be heard by a Complaint Panel.

- 9.13. This request must be made within 20 school term time days of the Complainant receiving the formal written response to the complaint under the Stage 2 process. The request should give particulars of why the Complainant is dissatisfied with the outcome of Stage 2 and such documents, evidence and other information as the Complainant wishes to be considered including any witnesses they wish the Complaint Panel to give permission to call. The request should be made in writing to the Company Secretary via [companysecretary@thecircletrust.co.uk](mailto:companysecretary@thecircletrust.co.uk).
- 9.14. The Complaint Panel will be made up of two Trustees and a suitable Independent Person (as determined by the Chair of Trustees) or, if the complaint falls within section 9.9 and has been investigated by a Member, two other Members and a suitable Independent Person (as defined in section 8.6 and determined by the Chair of Members) or, if the Chair of Members so determines, one Member and two Independent Persons. No member of the Complaint Panel may be directly involved in the complaint.
- 9.15. The Complaint Panel hearing will be convened, as far as is practicable, within 15 school term time days of the Complainant informing the Company Secretary that they are dissatisfied with the response at Stage 2 and requesting in accordance with section 9.13 their complaint be heard by Complaint Panel.
- 9.16. The Complainant will be informed in relation to the Complaint Panel Hearing as provided in section 8.9 and the Complaint Panel will fulfil the functions and actions specified in section 8.
- 9.17. A letter outlining the Complaint Panel findings and recommendations will be sent to the Complainant, the CEO, Chair of Trustees and Members. The decision of the Complaint Panel is final. There is no further internal process available once Stage 3 (Complaint Panel) has concluded. [The Circle Trust's standard letter informing the Complainant regarding a Complaint Panel Hearing outcome is here.](#)

## 10. Next Steps for Complainant

- 10.1. This is the end of The Circle Trust's complaints procedure.
- 10.2. If the Complainant believes, a child is in danger they should contact the Local Authority or call the Local Police on 101.
- 10.3. If the Complainant believes the school or the Trust did not handle their complaint in accordance with this policy or the school or The Circle Trust acted unlawfully or unreasonably in the exercise of their duties under education law, the Complainant may contact the Education Skills and Funding Agency (ESFA) after Stage 3 has been completed.
- 10.4. The ESFA will not normally reinvestigate the substance of complaints or overturn decisions made by the school or The Circle Trust but will consider if the school or the Trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

- 10.5. The Complainant can refer their complaint to the ESFA online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit  
Education and Skills Funding Agency  
Cheylesmore House  
5 Quinton Road  
Coventry  
CV1 2WT

- 10.6. Parents and carers can notify Ofsted if they believe that a school is not meeting Early Years Foundation Stage requirements by calling 0300 123 4234 or 0300 123 4666 or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

## **11. Circumstances under which this procedure should not be used**

- 11.1. This policy does not refer to areas for which separate statutory arrangements or Circle Trust policies are provided. These include:

11.1.1. Admissions

11.1.2. Exclusions: further information about raising concerns about exclusion can be found at [www.gov.uk/school-discipline-exclusions/exclusions](http://www.gov.uk/school-discipline-exclusions/exclusions)

11.1.3. Statutory Assessment of Special Educational Needs

11.1.4. Safeguarding: wherever a concern indicates that a child's well-being or safety is at risk, the school or, as the case may be, The Circle Trust is duty bound to report this immediately. Any action taken will be in accordance with the Trust's safeguarding policy

11.1.5. Employee grievance, capability or disciplinary: this policy is distinct from formal staff grievance, capability and disciplinary proceedings for which there are separate Circle Trust policies

11.1.6. Whistleblowing complaints: the Circle Trust has a separate policy for whistleblowing which is published on The Circle Trust website [here](#)

11.1.7. Subject Access Requests and Freedom of Information

## **12. Timescales for handling complaints**

- 12.1. This school and The Circle Trust will endeavour to complete the three stages of the complaints procedure promptly and within the timescale for each stage referred to in this policy.

- 12.2. However, if it becomes clear that for any reason this school or The Circle Trust is unable to meet a particular timescale for completing a stage of the procedure, the Complainant will be advised of this promptly along with the reason for the delay and the revised timescale.
- 12.3. In calculating the number of days for the purposes of this policy, the day of receipt of the complaint and the day of despatch of the response shall not be counted.
- 12.4. If other bodies are investigating aspects of a complaint (for example, the police, local authority safeguarding teams or any tribunal), this may impact on the school or Trust's ability to adhere to the timescales within this procedure or may result in the procedure being suspended until those bodies have completed their investigation.

### **13. Confidentiality and data protection**

- 13.1. Informal concerns and complaints will be handled confidentially at all stages and following the conclusion of the procedure. Confidentiality should be maintained at all times by all involved. The Circle Trust requests that concerns and complaints not be disclosed publicly, including via social media. Data protection principles will be applied in line with the Trust's data protection policy.
- 13.2. Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection requests access to them.
- 13.3. All meetings will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

### **14. Serial, Persistent or Vexatious Complaints**

- 14.1. A Complainant that repeats the same or very similar complaint may be viewed as serial, persistent, or vexatious. The Circle Trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. As such, the Trust will not normally limit the contact Complainants have with the school and the Trust. Equally, the Trust does not expect members of staff to tolerate unacceptable behaviour and will take action to protect members of staff from that behaviour, including that which is abusive, offensive or threatening.
- 14.2. A complaint would be regarded as unreasonable when the person making the complaint:
- 14.2.1. Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance

- 14.2.2. Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- 14.2.3. Refuses to accept that certain issues are not within the scope of a complaints procedure
- 14.2.4. Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- 14.2.5. Introduces trivial or irrelevant information which the Complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- 14.2.6. Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- 14.2.7. Changes the basis of the complaint as the investigation proceeds
- 14.2.8. Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- 14.2.9. Refuses to accept the findings of the investigation into that complaint where the Trust's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- 14.2.10. Seeks an unrealistic outcome
- 14.2.11. Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- 14.3. A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:
  - 14.3.1. Maliciously
  - 14.3.2. Aggressively
  - 14.3.3. Using threats, intimidation or violence
  - 14.3.4. Using abusive, offensive or discriminatory language
  - 14.3.5. Knowing it to be false
  - 14.3.6. Using falsified information
  - 14.3.7. Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

- 14.4. Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (by either letter, phone, email or text) as it could delay the outcome being reached.
- 14.5. Whenever possible, the CEO will discuss any concerns with the Complainant informally before applying an 'unreasonable' marking.
- 14.6. If the behaviour continues, the CEO will write to the Complainant explaining that their behaviour is unreasonable and asking them to change it.
- 14.7. For Complainants who excessively contact the School or the Trust causing a significant level of disruption, the Trust may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.
- 14.8. In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from a specific site or sites.

## **15. Complaint campaigns**

- 15.1. For the purposes of this policy, a complaint campaign means a large volume of complaints from separate individuals (whether or not connected with the school or the Trust) which all relate to the same subject.
- 15.2. Depending on the subject of the complaints and the specific circumstances, the school and/or the Trust may deviate from the procedures set out in this policy and instead:
  - 15.2.1. send a template response to all complainants, and/or
  - 15.2.2. publish a single response on the school and/or the Trust website (as applicable).
- 15.3. It shall be a matter for the CEO and the Chair of Trustees to determine if there is a complaint campaign and whether a school and/or the Trust will apply section 16.2.

## **16. Amendments to this policy**

- 16.1. The CEO, the Company Secretary and/or any officer of the Trust nominated by the CEO is authorised to amend this policy to reflect changes in personnel or procedure or changes in legislation or Department for Education guidance.
- 16.2. Any such amendments must be reported to the next meeting of the Educational Outcomes Committee (or whichever Committee has oversight of and authority to approve this policy).



## **Appendix - School contact details**

### **Nine Mile Ride School**

**Postal address:** Nine Mile Ride Primary School, 430 Finchampstead Road, Wokingham RG40 3RB

**Headteacher:** [head@ninemileride.wokingham.sch.uk](mailto:head@ninemileride.wokingham.sch.uk)

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### **Shinfield Infant and Nursery School**

**Postal address:** Shinfield Infant and Nursery School, School Green, Shinfield, Reading RG2 9EH

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### **St Crispin's School**

**Postal address:** St Crispin's School, London Road, Wokingham RG40 1SS

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### **The Emmbrook**

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### **The Emmbrook Infant School**

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### **The Emmbrook Junior School**

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### **Wescott Infant School**

**Postal address:** Wescott Infant School, Goodchild Road, Wokingham RG40 2EN

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### **Westende Junior School**

**Postal address:** Westende Junior School, Seaford Road, Wokingham RG40 2EJ

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