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## **PRENTON HIGH SCHOOL FOR GIRLS**

### **COMPLAINTS POLICY**

## INTRODUCTION

The aim of this policy is to resolve complaints or concerns about [Name of Academy Trust] (the "Trust", [Name of Academy] (the "Academy") or any individual connected with the Trust, in a fair, thorough and transparent way. The Trust takes complaints seriously and views them as a chance to learn and improve for the future.

Anyone can make a complaint, but a different process applies depending on whether the person raising the complaint is a parent /carer of a current student at the Academy. Please refer to Part A below if you are a parent of a current student, otherwise please see Part B.

Please note that complaints about matters where an alternative complaints / appeal process exists will not be generally dealt with under this policy. These are set out below in Part C.

Requests for reasonable adjustments to the process set out below will be considered to ensure that complainants can access and complete the process.

## PART A – COMPLAINTS PROCEDURE FOR PARENTS / CARERS OF CURRENT STUDENTS

### STAGE 1 – INFORMAL RESOLUTION

Any matter of concern or complaint should be raised, and attempted to be resolved, on an informal basis. Generally, it is expected that where the matter relates to a student it will have been raised with the student's form tutor / head of year before a request is made to deal with it under the formal stages of this policy.

The concern or complaint should be raised with the School / Trust within 3 months of the incident or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. Complaints made outside of this time frame may not be considered unless exceptional circumstances apply.

The Academy will seek to resolve matters at the informal stage within 15 school days of the issue being raised by the parent.

Where the matter is not resolved at the informal stage, it may be elevated to the formal stage as set out below.

### STAGE 2 – FORMAL RESOLUTION: INVESTIGATION BY A NOMINATED INDIVIDUAL

Stage 2 complaints must be set out in writing, using the form available at **Appendix 1**, within **10** school days of the Stage 1 response and addressed to the Headteacher of the Academy (unless the complaint relates to the Headteacher in which case please refer to the section headed '**Complaints against specific role-holders**' below). The complaint should set out briefly the grounds of the complaint, stating what it is that the parent considers should have been done or where they believe school has not met reasonable expectations and confirming the outcome sought.

An investigation will be carried out by a nominated individual identified by the Headteacher / Chair of Trustees as appropriate, who will acknowledge the complaint within **5** school days and may offer the parent a meeting. The investigator will speak to others involved. Whenever reasonably possible, any meeting with the parent will take place within **15** school days of the written complaint being received.

The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within **15** school days of any meeting with the parent; if no meeting is arranged it will be within **25** school days of the written complaint being received.

Where the parent remains dissatisfied he or she may request the complaint is escalated to Stage 3.

### **STAGE 3 – FORMAL RESOLUTION: COMPLAINTS PANEL MEETING**

Stage 3 complaints must be set out in writing, stating where the parent remains dissatisfied and the outcome sought, and lodged with the Clerk to the Trustees within **10** school days of the Stage 2 response.

The Clerk to the Trustees will acknowledge the Stage 3 complaint within **5** school days and will convene a Complaints Panel.

The Complaints Panel must comprise at least three people, which will include one person who is independent of the management and running of the Academy.

The Complaints Panel may include, but is not limited to, one or more persons from the following categories:

- a member of the Governing Body / Trustee of the Trust;
- a member of a Governing Body of another Academy;
- a Trustee of another Academy Trust;
- a person not connected with the Academy or Trust.

None of the members of the Complaints Panel will have been directly involved in the matters detailed in the complaint.

The Clerk will invite the Academy to put in writing its response to the Stage 3 complaint within **15** school days of receiving the request. Whether or not the Academy has responded the Clerk will convene a meeting of the Complaints Panel. That meeting will be held on Academy premises as quickly as practicable given the need to find a date that is reasonably convenient for the parent, the Academy and the members of the Complaints Panel. Whenever possible, the meeting will be held within **15** school days of the end of the Academy's response time. The meeting date, time and location will be confirmed to all parties at least **10** school days in advance.

The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. For this reason, electronic recordings of meetings or conversations are not permitted unless a parent's disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before the recording of the meeting takes place. Consent will be recorded in any minutes taken. The parent will have the opportunity to put her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The Complaints Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The parent and the Academy will have the opportunity to put forward their respective version and views of events and each side, and the Complaints Panel members will be able to ask questions. The parent will have the opportunity to make final comments to the Complaints Panel.

The Complaints Panel may make findings and recommendations and a copy of those findings and recommendations will be:

- sent by electronic mail or otherwise provided in writing to the parent and, where relevant, the Academy or person complained about; and
- available for inspection on the Academy premises by the Trust and the Headteacher.

The Complaints Panel will formulate its response as quickly as reasonably possible, aiming to do so within **10** school days, and the Clerk will notify all concerned.

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At any meeting, the parent will be entitled to bring a companion along to provide support. Legal representation will only be permitted in exceptional circumstances.

If the parent fails to attend the Complaints Panel Meeting on the day without compelling reasons, the Complaints Panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the "Serial or persistent complainants" section as set below.

## **COMPLAINTS AGAINST SPECIFIC ROLE-HOLDERS**

### **1.1 Complaints against the Headteacher**

Any complaint relating to the Headteacher of the Academy must be raised in the first instance with the Chair of Trustees by writing to the Clerk to the Board of Trustees. If an informal resolution cannot be reached, the Chair of Trustees will designate a Trustee or an independent investigator to investigate the complaint as per **Stage 2**.

### **1.2 Complaints against individual Trustees / the Board of Trustees**

If the complaint is against a Trustee, then it should be raised with the Chair of Trustees by writing to the Clerk to the Board of Trustees. In the case of a complaint against the either Chair or the Board of Trustees as a whole, then it should be put in writing to the Clerk to the Board of Trustees who will refer it to the Members.

In such cases the Chair of Trustees / the Members will investigate the complaint or appoint an appropriate person to do so in the same way as in the first stage of the formal process at **Stage 2**.

Where the complaint moves to **Stage 3** the Chair of Trustees / the Members (as applicable) will determine how the Complaint Panel is to be constituted, but will ensure that at least one person is independent of the management and running of the Trust.

## **PART B – COMPLAINTS RAISED BY THOSE WHO ARE NOT PARENTS / CARERS OF CURRENT STUDENTS**

### **COMPLAINTS MADE BY THOSE WHO ARE NOT PARENTS / CARERS OF CURRENT STUDENTS, WHICH INCLUDES COMPLAINTS MADE BY PARENTS OF FORMER STUDENTS AFTER THEY HAVE LEFT THE ACADEMY, WILL BE DEALT WITH AS FOLLOWS:**

Complainants should first attempt to address their complaint to the Academy or the Trust (as appropriate) informally by raising the matter with a relevant member of Academy staff or the Chair of Trustees, within **3** months of the incident or, where a series of associated incidents have occurred, within **3** months of the last of these incidents. The Academy/Trust (depending on the nature of the complaint) will seek to resolve the matter informally within **15** school days.

If it is not possible to resolve the matter informally, the complaint may be submitted in writing, using the form available at **Appendix 1**, to the Headteacher, or where the complaint relates to the Headteacher, to the Chair of Trustees.

The complaint will be acknowledged within **5** school days and a final written response will be issued within **15** school days.

The general provisions set out below in Part C below apply.

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## PART C GENERAL PROVISIONS

### COMPLAINTS THAT WILL NOT BE CONSIDERED UNDER THIS POLICY

Usually complaints relating to the matters set out in the table below will not be considered under this policy as they have their own appeal or complaint processes. Where necessary the Trust will exercise its discretion.

Complaints may be raised under this policy about staff conduct, however any action taken under the Trust's internal disciplinary procedures, is confidential and complainants will not be provided with information about this.

Matter	Route for raising concern / complaining
<b>Admissions</b>	Admissions Appeal – see Admissions Policy and Statutory Admissions Appeal Code, or complaint to DfE
<b>Exclusions</b>	Statutory review process – see Exclusions Policy
<b>Statutory SEN assessments</b>	<a href="#">SEND Tribunal</a> (and see SEND Policy)
<b>Matters likely to require child protection investigation</b>	Raise with Designated Safeguarding Lead or a direct referral can be made to the Multi-Agency Safeguarding Hub (MASH) and/or Local Authority Designated Officer (LADO) Pamela Cope - <a href="mailto:safeguardingunit@wirral.gov.uk">safeguardingunit@wirral.gov.uk</a> , see Child Protection & Safeguarding Policy
<b>Data protection / FOIA</b>	Raise with Data Protection Officer (DPO) at <a href="mailto:sandersonh@prentonhighschool.co.uk">sandersonh@prentonhighschool.co.uk</a> in the first instance – see Data Protection Policy, [Freedom of Information and Environmental Information Policy], [Subject Access Request Policy] [Privacy Notice for Students], [Privacy Notice for Parents & Carers] Complaints may also be raised with the Information Commissioner's Office but we ask that you try to resolve these via the DPO first.
<b>Staff Grievances and Disciplinary matters<sup>1</sup></b>	Staff Grievance & Disciplinary Policies
<b>Whistleblowing</b>	Whistleblowing Policy
<b>Third party contractors / suppliers</b>	Third party complaints process

### COMPLAINTS RECEIVED OUTSIDE OF TERM TIME

The School / Trust (as appropriate) will consider complaints made outside of term time to have been received on the first school day after the holiday period.

<sup>1</sup> Note that where complaints relate to staff conduct, these may be dealt with under both this Complaints Policy and the Staff Grievance & Disciplinary Policy. In such circumstances complainants will not be informed of the outcome of any Staff disciplinary investigation or processes.

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## **WITHDRAWAL OF A COMPLAINT**

If a Complainant wants to withdraw their complaint, they will be asked to confirm the withdrawal in writing.

## **RECORD KEEPING AND CONFIDENTIALITY**

A written record will be kept of all complaints that reach the formal stage, whether they are resolved following Stage 2, or proceed to a panel hearing (Stage 3) and any action taken by the school as a result (regardless of whether they are upheld). Complaint records will be maintained securely and in line with the Data Protection Policy by the Headteacher. 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.

The Complainant should also keep all correspondence, statements and records relating to their complaint confidential, and should not disclose (by way of electronic communication, social media or otherwise) any information or documents relating to their complaint.

## **ANONYMOUS COMPLAINTS**

Where an anonymous complaint is received, the Academy/Trust will use its reasonable endeavours to consider the complaint as best as it reasonably can. However, the Academy/Trust will not be required to consider the complaint pursuant to any specific process and will handle anonymous complaints on a case by case basis.

## **COMPLAINT CAMPAIGNS**

Where the Academy/Trust receives a number of complaints all based on the same subject which in its reasonable opinion may be deemed a 'complaint campaign' it will deal with the complaints in the following way: individual responses will not be sent to complainants in such cases. Instead, either a template response will be sent to all complainants or a single response will be published on the Academy/Trust's website at the discretion of the Headteacher/Chair of Trustees.

Where the complaint campaign involves complainants, who are parents they will be entitled to escalate the complaint to a panel hearing if they are dissatisfied with the Academy/Trust's response. The Academy/Trust will consider how best to manage panel hearings in such circumstances.

## **SERIAL OR PERSISTENT COMPLAINANTS**

If at any level a Complainant or connected party attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the Chair of Trustees may write to the Complainant to inform him/her that the procedure has been exhausted, the matter is closed and that the Trust will therefore not respond to any further correspondence on this issue or a closely related issue.

## **VEXATIOUS COMPLAINTS**

Complaints with the following characteristics may be deemed to be vexatious:

- obsessive, persistent, harassing, prolific, repetitious;
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
- insistence upon pursuing meritorious complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance;
- demands for redress that lack any serious purpose or value.

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In such cases, the Chair of Trustees may write to the Complainant to inform him/her that the complaint is deemed to be vexatious and that the Trust will not respond to any further correspondence on this issue or a closely related issue.

### **LEGAL PROCEEDINGS**

If a Complainant threatens or commences legal action against the Academy/Trust (including the issuing of a letter before claim) in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

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## Appendix 1 – Prenton High School for Girls Complaints Form

This form should be used to raise a formal complaint only after a matter has been raised informally under either Part A or Part B of the Complaints Policy and you are not satisfied with the response. Please refer to the Complaints Policy when completing this form.

<b>Your details</b>	
<b>Name</b>	
<b>Email</b>	
<b>Address</b>	
<b>Name of student, year group and your relationship to them (if applicable)</b>	
<b>Complaint details</b>	
<b>Grounds of complaint</b>	
<b>What steps have been taken to resolve the complaint informally (including details of who the matter was raised with, when and what solution was offered)</b>	

<p><b>Why have the steps taken so far failed to resolve the complaint?</b></p> <p><i>(including what you consider should have been done / where the School / Trust has not met reasonable expectations in its response)</i></p>	
<p><b>Outcome sought</b></p>	
<p><b>What action would you like taken to resolve the matter?</b></p>	

Signed ..... Date .....

Please send completed forms to [cooperz@prentonhighschool.co.uk](mailto:cooperz@prentonhighschool.co.uk) or hand in to the school office in a sealed envelope marked for the attention of the relevant addressee (*please refer to the Complaints Policy and in particular paragraph [6], complaints about specific role-holders, for further information*).

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