



**The Kite  
Academy  
Trust**  
Flying high  
together

**KITE ACADEMY TRUST**  
ACADEMY COMPLAINTS POLICY

v.XX.04

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# 1 Introduction

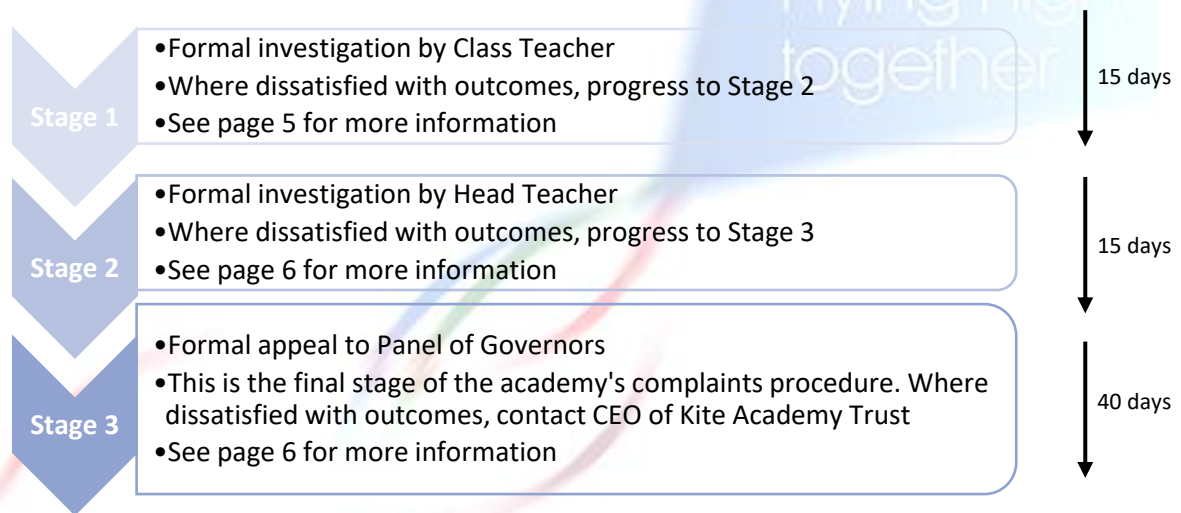
The Kite Academy Trust and its academies endeavour to provide the best education possible for all of their pupils in an open and transparent environment. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. When concerns are raised, our academies intend for these to be dealt with fairly, openly, promptly and without prejudice in accordance with the procedures within this policy.

# 2 Procedure

Academies within the Kite Academy Trust operate a three stage formal complaints procedure as outlined below.

If you need to raise an issue, in the first instance please do so with the relevant member of staff who will be happy to talk to you and seek to establish a resolution. If you are not satisfied with this response and believe the issue has not been resolved, please use the procedure as detailed below. All timescales refer to academy working days i.e. excluding weekends, academy holidays etc.

## Timeline for formal complaints



# 3 Raising Concerns

The majority of concerns can be handled without resorting to the procedure. Where you have a concern about any aspect of an academy, or your child's education or wellbeing, raise this with your child's class teacher/phase leader or relevant subject leader via telephone, email or in person. He/she may be able to address your concerns straight away or arrange a meeting with you to discuss the issue. If you are not a parent of a child attending an academy, please raise your concern with the Head Teacher.

All concerns will be dealt with confidentially between the parties involved, however, a staff member may need to take notes if it is felt that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the General Data Protection Regulations 2018 and the Data Protection Act 2018. However, such notes would be able to be used as evidence if further investigation was required, or if the concern became a formal complaint.

Recording of meetings can only be carried out at the express permission of all parties present. The Kite Academy Trust do not consider that covert recording of meetings without the permission of staff is acceptable and under no circumstances would consider such recordings as evidence within an investigation.

## 4 Which procedure do I need?

Sometimes, when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following list details specific topics of complaints, and the correct policy to refer to. You can access these policies on the individual academy or Kite Academy Trust websites. Copies are also available from the academy or Kite Central office.

- **Safeguarding & Child Protection**

For our academies in Surrey, Surrey Safeguarding Children Board procedures apply ([www.surreyscb.org.uk](http://www.surreyscb.org.uk)). For further information, contact the Surrey County Council (SCC) Contact Centre on 0300 200 1004.

For our academies in Hampshire, Hampshire Safeguarding Children Partnership procedures apply ([www.hampshirescp.org.uk](http://www.hampshirescp.org.uk)). For further information, contact Hampshire Children's Services on 0300 555 1384.

If at any time a child protection concern becomes apparent, the child protection process takes precedence over the complaints process, which will be halted until the child protection matter is resolved.

- **Pupil Admissions**

Please see the Kite Academy Trust's Admissions Arrangements.

- **Pupil Exclusions**

Please see the academy's Behaviour Policy or [Department for Education \(DfE\) guidance on exclusions](#).

- **Statutory Assessments of Special Educational Needs and Disability (SEND)**

For our academies in Surrey, please refer to the Surrey Local Offer website ([www.surreylocaloffer.org](http://www.surreylocaloffer.org)).

For our academies in Hampshire, please refer to the Hampshire Local Offer website (<https://fish.hants.gov.uk/kb5/hampshire/directory/localoffer.page>)

Alternatively, please contact the Local Authority where you live;

- **Subject Access Requests and Freedom of Information Requests**

Please see the Kite Academy Trust's Data Protection (GDPR) & Freedom of Information Policy or contact the Trust's Data Protection Officer at [dpo@kite.academy](mailto:dpo@kite.academy).

- **Complaints regarding Discrimination and Harassment based on Protected Characteristics as defined in the Equality Act 2010**

The Academy Complaints Policy applies but the complainant has a further right of appeal to SENDIST (Special Educational Needs and Disability First Tier Tribunal) for complaints about disability discrimination, or to the County Court for all other unresolved disputes regarding protected characteristics.

- Where the complaint concerns a third party used by the academy, or a third party which uses the academy premises, please complain directly to the third party themselves.

- There are occasions when a complainant behaves in an unreasonable manner when raising or pursuing concerns. Consequently, the actions of the complainant begin to impact negatively on the day-to-day running of academies and, directly or indirectly, the overall wellbeing of the children and/or staff in the academy. In these exceptional circumstances the academy may act in accordance with the Vexatious, Malicious Harassment Policy (see Appendix 1).

Anonymous complaints will be investigated as far as possible.

## 4 Safeguarding & Child Protection

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the academy is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the academy's Safeguarding & Child Protection Policy.

## 5 Social Media

In order for complaints to be resolved as quickly and fairly as possible, the Kite Academy Trust requests that complainants do not discuss complaints publicly via social media, such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

## 6 Complaints that result in Staff Capability or Disciplinary

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Head Teacher and/or the individual's line manager. The complainant is entitled to be informed that the matter is being dealt with appropriately, but they are not entitled to participate in the proceedings and will not receive any detail about them or the outcome.

Where a complaint appears to be likely to lead to potential disciplinary action, the Director of Operations should be informed.

## 7 Timeframes

Academies will endeavour to abide by timeframes stated under each stage but acknowledge that in some circumstances, this is not always possible due to the complexity of information needed to review a complaint or difficulties regarding an individual's availability to deal with the complaint. If it becomes apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the individual responsible for handling the complaint will contact the complainant as soon as possible and come to an agreed timeframe that works for all parties involved.

Academies reserve the right not to investigate complaints that have been made three months after the subject of the complaint took place, except in exceptional circumstances. Exceptional circumstances would be where new evidence has come to light, where the complaint is of an especially serious nature or where there is reasonable justification for why the complainant has been unable to raise the complaint before this time. The Head Teacher will review the situation and decide whether or not to initiate the complaints procedure, informing the Chair of the Academy Council of the decision.

## 8 Who should I approach?

Educational Matters	Classroom Teacher/Subject Leader
Pastoral Care	Classroom Teacher/Inclusion Manager
Disciplinary Matters	Class Teacher, Phase Leader or Director of Operations
Financial/Administration Matters	Finance Manager/Admin Officer or Director of Finance
Complaint about a Staff Member's Conduct	Direct approach to the staff member themselves, or where this is thought inappropriate/does not resolve the situation, the Head Teacher should be approached.

## 9 Complaints about the Head Teacher or Governors

Where a complaint concerns the Head Teacher, the complainant should first directly approach the Head Teacher in an attempt to resolve the issue informally. If the complainant is not satisfied with this outcome, or if they have good reason to feel it is inappropriate to approach the Head Teacher in the first instance, they should notify the Clerk to the Trust Board (see Appendix 2). Stage 2 of the complaints procedure (as outlined previously) will then commence, but with the Chair of the Academy Council or another nominated Governor as the individual responsible for the investigation rather than the Head Teacher.

Where a complaint concerns a Governor, the complainant should contact the Clerk to the Trust Board. Informal resolution will be sought, but where this fails, the complaints procedure at Stage 2 will take immediate effect with the Chair of the Academy Council or another nominated Governor from within the Kite Academy Trust undertaking the investigation. Where a complaint concerns the Chair of the Academy Council, the investigation will be carried out by a member of the Kite Academy Trust Board.

In exceptional circumstances, the governing body may appoint an independent investigator to look into the concerns.

If the complaint is not resolved, then the complainant should write to the Clerk to the Trust Board requesting that the complaint is considered by the Complaint Appeal Panel (in line with the process outlined below).

## 10 Formal Stages of the Complaint Procedure

### **Stage 1 – Investigation by a Class Teacher**

Where as a result of raising a concern the complainant still feels that the issue has not been resolved, or where the outcome has been that the complaint needs further investigation, a formal complaint may be made. In doing so, the following steps will be followed:

1. Complainant contacts the class teacher/subject leader;
2. The complainant must explain in writing:
  - An overview of the complaint so far;
  - Who has been involved;
  - Why the complaint remains unresolved;
  - Action they would like to be taken to put things right.
3. The class teacher will acknowledge receipt within 5 days of having received the written complaint, and explain what action they intend to take.
4. The staff member will provide the complainant and Head Teacher with written confirmation of the outcome of their investigation within 15 days of receipt of the written complaint. Where the complaint is about a member of staff, an informal mediation meeting may be offered to see if a resolution can be reached. Where the complainant is not satisfied with the outcome, he/she is able to progress to stage 2 of the complaints procedure.
5. The staff member will make and retain a record of the concern and the outcomes of the investigation and copy to the Head Teacher



## **Stage 2 – Investigation by Head Teacher/Chair of Academy Council/Trustee**

The complainant may submit a Stage 2 complaints form to the Head Teacher/Clerk as appropriate. (see 'Complaints about the Head Teacher or Governors' above).

1. The Head Teacher/Governor/Trustee will respond in writing within 5 days of the date of receipt of the complaint to acknowledge receipt and explain what action will be taken, giving clear timeframes;
2. A log of all correspondence in relation to the complaint will be kept in accordance with the General Data Protection Regulations 2018 and the Data Protection Act 2018;
3. In most cases the Head Teacher/Governor/Trustee should offer to have a meeting with the complainant at the outset of the process;
4. The Head Teacher/Governor/Trustee will consider all relevant evidence. This may include but is not limited to:
  - evidence and outcome from Stage 1 investigation;
  - a statement from the complainant;
  - where relevant a meeting with/statement from an individual who is the subject of the complaint;
  - any previous correspondence regarding the complaint;
  - any supporting documents from all parties;
  - interview with anyone related to the complaint
5. After considering the available evidence, the Head Teacher/Governor/Trustee member can:
  - uphold the complaint and direct that certain action be taken to resolve it;
  - not uphold the complaint and provide the complainant with details of the stage three appeals process;
  - uphold the complaint in part; in other words, the Head Teacher/Governor/Trustee may find one aspect of the complaint to be valid, but not another aspect. They may direct for certain action to be taken to resolve the aspect that they find in favour of the complainant.
6. The Head Teacher/Governor/Trustee should inform the complainant of their decision in writing within 15 days of receipt of the complaint. They should explain clearly why they have come to the decision that they made. They should detail any agreed actions as a result of the complaint. Finally, they should provide the complainant with details of how to progress the complaint to stage three if they are not satisfied, providing them with the contact details of the Clerk to the Trust Board (Appendix 3). In addition to making the response in writing, the Head Teacher/Governor/Trustee may also wish to meet the complainant to discuss/resolve the matter directly. Should the complaint not be resolved, mediation may be helpful. This can be arranged through the Area Schools Support Service (see Appendix 4) and will be impartial and objective.

## **Stage 3 –Complaint Appeal Panel**

If the complainant wishes to appeal a stage 2 decision, or he/she is not satisfied with the action taken in relation to the complaint at stage 1 or 2, the complainant is able to appeal the outcome of the investigation. The complainant must request an appeal panel within 10 days of receiving the decision or it will not be considered, except in exceptional circumstances. He/she should briefly outline the content of the complaint and request that a complaints appeal panel is convened.

The Clerk to the Trust Board will fulfil the role of organising the time and date of the appeal hearing, inviting all the attendees, collating all the relevant documentation and distributing this 5 days in advance of the meeting, recording the proceedings in the form of minutes, and circulating these and

the outcome of the meeting. The minutes are a summary of the discussion at the hearing and the decision of the panel following the hearing but will not include the deliberations of the panel. The minutes are the property of the Kite Academy Trust and will be stored in accordance with our GDPR responsibilities.

The following steps will take place:

1. The clerk will write to the complainant within five days to confirm receipt of the appeal request and detail further action to be taken;
2. The clerk will convene a panel of two academy Governors/Kite Academy Trust Trustees and one independent member. All three panel members will have no prior knowledge of the content of the complaint. Complainants have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. Academies should consider the request but ultimately the decision is made by Governors/Trustees.
3. The appeal hearing will take place within 30 days of receipt of the request for the Stage 3 appeal. If the first identified date is not convenient for the complainant, up to two further dates should be offered. If these all fail to be suitable then the meeting may be conducted in private by the Complaint Appeal Panel
4. In addition to the panel, the following parties will be invited, where applicable:
  - The complainant;
  - The person who dealt with the complaint at Stage 2;
  - Relevant witnesses;
  - Area Schools Officer (procedural advice);

The complainant can bring a companion with them to the hearing for support if he/she wishes. He/she should advise the clerk of the name of this supportive companion prior to the hearing. The supportive companion is not there as a witness, so does not address the panel except with the prior agreement of the chair.

Neither party is able to bring legal representation with them.

If the attendance of any pupils is required at the hearing, parental permission will be sought if they are under the age of 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.

5. The panel can make the following decisions:
  - dismiss the complaint in whole or in part;
  - uphold the complaint in whole or in part;
  - decide on the appropriate action to be taken to resolve the complaint;
  - recommend changes to the academy's systems or procedures to ensure that problems of a similar nature do not recur
6. All parties who attended the meeting will be informed in writing of the outcome of the appeal within 10 days.

This is the final stage at which the academy/Trust will consider the complaint. If the complainant remains dissatisfied and wishes to take the complaint further, this should be referred to the Members of the Kite Academy Trust who sit above the Trustees (see Appendix 3). The academy/Trust will not consider the complaint beyond this.

## **Retention**

The complaint investigator/the Chair of the Complaint Appeal Panel should ensure that a copy of all relevant information relating to the complaint is kept at Kite Academy Trust Central Office in a secure, confidential file, separate from staff and pupil records. This information should be retained for six



years from the date of the complaint, in line with guidance from the Information and Records Management Society ([www.irms.org.uk](http://www.irms.org.uk)) and in accordance with the principles of the General Data Protection Regulations 2018. The complainant should be informed that this will be done.

## 11 Unreasonable & Persistent Complainants

The Kite Academy Trust and its academies are committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the academy. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Persistent and unreasonable complainants are defined as *'those who, because of the frequency or nature of their contacts with the academy, hinder our consideration of their or other people's complaints'*.

A complaint may be regarded as unreasonable when the person making the complaint:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- Refuses to accept that certain issues are not within the scope of a complaints procedure;
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- Introduces trivial or irrelevant information which they expect 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 or to their own timescales;
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- Changes the basis of the complaint as the investigation proceeds;
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- Refuses to accept the findings of the investigation where the academy's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- Seeks an unrealistic outcome;
- Makes excessive demands on academy 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.

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:

- Maliciously;
- Aggressively;
- Using threats, intimidation or violence;
- Using abusive, offensive or discriminatory language;
- Knowing it to be false;
- Using falsified information;

- Publishing unacceptable information in a variety of media such as on social media websites and newspapers.

Complainants should limit the numbers of communications with an academy while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Head Teacher or Chair of Academy Council will discuss any concerns with the complainant informally before coming to an 'unreasonable complainant' judgement.

If the behaviour continues, the Head Teacher or Chair of Academy Council will write to the complainant explaining that his/her behaviour is unreasonable and asking him/her to change it. For complainants who excessively contact an academy, 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.

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 the academy premises.

## 12 Vexatious, Malicious Harassment and Serial Complaints

Complaints that cause considerable disruption to our work, disproportionate cost and time to deal with and impact the wellbeing of our staff (because of the way the complaint is made or because of its repetitive nature) may be considered to be vexatious.

In addition, if a complaint is considered to cause harassment or is intended to cause harm to the wellbeing of a member of staff, or causes a detriment to the academy in any way, this may be considered to be malicious.

In this instance the complaint will be handled within the Kite Academy Trust's Vexatious, Malicious Harassment Policy (see Appendix 1)

## 13 Barring from Academy Premises

Although fulfilling a public function, schools/academies are private places. The public has no automatic right of entry. The Kite Academy Trust Board have a responsibility to ensure the wellbeing of pupils and staff, and will therefore act to ensure the academy remains a safe place.

If a parent's behaviour is a cause for concern, an academy can ask him/her to leave the academy premises. In serious cases, the Head Teacher/Chair of Academy Council can notify them in writing that their implied permission to be on academy premises has been temporarily revoked subject to any representations that the parent may wish to make. Academies should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed, the parent should be notified in writing, explaining how long the bar will be in place. Anyone wishing to complain about being barred can do so, by letter or email, to the Head Teacher or Chair of Academy Council. Complaints about barring cannot be escalated to the Department of Education. Once the Academy Complaints Policy procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

## 14 Contact Details for External Organisations if not satisfied with the outcomes of the Complaints Procedure in full

If you have any queries regarding any aspect of the complaints procedure, please direct these to the Clerk to the Trust Board (see Appendix 2) or the Local Authority Area Schools Officer (see Appendix 4)

If the complainant remains dissatisfied and wishes to take the complaint further, this should be referred to the Members of the Kite Academy Trust who sit above the Trustees (see Appendix 3).

If the complainant feels that the governing body acted unreasonably in the handling of the complaint, he/she can complain to the Education & Skills Funding Agency after the complaints procedure has been exhausted. Please note that unreasonable is used in a legal sense and means acting in a way that no reasonable school/academy or authority would act in the same circumstances.

Education & Skills Funding Agency Complaints

Chief Executive's Office

53-55 Butts Road

Earlsdon Park

Coventry

CV1 3BH

[ESFA Schools Complaints Form](#)

Ofsted will also consider complaints about schools/academies. Complainants can contact Ofsted if they think a school/academy isn't run properly and needs inspecting. Ofsted will not look into problems with individual pupils. This course of action is only available if the complaints procedure has already been followed.

[Ofsted Complaints Form](#)

## 15 Relevant Legislation and Guidance

This policy has been written with consideration of the following:

[The Equality Act 2010](#)

[The Data Protection Act 2018](#)

[The Education \(Independent School Standards\) Regulations 2014](#)

[The Education Act 2002](#)

[Department for Education Best Practice Advice for School Complaints Procedures](#)

# Appendix 1 – Kite Academy Trust Vexatious, Malicious Harassment Policy

## 1 Introduction

The Senior Leadership Team and staff deal with specific complaints as part of their day-to-day management of the Kite Academy Trust academies in accordance with the Kite Academy Trust Academy Complaints Policy.

The majority of complaints are handled informally and are resolved quickly, sensitively and to the satisfaction of the complainant.

However, there are occasions when the complainant behaves in an unreasonable manner when raising or pursuing concerns. Consequently, the complainant's actions begin to impact negatively on the day-to-day running of academies and, directly or indirectly, the overall wellbeing of the children or staff in the academy. In these exceptional circumstances, the academy may act in accordance with this policy.

By the time this policy is felt to be an appropriate course of action the complainant will have possibly been through stages of the Kite Academy Trust Academy Complaints Policy and may potentially have exhausted every stage, continuing to complain or raise concerns; or the complainant's behaviour will become unreasonable/unacceptable as detailed below. At this point, a decision may be taken to deal with a complaint in accordance with this policy. At this stage, the three stages of complaints process will be redundant, and this policy will be utilized by CEO/Head Teacher/Chair of Academy Council as appropriate. The decision to move away from the Kite Academy Trust Academy Complaints Policy and use this policy will be by agreement with the CEO and/or Chair of the Trust Board.

## 2 Aims of the Policy

The aims of this policy are to:

- Uphold the standards of courtesy and reasonableness that should characterize all communication between the academy and persons wishing to express a concern or make a complaint;
- Support the wellbeing of staff, children and everyone else who has legitimate interest in the work of the academy, including governors and parents;
- Deal fairly, honestly, openly and transparently with those who make persistent or vexatious complaints and those who harass members of staff in the academy while ensuring that other stakeholders suffer no detriment

## 3 What can you expect from the Academy?

Parents/carers and members of the public who raise either informal concerns or formal complaints with the academy can expect the academy to:

- 1) Regularly communicate to the complainant in writing
  - How and when problems can be raised with the academy
  - The existence of the Kite Academy Trust Academy Complaints Policy and,
  - The existence of the Kite Academy Trust Vexatious, Malicious Harassment Policy
- 2) Respond in a reasonable time;
- 3) Be available for consultation within a reasonable time limit bearing in mind the needs of the children in the academy and the nature of the complaint;
- 4) Respond with courtesy and respect;
- 5) Attempt to resolve issues using reasonable means in line with the Kite Academy Trust Academy Complaints Policy, other policies and practices and any advice from LA or other bodies, and to keep complainants informed of progress towards resolution of the issue raised

## 4 The Academy's Expectation of You

The Kite Academy Trust can expect parents/carers/members of the public who wish to raise an issue with the academy to:

- Treat all staff with courtesy and respect;
- Respect the needs and wellbeing of children and staff in the academy;
- Avoid any use, or threatened use, of violence to people or property;
- Avoid any aggression or verbal abuse;
- Recognise the time constraints under which members of staff within academies work and allow the academy a reasonable time to respond;
- Recognise that resolving a specific problem can sometimes take time

## 5 Who is a Persistent/Serial Complainant - what is Harassment?

For the purpose of this policy, a **persistent/serial** complainant is someone who complains regularly about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the academy, and whose behaviour is unreasonable. Such behaviour may be characterised by:

- Actions which are obsessive, persistent, harassing, prolific, repetitious;
- Prolific correspondence or excessive email or telephone contact about a concern or complaint;
- Insistence to pursue unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- An insistence upon pursuing complaints in an unreasonable manner;
- An insistence on only dealing with the Head Teacher on all occasions irrespective of the issue and the level of delegation in the academy 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 academy because it is unlawful

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

- Appear to be targeted over a significant period of time at one or more members of staff; and/or
- Causing ongoing distress to individual member(s) of staff; and/or
- Have a significant adverse effect on the whole or parts of the academy community; and/or
- 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 cumulative effect over time of undermining confidence, wellbeing and health.

## 6 Academy Actions in cases of Persistent or Vexatious Complaints or Harassment

Initially, staff will verbally inform the complainant that his/her behaviour is considered to be 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 academy will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the academy community:

1. Inform the complainant in writing that his/her behaviour is now considered by the academy to be unreasonable/unacceptable and, therefore, falls under the terms of this policy;
2. Inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of all meetings will be taken in the interests of all parties;
3. Inform the complainant that, except in emergencies, all routine communication from the complainant to the academy should be in writing only;



4. In the case of Physical or verbal aggression, advice will be sought from LA/HR or the Kite Academy Trust legal services. Consideration will be given to banning complainant from the academy site – initially in all cases a temporary ban could be issued;
5. Consideration will be given to taking legal action to pursue a case under Harassment Discrimination Legislation;
6. Consideration will be given to imposing procedures for dealing with complaints from the complainant as appropriate to each case and may involve taking advice from HR/LA or our Legal advisers. Such procedures may be that complaints or concerns from a complainant can only be made directly to another Head Teacher or Governor from within the Trust or CEO, to protect a Head Teacher or members of staff within an academy from distress or damage to their wellbeing. This 'other' person will then decide if the complaint is reasonable or vexatious and advise the Head Teacher accordingly.

This means that legitimate 'new' complaints may then be considered even if the person making them has been, or currently is, subject to this procedure. In this instance, a decision will be made regarding who the appropriate person to handle the 'new' complaint might be.

7. 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 academy may resume the process above at the appropriate level. At this time legal advice may be sought.

## 7 Review

The Kite Academy Trust will review any sanctions imposed within this procedure at an appropriate time and in all cases after 6 months.



## Appendix 2 – Trust & Academies’ Contact Details

<p><b>Kite Academy Trust</b>  c/o Holly Lodge Primary Academy  Stratford Road  Ash Vale  Surrey  GU12 5PX  01252 984930  <a href="mailto:info@kite.academy">info@kite.academy</a></p>	<p><b>Cross Farm Infant Academy</b>  Gresham Way  Frimley Green  Surrey  GU16 6LZ  01252 835847  <a href="mailto:office@crossfarm.kite.academy">office@crossfarm.kite.academy</a></p>
<p><b>Fernhill Primary Academy</b>  Field Road  Farnborough  Hampshire  GU14 9FX  01276 31554  <a href="mailto:adminoffice@fernhill.kite.academy">adminoffice@fernhill.kite.academy</a></p>	<p><b>The Grove Primary Academy</b>  Chobham Road  Frimley  Surrey  GU16 8PG  01276 22447  <a href="mailto:info@grove.kite.academy">info@grove.kite.academy</a></p>
<p><b>Hale Academy</b>  Upper Hale Road  Farnham  Surrey  GU9 0LR  01252 716729  <a href="mailto:info@hale.kite.academy">info@hale.kite.academy</a></p>	<p><b>Holly Lodge Primary Academy</b>  Stratford Road  Ash Vale  Surrey  GU12 5PX  01252 548390  <a href="mailto:info@hollylodge.kite.academy">info@hollylodge.kite.academy</a></p>
<p><b>Lakeside Nursery &amp; Primary Academy</b>  Alphington Avenue  Frimley  Surrey  GU16 8LL  01276 469200  <a href="mailto:info@lakeside.kite.academy">info@lakeside.kite.academy</a></p>	<p><b>Mytchett Primary &amp; Nursery Academy</b>  Hamesmoor Road  Mytchett  Surrey  GU16 6JB  01252 544009  <a href="mailto:info@mytchett.kite.academy">info@mytchett.kite.academy</a></p>
<p><b>Sandringham Infant &amp; Nursery Academy</b>  Sandringham Way  Frimley  Surrey  GU16 9YF  01252 837538  <a href="mailto:info@sandringham.kite.academy">info@sandringham.kite.academy</a></p>	<p><b>Wyke Primary Academy</b>  School Lane  Normandy  Guildford  Surrey  GU3 2HS  01483 811197  <a href="mailto:info@wyke.kite.academy">info@wyke.kite.academy</a></p>

**Clerk:**

[clerk@kite.academy](mailto:clerk@kite.academy)

c/o The Kite Academy Trust as above

## Appendix 3 – Members of the Kite Academy Trust

Ruth Murton	<a href="mailto:ruth.murton@kite.academy">ruth.murton@kite.academy</a>
Martin Devitt	<a href="mailto:martin.devitt@kite.academy">martin.devitt@kite.academy</a>
Stuart Thomas	<a href="mailto:stuart.thomas@kite.academy">stuart.thomas@kite.academy</a>
John Allan	<a href="mailto:john.allan@kite.academy">john.allan@kite.academy</a>
Andy Johnson	<a href="mailto:andy.johnson@kite.academy">andy.johnson@kite.academy</a>

c/o The Kite Academy Trust, Holly Lodge Primary Academy, Stratford Road, Ash Vale, Surrey, GU12 5PX

## Appendix 4 – Local Authority Area Schools Support Services

Surrey County Council	
<p><b>North West Surrey (Runnymede, Surrey Heath, Woking)</b></p> <p>Kate Prince Area Schools Officer 01483 518106 <a href="mailto:kate.prince@surreycc.gov.uk">kate.prince@surreycc.gov.uk</a></p> <p>Natalie Cull Area Schools Assistant 01483 518106 <a href="mailto:natalie.cull@surreycc.gov.uk">natalie.cull@surreycc.gov.uk</a></p> <p>Quadrant Court Guildford Road Woking GU22 7QQ</p>	<p><b>South West Surrey (Guildford, Waverley)</b></p> <p>Jane van den Broeke Area Schools Officer 01483 517835 <a href="mailto:jane.vandenbroeke@surreycc.gov.uk">jane.vandenbroeke@surreycc.gov.uk</a></p> <p>Jackie Hunt Area Schools Assistant 01483 517835 <a href="mailto:jackie.hunt@surreycc.gov.uk">jackie.hunt@surreycc.gov.uk</a></p> <p>Quadrant Court Guildford Road Woking GU22 7QQ</p>
Hampshire County Council	
<p><b>Hampshire County Council</b></p> <p>Eric Halton County Education Manager (Primary &amp; Early Years) 01962 874820 <a href="mailto:eric.halton@hants.gov.uk">eric.halton@hants.gov.uk</a></p> <p>Karen Nye County Education Manager (Vulnerable Children &amp; Young People) 01252 814755 <a href="mailto:karen.1.nye@hants.gov.uk">karen.1.nye@hants.gov.uk</a></p>	<p><b>Hart &amp; Rushmoor</b></p> <p>Sue Thackeray School Improvement Manager (Hart, Rushmoor &amp; Basingstoke) 01252 814795 <a href="mailto:susan.thackeray@hants.gov.uk">susan.thackeray@hants.gov.uk</a></p>

## Appendix 5 - Roles and Responsibilities

It is expected that all those involved in a complaint are treated respectfully.

### **The Complainant**

The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:

- co-operates with the school in seeking a solution to the complaint;
- expresses the complaint in full as early as possible;
- responds promptly to requests for information or meetings or in agreeing the details of the complaint;
- asks for assistance as needed

### **The Complaint Investigator (staff member/Head Teacher/Governor/Trustee)**

The investigator is the person involved in Stage 1 or 2 of the procedure. The investigator's role can include:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - o sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
  - o consideration of records and other relevant information;
  - o interviewing staff and children/young people and other people relevant to the complaint;
  - o analysing information;
- effectively liaising with the complainant to clarify what he/she feels would put things right;
- responding to the complainant in plain and clear language

The investigator should make sure that they:

- conduct interviews with an open mind and are prepared to persist in the questioning;
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting

### **The Stage 3 Complaint Appeal Panel Clerk**

The Clerk is the contact point for the complainant for this panel meeting and is expected to:

- set the date, time and venue of the hearing, ensuring that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;

- circulate the minutes of the panel hearing to the complainant, the panel, the Head teacher (if appropriate) and the Area Schools Officer (if in attendance);
- notify all parties of the panel's decision

### **The Stage 3 Complaint Appeal Panel Chair**


The Panel Chair has a key role in ensuring that:

- the meeting is minuted;
- the procedure for the hearing is explained;
- the role of the clerk and the Area Schools Officer is explained (including that they take no part in the decision-making but are there to record proceedings and provide procedural advice);
- the remit of the panel is explained to the complainant and both they and the academy have the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- the hearing is conducted in a manner whereby everyone is treated with respect and courtesy;
- the panel is open-minded and acts independently;
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure

### **Area Schools Support Service**

The role of the Area Schools Support Service is to provide impartial advice and guidance to academy staff, Governors/Trustees and complainants at all stages of the complaints process.

## Appendix 6 - Academy Formal Complaints Form (Stage 2)

Academy	
Name	
Name of pupil, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
	
Details of the complaint	
Action taken so far (including staff member who has dealt with it so far) or solutions offered	
The reason that this was not a satisfactory resolution for you	
What action would you like to be taken to resolve the problem?	
Signed:	Date:
Official use Date received:	Signed: