Fulston Manor Academies Trust

Complaints Policy

Fulston Manor School
South Avenue Primary School

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Member of Staff Responsible:	**Mrs S Burden** **Executive Headteacher**

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1. Aims

Our Trust aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others. We recognise that on occasions parents/guardians, students or members of the public may need to raise a concern or complaint about the Trust or one of its schools. The Trust takes all concerns and complaints seriously and is committed to seek to resolve any matter raised in a positive way and to make any identified improvements.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures outlined in this policy will be followed.

The Trust will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on each school's website.

2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the DFE, on setting up an academies complaints procedure that complies with the above and refers to best practice guidance for academies complaints procedures.

This policy complies with our funding agreement and articles of association.

3. Definitions and scope

The DfE guidance explains the difference between a concern and a complaint.

A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". The school will resolve concerns through day-to-day communication as far as possible.

A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action". The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters

- Exclusion/Suspension
- Whistleblowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.
Arrangements for handling complaints from parents of children with SEN about a school's support are within the scope of this policy. Such complaints should first be made to the SENCO; they will then be referred to this complaints policy. Our SEN Policies include information about the rights of parents of pupils with disabilities who believe that there has been discrimination against their child.
Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4. Principles for investigation

4.1 When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

4.2 We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.
Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.
The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

4.3 Anonymous complaints will not be investigated under this policy unless there are exceptional circumstances. Any anonymous complaint received will be referred to the Executive Headteacher to decide what action, if any, will be taken.
Complaints about staff will be dealt with under each school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint at any stage of the complaints process. However, the complainant will be notified the matter is being addressed.

5. Stages of complaint (not complaints against the Headteacher/Head of School or a governor)

5.1 The aim of each stage is to ensure that the complaint is fully considered, and a clear finding is communicated to the complainant, which either resolves the matter to their satisfaction or explains why this is not possible.

5.2 New issues or complaints raised at Stage 2 should be given the opportunity to go through Stage 1 in order to seek a resolution.
Complainants will be given the opportunity to complete the complaints procedure in line with the policy, unless there is clear evidence that the complaint meets the unreasonably persistent or vexatious criteria defined later in this policy.

Although every effort will be made to comply with the timescales within each stage of this policy, this may not always be possible; for example, due to the complexity of the investigation required or the unavailability of a witness to attend a meeting. Where a timescale cannot be complied with, the complainant will be written to within the specified timescale to inform them of the reasons for the delay and the new timescale that will apply.

5.3 Stage 1: Informal

The Trust recognises that from time to time there may be normal and legitimate concerns about decisions within each school.

Each school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue. Concerns can often be resolved quickly and informally, through discussion, clarification, provision of information or simply through an acknowledgement of the issue and an apology.

The complainant should raise the complaint as soon as possible with the relevant member of staff, or their line manager as appropriate, either in person, by letter, formal complaint form (Appendix 1 of this policy), telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office. If the member of staff is unable to deal with the matter immediately, a note will be taken of the details and the individual will be contacted as soon as the matter has been looked into. If a matter is raised with a member of staff who feels they are not the best person to deal with it the matter will be referred to another member of staff as appropriate (still at stage one of the policy).

The school will acknowledge informal complaints within 5days, and investigate and provide a response within 15 days. (Reference to days throughout this policy means school working days, in term time).

The informal stage may involve a meeting between the complainant and the appropriate senior manager. If the complaint is not resolved informally, it will be escalated to a formal complaint.

5.4 Stage 2: Formal

Inform the Headteacher/Head of School in writing

The Headteacher/Head of School of each school will have discretion to review a complaint and pursue it under stage one if an informal approach has not been sought. If the complainant feels that their concern has not been resolved during informal discussions in Stage 1, they may raise a formal complaint under Stage 2.

The complainant must put the complaint in writing either using the formal complaint form (Appendix 1) or via letter which should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

If the complainant has a disability, learning difficulty or difficulties with the English language which prevents this, they should contact the establishment and ask for assistance and consideration will be given for a reasonable adjustment.

The Headteacher/Head of School (or designated member of the senior leadership team) will acknowledge receipt of the complaint within 5 school days and pass the complaint to the nominated senior member of staff, as appropriate, for investigation.

An investigation will be carried out and reported back to the Headteacher/Head of School. The investigation should include contacting the complainant and seeking clarification and

obtaining all relevant information to establish the facts of the matter. This may include interviewing and taking statements from any students or staff members who are the subjects or witnesses involved in the matter. The complainant may be accompanied to any meeting should they wish to be. In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange an alternative
The investigation should aim to be concluded and a written response sent within 20 school days of the complaint being received.
The Headteacher/Head of School (or other senior member of staff) will put their findings in writing and indicate what steps, if any, should be taken in order to resolve the matter.

5.5
Where a complaint is against the Headteacher/Head of School the complaint will be managed by a member of the governing body, who will assign a suitable equipped person to undertake an investigation if needed, this may be external to the school workforce.
. If the complainant is not satisfied with the stage 2 process and wishes to proceed to the next stage of the procedure, they should inform the Chair of Governors in writing within 5 days of the date of the written response to Stage 2.

5.6 Stage 3 – Governor review
Inform the Chair of Governors in writing
This letter should set out the details of the complaint including evidence as set out above. The complainant should also specify what they feel would resolve the complaint, and how they feel the previous stage of the procedure has not addressed their complaint sufficiently.
The Chair or other nominated Governor will review the complaint. They may contact the complainant to seek clarification or further information to assist their review.
The review will aim to be concluded within 20 school days of receipt of the complainant's request This timeframe will include the complainant receiving a written response confirming the outcome of the review.

5.7 Stage 4: Submit the complaint to the review panel
If the complainant is not satisfied with the outcome of the previous stages, the complainant may request that the complaint be considered at Stage 4. A request to use this stage must be in writing and addressed to the Trust within 10 school days of the previous Stage response being sent to the complainant. The request must set out clearly the reasons why the complainant is dissatisfied with the response and may include any new evidence to support their reasons.

5.8 Complaint Panel Hearing:
The review panel consists of members of the Trust board and one member who is independent of the management and running of any of the schools. These individuals will have had nothing to do with the initial complaint but will have access to the existing record of the complaint's progress

5.9 New allegations that have not been previously raised at Stage 2 may not be brought before the hearing. New evidence which was not provided before completion of Stage 2 will

not normally be considered, however the Chair shall have discretion to permit new evidence if it is relevant to the matters to be considered as part of the review hearing.

5.10 The role of the hearing is to consider the procedural fairness of the investigations undertaken. The Governance Professional for the Trust will convene the Hearing. The Hearing will be held as quickly as possible and the complainant must have reasonable notice of the date of the review panel. The complainant must engage with the Governance Professional in providing details of convenient days for attendance. If the complainant rejects the offer of three reasonably proposed dates, the Governance Professional will decide the date. In the complainant cannot attend the date it will proceed in the complainant's absence on the basis of the evidence available to the panel.

5.11 All parties will be provided with a minimum of 8 school days' notice of the date of the Hearing.

5.12 The following are entitled to attend the Hearing, submit written statements and relevant documents and to address the Panel:

- The complainant(s) and/or one representative
- The Headteacher/Head of School of the relevant school and/or one representative
- The Executive Headteacher of the Trust
- Any other interested person whom the Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision making.

5.13 Any written representations/documents for consideration by the Panel and any names of representatives attending the Hearing should be sent to the Governance Professional at least 6 school days prior to the hearing. Any documents not received in this timeframe will not be considered unless the Chair, at their discretion, believes it is just to accept them.
All parties will be issued with papers 5 school days prior to the hearing.
The panel may request to speak to witnesses.
After the hearing, the Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days and the Governance Professional will notify all parties.

6. Completion of Procedure

The findings and recommendations of the Panel review will be sent in writing to the complainant and relevant school. They will also be sent, where relevant, to the person complained about; and be available for inspection on the school premises.

7. Complaints against the Headteacher/Head of School or a Governor

7.1 Complaints made against the Headteacher/Head of School should be directed to the Chair of Governors.

7.2 Where a complaint is against the Chair of Governors or any member of the governing board, it should be made in writing, by letter or completion of the Formal Complaint Form, to the Trust Governance Professional in the first instance. The procedure then followed will reflect that detailed in regard to other complaints, with appropriate personnel conducting the investigation and forming the review panels.

8. Learning lessons

8.1 The Chair of Trust will review any underlying issues raised by complaints with the Executive Headteacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the Trust can make to its procedures or practice to help prevent similar events in the future.

9. Use of Artificial Intelligence in Complaints

9.1 The Trust recognises that many people now use artificial intelligence (AI) tools to help structure or refine their writing, and we understand that complainants may use AI in this way. However, we will not accept complaints that are generated wholly or predominantly by AI, with no genuine first-hand input from the complainant.

9.2 All complaints must originate from a real individual with direct personal knowledge of the matter being complained about.

The distinction we draw is this:

• Using AI to help check spelling, grammar, structure, or clarity — acceptable.

• Using AI to write the substance of the complaint, including facts, arguments, or legal references

that you have not personally verified — not acceptable.

9.3 AI-generated complaints frequently contain inaccuracies, contradictions, or references to legislation and case law that do not reflect the complainant's actual experience. This makes fair investigation difficult and can lead to delays. Where a complaint appears to be wholly or predominantly AI- generated, the Trust will ask the complainant to resubmit it in their own words before it is progressed.

9.4 The decision as to whether a complaint appears to be wholly or predominantly AI-generated rests with the Headteacher/Head of School at Stage 2, or with the Governing Board at Stage 3.

9.5 Where a complaint is assessed as AI-generated, the following standard response will be issued to the complainant before the complaint is progressed:

"We have reviewed your complaint, and it appears that it may have been generated wholly or predominantly by an artificial intelligence tool, rather than written by you personally. In line with Fulston Manor Academies Trust Complaints Policy we are unable to progress a complaint that does not originate in your own words and from your own first-hand knowledge. We would ask you to resubmit your complaint in your own words, clearly setting out what happened, when it happened, and what outcome you are seeking. Once we receive your resubmission, we will acknowledge it within 5 school days.

9.6 AI tools can be useful for checking spelling and grammar, but they do not always get the facts or the law right. The January 2026 DfE Parental Complaints Guidance (https://www.parentkind.org.uk/assets/parents-resources/Parent-Guide-to-School-Complaints.pdf) advises parents to use AI tools 'with caution'.

A complaint written in your own words, clearly stating what happened and what outcome you are looking for, is almost always resolved more quickly than one generated by an AI.

10. Written Records
A written record will be kept of all Stage 2 and above complaints by the relevant school. Records will be kept and disposed of in line with the Trust's policies.
At the review hearing, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

11. Right to be accompanied
11.1 The complainant has a right to be accompanied by a friend, relative or other third party to any meetings or hearings held under Stages Two onwards.

11.2 These meetings/hearings are not legal proceedings and so legal representation is not usually necessary or relevant. However, if a complainant does wish to be accompanied by someone who is legally qualified this needs to be specifically mentioned, and they must notify the Headteacher/Head of School or Trust as appropriate and at least 5 school days prior to the meeting.

11.3 Any member of staff interviewed as part of the investigation process has a right to be accompanied to the meeting, which includes representation by a recognised trade union. Any student must be accompanied by a member of staff they are comfortable with or a parent/guardian.

12. Confidentiality and data protection
12.1 All complaints will be handled in the strictest confidence by the Trust and its schools and Data Protection principles will be applied in line with the Trust's Data Protection Policy. All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them; and to fulfil data protection legislation.

12.2 It is expected that complainants will also keep their complaint private and confidential. In particular, complainants are not expected to discuss complaints publicly via any form of social media or with third parties.

12.3 The posting of any defamatory, offensive or derogatory comments by parents on social media will be dealt with and can impact the fairness of any investigation.

12.4 Electronic recordings of meetings must not be made by either the Trust/School or the complainant. A meeting to discuss a complaint may not go ahead if the complainant is insistent on recording the meeting unless a complainant's own disability or special needs require it, and it is agreed in advance.

12.5 The Trust/School will take notes of any meetings to discuss a complaint, which may be shared afterwards, and complainants may do likewise.

12.6 Due to privacy rights under data protection legislation, information disclosed relating to an outcome if it relates to a third-party individual, i.e. disciplinary action of a member of staff or another pupil, may be limited.

13. Complaint Campaigns

13.1 If a single school or the Trust are subject to a complaint campaign, they may employ a separate procedure under this policy to respond to this.

13.2 For the purpose of this a complaint campaign is defined as large volumes of complaints from multiple parties all based on the same subject matter. This could include from parents/guardians as well as from complainants unconnected with the school or Trust.
In these instances, the school or Trust may respond by:

- Sending a template consolidated response to all complainants with the same message; or
- Publishing a single response on the Trust website.

14. Persistent or vexatious complaints

14.1 We reserve the right to reject a vexatious complaint. Vexatious complaints may be characterised (but are not limited to) the following:

- Complaints which are obsessive, persistent, harassing, prolific, repetitious
- Insistence upon pursing 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; and/or
- Demands for redress that lack any serious purpose or value

Further features of an unreasonably persistent and/or vexatious complaint include those detailed within appendix 2. Please note this list is not exhaustive, nor does one single feature on its own necessarily imply that the complaint will be so defined.
The Trust or individual school will be likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/complaint forms/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

14.2 Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.
Once an individual school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.
The Trust will ensure when making this decision that complainants making any new complaint are heard, and that each school acts reasonably.
The Trust will investigate complaints professionally and with respect towards all individuals involved. The Trust expects anyone raising a complaint to be respectful and avoid aggression or intimidating behaviour.

15. Referring complaints on completion of the Trust procedure

If the complainant is not satisfied with the way their complaint has been handled, they may refer their complaint to the DFE. The DFE will check whether the complaint has been dealt with through the Trust's Complaints Policy. The DFE will not overturn the Trust decision

about a complaint and will not reinvestigate the substance of complaints or overturn any decisions.

However, it will look into:

- Whether there was undue delay, or the Trust did not comply with its own complaint's procedure
- Whether the Trust was in breach of its funding agreement with the secretary of state
- Whether the Trust has failed to comply with any other legal obligation

When considering the complaint they may ask the Trust to re-investigate the complaint. DFE can be contacted via the DFEs online school's complaint form (https://www.gov.uk/complain-to-DFE) or in writing to: Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD

16. Monitoring arrangements

16.1 The Trust Board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Trust Board will track the number and nature of complaints, and review underlying issues as stated in section 8.

16.2 The complaints records are logged and managed by the Executive Headteacher's personal assistant.

16.3 This policy will be reviewed by the Trust Board every 2 years.
At each review, the policy will be approved by the Trust Board

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17. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report

Appendix 1 – Formal Complaint Form

Your Name:	Student's N
Your Relationship to Student:	Student's DOB:
Address and Postcode:	Fulston Manor: Student's House: -OR- South Avenue: Student's Class:
	Daytime Telephone Number:
	Evening Telephone Number:
Full details of complaint (including the names of all persons involved and the dates of incidents referred to):	
What action, if any, have you already taken to try and resolve your complaint for example, who did you speak to and what was the response? (an informal resolution should have been sought)	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	Date:
For official use:	
Date acknowledgement sent:	

Name of person complaint referred to:	
Signature:	Date:

Appendix 2 – Examples of unreasonably persistent and/or vexatious complaints

Please note this list is not exhaustive, nor does one single feature on its own necessarily imply that the complaint will be so defined.

a. There are insufficient or no grounds for the complaint and it is made only to annoy (or for reasons that the complainant does not admit or make obvious)
b. There are no specified grounds for the complaint despite offers of assistance.
c. The complainant refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved
d. The complaint is about issues not within the power of the individual school's or Trust to investigate, change or influence and where the complainant refuses to accept this.
e. The complainant insists on the complaint being dealt with in ways which are incompatible with the Complaints Policy (insisting, for example, that there must not be any written record of the complaint or insisting the complaint is only dealt with by the Trust Executive Headteacher).
f. There appears to be groundless complaints about the staff dealing with the complaint investigation, and an attempt to have them replaced.
g. There is an unreasonable number of contacts with the Trust, by any means, in relation to a specific complaint or complaints.
h. There are persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (an example of this could be a complainant who insists on immediate responses to numerous, frequent and/or complex communication).
i. Attempts to harass, verbally abuse or otherwise seek to intimidate staff dealing with their complaint by use of foul or inappropriate language or by the use of offensive or discriminatory language.
j. Subsidiary or new issues are raised whilst a complaint is being addressed that were not part of the complaint at the start of the complaints process.
k. Trivial or irrelevant new information is introduced whilst the complaint is being investigated and there is an expectation that this is taken into account and commented on.
l. There is a change to the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed.
m. The complainant denies statements he or she made at an earlier stage in the complaint process.
n. The complainant electronically records meetings and conversations without the knowledge and consent of the other person involved.
o. The complainant refuses to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given.
p. The same complaint is made repeatedly, perhaps with minor differences, after the complaints process has been concluded and where the complainant insists that the

minor differences make these ‘new’ complaints which should be put through the full complaints process.

q. Documented evidence is not accepted as factual by the complainant.
r. The complaint relates to an issue based on a historic and irreversible decision or incident.