Complaint Procedure

Author	Head of Governance
Date of issue	17/09/2026
Date ratified	16/09/2026
Date for review	Summer Term 2028

Mercia Learning Trust is a company limited by guarantee, registered in England (8119703). Registered office: 79 Glen Road, Sheffield, S7 1RB. We are an exempt charity.

DOCUMENT CONTROL

Unless there are legislative or regulatory changes in the interim, this policy will be reviewed biennially. Should no substantive changes be required at that point, the policy will move to the next review cycle.

Version	Date	Changes
1.1	30/08/2023	• Reviewed and updated to ensure policy reflects the DFE best practice guidance.
1.2	30/08/2025	• Transferred to new document template • Updated stage 2 to include the investigation officer arranging a meeting, if appropriate, with the complainant with a view to resolution. • Updated stage 3 to provide clarity of the complaint panel review process. • Updated section 12 to provide clarity of the complaint panel review process. • Included 2.8 as a new item about complaints pertaining to our Chair of Trust Board • Updated 11.8.1 and 12.10.2 to detail appropriate support at panel meetings. • Included 13.2.7 in the unreasonable complaints section
1.3	30/08/2026	• Reviewed and updated to ensure policy reflects updated best practice and Governance Team terminology. • 5 New information relating to complaint campaigns. • 6 New information relating to AI. • 10.1 Reference to Parentkind guidance. • 13.2.2 Clarity around the Headteacher/Chair of LGB delegation to senior school or trust staff to carry out the complaint investigation. • 14.1 Clarity that independent person could be from another LGB within our trust. • 14.2 Clarity of remit of the stage 3 panel.

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1. Principles

1.1. This complaints procedure is not limited to parents or carers of children that are registered at Mercia Learning Trust ("our Trust") schools. Any person, including members of the public, may make a complaint about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

2. The difference between a concern and a complaint

2.1. A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

2.2. A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

2.3. It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint procedure. Our Schools take concerns seriously and will make every effort to resolve the matter as quickly as possible.

2.4. If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

2.5. We understand however, that there are occasions when people would like to raise their concerns formally. In this case, we will attempt to resolve the issue internally, through the stages outlined within this complaint procedure.

3. How to raise a concern or make a complaint

3.1. A concern or complaint can be made in person, in writing or by telephone.

3.2. Concerns should be raised with either the class teacher or Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

3.3. Complainants must not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis, and it may also prevent them from considering complaints at Stage 2 or 3 of the procedure.

3.4. Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark formal letters of complaint as Private and Confidential.

3.5. Complaints that involve or are about the Headteacher, should be addressed to the Chair of Local Governors, via our Trust Governance Team/school office. Please mark them as Private and Confidential.

3.6. Complaints about the Chair of Local Governors, any individual governor or the whole local governing body should be addressed to our Trust Head of Governance, Mercia Learning Trust, Central Office, Woodlands Primary, Sheffield S14 1SL or chogg@merciatrust.co.uk.

3.7. Complaints about the Chief Executive Officer (CEO) or a Trustee of our Trust, should be addressed to the Chair of Trustees via our Trust Head of Governance. Please mark them as Private and Confidential.

3.8. Complaints relating to our entire trust board or the majority of the trust board should be addressed to our Trust Head of Governance, Mercia Learning Trust, Central Office, Woodlands Primary, Sheffield S14 1SL or chogg@merciatrust.co.uk and will be considered by a completely independent committee panel.

3.9. For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations (e.g. Citizens Advice) to help you.

3.10. In accordance with Equality Law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

4. Anonymous complaints

4.1. We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Local Governors, if appropriate, will determine whether the complaint warrants an investigation.

5. Complaint campaigns

5.1. Where our 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 the Complainants in such cases. Instead, either a template response will be sent to all Complainants, or a single response will be published on our Trust's website at the discretion of our CEO/Chair of Trustees.

6. Artificial Intelligence

6.1. In line with Parentkind parent guide to school complaints, complainants are urged to exercise caution in the use of Artificial Intelligence (AI) in complaint processes as it can introduce an unnecessary legalistic and contentious approach that is not conductive to resolving the issue in a human way. AI can also introduce inaccurate information, including misstating law, and make a complaint more complex than necessary.

6.2. Complainants are reminded that publicly available AI platforms and chatbots are not confidential. Complaints, and particularly those containing the personal data of pupils, staff and other individuals therefore should not be uploaded to or processed via platforms such as ChatGPT.

7. Timescales

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

8. Complaints received outside of term time

8.1. We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

9. Scope of this complaint procedure

9.1. This procedure covers all complaints about any provision of community facilities or services by our schools other than complaints that are dealt under other statutory procedures, including those listed below:

Exceptions	Who to contact
• Admissions to schools • Special educational needs	• Concerns about admissions, statutory assessments of Special Educational needs, or school re-organisational proposals should be raised with Sheffield City Council. • Concerns about SEN and SEN provision are dealt with in accordance with the SEN Code of Practice and/or the school's SEN policy.
• Matters likely to require a child protection investigation	• Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. • If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). • *https://www.safeguardingsheffieldchildren.org/sscb/safeguarding-information-and-resources/allegations-of-abuse-against-people-who-work-with-children*.
• Suspension or exclusion of children from school*	• Further information about raising concerns about suspension or exclusion can be found at: *Suspension and permanent exclusion guidance*.

	• *Complaints relating to the application of the school behaviour policy can be made through the complaint procedure.
• Data protection/FOIA	• Raise with Data Protection Officer (DPO) at dataprotection@merciatrust.co.uk in the first instance. Please see our Data Protection policy.
• Whistleblowing	• We have a trust-wide whistleblowing procedure for all our employees, including temporary staff and contractors. • The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: *www.education.gov.uk/contactus*. • Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• Staff grievances	• Complaints from staff will be dealt with under our trust's internal grievance procedures.
• Staff conduct	• Complaints about staff will be dealt with under our trust's internal disciplinary procedures, if appropriate. • Complainants will not be informed of any disciplinary action taken against a member of staff as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
• Complaints about services provided by other providers who may use school premises or facilities	• Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
• National curriculum content	• Please contact the Department for Education at: *www.education.gov.uk/contactus*

9.2. If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

9.3. If a complainant commences legal action against the school in relating to their complaint, we will consider whether to suspend the complaint procedure in relation to their complaint until those legal proceedings have concluded.

10. Resolving complaints

10.1. The national charity Parentkind has published Department for Education (DfE) endorsed guides for parents and for schools in relation to resolving complaints on its website https://www.parentkind.org.uk/parent-guide-to-raising-concerns-with-your-childs-school. All complainants are encouraged to read the Parentkind guidance before raising a complaint.

10.2. At each stage in the procedure, the school wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

10.2.1. An explanation.

10.2.2. An admission that the situation could have been handled differently or better.

10.2.3. An assurance that we will try to ensure the event complained of will not recur.

10.2.4. An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made.

10.2.5. An undertaking to review school policies in light of the complaint.

10.2.6. An apology.

11. Withdrawal of a complaint

11.1. If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

12. Stage 1 - Informal complaint

12.1. It is the aim of our trust's procedure to resolve all complaints and concerns as early and as informally as possible. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

12.2. **Procedures**:

12.2.1. Informal complaints should be taken up directly with the appropriate member of staff, either verbally or in writing, who will clarify the nature of the concern or complaint and reassure them that the school will hear the concern or complaint and attempt to resolve it at the earliest stage.

12.2.2. Where the concern relates to the actions of the Headteacher, the complainant should be advised to contact the Chair of the School Local Governing Body.

12.2.3. In instances where no satisfactory solution has been found within 10 school days of the complaint having been made, parents or carers should be given clear information both verbally and in writing about how to make formal complaint.

13. Stage 2 - Formal complaint

13.1. Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person, in writing (preferably on the complaint form) or by telephone.

13.2. **Procedures**:

13.2.1. The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

13.2.2. Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher to consider whether a face-to-face meeting is appropriate.

Note: The Headteacher (or Chair of Local Governing Body if the complaint relates to the Headteacher) may delegate the investigation to another member of the school's or Trust's senior leadership team to carry out the investigation, but not the decision to be taken.

13.2.3. During the investigation, the Headteacher (or investigator) will:

13.2.3.1. If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.

13.2.3.2. If appropriate, meet with the complainant to clarify any further information, and seek a resolution.

13.2.3.3. Keep a record of any meetings/interviews in relation to their investigation.

13.2.4. At the conclusion of their investigation, the Headteacher will provide a formal written response within 10 school days of the date of receipt of the complaint.

13.2.5. If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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

13.2.7. The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

13.2.8. If the complaint is about the Headteacher, the complaint will be investigated by the Chair of Local Governors who will complete all the actions at Stage 2. Complaints about the Headteacher must be made to our Trust Governance Team, via the school office.

13.2.9. Complaints about a member of the governing body must be made to our Trust Head of Governance, via the Trust office if the complaint is:

13.2.9.1. Jointly about the Chair and Vice Chair or

13.2.9.2. The entire local governing body or

13.2.9.3. The majority of the local governing body

13.2.10. Any complaints concerning the whole Local Governing Body, Stage 2 will be considered by an investigator appointed by our Trust. At the conclusion of their investigation, the investigator will provide a formal written response.

14. Stage 3 - Panel hearing

14.1. If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3, a panel hearing consisting of at least three Local Governors who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. The independent member may be a Local Governor from another Local Governing Body within the Trust as long as they have no conflict and no prior knowledge of the complaint.

14.2. The Stage 3 panel hearing is a review of the complaint and Stage 2 response. The panel will consider the complainant's reasons for escalation, identify any matters that remain unresolved and determine whether the Stage 2 investigation was carried out appropriately, fairly and in line with this policy. The panel will also assess whether the conclusions reached, and any actions taken represented a reasonable and proportionate response to the issues raised. This is the final stage of the complaint procedure.

14.3. A request to escalate to Stage 3 must be made to our Head of Governance, via our Trust central office, Woodlands Primary School, Norton Avenue, Shefield, S14 1SL chogg@merciatrust.co.uk within 5 school days of receipt of the Stage 2 response. The request must also include the reason for requesting the complaint be reviewed at stage 3.

14.4. Our Governance Team will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

14.5. Our Governance Team will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, our Governance Team will provide an anticipated date and keep the complainant informed.

14.6. If the complainant rejects the offer of three proposed dates, without good reason, our Governance Team will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

14.7. If the complaint is:

14.7.1. jointly about the Chair and Vice Chair of local governing body.

14.7.2. the entire local governing body.

14.7.3. the majority of the local governing body.

14.8. Stage 3 will be heard by the Trustees and an independent panel member.

14.9. **Procedures**:

14.9.1. A complainant may bring someone along to the panel meeting to provide support. This can be a **relative or friend**. It is not appropriate for either party to bring legal representatives or professional advocates to the committee meeting. However, there may be occasions when legal representation may be considered appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation. (*Note: Complaints about staff conduct will not be handled under this complaint procedure. Complainants will be advised that any staff conduct complaints will be considered under our staff disciplinary procedures, if appropriate).*

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

14.9.3. At least 10 school days before the meeting, our Governance Team will:

14.9.3.1. Confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.

14.9.3.2. Request copies of any further written material and/or position statements be submitted to the committee at least 7 school days before the meeting.

14.9.4. Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

14.9.5. The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

14.9.6. The meeting 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.

14.9.7. The agenda for the hearing will be:

14.9.7.1. the chair welcomes all parties and explains the process of the hearing.

14.9.7.2. the complainant is invited to explain their complaint.

14.9.7.3. the investigation officer will be invited to explain the outcome of the investigation.

14.9.7.4. the school will be invited to explain their response.

14.9.7.5. the complainant will be asked questions by the school and then the committee.

14.9.7.6. the school we be asked questions by the complainant and then the committee.

14.9.7.7. the complainant and the school representative will be invited to provide their final statements.

14.9.7.8. the complainant and the school representative will leave the meeting whilst the complaint committee make their decisions.

14.9.7.9. the governance officer supporting the complaint committee will remain with the panel to record the deliberations.

14.10. The committee will consider the complaint, and all the evidence presented. The committee can:

14.10.1. uphold the complaint in whole or in part.

14.10.2. dismiss the complaint in whole or in part.

14.11. If the complaint is upheld in whole or in part, the committee will:

14.11.1. decide on the appropriate action to be taken to resolve the complaint.

14.11.2. where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

14.12. The Chair of the Committee will provide the complainant and school with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

14.13. The letter to the complainant will include details of how to contact the Department for Education (DfE) if they are dissatisfied with the way their complaint has been handled.

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

14.15. The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the Headteacher.

14.16. A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

14.17. 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.

15. Complaints about our trust, our CEO or a Trustee

15.1. If a complaint is escalated to Mercia Learning Trust "the trust" or if a complainant wishes to complain directly about the Trust, then the complaint should be sent to the CEO to be investigated.

15.2. The CEO will write to the complainant acknowledging the complaint within 3 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of this Complaint Procedure and will confirm the date for providing a response to the complainant.

15.3. Following the investigation, the CEO will write to the complainant confirming the outcome within 10 school days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within 10 school days of the date that the letter was received, explaining the reason for the delay and providing a revised date.

15.4. If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of our Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation

NB. Where the Chair of our Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

15.5. If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to our Head of Governance, within 5 school days, asking for the complaint to be heard before a Stage 3 Complaint Panel. Our Governance Team will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

15.6. The Governance Team will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, the Governance Team will provide an anticipated date and keep the complainant informed.

15.7. If the complainant rejects the offer of three proposed dates, without good reason, the Governance Team will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

15.8. If the complaint is:

15.8.1. jointly about the Chair and Vice Chair of the Trust Board or

15.8.2. the entire Trust Board or

15.8.3. the majority of the Trust Board

15.9. Stage 3 will be heard by a completely independent committee panel.

15.10. Procedures

15.10.1. The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint or have been involved in dealing with the complaint in the previous stages, of have any detailed prior knowledge of the complaint. One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of our Trust.

15.10.2. A complainant may bring someone along to the panel meeting to provide support. This can be a **relative or friend**. It is not appropriate for either party to bring legal representatives or professional advocates to the committee meeting. However, there may be occasions when legal representation may be considered appropriate. For instance, if a trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaint procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate.

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

15.10.4. At least 10 school days before the meeting, the Governance Team will:

15.10.4.1. confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and the venue and proceedings are accessible.

15.10.4.2. request copies of any further written material and/or position statements to be submitted to the committee at least 7 days school days before the meeting.

15.10.5. Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

15.10.6. The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

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

15.10.8. The agenda for the hearing will be:

15.10.8.1. the chair welcomes all parties and explains the process of the hearing.

15.10.8.2. the complainant is invited to explain their complaint.

15.10.8.3. the investigation officer will be invited to explain the outcome of the investigation.

15.10.8.4. the CEO/trust will be invited to explain their response.

15.10.8.5. the complainant will be asked questions by our trust and committee.

15.10.8.6. our trust will be asked questions by the complainant and committee.

15.10.8.7. the complainant and our CEO/trust representative will be invited to provide their final statements.

15.10.8.8. the complainant and our CEO/trust representative will leave the meeting whilst the complaint committee make their decisions.

15.10.8.9. the governance officer supporting the complaint committee will remain with the panel to record the deliberations.

15.11. The committee will consider the complaint and all the evidence presented. The committee can:

15.11.1. uphold the complaint in whole or in part.

15.11.2. dismiss the complaint in whole or in part.

15.12. If the complaint is upheld in whole or in part, the committee will:

15.12.1. decide on the appropriate action to be taken to resolve the complaint.

15.12.2. where appropriate, recommend changes to the trust systems or procedures to prevent similar issues in the future.

15.13. The Chair of the Committee will provide the complainant and Mercia Learning Trust with a full explanation of their decision and the reason(s) for it, in writing, within 15 school days.

15.14. The letter to the complainant will include details of how to contact the Department for Education (DfE) if they are dissatisfied with the way their complaint has been handled.

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

15.16. The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the trust premises by the proprietor and the CEO.

15.17. A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

15.18. 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.

16. Managing serial or unreasonable complaints

16.1. Mercia Learning Trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain, as outlined by the procedure above. Under the complaint procedure outlined, we will not normally limit the contact complainants have with our schools. 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.

16.2. Mercia Learning Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school or trust, such as, if the complainant:

16.2.1. refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.

16.2.2. refuses to co-operate with the complaint investigation process.

16.2.3. refuses to accept that certain issues are not within the scope of the complaint procedure.

16.2.4. insists on the complaint being dealt with in ways which are incompatible with the complaint procedure or with good practice.

16.2.5. introduces trivial or irrelevant information which they expect to be taken into account and commented on.

16.2.6. raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescale.

16.2.7. makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.

16.2.8. changes the basis of the complaint as the investigation proceeds.

16.2.9. repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).

16.2.10. refuses to accept the findings of the investigation into that complaint where the complaint procedure has been fully and properly implemented and completed including referral to the Department for Education.

16.2.11. seeks an unrealistic outcome.

16.2.12. makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

16.2.13. uses threats to intimidate.

16.2.14. uses abusive, offensive or discriminatory language or violence.

16.2.15. knowingly provides falsified information.

16.2.16. publishes unacceptable information on social media, online platforms, public forums, local or national press, broadcast media, or any other form of public communication.

16.2.17. is complaining under direction from a third party or a part of a larger group, this will be deemed as lobbying. If this lobbying is causing significant disruption to the normal running of the school/trust the complaints will be defined as unreasonable.

16.3. Complainants should try to limit their communication with the school that relates to their complaint, while the 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.

16.4. Whenever possible, the Headteacher or Chair of Local Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

16.5. If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

16.6. In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the school.

17. Next steps

17.1. If the complainant believes the school / trust did not handle their complaint in accordance with the published complaint procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department of Education (DFE) after they have completed Stage 3.

17.2. The DFE will not normally reinvestigate the substance of complaints or overturn any decisions made by Mercia Trust. They will consider whether the school and/or 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.

17.3. The complainant can refer their complaint to the DFE online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Appendix 1

Complaint Form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your Name	
Pupil's Name (if relevant)	
Adress	
Postcode	
Daytime contact number	
Evening contact number	

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

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

Are you attaching any paperwork? If so, please provide the details.

Signature	
Date	