Complaints Policy

Lime Trust 2026

Policy: Complaints Policy

Date of Policy: October 2026

Date of Renewal: October 2027

LIME Trust Vision & Values

Putting Learners First is our Trust vision.

We aim to create a nurturing and supportive learning environment for all, encouraging our learners to achieve academic excellence and reach their full potential. We set high expectations and build capacity-rich schools through facilitating school-to-school collaboration. The high challenge we put forward is met with equally high support from our team of education experts, so we continue to improve our children's lives and futures – especially for disadvantaged pupils.

Our values are based on R.E.S.P.E.C.T. which means we believe that:

Respect is built on unconditional positive regard for all learners, all employees, and our wider communities.
Equity enables everyone to be treated as individuals. It removes barriers, provides opportunity and celebrates difference.
Self-worth creates a culture where all learners, all employees and our wider community have pride in their contributions and feel confident and valued.
Partnership is working together for the common good, ensuring that our learners are at the heart of all that we do.
Enjoyment is feeling happy, safe and motivated to make a positive contribution.
Communication provides a voice for all, creating a shared understanding through dialogue.
Trust is a partnership which requires us to act with integrity. Be brave, honest and kind.

Purpose

This Complaints Policy helps underpin the mission statement of Lime Trust. Its aim is to ensure that a complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, fair to those concerned and helps to promote parents/carers/students' and the wider community's confidence in the Trust's ability to safeguard and promote the welfare of its students.

The Trust will aim to resolve every complaint in a positive way, with the purpose of putting right a matter which may have gone wrong and, where necessary, reviewing the Trust's systems and procedures in light of the matters raised.

The Trust needs to know as soon as possible if there is any cause for dissatisfaction. The Trust recognises that a concern or difficulty which is not resolved quickly and fairly can soon become a cause for resentment, which can be damaging to the relationships between the Trust, parents/carers, students and/or the wider community, and can also have a detrimental effect upon the Trust's ethos and culture.

Parents/carers and students should never feel, or be made to feel, that raising a complaint will adversely affect a student's future at one of the Trust schools or place a student at a disadvantage in any way.

Application of Policy

The Trust is governed by the Education (Independent School Standards) (England) Regulations 2014 ("the Regulations"). This Complaints Policy has been formulated to comply with Schedule 1, Part 7 of the Regulations.

This policy has also been prepared to meet the school's responsibilities under Education and Skills Act 2008, Childcare Act 2006, Equality Act 2010 and General Data Protection Regulations and Data Protection Act 2018. Dependent upon the nature of the complaint being made, other Trust or school policies, procedures and resource materials may also prove relevant and helpful.

This Complaints Policy applies to all complaints of the parents/carers of students at our schools, other than those involving child protection issues, or relating to admissions, exclusions and SEN, for which there are separate statutory procedures set out in Appendix A to this policy, though concerns about the provision of SEN support at the school can be raised through this policy.

Where a complaint is made about a member of staff, depending upon the nature and seriousness of the complaint, the matter may be dealt with under separate HR procedures, which are strictly confidential, rather than under this Complaints Policy.

All parents should be aware that, regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, pupils or parents.

Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of the Trust's complaints procedures.

Who can make a complaint?

This Complaints Policy is not limited to parents or carers of pupils that are registered at a Lime Trust school. Any person, including members of the public, may make a complaint to the Lime Trust about any of the facilities or services that we provide. However, in respect of complaints made by those who are not parents of pupils at the school, there is no obligation to follow the complaints policy in its entirety. Such complaints will be dealt with at the discretion of the Chair of the Lime Trust Board who will determine whether the complaint warrants an investigation.

Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this Complaints Policy.

Anonymous and campaign complaints

We will not normally investigate anonymous complaints. However, if appropriate, the Chair of the Lime Trust Board will determine whether an anonymous complaint warrants an investigation.

Where the Trust is the focus of a campaign and receives a large volume of complaints, all based on the same subject or from complainants unconnected with the Trust, the Trust may choose to respond by sending a template response to all complainants or, publish a single response on the Trust website.

If either anonymous or campaign complaints are investigated as above, the Trust can request a representative be identified and appointed to act on behalf of the group/complainant.

Timescales

The Trust aims to resolve all complaints efficiently and promptly and parents are encouraged to bring any matter causing concern to the School's attention as soon as possible.

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 timeframe only if exceptional circumstances apply.

A complaint raised outside this timescale should therefore include details of the issues which led to a delay.

Timescales for each stage of the complaints procedure are set out below in the relevant paragraphs. Where there are exceptional circumstances resulting in a delay to the timescales for a stage of the complaints procedure, the Trust will notify the parents and inform them of the reasons for the delay and the new timescales as soon as possible.

Complaints received out of term time

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

Scope of the policy

This policy covers all complaints about any provision of community facilities or services by Lime Trust, other than complaints that are dealt with under other statutory procedures, including those listed at Appendix A.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) 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.

If a complainant commences legal action against Lime Trust in relation to their complaint, we will consider whether to suspend the procedure under this Complaints Policy in relation to their complaint until legal proceedings have concluded.

Resolving complaints

At each stage in the procedure below, Lime Trust aims 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:

- an explanation
- an acceptance that the situation could have been handled differently or better
- an assurance that we will take steps to ensure the event complained of will not recur
- 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
- an undertaking to review Trust/school policies in light of the complaint
- an apology

Withdrawal of a complaint

If a complainant wishes to withdraw their complaint, this will need to be confirmed in writing.

Procedure

Stage 1 – Informal Stage

School level complaints should be raised with either a relevant class teacher or Headteacher at our academies. Trust level complaints should be raised with the Governance and Communication Lead for the Trust via our Head Office at info@limetrust.org.

Complaints can be raised in person, in writing, or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as the third party has appropriate consent from the complainant to do so. The complaint will be acknowledged by telephone, email or letter within 5 school days of receipt, indicating the action that is being taken and the likely timescales. Such action may include an investigation and / or a meeting with the parent.

For ease of use, a template Complaint Form is included in Appendix B to this policy. If you require help in completing the form, please contact our Head Office or your local school office if more convenient. You can also ask third party organisation like the Citizens Advice Bureau to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access the procedures in this Complaints Policy. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint, or holding meetings in an accessible manner/location.

If you have difficulty discussing a complaint with a particular member of staff, we will respect your views. In these cases, the Governance and Communication Lead for the Trust will refer you to another appropriate staff member. Similarly, if the member of staff directly involved feels unable to deal with a complaint, you will be referred to another appropriate staff member. The alternative member of staff may be more senior, but does not have to be, the ability to consider the complaint objectively and impartially is more important. You can contact the Governance and Communication Lead for the Trust via our Head Office.

Many issues can be resolved informally, without the need to use the formal stages of this complaint's procedure.

Lime Trust takes complaints seriously and will make every effort to resolve the matter as quickly as possible, as it is in everyone's interests that complaints are resolved at the earliest possible stage. If the issue remains unresolved, however, the next step is to make a formal complaint under Stage 2.

Stage 2 – Formal Stage

All formal complaints must be made to the CEO, C/O Governance and Communication Lead via our Head Office. This may be done in person, in writing (preferably using the template Complaint Form at Appendix B below), or by telephone. Please mark all written complaints as Private and Confidential.

The Governance and Communication Lead, on behalf of the CEO, will record the date the complaint is received and acknowledge receipt of the complaint in writing (by email or letter, as appropriate) within 5 school days.

If necessary, we may seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would wish to see. We may also consider whether a face-to-face meeting is the most appropriate way of resolving the matter.

Depending on the nature and level of the complaint, the CEO may delegate the investigation of the complaint to a Headteacher, another impartial senior member of staff, a Governor, or Trustee, as appropriate. If the matter is delegated, the CEO will retain oversight of the decision/response to the complainant.

Complaints about the CEO must be made to the Governance and Communication Lead via our Head Office who will then direct the complaint to the Chair of the Trust Board.

Complaints about the Chair of the Trust Board or another Trustee must be made to the Governance and Communication Lead via our Head Office. If the complaint is about the Chair of the Trust Board, the CEO will appoint a suitably skilled Trustee to complete the Stage 2 process.

If the complaint is:

- jointly about the Chair and Vice Chair; or
- the entire Trust Board; or
- the majority of the Trust Board

Stage 2 will be considered by an independent investigator appointed by the CEO. At the conclusion of their investigation, the independent investigator will provide a formal written response.

During the investigation, the investigator will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation

At the conclusion of the investigation, we will provide a formal written response within 20 school days of the date of receipt of the formal complaint. If we are unable to meet this deadline, we will provide the complainant with an update and revised response date. 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 Lime Trust has taken or will take to resolve the complaint. We will also advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

Stage 3 - Lime Trust's Complaints Committee Panel Hearing

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. This is the final stage of the Lime Trust complaints procedure.

Stage 3 involves a formal Complaints panel hearing with the Lime Trust's Complaints Committee, formed of three members who have not been directly involved in the matter or in the circumstances surrounding it to date and one of whom is independent of the management and running of the Trust.

If the complaint is:

- jointly about the Chair and Vice Chair; or
- the entire Trust Board or
- the majority of the Trust Board

Stage 3 will be heard by an external Complaints Committee convened by the CEO. Prior to the hearing, the Committee will nominate a Chair.

Stage 3 timescales

A request to escalate to Stage 3 must be made to the Governance and Communication Lead via our Head Office within 10 school days of receipt of the Stage 2 response. Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

The Governance and Communication Lead will record the date the Stage 3 complaint is received and acknowledge receipt of the complaint in writing (by email or letter, as appropriate) within 5 school days.

The Committee will then be convened, and the complainant invited to a hearing. The Governance and Communication Lead will write to the complainant within 15 school days of receipt of the Stage 3 request to inform them of the date of the hearing. If this is not possible, the Governance and Communication Lead will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Governance and Communication will decide when to hold the hearing based on panel members' availability. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complainant may bring someone along to provide support at the hearing. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the hearing. However, there may be occasions when legal representation is appropriate. For instance, if a Trust employee is called as a witness in a complaint hearing, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this Complaints Policy.

Complainants will be advised that staff conduct complaints will be considered under the Trust's staff disciplinary procedures, if appropriate, and that outcomes are strictly confidential and therefore will not be shared with the complainants. However, the complainant will be notified that the matter is being addressed.

Representatives from the media are not permitted to join the hearing.

At least 5 school days before the hearing, the Governance and Communication Lead will:

- confirm and notify the complainant and all other parties of the date, time and venue of the hearing, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- circulate to all parties the written material that is already available
- request copies of any further written material to be submitted to the Committee by a specified date in advance of the hearing

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.

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

The hearing will be held in private. Electronic recordings of the hearing or related conversations are not normally permitted unless a complainant's own disability or special needs require it, or all parties are in agreement that the hearing be recorded.

Prior knowledge and consent of all parties attending must be sought before the hearing or related conversations take place. Consent will be recorded in any minutes taken.
The Committee will consider the complaint, and all the evidence presented. The Committee can then:

- uphold the complaint in whole or in part; or
- dismiss the complaint in whole or in part

If the complaint is upheld in whole or in part, the Committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the Trust's systems or procedures to prevent similar issues in the future

The Chair of the Committee will provide the complainant and Lime Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days from the date of the hearing. If we are unable to meet this deadline, we will provide the complainant with an update and revised response date.

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 Lime Trust has taken or will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied (see below).

The response will be available for inspection on the Trust/relevant school premises by the proprietor/Headteacher.

Next steps

If the complainant believes the Trust did not handle their complaint in accordance with this published Complaints Policy, or that the Trust acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints, or overturn any decisions made by Trusts. Instead, they will consider whether Lime Trust has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at:

www.education.gov.uk/contactus, by telephone on 0370 000 2288 or by writing to:
Department of Education
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

Unreasonable complaints

Lime Trust is 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 our Trust. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including behaviour, which is abusive, offensive or threatening.

Lime Trust defines unreasonable behaviour as behaviour which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the Trust, such as if the complainant:

- 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 complaint's investigation process
- refuses to accept that certain issues are not within the scope of the complaint's procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure outlined above or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and 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 into that complaint where the Trust's Complaints Policy has been fully and properly implemented and completed, including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on Trust/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
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums

While the complaint is being progressed, complainants are urged to limit their communication with the Trust relating to their complaint. It is not helpful if repeated correspondence is sent (by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, we will discuss any concerns with the complainant informally before applying 'unreasonable' marking.

If the behaviour continues, we will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Lime Trust, 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.

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

Please see Appendix D for further details on the Trust's position on Unreasonable complaints

Availability for Inspection

This policy is on the Trust and school websites and available in hard copy on request. It can be provided in large print or other accessible formats if required. Information about the number of complaints registered under the formal procedure during the preceding school year is available to parents of pupils/prospective pupils and, on request, to the Chief Inspector or the Secretary of State.

Record keeping and Confidentiality

Lime Trust will keep a written record of all formal complaints, including whether resolved at Stage 2 or Stage 3 and any action taken as a result (regardless of whether upheld).

Records will be retained only as long as reasonably necessary in the circumstances and managed in accordance with applicable data-retention policies.

Correspondence, statements and records will be kept confidential except where disclosure is required by the Secretary of State, during an inspection, under legal authority/court order.

Appendix A

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the relevant Local Authority
• 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).
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. *complaints about the application of the Trust's Behaviour Policy can be made through the Trust's Complaints Procedure.
• Whistleblowing	We have an internal 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 Trust should complain through the Trust'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 the Trust's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the Trust'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. 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 services. Please contact them direct.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

Appendix B - Complaint Form

Please complete and return this form to the Governance and Communication Lead for the Trust via our Head Office at info@limetrust.org, who will acknowledge receipt and explain what action(s) will be taken.

<table>
<tr><td>Your name:</td><td>Pupil's name (if relevant):</td></tr>
<tr><td>Your relationship to the pupil (if relevant):</td><td>Pupil's DOB and Class (if relevant):</td></tr>
<tr><td rowspan="3">Address and Postcode:</td><td>Email Address:</td></tr>
<tr><td>Day time telephone number:</td></tr>
<tr><td>Evening telephone number:</td></tr>
<tr><td colspan="2">Please give details of your complaint, including whether you have spoken to anybody at the school about it.</td></tr>
<tr><td colspan="2">What actions do you feel might resolve the problem at this stage?</td></tr>
<tr><td colspan="2">Are you attaching any paperwork? If so, please give details.</td></tr>
<tr><td colspan="2">Signature:

Date:</td></tr>
<tr><td colspan="2">Official use</td></tr>
<tr><td colspan="2">Date acknowledgement sent:</td></tr>
<tr><td colspan="2">By whom:</td></tr>
<tr><td colspan="2">Complaint referred to:</td></tr>
<tr><td colspan="2">Date:</td></tr>
</table>

Appendix C – Roles, Responsibilities and Conducting a Stage 3 Hearing

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the Trust/school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through (as appropriate):
    - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
    - interviewing staff and children/young people and other people relevant to the complaint
    - consideration of records and other relevant information
    - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent notetaker to record minutes of meetings
- ensure that any papers produced during the investigation are kept securely and confidentially
- be mindful of the timescales to respond
- prepare a comprehensive report for the CEO/Chair of the Trust Board/their nominated person or Complaints Committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The CEO/Chair of the Trust Board/their nominated person or Complaints Committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-Ordinator (this could be an appropriate member of Trust staff or Governor/Trustee)

The Complaints Co-Ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with all relevant parties to ensure the smooth running of the complaint's procedure
- be aware of issues regarding:
    - sharing third party information
    - additional support. This may be needed by complainants when making a complaint, including interpretation support or where the complainant is a child or young person
- keep records

Clerk

The Clerk is the contact point for the complainant, CEO/Chair of the Trust Board/their nominated person/Complaint Committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of

Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of any meetings, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 and 2 paperwork, school and complainant submissions) and send it to the parties in advance of any meeting within an agreed timescale
- record the proceedings of any meeting
- circulate the minutes of any meeting
- notify all parties of the CEO/Chair of the Trust Board/their nominated person's/Committee's decision

Complaints Committee Chair

The Committee Chair, who is nominated in advance of the Stage 3 hearing, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the hearing
- the hearing is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a hearing are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the Committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR
- If a new issue arises, it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the hearing
- both the complainant and the Trust/school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the hearing or verbally in the hearing itself
- the issues are addressed
- key findings of fact are made
- the Committee is open-minded and acts independently
- no member of the Committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the hearing is minuted
- they liaise with the Clerk (and Complaints Co-ordinator if the Trust has appointed one)

Complaints Committee Member

Committee Members should be aware that:

- the hearing must be independent and impartial and should be seen to be so. No one may sit on the Committee if they have had a prior involvement in the complaint or in the circumstances surrounding it
- the aim of the hearing should be to resolve the complaint and achieve reconciliation between the Trust and the complainant. We recognise that the complainant might not be satisfied with the outcome if the Committee does not find in their favour. It may only be possible to establish the facts and make recommendations
- many complainants will feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The Committee should respect the views of the child/young person and give them equal consideration to those of adults. If the child/young person is the complainant, the Committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent/carer is the complainant, the Committee should give the parent/carer the opportunity to say which parts of the hearing, if any, the child/young person needs to attend. However, the parent/carer should be advised that agreement might not always be possible if the parent/carer wishes the child/young person to

attend a part of the hearing that the Committee considers is not in the child/young person's best interests. The welfare of the child/young person is paramount.

Conducting the stage 3 hearing

- The Clerk to the Complaints Committee will greet all parties and welcome them into the hearing (any witnesses will remain outside of the hearing until they are called to join to give their account)
- The Complainant will be invited by the Complaints Committee to give an account of their complaint
- The Trust's Representative will be invited to ask the Complainant questions if any
- The Complaints Committee will ask the Complainant questions if any
- At the discretion of the Chair of the Complaints Committee, the Complainant's first witness will be invited
  to give an account of what they saw or know
- The Trust's Representative will be invited to ask the Complainant's witness questions if any
- The Complaints Committee will ask the Complainant's witness questions if any
- The Complainant's witness will be asked to leave the hearing
- If the Complainant has any further relevant witnesses, at the discretion of the Chair of the Complaints Committee, they will be invited individually to provide their accounts and be questioned as outlined above
- The Trust's Representative will be invited by the Complaints Committee to respond to the complaint and make representations on behalf of the Trust
- The Complainant will be invited to ask the Trust's Representative questions if any
- The Complaints Committee will ask the Trust's Representative questions if any
- At the discretion of the Chair of the Complaints Committee, the Trust's relevant first witness will be invited to give an account of what they saw or know
- The Complainant will be invited to ask the Trust's witness questions if any
- The Complaint Panel will ask the Trust's witness questions if any
- The Trust's witness will be asked to leave the hearing
- If the Trust has any further relevant witnesses, at the discretion of the Chair, they will be invited individually to provide their accounts and be questioned, as outlined above
- The Complainant will be invited by the Complaints Committee to summarise their complaint
- The Trust's Representative will be invited by the Complaints Committee to summarise their response to the complaint and the Trust's stance
- The Complaints Committee hearing will conclude and the Complainant and the Trust's Representative will be asked to leave

The Complaints committee's decision

The Complaints Committee will convene in private, either immediately after the Complaints Committee hearing, or on a subsequent date, and will consider all the documentation and everything that they have heard at the Stage 3 hearing and make:

- Findings of Fact: The Complaints Committee will decide which facts are established to be true, on a balance of probabilities (i.e., more likely than not). If a fact is not deemed relevant, the Complaints Committee will not consider it further. The Complaints Committee will make a written record of the facts that have been established, those which have not been established and those which are not relevant, with their reasons for making these findings
- Recommendations: The Complaints Committee will consider the facts which they have established and will make recommendations based upon them. These recommendations may be aimed at achieving reconciliation between the parties (for example, a written apology), and/or improving procedures aimed at preventing a recurrence in the future. The Complaints Committee will keep a written record of their recommendations, with reasons

Appendix D – Unreasonable complaints

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

The Trust encourages complainants to use caution if Artificial Intelligence (AI) is used to generate complaint letters or communications with the trust. While appropriate use of AI can be beneficial in making the complaints process more accessible in some circumstances, there are risks with doing so. Such communications can result in voluminous or repetitive correspondence and / or irrelevant legal references which can unhelpfully escalate issues and divert trust time and resources instead of allowing us to work with you collaboratively to resolve your concerns.

If AI is used, complainants are asked to reflect on whether the content of the correspondence is appropriate before sending it to the trust.

We also ask complainants to refrain from labelling correspondence as 'letters before action' (or similar terminology) and / or sending correspondence which requests a response within a specified timeframe with a threat of legal proceedings. Whilst complainants are entitled to take legal advice should they wish to do so, the Department for Education encourages schools and parents / carers to engage with the complaints policy to resolve concerns, which inevitably becomes more difficult where threats of legal action are made. Courts also expect parties to explore alternatives to legal action and legal proceedings should only be taken as a matter of last resort. The trust reserves the right to apply to strike out legal claims which have no merit and to seek a costs order where appropriate.

Complainants are requested not to copy in third party individuals and / or organisations to a complaint as this can complicate matters and will not lead to a quicker resolution. Similarly, complainants are encouraged not to publish complaints on social media as doing so is unlikely to lead to a resolution. A complaint should be specific to the complainant's child: the Trust expects complainants to afford it the opportunity to work with collaboratively to address specific concerns in an appropriate manner.

The Trust adopts the Department for Education definition of unreasonable complainants as those who, because of the frequency or nature of their contacts with the Trust, hinder consideration of their or other people's complaints. Unreasonable complaints are taken seriously by the Trust as they put a strain on valuable resources and hinder the progress of proper investigations.

The Trust may judge that a complaint is unreasonable by assessing a number of factors, including those that are outlined below.

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 the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- 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 into that complaint where the Trust's complaint procedure has been fully and properly implemented and completed;
- seeks an unrealistic outcome;
- makes excessive demands on trust 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, insulting, hostile, mocking, unnecessarily personal 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.

A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of formal procedure. In assessing this, the Trust shall have regard to all the circumstances of the case and the nature of the complaint itself rather than the nature of the complainant. In assessing all the circumstances of the case the Trust will consider a range of factors including:

- whether a complaint has reasonable foundation;
- the history and context of the complaint (and any evidence where relevant);
- whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of;
- whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;
- unexplained delay in raising a complaint or issue;
- if the purpose of the complaint is to obtain an outcome which is unavailable via the complaints procedure, such as a claim for compensation, damages or a refund of fees paid;
- any evidence of a complaint being brought for an improper purpose.

If the behaviour continues, the Trust will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.

For complainants who excessively contact the Trust causing a significant level of disruption, the Trust may specify methods of communication and limit the number of contacts in a communication plan.

In response to any serious incident of aggression or violence the Trust will immediately inform the police and communicate its actions in writing. This may include barring an individual from the Trust premises.

If the Complainant is unhappy with the decision not to investigate a persistent or serial complaint, they may write to the Chair of the Lime Trust Board to ask for the decision to be reviewed. The Chair of the Lime Trust Board will be provided with all documentation relating to the current complaint and any previous complaints which were relevant to the decision, together with the letter from the Trust to the Complainant and will review the decision not to

investigate the complaint. The Chair of the Lime Trust Board will not investigate the complaint itself during this review.

The Chair of the Lime Trust Board will write to the Complainant with the outcome of the review within 10 school days of the date that the letter from the Complainant seeking the review was received.
If the Chair of the Lime Trust Board overturns the decision not to investigate the concern or complaint, it will be referred to the Trust to be dealt with under the procedure in this Complaints Policy in the usual way.

If the Chair of the Lime Trust Board upholds the decision not to investigate the concern or complaint, the Complainant may refer the concern or complaint to the Department for Education.

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