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## **Northern Star Academies Trust**

# **Complaints Policy and Procedures**

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## **1. Purpose of this policy**

At Northern Star Academies Trust (NSAT) we highly value the positive relationships we have with parents, carers and our wider school communities. We are committed to delivering the highest possible standards in everything we do. It is important to us that we address any concerns or complaints fairly and that we do everything we can to reach a positive outcome for everyone.

This policy meets the requirements set out in part 7 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#) and is also based on [best practice guidance](#) published by the Education and Skills Funding Agency (ESFA).

This policy sets out how concerns or complaints can be raised through appropriate channels and what can be expected at each stage of the process.

NSAT will ensure that all staff are familiar with this policy and have the support they need to handle complaints in line with the procedures set out within it.

## **2. Complaints not in scope of this policy**

Most complaints will be covered by this policy. However, some matters have their own policies and procedures and are therefore not covered by this complaints policy:

- School admissions
- Withdrawal from the curriculum – parents and carers can withdraw their child from any aspect of Religious Education, including the Daily Act of Collective Worship, however if they are not satisfied with the handling of a request to withdraw their child, they can follow the complaints procedure. This does not apply to other areas of the curriculum.
- Suspensions and exclusions (however, complaints about behaviour policy can be raised through this process)
- Statutory assessments of special educational needs
- Matters likely to require a child protection investigation
- Staff grievances
- Staff conduct – a parent/carers may raise a complaint about a staff member directly or indirectly, however if appropriate, this will be dealt with under the school's or trust's internal disciplinary procedures.

- Data protection and freedom of information
- Whistleblowing by employees, volunteers, temporary staff and contractors
- Services provided by other providers who use the school premises or facilities

Where necessary, a Headteacher or Chair of Governors may use their discretion to decide which policy is most appropriate and can seek guidance from the Director of Corporate Affairs.

### **3. Policy guidance and core principles**

Each stage of our complaints process is underpinned by the following core assumptions and beliefs:

- Anyone can raise a concern or complaint.
- We will always take concerns and complaints seriously and do our very best to resolve them as soon as possible.
- If a complainant is unhappy with the response they receive, they can escalate the complaint to the next stage. However, the complaint process must be followed in full, one stage at a time.
- We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors can use their discretion to decide whether the complaint should be investigated and can seek advice from the Director of Corporate Affairs or the Chief Executive Officer.
- A complaint may be withdrawn at any time in writing. NSAT staff will never encourage anyone to withdraw their complaint but may discuss whether the complaints process is the best way to reach the desired outcome. A complainant must go into the complaints process with the aim of resolving their complaint.
- Complaints should never be directed at individual governors or Trustees (except for the exceptions outlined in section 8). Governors and Trustees have no power to act on individual complaints outside this process. By involving them, you could prevent them

from hearing the complaint at stage 3 of the procedure, as they must remain independent.

- Members of the media are not permitted to attend any meetings.
- Meetings should not be recorded (either by video or audio) without the prior consent of all attendees. If you request to record a meeting, for example for accessibility reasons, the Headteacher will primarily consider the impact on any individuals if the recording was made public.
- NSAT will not accept, as evidence, any recordings that were obtained covertly and without the informed consent of everyone on the recording.
- Where a complaint involves staff conduct this will be managed under separate staff disciplinary procedures, if appropriate, details of which will not be shared with the complainant.
- To ensure this process is accessible to everyone we will consider making reasonable adjustments and help where requested.
- To ensure all complaints are dealt with fairly and in a timely manner, it may on occasion be appropriate for complaints to be investigated by an individual other than the one specified within this policy. Where this is the case, NSAT will clearly communicate the reasons for this with the complainant.

#### **4. Expectations (including social media)**

NSAT staff will act with courtesy and respect throughout the complaints process, and we expect complainants to do the same. NSAT will take every effort to protect staff from unreasonable behaviour.

Negative comments and grievances posted on social media can make it more difficult to investigate complaints. Social media is public platform and once a comment has been made the situation can escalate very quickly. The original complaint can become distorted, and this can make it more difficult to resolve fairly. Negative social media attention can have a damaging impact on the whole school community and a negative effect on students' and

teachers' wellbeing. Furthermore, the time it takes to manage any negative social media attention will detract from the time available to deal with the original complaint.

The Headteacher has the right to discontinue the complaints process if staff are exposed to foul language or abusive/threatening behaviour, including on social media. This decision will not be taken lightly, and will usually be made in consultation with the Director of Corporate Affairs or the CEO.

## **5. Timescales**

- Complaints should be raised within three months of the incident. However, we may consider complaints made outside of this timescale in exceptional circumstances. The Headteacher or Chair of Governors can seek advice from the Director of Corporate Affairs or CEO on whether it would be appropriate to investigate the complaint.
- We will make every effort to meet the timescales outlined in this policy however, this may not always be possible e.g. if the complaint is complex or if a key witness is unavailable. We will communicate clearly with the complainant, so they are aware of any delays in the process.
- We will consider all complaints made outside of school hours to have been received on the next school day (e.g. a complaint received at 6pm on a Friday will be considered to have been received on the following Monday; a complaint received during the school holidays will be considered to have been received on the first day back at school).
- If other bodies are investigating the same complaint, such as the local authority or police, it may be appropriate to suspend our own investigation until that has completed. We will communicate with the complainant to ensure they are aware of this and what the new timescale is.

## **6. Resolving complaints**

At each of the three stages of the complaints process (see section 7) you will receive a response which may include one of more of the following:

- An apology
- An explanation

- An admission that the situation could have been handled differently or better
- Reassurance that we will try to make sure a similar matter cannot happen again
- Explanation of the steps that have been taken, or will be taken, to help ensure that it will not happen again and an indication of the timescales in which changes will be made
- A commitment to review school policies and/or procedures

Dependent on the type of complaint, the response may explain whether your complaint has been upheld, in full or part, however, this will not always be the case.

## 7. An overview of stages of the complaints process

The following process will apply to most complaints, however there are some exceptions when complaints are made about the Headteacher, Chair of Governors, governing body or the Trust itself. See section 8 for more information on these types of complaints.

Stage	Who should I direct my enquiry to?	What should I expect?
<p><b>Concern (informal)</b></p> <p>A worry or doubt which you are looking for reassurance about.</p> <p>The concern can be discussed face to face, over the phone or in writing.</p>	<p>Usually the class teacher. In some cases, it may be appropriate to go to a head of year/subject or deputy headteacher.</p> <p>If you are unsure about who to speak to, or feel uncomfortable speaking to a particular person, you should direct your concern to the Headteacher via the school office.</p>	<p>An informal response in writing or verbally, usually within 3 school days, from the most appropriate member of staff.</p> <p>Most concerns can be addressed informally through a conversation or email exchange. If the response does not provide reassurance, this may be followed up with additional questions or comments.</p>
<p><b>Stage 1 (informal)</b></p> <p>A concern becomes a complaint when you would like to express your dissatisfaction about a particular action or lack of action.</p> <p>You can make a stage 1 complaint by completing the form which is available on the school</p>	<p>Address your complaint to the staff member with responsibility for the matter you are complaining about. This would usually be a class teacher. In primary schools, it may be appropriate to direct a complaint to the headteacher. In secondary schools, it may be appropriate to direct a complaint to the head of year or assistant/deputy headteacher.</p>	<p>The initial staff member may pass on your complaint to a colleague who is better placed to respond.</p> <p>You will be invited to discuss your complaint and provide more information.</p> <p>Your complaint will be thoroughly investigated,</p>

<p>website and sending it to the school office. If you have difficulty completing or accessing the form, please contact the school office for help.</p> <p>It is important that you include as much information as possible at this stage, and that you identify the outcome you are hoping to achieve.</p>	<p>If you are unsure, leave the relevant box on the form blank, and the school office will decide who to direct it to.</p>	<p>and you will receive a written response within 10 school days of your complaint.</p>
<p><b>Stage 2 (formal)</b></p> <p>If you are unhappy with the response to your stage 1 complaint, you have the right to escalate it to stage 2.</p>	<p>By informing the headteacher via email or letter to the school office that you would like to escalate your complaint, within 10 school days of the Stage 1 response.</p> <p>Requests received outside this timeframe will only be considered in exceptional circumstances.</p> <p>Your complaint will be acknowledged within 3 school days.</p>	<p>A thorough investigation will take place, including of how the stage 1 complaint was handled. The complainant will be asked for more information about what part of their complaint is unresolved and what outcome they are seeking. This might take place over the phone or face-to-face.</p> <p>The Headteacher may investigate the complaint themselves or delegate this to a senior member of the school or Trust staff, or a governor or Trustee.</p> <p>However, unless the complaint is about the Headteacher, the Headteacher will always review the findings themselves and will make any decisions about outcomes and actions.</p> <p>You will usually receive a written response within 10 school days of your complaint.</p>
<p><b>Stage 3 (independent panel hearing)</b></p>	<p>Via email to the Trust at <a href="mailto:governance@nsat.org.uk">governance@nsat.org.uk</a> within</p>	<p>You will receive an invitation to a panel hearing, within 20 school</p>

<p>If you are unhappy with the response to the stage 2 complaint, you have the right to escalate it to stage 3.</p> <p>This is the final stage of NSAT's complaint process.</p>	<p>10 school days of the Stage 2 response.</p> <p>Requests received outside this timeframe will only be considered in exceptional circumstances.</p> <p>You will receive an acknowledgement within 3 school days.</p>	<p>days of the Stage 3 request. If this is not possible, the complainant will be updated and an anticipated date provided.</p> <p>See Appendix 1 for more information about the stage 3 panel hearing.</p>
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## 8. Complaints outside this process

All complaints will follow the three-stage process as outlined in section 7. However, who investigates the complaint at each stage may change if you are complaining about the headteacher, a governor(s), member of the Trust team or the Trust itself. This is to ensure the process remains impartial and fair.

Who is your complaint about?	Who should I direct my complaint to?	Who will investigate my complaint at stage 1?	Who will investigate my complaint at stage 2?	Who will investigate my complaint at stage 3
Headteacher	<p>Chair of Governors at <a href="mailto:governance@nsat.org.uk">governance@nsat.org.uk</a> using the online form provided.</p> <p>If you need assistance, call the Trust on 01756 707600 and ask to speak to a member of the governance team.</p>	A school governor, usually the Chair of Governors or Vice Chair.	The Trust CEO or a senior member of the NSAT Trust team.	The panel will include at least two Trustees and an independent governor (from a different school within the Trust).
Governor or governing body (Including the Chair of Governors)	<p>Director of Corporate Affairs at <a href="mailto:governance@nsat.org.uk">governance@nsat.org.uk</a> using the form provided.</p> <p>If you need assistance, call the Trust on 01756 707600 and ask to speak to a member of the governance team.</p>	A senior member of the NSAT team.	An NSAT Trustee.	The panel will include at least two (different) Trustees) and an independent governor (from a different school within the Trust).
The Trust, or a member of	The CEO at <a href="mailto:governance@nsat.org.uk">governance@nsat.org.uk</a>	CEO (or a Trustee if the	Chair of Trustees (or	An entirely independent



the Trust team or a Trustee	If you need assistance, call the Trust on 01756 707600 and ask to speak to a member of the governance team.	complaint is about the CEO)	Vice Chair if the complaint is about the Chair)	panel e.g. Trustees or governors from a different Trust.
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## **9. Serial, persistent and duplicate complaints**

If an individual complains about an issue which has already been addressed through the complaints process, they will be informed in writing that the matter is closed. If the individual continues to raise the same, or a closely related, issue, it will be considered "serial" or "persistent," and the school/Trust will not respond. This decision will never be taken lightly, and will always be made in consultation with the Director of Corporate Affairs and/or the CEO.

If the same, or very similar, complaint is raised by someone else, such as a spouse, partner or grandparent, the school/Trust will consider whether there are any new aspects to the complaint that warrant a reinvestigation. If not, the complaint will be considered a "duplicate" complaint, and the matter will not be reinvestigated.

## **10. Complaints campaigns**

A complaints campaign is where the school or Trust receives several complaints about the same, or a closely related, matter. In this case, the school or Trust will publish a single response on its website. If complainants are dissatisfied with this response they will be directed to the Department for Education.

## **11. Record keeping and confidentiality**

The school or Trust will keep accurate written records of all complaints (stage 1 – 3) in line with our data protection and privacy policies. All written materials relating to a complaint will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

## **12. Unreasonable complaints**

NSAT wants to resolve all complaints fairly. However, we will not use school resources to investigate unreasonable complaints or deal with unacceptable behaviour. Reasons why a complainant may be considered unreasonable include:

- refuses to properly explain the reason for their complaint
- seeks an unreasonable outcome or is unwilling to explain what outcome they are hoping to achieve
- uses foul, offensive or discriminatory language or displays abusive/threatening behaviour
- refuses to cooperate with the complaints process or insists a complaint is handled differently
- refuses to accept that certain issues are not within scope of this complaints policy
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- contacts the school/Trust repeatedly with extra irrelevant or trivial information
- changes the basis of the complaint once the process has started
- repeatedly makes the same complaint
- makes excessive demands on school time and resources by sending frequent, lengthy emails/letters or making multiple phone calls while the complaint is being investigated

Complainants should try to limit their communication with the school/trust 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.

If a Headteacher considers a complaint or a complainant's behaviour to be unreasonable, they have the right to stop investigating a complaint. This decision will not be taken lightly and will usually be made in consultation with the Director of Corporate Affairs and/or the CEO.

### **13. Next steps**

If you have completed the full complaints process and are unsatisfied with the outcome, you can raise your complaint with the Education & Skills Funding Agency. You can find out more about [this process here](#). Or you can write to:

Complaints Team  
Education & Skills Funding Agency

Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

## **Appendix 1: What to expect from a stage 3 independent panel hearing**

### **1. Escalating to stage 3**

- If you are unhappy with the response to your stage 2 complaint, you have the right to escalate it to stage 3.
- Email your request to [governance@nsat.org.uk](mailto:governance@nsat.org.uk) within 10 school days of the Stage 2 response. Or you can call the Trust on 01756 707600 and ask to speak to a member of the governance team. Requests received outside this timeframe will only be considered in exceptional circumstances.
- You will receive a formal acknowledgement to your request within 3 school days.
- NSAT will convene a panel of at least three people to review your complaint and how it has been handled so far. The panel members will have no prior involvement, or knowledge, of your complaint and may include school governors, governors from other NSAT academies, Trustees or members of the NSAT Trust team. At least one of the panel members will be entirely independent from the management and running of the academy, such as a governor from another school within NSAT. One of the panel members will act as Chair.

### **2. About the independent panel hearing**

- The panel hearing will usually take place within 20 school days of receiving your request.
- We will do our best to ensure that the time and date of the meeting is convenient for everyone. If you reject three dates, the meeting may go ahead without your involvement. The meeting may take place in person or online and you will be given seven days notice of the date, time and location.
- If you would like to present any further written information to the panel, this must be provided at least 5 school days before the meeting.
- The meeting clerk will provide all written information to everyone at least 3 school days before the meeting.
- You may bring someone with you to provide support. This is not a legal meeting, and it would not usually be appropriate to bring legal representation. However, there are occasions where this may be appropriate e.g. if a staff member is called as a witness, they may wish to be supported by a union representative or legal representation.
- The panel will not consider any new complaints at this meeting.

### **3. Outcomes**

The panel will consider the complaint and all the evidence presented. They will either

- Uphold the complaint in full or part
- Dismiss the complaint in full or part

If the complaint is upheld in full or part, the panel will decide on the appropriate action to be taken to resolve the complaint. Where appropriate, they will recommend changes to the school's systems, policies and processes to prevent similar issues in the future.

The Chair of the panel will provide a full written response to the complainant, Headteacher and Director of Corporate Affairs within 10 school days of the panel hearing. If appropriate, it will also be sent to the person who has been complained about.

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 should take to resolve the complaint. The findings will be available for inspection on the school premises by the Headteacher.