



Complaints Policy

PURPOSE

This policy outlines the process and timelines to make a complaint about Ark Schools as a Trust or any individual Ark school. This policy applies to parents/carers of pupils who wish to make a complaint. If complaints are raised by people other than parents/carers, these will be dealt with outside of this policy.

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1. Introduction

Ark Schools is committed to providing the very best education and school experience to pupils across all our schools. We welcome any feedback as an important part of continuous improvement and accept that this will not always be positive.

When concerns are raised, they will be dealt with promptly through a fair, transparent process and without prejudice.

This policy explains how to raise a concern or make a complaint and what process Ark Schools staff will follow to resolve the matter as quickly as possible. We ask for all involved in the process to act in good faith with a focus on resolution.

2. Related processes

In some situations, an alternative policy will need to be followed to deal with the concern appropriately. This is usually because a statutory process must be followed to meet our legal duty. The following list details some situations where this applies:

Subject of concern	Appropriate Policy	Available from
Pupil admissions	Individual school's Admissions Policy	School's website
Pupil exclusion	Individual school's Behaviour Policy and Ark Schools Exclusions Policy	School's website
Staff grievance, capability, or disciplinary	Ark Schools has network-wide policies for grievance, capability, and disciplinary	Internal policies (<i>available for staff on the Ark Library</i>)
Anonymous complaints	Ark Schools Whistleblowing Policy	Governance.team@arkonline.org
Subject Access (Data Protection) requests	Ark Schools Data Protection Policy	dataprotection@arkonline.org
Freedom of Information requests	Ark Schools Freedom of Information Policy	foi@arkonline.org
Safeguarding and Child Protection	Individual school's Safeguarding and Child Protection Policy	School's website

Please note:

- Where a complaint concerns a third party used by Ark Schools or by an individual Ark school, **please contact the third party directly and follow their complaints procedure.**
- Where a complaint concerns a pupil's statutory assessment of Special Educational Needs, **please contact the Local Authority directly.**

3. Safeguarding

Whenever a complaint indicates that a child's safety or wellbeing is at imminent risk, Ark Schools has a duty to report this immediately to the relevant Local Authority. Any action taken will follow the Safeguarding and Child Protection Policy, available from the school's website.

4. Raising concerns

Most concerns can be dealt with outside of the formal complaints process. We encourage parents/carers to approach school staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding. Concerns should be raised by phone, email or in person with a relevant member of staff. The best person to speak to initially will be the member of staff who will have the best understanding of the situation and can best answer your queries, for example:

- A concern regarding homework for a particular subject could be raised with the subject teacher.
- A parent's concern about their child's friendship with another child in their class could be raised with the class or form teacher.
- A concern about a member of staff could be raised with the Head of Department or Principal.

Wherever possible, informal concerns will be responded to quickly and resolved amicably. Ideally, your concern will be addressed within two school days, or a meeting may be arranged with you to discuss the issue. Parents/carers should expect an approach that is proportionate to the complaint made.

Where a complaint is raised with classroom-based staff, please be mindful of their availability and reasonable in your expectation of response times, particularly where concerns are received by email.

Concerns should not be raised with Ark Schools governors as they are not involved in the initial stages of complaints.

5. Procedure and timeframes

Wherever possible, please raise initial concerns with the relevant member of staff as detailed in section 4 of this policy. If you are not satisfied with the response and believe the issue has not been resolved, please follow the procedure below.

For the majority of complaints, Ark Schools staff will follow the timescales in this policy. However, in complex cases more time may be needed to conduct a full and fair review or convene a panel of governors/trustees. In this instance, extended timescales will be confirmed at the earliest possible opportunity.

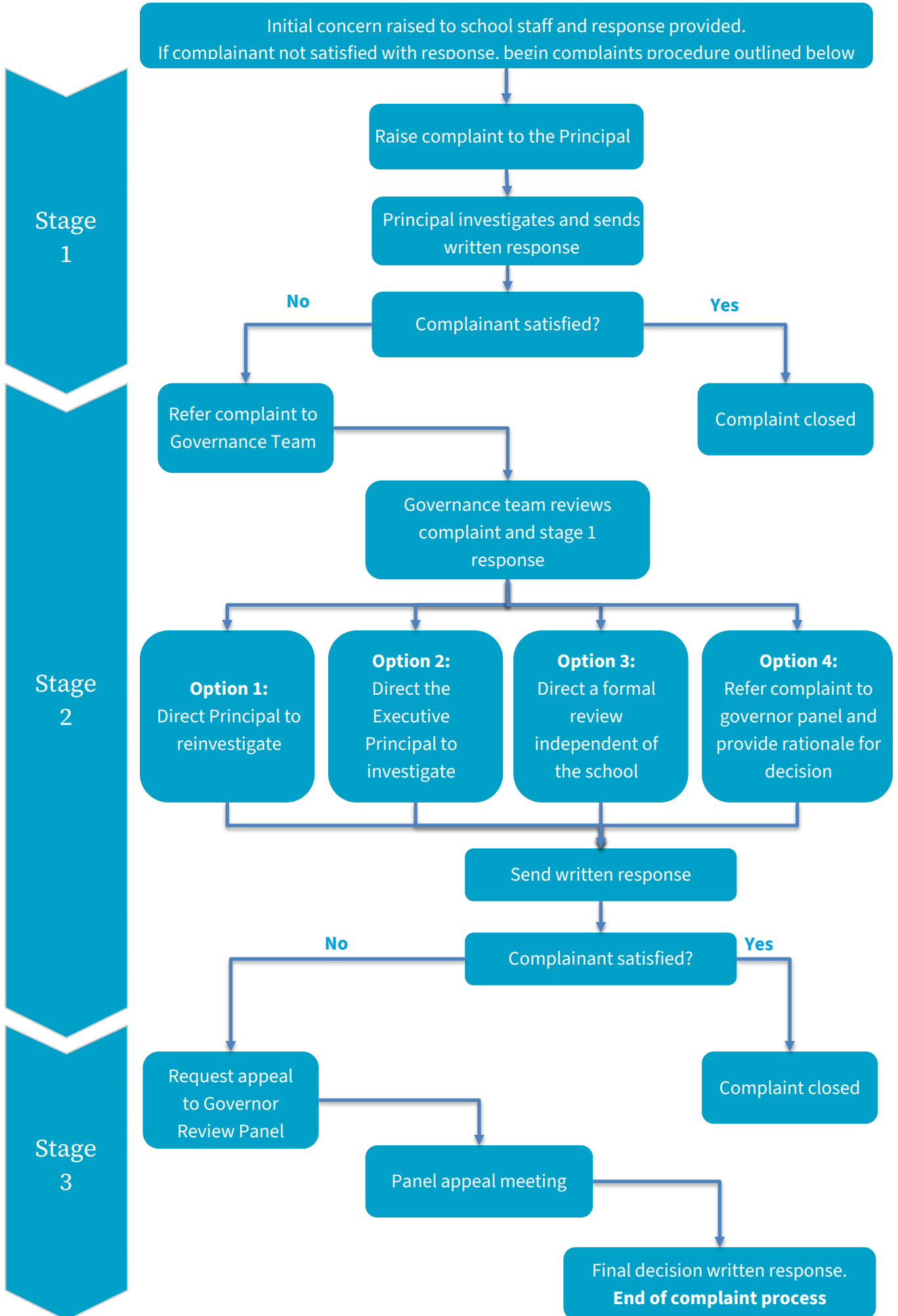
Ark Schools reserves the right not to investigate complaints that have been made more than three months after the subject of the complaint took place unless in exceptional circumstances; for example: where new evidence has come to light; if the complaint is about an especially serious matter or where there is reasonable justification for why the complainant could not raise the matter sooner. The Principal (or Head of Team for complaints about Ark Schools as a Trust) will make the decision on whether or not to invoke the complaints procedure in this instance and inform the Governance Team of the decision.

The complaint process only operates during term time. We will consider complaints made outside of term time after the holiday period.

Mediation

Mediation can be very useful when there has been a breakdown in communication between the school and parents/carers. It can help to resolve differences and find an agreed way forward. Both parties need to agree to mediation. The school or the parent/carer may suggest mediation if communication becomes a problem.

Mediation can be sought at any point during the complaint processes and should be focused on finding a resolution and re-building a positive and amicable relationship between the school and parents/carers.



6. Complaints and data protection of others

Where a complaint involves another party, such as another pupil or parent, we are not able to share personal information about them with the complainant. This is to comply with data protection legislation. Personal information may include but is not limited to:

- Support or sanctions given to another pupil.
- Private information about an individual or family.
- Details of conversations or meetings between staff and the other party.

If, at any stage, it is necessary to undertake staff disciplinary or capability proceedings as a result of a complaint, the details of this action will remain confidential to the individual's line manager and any relevant member(s) of the Ark Central team directly involved in the proceedings. The complainant will be notified that the matter is being addressed but are not entitled to be informed of or participate in proceedings or receive any details about them.

Recordings that were obtained covertly and without the informed consent of all parties being recorded will not be accepted as evidence at any stage of the complaint process.

7. Complaints about the Principal or Governors

Where a complaint concerns a Principal, this should first be raised directly with the Principal to try and resolve the issue informally. If the complainant is not satisfied with this outcome, they should submit a complaint to governance.team@arkonline.org. The Governance Team will then appoint a senior member of staff to begin the complaints process at stage 1.

Where a complaint concerns a Governor, a complaint should be submitted to governance.team@arkonline.org.

8. Complaints about the Regional Director or Senior Management Team

Where a complaint concerns a Regional Director (RD), this should first be raised directly with the RD to try and resolve the issue informally. If the complainant is not satisfied with this outcome, they should notify the Governance Team (governance.team@arkonline.org), who will then appoint a senior member of staff to begin the complaints process at stage 1.

Where a complaint concerns a member of the Ark Schools Senior Management Team, the same process applies but with the CEO responsible for the review.

9. Complaints about the Chief Executive Officer or the Trustees

Where a complaint concerns the CEO, this should first be raised directly with the CEO to try and resolve the issue informally. If the complainant is not satisfied with this outcome, they should notify the Governance Team. The complaints process will then begin at stage 1 with the Chair of Trustees as the individual responsible for the review.

Where a complaint concerns a Trustee, this should be raised with the Governance Team. Informal resolution will be sought but when this fails, the complaints process will begin at stage 1 with a Trustee (who is unrelated to the complaint) responsible for the review.

10. Stages of a complaint

Complaints will usually be handled in the order and procedure outlined below, from Stage 1 to Stage 3 consecutively. However, in exceptional circumstances and at the discretion of the Governance Team, the process may begin at Stage 2. The first point of contact for making a complaint is the **school's main email address** (available on the school's website) or the Governance Team (governance.team@arkonline.org) who can forward your complaint onto the relevant party.

At each stage of the process, the complainant should clarify what their complaint is regarding and what outcomes would resolve the matter for them. Complainants are not able to change the subject of their complaint or add new, unrelated concerns throughout the process. New concerns should be raised as separate complaints.

Stage 1

If an initial concern has been raised and the complainant feels the issue has not been addressed, or if the school/department decides the initial concern warrants a more detailed review, a stage 1 review will be conducted following the process below:

- i. Complainant contacts the **main school email address** (available on the school's website) or governance.team@arkonline.org to request their concern is investigated. The complainant should confirm:
 - A summary of the complaint
 - Who has been involved (*use job titles if names are not known*)
 - Anything that has already been done to resolve the matter and why this is not satisfactory
 - Any evidence they have to support their complaint
 - What is needed to resolve the complaint (*e.g., an explanation / apology / further action*)
- ii. Within two school days¹ a response will be given to acknowledge receipt of the complaint, confirm who the complaint has been forwarded to for review and the timescales for a response.
- iii. The Principal (or Head of Team for complaints about the Ark Schools Central team) may conduct the stage 1 review themselves or instruct an appropriate member of their team to conduct the review.
- iv. The outcome(s) of the review will be provided to the complainant in writing within ten school days of confirming that a review will be undertaken.
- v. If the complainant is not satisfied with the outcome, they may request the complaint is escalated to stage 2 by submitting a formal complaint to governance.team@arkonline.org. Where possible, **please use the Formal Complaint Form (available at appendix A)** to submit a formal complaint, although any complaint marked as 'formal' and submitted in writing will be accepted.
- vi. Written records of the complaint and stage 1 review will be retained by the school in accordance with Ark Schools' Data Retention Policy and the principles of the Data Protection Act 2018.

¹ A school day does not include weekends, bank holidays or periods of time when the school is closed for school holidays.

Stage 2 (formal complaint)

If the complainant is not satisfied with the outcome at stage 1, they may submit a formal complaint to governance.team@arkonline.org outlining what they are not satisfied with and what outcomes they are seeking to resolve the matter.

- i. Within two school days, a response will be given to acknowledge receipt of the formal complaint, confirm who the complaint has been forwarded to and the timescales for a response.
- ii. The Governance Team will review the formal complaint and the school's stage 1 response to decide on the appropriate next steps in line with one of the following:
 - Option 1: Direct the Principal to reinvestigate
 - Option 2: Direct the Executive Principal to investigate
 - Option 3: Direct a formal review independent of the school
 - Option 4: Refer the complaint to a governor panel and provide the rationale for the decision

Whichever option is pursued, the stage 2 process will be completed within twenty school days unless additional time is warranted for complex reviews or in exceptional circumstances.

- iii. **For option 1;** the Governance Team or their nominee will discuss the complaint with the Principal and confirm which aspects require further review. The Principal will then reinvestigate and provide a final response to the complainant.
- iv. **For options 2 and 3;** the Executive Principal or Regional Director will conduct or direct a nominee independent of the school to conduct a formal review of the complaint. The reviewer will consider any evidence they deem relevant to the complaint. This may include but is not limited to:
 - The formal complaint from the complainant
 - Written records from stage 1
 - Previous correspondence regarding the complaint
 - A statement from the complainant
 - A statement from any individual who is the subject of the complaint
 - Any supporting evidence from either party
 - Interview with anyone relevant to the complaint

The findings of the formal review will be submitted to the Governance Team and a written response provided to the complainant.

Following the formal review, the stage 2 reviewer may:

- Uphold the complaint and direct relevant action to resolve it
 - Dismiss the complaint, stating the rationale for this decision and provide the complainant with details of the stage 3 appeals process
 - Uphold the complaint in part (i.e., uphold part of the complaint but not all of it) and direct relevant action to resolve the specific aspect of the complaint which has been upheld
- v. **For option 4;** the Governance Team or their nominee will provide a formal written response stating the rationale for referring the complaint to a governor panel where the complainant can appeal the stage 1 review response.
 - vi. If the complainant is not satisfied with the stage 2 response, they may appeal to a Complaint Panel (stage 3). This request should be made in writing to governance.team@arkonline.org within ten school days of receiving the stage 2 written response.

Stage 3 – Complaint Panel (final stage)

If a complainant is not satisfied with the outcomes at stage 2, they may appeal to a complaint panel who will consider any aspect of their complaint, or the stage 2 review that the complainant is unhappy with.

The aim of the panel shall be:

- Consider whether the stage 2 process was conducted thoroughly and fairly and whether the outcomes were reasonable
- Reconciliation – identify ways in which the school and parents may work together
- To make recommendations that may address things that may have gone wrong

Where the complaint is regarding an individual Ark school, the complaint panel will be made up of two Governors from the school's Local Governing Body (LGB) and one person who is independent of the management and running of the school.

Where the complaint is regarding Ark Schools as a Trust, the complaint panel will be made up of two Ark Schools Trustees and one person independent of the Trust.

The complainant must request an appeal panel in writing within ten school days of receiving the stage 2 written response or it will not be considered, except in exceptional circumstances. The request should outline what the complainant is dissatisfied with from the stage 2 response and what outcomes would resolve the matter for them.

Requests should be sent to governance.team@arkonline.org. On receipt of this request, the following process will be followed:

- i. The complaint panel clerk will write to the complainant within five school days to confirm receipt of the request and provide details of further action to be taken.
- ii. The clerk will convene a panel of two governors/trustees and one independent person. All three panel members will have had no prior involvement in the matter.
- iii. The appeal meeting will take place within thirty school days from the date the clerk acknowledged the complainant's request for an appeal panel.
- iv. All supporting evidence and paperwork will be circulated to panel members and attendees five school days prior to the meeting. No late papers or written evidence will be considered unless in exceptional circumstances.
- v. In addition to the three panel members, the following parties will be invited to attend the meeting:
 - The complainant
 - The person responsible for the stage 2 formal review
 - Where the complaint concerns a member of staff, the staff member who is the subject of the complaint

The complainant is able to bring a companion with them to the panel review if they wish. Where the subject of the complaint is about a member of staff, that member of staff may also bring a companion with them. They must inform the clerk of the name of their companion in advance. The companion will be a friend or colleague. Neither party may bring legal representation with them.

- vi. If the attendance of any pupil is required at the panel review, parental permission will be sought if they are under the age of 18. Extra care will be taken when a panel review involves the attendance of children and, where possible, alternative methods of providing the child's evidence/input will be used.
- vii. The panel can make the following decisions:

- Dismiss the complaint in whole or in part
 - Uphold the complaint in whole or in part
 - Decide on the appropriate action to be taken to resolve the complaint
 - Recommend changes to the Trust or school systems or procedures to ensure that problems of a similar nature do not recur.
- viii. All parties who attend the meeting will be informed in writing of the outcome of the appeal within five school days of the panel review date. A copy of the panel's findings and recommendations will be provided to the complainant and, where relevant, the person complained about.

The stage 3 complaint panel is the final stage of Ark Schools' complaints process. The Trust or school will not consider the complaint beyond this point. If the complainant remains dissatisfied and wishes to take the complaint further, they should contact the Department for Education (see section 15 for details).

11. Reporting and Recording Complaints

A written record of all formal complaints will be held centrally by Ark Schools, including which stage of the complaints procedure they were resolved, and any action taken by the school as a result of the complaint (regardless of whether it was upheld or not). Written records will be retained in accordance with Ark Schools' Data Retention Policy and the principles of the Data Protection Act 2018.

Where a complaint progresses to stage 3 (complaint panel), the findings and recommendations made by the panel will be sent in writing to all parties and made available for inspection on the school premises by a representative of Ark Schools and the Principal.

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.

12. Complaint campaigns

If multiple complaints are received regarding the same subject matter and/or from complainants unconnected with the school or Trust, these shall be responded to as a complaint campaign and through a different process to the normal complaint process outlined in this policy.

Complaint campaigns will be responded to by the Ark Schools Communications Team. The response will be made either via a standardised response sent to all complainants or a single response published on the Ark Schools and/or individual school's website.

If any complainant responded to through the 'complaint campaign' process is not satisfied with the response, they may contact the Department for Education (see section 15 for details).

13. Serial, Unreasonable and Duplicate Complaints

Serial Complaints

Where a complainant raises an issue that has already been dealt with via the complaints process in this policy, and the procedure has been completed, the issue will not be reinvestigated unless in exceptional circumstances, such as where new and relevant evidence has been provided.

If a complainant persists in raising the same, or substantially similar, issues the Governance Team will confirm in writing that their complaint has been dealt with fully in line with this policy and the case is now closed. They will also provide details of how to raise the issue with the Department for Education if they wish to take the matter further.

Unreasonable Complaints

The Principal/Head of Team will use their discretion to choose not to investigate a complaint or cease investigating an existing complaint which is deemed to be unreasonable or persistent. Where this decision has been made, they must inform the Regional Director (RD)/ Governance Team of this decision, explaining the nature of the complaint and their reasons for choosing not to investigate. If the RD/Governance Team deems it appropriate, they may redirect the Principal/Head of Team to investigate the complaint. The complaints procedure will then commence.

Unreasonable complaints include, but are not limited to, the following scenarios:

- the complainant refuses to cooperate with the school's relevant procedures
- the complainant changes the basis of their complaint as the review progresses
- the complainant seeks an unrealistic or unreasonable outcome
- the previous stage upheld the complaint or in the reasonable opinion of the RD/Governance Team provided recommendations that would address all the issues raised
- excessive demands are being made of the time of staff and governors which are clearly intended to aggravate and/or cause disruption
- the complainant insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- the complainant acts in a way that is offensive, abusive, or discriminatory

If the RD/Governance Team upholds the decision not to investigate an unreasonable complaint, this brings the Ark Schools complaints procedure to an end. If the complainant is dissatisfied and believes the complaint has been handled unreasonably or improperly, they may contact the Department for Education (see section 15 for contact details).

'Frivolous' and 'Vexatious' Complaints

In cases where the school or Trust have taken every reasonable step to address a complainant's concerns and given a clear statement of the position and/or options, the decision may be taken that no further response will be made to the complainant. The Principal will make a recommendation to the Governance Team providing full reasonings. The Governance Team will either confirm the Principal's recommendation and inform the complainant or direct that the complaint be addressed using the process set out above.

The characteristics of a 'frivolous' or 'vexatious' complaint are:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

Duplicate Complaints

When a complaint has been through the full complaints process and is closed, any subsequent complaint received from a spouse, partner, grandparent, or child (where the child is a subject in the complaint) about the **same** subject matter will be deemed a duplicate complaint.

In this instance, the complainant will be informed that the matter has already been considered and the full complaint process completed. Ark Schools will therefore not reinvestigate the matter. The complainant will be advised to contact the Department for Education if they are unhappy with Ark Schools' handling of the original complaint.

Before deciding that a complaint will be treated as ‘duplicate’, Ark Schools will take care to ensure there are no new aspects to the complaint that have not previously been considered. Any new aspect identified will be investigated through the full complaint process as a new complaint.

14. Equality and accessibility

Ark Schools is committed to ensuring that the complaints process is accessible to all. Reasonable adjustments will be made for complainants with a disability or other protected characteristics in accordance with the Equality Act 2010. Complainants are encouraged to inform the school or Governance Team of any adjustments they require.

15. Contact Details

- i. Initial concerns and stage 1 complaints should be submitted to the **school’s main email address** (available on the school’s website). Stage 1 complaints can also be submitted to the Governance Team (governance.team@arkonline.org) who will forward your concern to the relevant person.
- ii. Queries about the complaints process and stage 2/formal complaints should be sent to governance.team@arkonline.org.
- iii. Complaints about Governors and Trustees should be sent to governance.team@arkonline.org addressed to the Governance Team.
- iv. If the complainant feels that Ark Schools has acted unreasonably in the handling of a complaint, they can complain to the Department for Education after the complaints process has been fully completed.

Department for Education
School complaints compliance unit
Piccadilly Gate
Store Street
Manchester
M1 2WD

16. Relevant Legislation and Guidance

[The Equality Act 2010](#)

[The Data Protection Act 2018](#)

[Education Act 2011](#)

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

The Department for Education: [Best practice guidance for academies complaints procedures 2021](#)

Appendix A: Ark Schools Formal Complaints Form

This form should be used to raise a formal complaint only *after* a matter has been raised with the school at stage 1 of the complaints process and you are not satisfied with the response. Please refer to the Ark Schools Complaints Policy (available on the school's website) when completing this form.

Formal complaints should be submitted to governance.team@arkonline.org

School Name (<i>where applicable</i>)	
Name	
Name of pupil, year group and your relationship to them (<i>where applicable</i>)	
Contact email address	
Contact telephone	
Contact address	
Details of the complaint	
What action has been taken so far, which staff member has dealt with the matter and what solution has been offered (<i>where relevant</i>)?	
The reason this was not satisfactory for you	
What action would you like to be taken to resolve the matter?	

Signed.....

Date.....