

1. PURPOSE

- 1.1 This Policy and Procedure outlines the principles that underpin our complaints resolution process and the way we handle different complaints relating to Indie Education (**Indie**).

We are dedicated to:

- (a) Maintaining strong and productive partnerships with parents/carers, learners, and other members of the community.
- (b) Providing a fair complaints procedure that is clear and easy to use for anyone wishing to make a complaint.
- (c) Ensuring this Policy and Procedure is accessible to the general public so that people know how to contact us to make a complaint.
- (d) Keeping all employees informed on what to do if a complaint is received.
- (e) Investigating all complaints fairly and in a timely manner.
- (f) Prioritising the resolution of complaints and the repair of relationships, wherever possible.
- (g) Gathering information and feedback to continuously improve our services.

2. SCOPE

- 2.1 This Policy and Procedure applies to:

- (a) Parents, guardians, learners, and members of the community.
- (b) All Indie employees, including full-time, part-time, permanent, fixed-term, and casual staff.
- (c) Contractors, volunteers, members of the Board of Trustees, bodies corporate, and other associated entities

3. INTRODUCTION

- 3.1 This policy outlines the procedures for handling complaints within Indie Education.
- 3.2 Some complaints, such as those involving pupil admissions, child protection, or pupil exclusion, are addressed in other policies. A comprehensive list of issues excluded from this procedure can be found in Appendix F.
- 3.3 References to 'DCEO' in this procedure include 'site leader' or 'head of school,' depending on the leadership arrangements at the specific Indie Education site at the time of the complaint.

4. HOW TO RAISE A CONCERN OR MAKE A COMPLAINT

- 4.1 A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, if they have appropriate consent to do so.
- 4.1.1 instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

4.1.2 For ease of use, a template complaint form is included in Appendix A. Assistance with completing this form can be obtained from the school office or a third-party organisation like the Citizens Advice.

4.2 **Anonymous Complaints**

4.2.1 We will not normally investigate anonymous complaints. However, the recipient of the complaint will determine whether it warrants an investigation.

4.3 **Timescales**

4.3.1 Complaints must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. The college will consider complaints made outside of this time frame only if the DCEO, having taken advice, are of the view that special or exceptional circumstances apply.

4.3.2 All timescales in this procedure refer to working weekdays in a term, excluding school holidays, In Service Training (**Inset**) days and bank holidays.

4.3.3 Any complaints made outside of term time will be considered to have been received on the first day of term after the holiday period.

4.4 **Resolving Complaints**

4.4.1 In the event that a concern or complaint is raised, we will aim to resolve this as quickly and efficiently as possible. Usually concerns that are raised can be resolved very quickly through day-to-day communication between parents and Indie colleagues. However, for situations where this is not the case, we will utilise a more formal process.

4.4.2 At each stage in the procedure the person(s) hearing a complaint will keep in mind ways in which the complaint can be resolved. It might be sufficient to acknowledge that the complaint is upheld in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- (a) an explanation;
- (b) an admission that the situation could have been handled differently or better;
- (c) an explanation of what steps have been taken to ensure that the situation will not happen again;
- (d) an undertaking to review policies in light of the complaint;
- (e) an apology.

4.4.3 It is useful if complainants can state what actions they feel might resolve the problem at any stage. An admission that the situation could have been handled better is not an admission of negligence.

4.5 **Complaints Procedure**

4.5.1 The complaints procedure provides an informal and formal route to resolving a complaint, in summary there are four stages:

- (a) **Stage 1:** Informal concern raised with a staff member

- (b) **Stage 2:** Formal complaint to the DCEO/CEO
- (c) **Stage 3:** Formal complaint to the Chair of Indie Education Board of Trustees
- (d) **Stage 4:** Formal complaint to the Complaints Appeal Panel

4.5.2 How each of these stages operates is explained below

4.6 **Stage 1: Informal concern raised with a team member**

4.6.1 Most concerns can be resolved at an early stage with a conversation with the relevant member of staff.

4.6.2 For parents/carers, this would normally be the teacher. Teachers are available through an appointment to ensure time is given to address the concern. Appointments can be made through the Indie Education site office.

4.6.3 The complainant will be kept fully informed of actions put in place to resolve the concern. In most cases, it is anticipated that concerns will be resolved quickly, generally within **5 working days**. However, there may be circumstances where additional time to implement and review the effectiveness of any action is required. In these circumstances, the complainant will be advised, and a new time limit confirmed.

4.6.4 If the complainant is not satisfied with the informal resolution, they can make a formal complaint to the DCEO (Stage 2). A formal complaint must be made within **10 working days** of the outcome of the informal stage. A copy of the formal complaint form in Appendix 1 will be forwarded to the complainant for completion and return, together with a copy of this Complaints Policy.

4.7 **Stage 2 – Formal complaint to the DCEO**

4.7.1 This stage deals with written complaints. It applies where the complainant is not happy with the informal approach to dealing with the concern, as outlined above.

4.7.2 Formal complaints must be made to the DCEO (unless they are about the DCEO) by completing the complaints form located in Appendix A.

4.7.3 The complaint will be acknowledged within **5 working days** of receipt of the written formal complaint.

4.7.4 The DCEO will investigate the complaint and make every effort to resolve the issue. The DCEO may arrange a meeting to clarify details of the complaint. In exceptional circumstances, the DCEO may delegate responsibility for investigating the complaint to a member of the leadership team within the school. In those circumstances the DCEO will be responsible for ensuring that the complaint is investigated appropriately and will respond to the complainant. Please see Appendix 4 for further information about conducting an investigation.

4.7.5 Following the investigation of the complaint, the DCEO will write to the complainant with a formal response within **10 working days** of receipt of the written formal complaint. The response will include information as to the next stage of the procedure in the event the complainant is not satisfied with the response.

- 4.7.6 Where a formal complaint concerns the DCEO, it will be referred directly to the CEO for investigation under Stage 3 of the Complaints Procedure.
- 4.8 **Stage 3: Formal complaint to the CEO**
- 4.8.1 If the complainant is not satisfied with the response to the complaint at Stage 2, the complaint should be made to the CEO within **10 working days** of the date of the Stage 2 response.
- 4.8.2 The complaint should be made in writing and addressed to the CEO, via the site office, marked “private and confidential”. The complaint should include the original complaint form, the letter concluding Stage 2 and details as to why the complainant is not satisfied with the outcome. The complainant should also set out the actions they feel would be necessary to resolve the complaint.
- 4.8.3 The complaint will be acknowledged within **5 working days** of receipt of the written formal complaint.
- 4.8.4 The CEO will investigate the complaint and make every effort to resolve the issue. The CEO may arrange a meeting to clarify details of the complaint. In exceptional circumstances, the CEO may delegate responsibility for investigating the complaint to an investigating officer. In those circumstances, the CEO will be responsible for ensuring that the complaint is investigated appropriately and will respond to the complainant. Please see Appendix 4 for further information about conducting an investigation.
- 4.8.5 Following the investigation, the CEO will write to the complainant confirming the outcome of the investigation within **10 working days** of receipt of the written formal complaint. The response will include information as to the next stage of the procedure should the complainant not be satisfied with the response.
- 4.9 **Stage 4: Formal Complaint to the Complaints Appeal Panel**
- 4.9.1 If the complainant is dissatisfied with the outcome at Stage 3 they can request a complaints appeal panel hearing.
- 4.9.2 A request for a hearing before the complaints appeal panel must be put in writing to Indie Education Company Secretary within **10 working days** of the stage 3 decision being communicated. If no request for an appeal panel hearing is received within the **10 working days**, it will be deemed that the decision is accepted, and the complaint will be closed (unless there are exceptional circumstances to explain the delay).
- 4.9.3 If an appeal is requested, the Indie Education Company Secretary will acknowledge the appeal within **5 working days** of receipt of the request and make the necessary arrangements. They will aim to convene a meeting within **25 working days** of receipt of the complaint panel request. If this is not possible, the Company Secretary will provide an anticipated date and keep the complainant informed. The panel will not normally sit during school holidays.
- 4.9.4 If, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the Indie company secretary will decide when to hold the

meeting. It will then proceed on the basis of written submissions from both parties.

- 4.9.5 The company secretary will write to the complainant to inform them of the date of the meeting and ask the complainant to provide details of the appeal and any relevant supporting documentation.
- 4.9.6 The Company Secretary will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. Any supporting documentation relevant to the complaint must be submitted to the appeal panel by both parties at least **5 working days** before the appeal panel hearing. The appeal panel is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. The appeal panel will not accept recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

5. APPOINTMENT OF THE COMPLAINTS APPEAL PANEL

- 5.1 The complaints appeal panel will comprise at least three people who are not directly involved in the matters detailed in the complaint, have not been involved in dealing with the complaint in the previous stages and do not have any detailed prior knowledge of the complaint. The company secretary will support the complaints appeal panel via Teams or Zoom to ensure consistency at all times.
- 5.2 At least one of the panel members will be independent of the specific Indie Education site/provision and/or not be employed by Indie Education.
- 5.3 The complainant will be invited to attend the panel hearing and may be accompanied by another person, for example a relative or friend. Representatives from the media or legal professionals are not permitted to attend.
- 5.3.1 The Panel hearing will be professionally clerked.

5.4 The Remit of the Complaints Appeal Panel

- 5.4.1 The aim of the hearing is for the panel to review the decision reached at Stage 3 with the aim of resolving the complaint and to achieve reconciliation between the parties. The panel will review the complaint and make their findings and recommendations. They will decide if:
 - (a) the complaint investigation process was carried out fairly
 - (b) the outcomes were reasonable
 - (c) any more can be done to help resolve the issue
- 5.4.2 The panel will not consider any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

5.5 Appeals Procedure

- 5.5.1 The Complaints Appeal Panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. The procedure for an appeal is usually as follows:

- (a) The complainant and CEO will enter the hearing together.
- (b) The chair will introduce the panel members and outline the process.
- (c) The complainant will explain the complaint.
- (d) The CEO and panel will question the complainant.
- (e) The CEO will explain the responsive action.
- (f) The complainant and panel will question the CEO.
- (g) The complainant will sum up their complaint.
- (h) The CEO will sum up the responsive action.
- (i) The chair will explain that both parties will hear from the panel within 5 working days.
- (j) Both parties will leave together while the panel make their decision.
- (k) The company secretary will assist the panel with its decision making.

5.5.2 The Company Secretary will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken, or actions agreed. Electronic recordings of the hearing will not normally be permitted and, in any event, would require the consent of all those present.

5.6 **Decision of the Complaints Appeal Panel**

5.6.1 The Panel can:

- (a) dismiss the complaint in whole or in part; or,
- (b) uphold the complaint in whole or in part.

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

- (a) decide on the appropriate action to be taken to resolve the complaint; and,
- (b) where appropriate, recommend changes to systems or procedures to prevent similar issues in the future.

5.6.3 The complainant will be notified in writing of the panel's decision, usually within **5 working days**. The letter will confirm the panel's findings and recommendations and will confirm the end of the complaints procedure and will explain further right of external appeal.

5.6.4 A copy of the panel findings and recommendations will be provided to Indie Education CEO for independent school's inspection.

5.6.5 Further information about the Complaints Appeal Panel, including the roles and responsibilities of the clerk and the logistics of the panel meeting is available in a separate panel guidance document.

5.7 **Further Right of Appeal**

5.7.1 The panel hearing is the final stage for any complaint within Indie Education but, if the complainant believes the complaint was not handled in accordance with the published complaints procedure or that the Indie Education acted unlawfully or unreasonably in the exercise of their

duties, they can contact the [Independent Schools inspectorate](#) (email: concerns@isi.net).

- 5.7.2 The Independent Schools Inspectorate has limited powers, they will consider whether Indie Education followed the correct process, they will not investigate the decision. To refer a complaint to the Independent School Inspectorate please visit: [Home: Independent Schools Inspectorate](#)

5.8 Closure of Complaints

- 5.8.1 There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. The complainant will be notified in writing that the procedure has been completed and that the matter is closed.
- 5.8.2 If the complainant writes again on the same issue, then the correspondence may be recognised as persistent and there is no obligation on the part of Indie Education to respond.
- 5.8.3 In addition, there may be occasions when a complaint is made about a matter which is deemed trivial that it would be a waste of resources to deal with it under the formal stages of the procedure. Indie Education reserves the right to refuse to investigate such a complaint under the procedure in this Complaints Policy if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint.
- 5.8.4 Where a complainant's behaviour is causing a significant level of disruption, a tailored communications strategy may be implemented, such as restricting the method of communication or putting in place a single point of contact. In these scenarios, the unreasonable complaints policy will be followed. **Please see Appendix C for more information on handling unreasonable complainants.**

5.9 Complaint Campaigns

- 5.9.1 For the purposes of this policy, a complaint campaign is defined as a complaint from three or more is defined as a complaint from three or more separate individuals (whether or not connected with any one or more sites or provisions within Indie Education) which are all based on the same subject. Depending on the subject in question, the school may deviate from the procedure set out in this policy and instead:
- (a) Send a template response to all complainants and/or
 - (b) Publish a single response on the school's website (as applicable).

5.10 Withdrawal of a Complaint

- 5.10.1 A complainant may withdraw their complaint at any time during the process and should confirm this in writing.

5.11 Confidentiality and Record Keeping

- 5.11.1 All complaints must be treated in the strictest confidence. All documentation relating to a complaint, including correspondence, statements and records will be kept confidential except where access is requested through a statutory power.

- 5.11.2 Information relating to a complaint will be handled sensitively, telling only those who need to know and following any relevant data protection requirements. Should a complaint relate to a member of staff, then that person shall be advised of the complaint made against them, unless there is an overriding reason why this would be inappropriate.
- 5.11.3 Indie Education will keep a record of all formal complaints, the actions taken to resolve the complaint and the stage at which it was resolved. These records will be kept only for as long as is considered to be reasonably necessary in the circumstances.

6. HANDLING UNREASONABLE COMPLAINANTS

- 6.1 Indie Education is committed to dealing with all complaints fairly and impartially. We will not normally limit the contact complainants have with Indie Education or our site or provisions. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive, or threatening.
- 6.2 We define unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with Indie Education, site, provision, colleagues, such as, if the complainant:
- (a) refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
 - (b) refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
 - (c) refuses to accept that certain issues are not within the scope of a complaint's procedure.
 - (d) insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
 - (e) introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on.
 - (f) raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
 - (g) makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced.
 - (h) changes the basis of the complaint as the investigation proceeds.
 - (i) repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
 - (j) refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Education and Skills Funding Agency.
 - (k) seeks an unrealistic outcome.
 - (l) makes excessive demands on school time by frequent, lengthy, complicated, and stressful

contact with staff regarding the complaint in person, in writing, by email and/or by telephone while the complaint is being dealt with.

- (m) uses threats to intimidate.
 - (n) uses abusive, offensive, or discriminatory language or violence.
 - (o) knowingly provides falsified information; or publishes unacceptable information on social media or other public forums.
- 6.3 Complainants should limit the number of communications with the Indie Education while a 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.
- 6.4 Whenever possible, the DCEO or CEO will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.
- 6.5 If the behaviour continues, the DCEO or CEO will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.
- 6.6 If the behaviour is not modified the site lead or DCEO will inform the complainant in writing that his/her behaviour is now considered to be unreasonable and outlining the arrangements that will be put in place for further communication.
- 6.7 For complainants who excessively contact Indie Education causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.
- 6.8 In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include barring an individual from the college premises.

7. INVESTIGATING A CONCERN OR COMPLAINT

- 7.1 The investigation of an allegation or a complaint should always be carried out thoroughly and responsibly, irrespective of whether the complaint appears to be trivial or serious. The outcome of such an investigation will have significance not only for the complainant but also for any member of staff against whom a complaint has been made.
- 7.1.1 The investigation of a complaint, including writing to the complainant confirming the outcome of the investigation, will take place within 10 working days of receipt of the written formal complaint.
- 7.1.2 The principles that will form the basis for all investigations of concerns and complaints will be that the person investigating the complaint:
- (a) Has read this Complaints Policy and is familiar with the procedure.
 - (b) Is aware of the time limits that apply to the relevant stage to ensure compliance.
 - (c) Establishes the nature of the complaint and what issues remain unresolved.

- (d) Establishes what the Complainant says has happened, who has been involved, and what the Complainant feels would put things right.
 - (e) If necessary, interviews those involved in the matter, for example the Complainant, learners, and members of staff, including those complained about.
- 7.1.3 Where learners are potential witnesses, discretion should be exercised over their involvement. Learners should only be interviewed when the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available.
- 7.1.4 Allows learners and those complained about to be accompanied during interviews, if they wish.
- (a) Keeps a written record of the interview and asks the interviewee to sign and date it.
 - (b) Establishes relevant facts, on a balance of probabilities, based on evidence not speculation, and keeps a written record of these.
 - (c) Provides an effective response to the complaint, which will include the following information:
 - i. a brief summary of the complaint/concern
 - ii. a brief outline of the process that has been followed
 - iii. the outcome of the investigation
 - iv. the reasons for that outcome, unless confidentiality would be compromised
 - v. any recommendations for future action
 - vi. information as to the next stage of the procedure in case the complainant is not satisfied with the response.

8. COMPLAINTS AGAINST THE DCEO, CEO OR A TRUSTEE

- 8.1 Complaints relating Indie Education policy, DCEO, CEO, trustee, or the Board as a whole, will be handled in line with the principles of this policy. Every effort will be made to resolve the complaint informally, but if you remain dissatisfied you should address your concerns in writing to Indie Education's company secretary, marked private and confidential to company.secretary@indieeducation.org
- 8.2 Upon receipt of the completed complaints form at stage 2, the company secretary will identify an appropriate member of staff to investigate the complaint.
- 8.3 A complaint about the CEO or a trustee, will be referred to the Chair of the Board of Indie Education Trustees. In the event the complaint is about the Chair of the Board of Indie Education Trustees or the whole Board, the company secretary will arrange an appropriate investigation.
- 8.4 The complaint will be acknowledged within 5 working days of receipt of the written formal complaint confirming the name of the individual investigating the complaint.
- 8.5 The complaint will be investigated, and every effort made to resolve the issue. A meeting may be arranged with the complainant to clarify details of the complaint

- 8.6 Following the investigation of the complaint, the complainant will receive a formal response confirming the outcome of the investigation within 10 working days of receipt of the written formal complaint. The response will include information as to the next stage of the procedure in case the complainant is not satisfied with the response.
- 8.7 If the complainant remains dissatisfied with the findings of Stage 2, they have the right to request a hearing with a panel of two trustees and an independent member. Where the complaint involves Indie Education Trustees or the Board entirely, an independent panel will hear the complaint at this stage.
- 8.8 For more information about complaints against Indie, the CEO, a Trustee, or the Board as a whole, please refer to Appendix E.

9. COMPLAINTS SUBJECT TO STATUTORY PROCEDURES

- 9.1 Some areas of complaint are subject to statutory procedures and there is clear guidance on how such issues should be dealt with, which lie outside this procedure.
- 9.2 This includes:
- (a) pupil admissions
 - (b) pupil exclusions
 - (c) statutory assessments of special educational needs and education health and care plans
 - (d) appeals relating to internal assessment decisions for external qualifications
 - (e) disciplinary issues relating to members of staff
 - (f) matters likely to require a child protection investigation
 - (g) national curriculum content
 - (h) complaints about services provided by other providers who may use school premises or facilities
 - (i) school re-organisation proposals
 - (j) staff grievances
 - (k) staff conduct issues
- 9.3 Each of these follows its own process of complaints and appeals which are outlined in their relevant policies.
- 9.4 The DCEO will in most cases determine which if any of these statutory procedures apply. If one of these statutory procedures needs to be invoked at some point during the investigation of a more general complaint, the complaints procedure should be suspended until the statutory procedure has been concluded.

10. POLICY REVIEW

- 10.1 In accordance with Indie's policy review protocol, this Policy and Procedure will be reviewed annually. If there are material changes to circumstances before the 12-month review period this

Policy and Procedure will be reviewed immediately to ensure its contents remain effective and up to date.

11. AUTHORISATION

- 11.1 This document has been authorised by the Chief Executive Officer.

APPENDIX A: COMPLAINT FORM

Your Name:	
Learners Name (if relevant):	
Your relationship to the Learner (if relevant):	
Your Address:	
Day time telephone number: Evening telephone number:	
Please state whether your complaint concerns a specific site within Indie Education (if so, please name the site /provision) or Indie Education	
Please give concise details of your complaint (including dates, names of witnesses etc.) to allow the matter to be fully investigated.	

What action, if any, have you already taken to try and resolve your complaint? i.e., whom have you spoken to and what was the outcome?

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

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

Signature:

Date:

Official Use

Date Received:

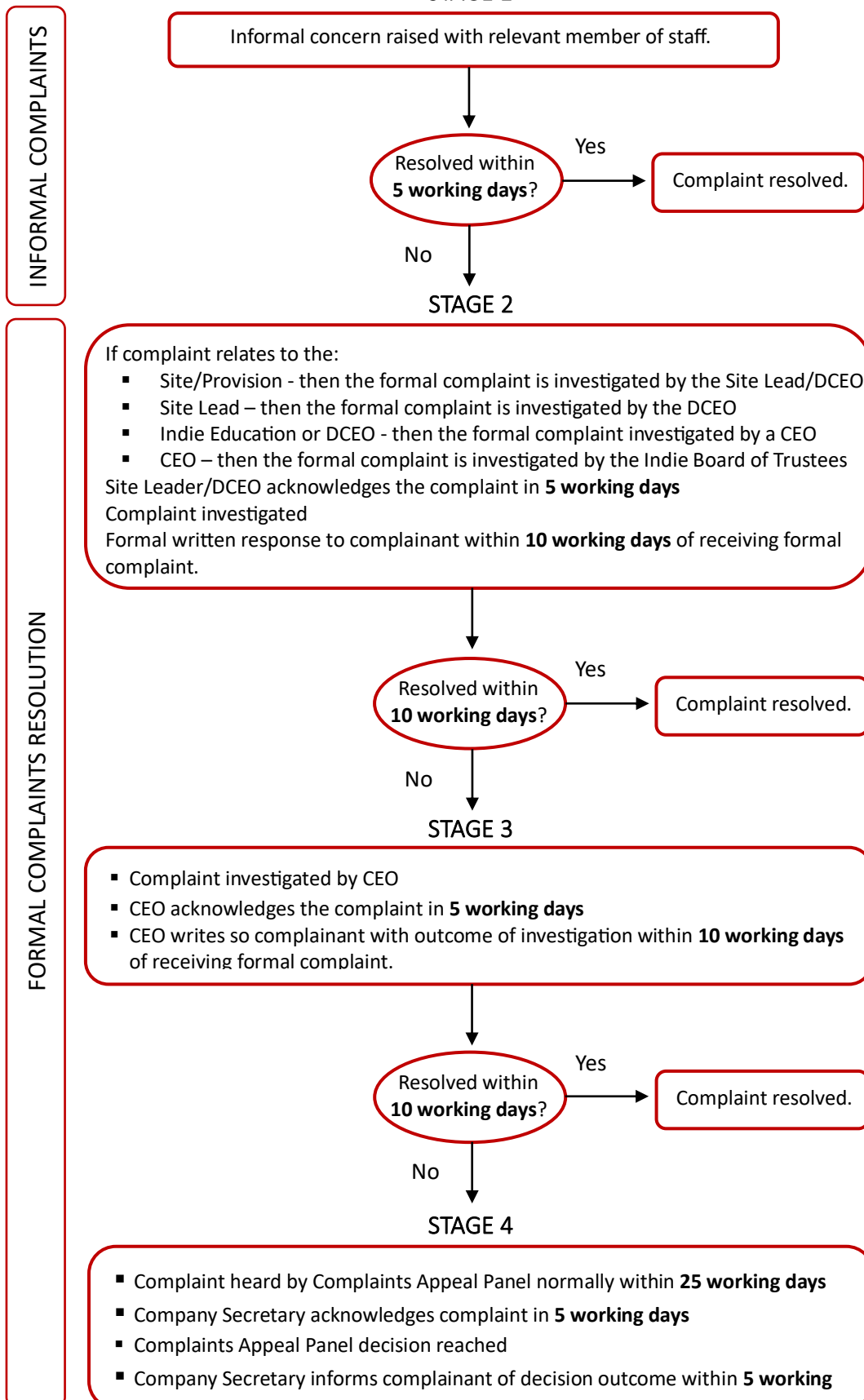
Date Sent:

Received By:

Sent By:

Complaint
Referred To:

APPENDIX B: COMPLAINT FLOWCHART



APPENDIX C: HANDLING UNREASONABLE COMPLAINANTS

1. UNREASONABLE COMPLAINANTS

- 1.1 Indie Education is committed to dealing with all complaints fairly and impartially. We will not normally limit the contact complainants have with Indie Education or our site or provisions. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive, or threatening.
- 1.2 We define unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with Indie Education, site, provision, leads or staff, such as, if the complainant:
- (a) refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
 - (b) refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
 - (c) refuses to accept that certain issues are not within the scope of a complaint's procedure.
 - (d) insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
 - (e) introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on.
 - (f) raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
 - (g) makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced.
 - (h) changes the basis of the complaint as the investigation proceeds.
 - (i) repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
 - (j) refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Education and Skills Funding Agency.
 - (k) seeks an unrealistic outcome.
 - (l) makes excessive demands on school time by frequent, lengthy, complicated, and stressful contact with staff regarding the complaint in person, in writing, by email and/or by telephone while the complaint is being dealt with.
 - (m) uses threats to intimidate.
 - (n) uses abusive, offensive, or discriminatory language or violence.
 - (o) knowingly provides falsified information; or publishes unacceptable information on social

media or other public forums.

- 1.3 Complainants should limit the number of communications with the Indie Education while a 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.
- 1.4 Whenever possible, the DCEO or CEO will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.
- 1.5 If the behaviour continues, the DCEO or CEO will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.
- 1.6 If the behaviour is not modified the site lead or DCEO will inform the complainant in writing that his/her behaviour is now considered to be unreasonable and outlining the arrangements that will be put in place for further communication.
- 1.7 For complainants who excessively contact Indie Education causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.
- 1.8 In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include barring an individual from the Trust or school premises.

APPENDIX D: INVESTIGATION FOR FORMAL COMPLAINTS

1. INVESTIGATING A CONCERN OR COMPLAINT

- 1.1 The investigation of an allegation or a complaint should always be carried out thoroughly and responsibly, irrespective of whether the complaint appears to be trivial or serious. The outcome of such an investigation will have significance not only for the complainant but also for any member of staff against whom a complaint has been made.
- 1.2 The investigation of a complaint, including writing to the complainant confirming the outcome of the investigation, will take place within 10 working days of receipt of the written formal complaint.
- 1.3 The principles that will form the basis for all investigations of concerns and complaints will be that the person investigating the complaint:
 - (a) Has read this Complaints Policy and is familiar with the procedure.
 - (b) Is aware of the time limits that apply to the relevant stage to ensure compliance.
 - (c) Establishes the nature of the complaint and what issues remain unresolved.
 - (d) Establishes what the Complainant says has happened, who has been involved, and what the Complainant feels would put things right.
 - (e) If necessary, interviews those involved in the matter, for example the Complainant, learners, and members of staff, including those complained about.
- 1.4 Where learners are potential witnesses, discretion should be exercised over their involvement. Learners should only be interviewed when the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available.
- 1.5 Allows learners and those complained about to be accompanied during interviews, if they wish.
 - (a) Keeps a written record of the interview and asks the interviewee to sign and date it.
 - (b) Establishes relevant facts, on a balance of probabilities, based on evidence not speculation, and keeps a written record of these.
 - (c) Provides an effective response to the complaint, which will include the following information:
 - i. a brief summary of the complaint/concern
 - ii. a brief outline of the process that has been followed
 - iii. the outcome of the investigation
 - iv. the reasons for that outcome, unless confidentiality would be compromised
 - v. any recommendations for future action
 - i. information as to the next stage of the procedure in case the complainant is not satisfied with the response

APPENDIX E - COMPLAINTS AGAINST THE DCEO, CEO OR A TRUSTEE

2. COMPLAINTS AGAINST THE DCEO, CEO OR A TRUSTEE

- 2.1 Complaints relating to the DCEO, CEO, a trustee, or the Board as a whole will be handled in line with the principles of this policy. Every effort will be made to resolve the complaint informally, but, if the complainant remains dissatisfied, they should address their concerns in writing, marked private and confidential to company.secretary@indieeducation.org.
- 2.2 Upon receipt of the completed complaints form at stage 2, the company secretary will identify an appropriate member of staff to investigate the complaint.
- 2.3 A complaint about the CEO or a trustee, will be referred to the Chair of the Board of Indie Education Trustees. In the event the complaint is about the Chair of the Board of Indie Education Trustees or the whole Board, the company secretary will arrange an appropriate investigation.
- 2.4 The complaint will be acknowledged within 5 working days of receipt of the written formal complaint confirming the name of the individual investigating the complaint.
- 2.5 The complaint will be investigated, and every effort made to resolve the issue. A meeting may be arranged with the complainant to clarify details of the complaint
- 2.6 Following the investigation of the complaint, the complainant will receive a formal response confirming the outcome of the investigation within 10 working days of receipt of the written formal complaint. The response will include information as to the next stage of the procedure in case the complainant is not satisfied with the response.
- 2.7 If the complainant remains dissatisfied with the findings of Stage 2, they have the right to request a hearing with a panel of two trustees and an independent member. Where the complaint involves Indie Education Trustees or the Board entirely, an independent panel will hear the complaint at this stage.

APPENDIX F – COMPLAINTS SUBJECT TO STATUTORY PROCEDURES

1. COMPLAINTS SUBJECT TO STATUTORY PROCEDURES

- 1.1 Some areas of complaint are subject to statutory procedures and there is clear guidance on how such issues should be dealt with, which lie outside this procedure. This includes:
- (a) pupil admissions
 - (b) pupil exclusions
 - (c) statutory assessments of special educational needs and education health and care plans
 - (d) appeals relating to internal assessment decisions for external qualifications
 - (e) disciplinary issues relating to members of staff
 - (f) matters likely to require a child protection investigation
 - (g) national curriculum content
 - (h) complaints about services provided by other providers who may use school premises or facilities
 - (i) school re-organisation proposals
 - (j) staff grievances
 - (k) staff conduct issues
- 1.2 Each of these follows its own process of complaints and appeals which are outlined in their relevant policies.
- 1.3 The DCEO will in most cases determine which if any of these statutory procedures apply. If one of these statutory procedures needs to be invoked at some point during the investigation of a more general complaint, the complaints procedure should be suspended until the statutory procedure has been concluded.