

Trust Complaints Policy

Approved by:	Ethos and Governance Committee
Date:	October 2026
Next review date:	31 December 2027

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1. Definitions and Aims

1.1 Definitions

Department for Education (DfE) guidance explains the difference between a concern and a complaint:

- A **concern** may be defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- A **complaint** may be defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

In most cases, a concern can be resolved through informal means by contacting the school directly. A complaint will follow formal procedures.

Any person, including members of the public, may make a complaint to the Oxford Diocesan Schools Trust (ODST) about any provision of facilities or services that are provided. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints policy.

Our Trust aims to meet its statutory obligations when responding to complaints from parents/carers of pupils at its schools, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide a prompt response
- Respect complainants’ desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school evaluation processes

We try to resolve complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The Trust will give the complainant the opportunity to complete the complaints procedure in full. To support this, we will make sure we publicise the existence of this policy and make it available on the Trust website. Each school website shares its own complaints policy.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have, and make available, a written procedure to deal with complaints from parents/carers of pupils at our schools or those who have left within the last 3 months. If you are not a parent/carer of a pupil at the school or are the parent/carer of a pupil who left more than 3 months ago, we may consider your concern outside this of this policy.

It is also based on [best practice guidance for academies complaints procedures](#) published by the DfE.

We recognise that some people may choose to use Artificial Intelligence (AI) tools, eg. ChatGPT or Copilot, to help prepare a complaint. While these tools can be helpful, they can sometimes produce lengthy or repetitive documents. To help us understand and investigate concerns as quickly, fairly and effectively as possible, we may ask you for a summary of the main issues you would like us to consider and the outcome you are seeking. We may do this in writing or at a meeting. This will not affect our commitment to reviewing and responding to your complaint but will help ensure that we focus on the matters that are most important to you.

We will consider all relevant information provided as part of our review of the complaint. Our response will focus on the key issues raised and the outcomes sought. While we will take account of all relevant information submitted within the timeframe, we may not respond separately to every individual point, question or statement where this would not help to resolve the matter or would result in a disproportionate response.

Complainants remain responsible for the accuracy and content of any information submitted on their behalf.

This policy complies with our funding agreement and articles of association.

In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the Trust's fulfilment of Early Years Foundation Stage (EYFS) requirements.

3. Scope

Please see our separate policies for procedures relating to these types of complaint which do not fall under this complaints policy.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistleblowing
- Staff grievances
- Staff discipline
-

Complaints about services provided by other providers who use Trust premises or facilities should be directed to the provider concerned.

We will not automatically investigate matters raised anonymously under this procedure. A complaint will be regarded as 'anonymous' if the complainant cannot be identified or their identity cannot be verified from the information provided. This includes complaints submitted using unidentifiable contact details, such as an email address that does not reveal who has made the complaint. However, we may decide to look into issues raised anonymously under other procedures (e.g. our safeguarding procedures) where we think it is right to do so. Where it is appropriate for complaints to be handled under internal HR processes, this decision and the outcome are confidential and will not be shared with the complainant.

4. Addressing a complaint

The Trust expects all parties to act reasonably and in a positive manner as they:

- Follow these procedures
- Co-operate throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Refrain from approaching individual Trust Board members about the complaint
- Refrain from publishing details about the complaint on social media

The complainant should notify the Trust in writing if they decide to withdraw their complaint.

When addressing a complaint, we will seek to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

4.1 Timescales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period. School days excludes INSET days for any of the Trust schools.

If at any point we cannot meet the timescales we have set out in this policy, we will agree new time limits with the complainant.

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 policy or result in the procedures being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against the Trust in relation to their complaint, then we will consider whether to suspend the complaints procedures in relation to their complaint until those legal proceedings have concluded.

5. Stages of the Complaint Procedure

We have adopted a 3-stage process for dealing with complaints:

- Stage 1 – informal resolution
- Stage 2 – formal investigation
- Stage 3 – review panel

6. Complaints about the Trust, CEO or Trustees

If the concern is about the Trust or Trustees, the complaint should be addressed for the attention of CEO admin.ODST@oxford.anglican.org

If the concern is about the CEO, the complainant should contact the chair of the Board of Trustees, via the Trust office admin.ODST@oxford.anglican.org

If the complainant is unsure who to contact, they should contact the Trust office admin.ODST@oxford.anglican.org

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

The complaint will be acknowledged within 5 school days of the date that the written request was received. The acknowledgement will confirm how the complaint will be handled and under which stage of this complaints policy (see below). The investigating officer may ask to meet with the complainant to clarify the complaint and the desired resolution. They will confirm the date for providing a response to the complainant.

Following any stage 2 investigation, a written outcome will be returned within 20 school days of the date that the letter was received. If this time limit cannot be met, the complainant will receive written notification within 10 school days of the date that the letter was received, explaining the reason for the delay and providing a revised date.

6.1 Stage 1: informal

We make every effort to address any concerns or complaints early through informal measures.

The complainant should raise any concerns as soon as possible within the timescales set out above in section 4.

6.2 Stage 2: formal

If the complaint is not resolved satisfactorily at the informal stage, the complainant should submit a formal complaint in writing.

Formal complaints can be raised:

- In a letter or email (this is preferred)
- Over the phone
- In person
- Through a third party acting on their behalf, if they have the complainant's consent to do so

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

6.2.1 Investigation

The complainant will receive written acknowledgement of their complaint within 5 school days. Within this response the person handling the complaint will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

The investigating officer will then conduct their own investigation and consider whether a face-to-face meeting is the most appropriate way of doing this.

The investigation may be delegated to another member of the Trust's leadership team, but will not delegate the decision to be taken.

6.2.2 Conclusion

The written conclusion of this investigation will be sent to the complainant within 20 school days.

If the person investigating is unable to meet this deadline, they 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 to be taken to resolve the complaint.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this policy, they should inform the clerk/governance professional to the Trust Board in writing within 5 school days.

6.3 Stage 3: panel hearing

6.3.1 Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.

A panel will be appointed by the Trust and will consist of 3 members not involved in investigating the complaint at the formal stage 2. One of members on the panel will be independent of the management and running of Trust. This means that the independent member will not be a Trustee or an employee of the Trust.

The panel will be entirely made up of independent members if the complaint is:

- Jointly about the chair and vice-chair or
- The entire Trust Board or
- The majority of the Trust Board

The complainant will have reasonable notice of the date of the review panel. The clerk/governance professional will aim to find a date within 15 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk/governance professional will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting.

The complainant and representatives from the Trust, as appropriate, will be present at the panel hearing. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

The panel will ensure that the hearing is properly minuted.

6.3.2 At the hearing

At the hearing, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the Trust representative(s) will be given the chance to ask and reply to questions. Once the complainant and Trust representative(s) have presented their cases, they will be asked to leave, and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Trust.

The panel will inform those involved of the decision in writing within 5 school days.

7. Referring complaints on completion of the school and Trust procedures

If the complainant is unsatisfied with the outcome of the school or Trust complaints procedures, they can refer their complaint to the DfE. The DfE will check whether the complaint has been dealt with properly. The DfE will not overturn the Trust's decision about a complaint but will intervene if a Trust has:

- Breached a clause in its funding agreement
- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the complaints policy is found not to meet regulations, the Trust will be asked to correct its procedures accordingly.

For more information or to refer a complaint, see the following webpage on GOV.UK [Complain about a school: Types of complaints - GOV.UK](#)

We will include this information in the outcome letter to complainants.

8. Unreasonable, vexatious and persistent complaints

8.1 Unreasonable and vexatious complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable/vexatious if the person:

- 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
- Refuses to accept that certain issues are not within the scope of the complaints policy
- Insists on the complaint being dealt with in ways which are incompatible with the complaints policy 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 school's complaint procedure has been fully and properly implemented and completed, including referral to the DfE
- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- 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

Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the Trust what is deemed to be unreasonable.

Complainants should try to limit their communication with the 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.

We will take every reasonable step to address the complainant's comments, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints policy as normal (as outlined above) wherever possible.

Whenever possible, the Trust will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the Trust will write to the complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, we may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

8.2 Serial/persistent complaints

If the complainant contacts the Trust again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the Trust repeatedly, making substantially the same points each time

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the Trust with the intention of causing disruption or inconvenience

The Trust will not refuse to accept further correspondence or complaints from an individual we have had repeat or excessive contact with. The application of a 'serial or persistent' marking will be against the subject or complaint itself, rather than the complainant.

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern.

8.3 Duplicate complaints

If the Trust has resolved a complaint under this policy and received a duplicate complaint on the same subject from a partner, family member or other individual, the Trust will assess whether there are aspects that we hadn't previously considered, or any new information that needs to be considered.

If the Trust is satisfied that there are no new aspects, it will:

- Tell the new complainant that the issue has already been investigated and responded to, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with the original handling of the complaint

If a duplicate complaint is raised which in the view of the school warrants further consideration, the procedures outlined above will be repeated.

8.4 Complaint campaigns

Where the Trust receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the Trust may respond to these complaints by:

- Publishing a single response on the Trust website
- Sending a template response to all of the complainants

If complainants are not satisfied with the Trust's response, or wish to pursue the complaint further, the normal procedures will apply and they can contact the DfE.

9. Record keeping and confidentiality

The Trust will record the progress of all complaints, including information about:

- Actions taken at all stages
- The stage at which the complaint was resolved
- The final outcome

The records will also include copies of letters and emails, and notes related to meetings and phone calls.

This material will be treated as confidential and stored securely, and will be viewed only by those involved in investigating the complaint or on the review panel hearing.

In the case of complaints about the Trust or central staff, these records will be managed by the clerk to the board of Trustees and will be stored securely in the Trust's offices under restricted access.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act 2018 and the UK GDPR, or where the material must be made available to Ofsted.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and data retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the entire Trust board in case a review panel needs to be organised at a later point.

Where the Trust Board is aware of the substance of the complaint before the review panel stage, the Trust will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Trust Board, who will not unreasonably withhold consent.

10. Learning lessons

The appropriate Trust Board committee will review any underlying issues raised by complaints with the CEO and Trust governance professional where appropriate, and respecting confidentiality, to determine whether there are any improvements that the Trust can make to its procedures or practice to help prevent similar events in the future.

The Trust board and CEO will receive regular reports on the types of complaints received in each school to support the development of appropriate support structures, and to inform any improvements to procedures or practice.

11. Monitoring arrangements

The Ethos and Governance committee will monitor the effectiveness of the school complaints policy in ensuring that complaints are handled properly.

The Director of Governance and Compliance will track the number and nature of complaints, and review underlying issues as stated in the section entitled 'Learning lessons'.

The complaints records are logged and managed by the Trust's Governance team.

This policy will be reviewed by the Ethos and Governance committee every year. At each review, the policy will be approved by the Ethos and Governance committee.

12. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Suspension and permanent exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- Special educational needs policy and information report
- Privacy notices