

GATEWAY ACADEMY



COMPLAINTS POLICY

Approved by:	Claire Cleary and Lisa Breslin FGB on 22.9.26
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Last reviewed on:	September 2026
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Next review due by:	September 2027
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PURPOSE AND AIMS

Gateway Academy is committed to providing a high-quality education and a safe, welcoming and inclusive environment for all pupils.

We recognise that parents, carers, pupils, staff and other members of the community may occasionally have concerns or complaints about the Academy. We take complaints seriously and aim to resolve them fairly, promptly and proportionately.

A **concern** is an expression of worry or doubt about an issue where reassurance or clarification is sought.

A **complaint** is an expression of dissatisfaction, however it is made, about an action taken or a failure to act.

We will:

- treat complaints seriously and investigate them fairly and impartially;
- provide clear information about how complaints can be raised and progressed;
- respond within reasonable and published timescales;
- allow a complainant to complete the complaints procedure where appropriate;
- make reasonable adjustments where required;
- respect confidentiality and data protection requirements;
- ensure that complaints are considered by people who have not previously been involved where this is necessary to ensure fairness;
- learn from complaints and use them, where appropriate, to improve the Academy.

This policy is available on the Academy website and in paper form on request.

LEGISLATION AND GUIDANCE

This policy meets the requirements of Part 7 of the Education (Independent School Standards) Regulations 2014, which requires academies to have and make available a written complaints procedure.

It has been informed by:

- Education (Independent School Standards) Regulations 2014;
- Education Act 2002;
- Department for Education guidance on complaints procedures for academies;
- Department for Education guidance on unreasonable, persistent and vexatious complaints;
- Equality Act 2010;
- Data Protection Act 2018 and UK GDPR;

- the current Early Years Foundation Stage (EYFS) statutory framework for school-based providers;
- relevant requirements of Gateway Academy's Funding Agreement and Articles of Association.

Where another statutory procedure applies, that procedure will take precedence.

WHO CAN MAKE A COMPLAINT?

The Academy's statutory complaints procedure is available to parents and carers of pupils attending Gateway Academy.

We will also consider complaints from other individuals, including former parents, former pupils, members of the public, visitors, volunteers and other stakeholders, where the complaint relates to the Academy or services it provides.

The Academy may determine the most proportionate way of responding to a complaint from someone who is not a parent or carer of a current pupil. This may include dealing with the matter informally rather than through every stage of the formal procedure.

A complaint may be made by a third party on behalf of a complainant where the Academy is satisfied that the complainant has authorised them to act on their behalf.

The Academy will consider reasonable adjustments to enable disabled complainants or those with other relevant needs to access the procedure.

SCOPE OF THIS POLICY

This policy applies to complaints about the Academy, its staff, governors, provision, facilities or services.

Some matters are dealt with under separate statutory or Academy procedures and should not be dealt with under this complaints policy.

These include:

- admissions and school admission appeals;
- statutory assessments of special educational needs;
- matters concerning child protection or safeguarding that require referral or investigation under safeguarding procedures;
- suspension and permanent exclusion decisions, where statutory review or appeal arrangements apply;
- staff grievances;
- staff disciplinary or capability matters;
- whistleblowing;
- school reorganisation proposals;
- complaints about the content of the National Curriculum;

- complaints about services provided by an external provider using Academy premises, where that provider has its own complaints procedure.

Complaints about the application or implementation of an Academy policy, including the Behaviour Policy, may be considered under this complaints procedure unless another statutory process applies.

Where a complaint raises safeguarding concerns, the Academy will follow its Child Protection and Safeguarding Policy and relevant statutory safeguarding procedures. A complaints procedure must not be used to delay or interfere with a safeguarding investigation.

Where another public body, the police, a tribunal or court is investigating the same matter, the Academy may pause or adjust its complaints procedure where necessary.

COMPLAINTS INVOLVING STAFF

A complainant does not have to raise a complaint directly with the member of staff who is the subject of the complaint.

Where appropriate, concerns may be raised with the relevant line manager or member of the Senior Leadership Team.

A complaint about a member of staff will be investigated fairly. If the complaint results in confidential staff disciplinary or other employment action, the complainant will not be given details of that action. The Academy will, where appropriate, confirm that the matter has been addressed.

The Academy will protect staff from inappropriate disclosure of personal or employment information throughout the complaints process.

RAISING AN INFORMAL CONCERN

Most concerns can be resolved quickly without using the formal complaints procedure.

Concerns should normally be raised with the member of staff best placed to resolve the matter, for example:

- class teacher
- Year Group or Phase Leader
- SENCO
- Assistant CoHeadteachers or Deputy CoHeadteachers
- CoCoHeadteachers

Concerns may be raised in person, by telephone, email or in writing. The Academy will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision, or clarification of information will resolve the issue.

The complainant should raise the concern as soon as possible.

The Academy will aim to respond promptly and, where possible, resolve informal concerns within 15 school days.

A complainant does not have to complete the informal stage where:

- the matter is serious;
- informal resolution would be inappropriate;
- the complaint concerns a Co-Headteachers or governor;
- the complaint concerns safeguarding;
- the complainant has already attempted informal resolution;
- there is another good reason why the matter should proceed directly to the formal stage.

The Academy will not prevent a complainant from making a formal complaint simply because they have not first used the informal stage.

TIME LIMITS

Complaints should normally be made within three months of the incident complained about, or within three months of the last incident where the complaint concerns a series of related incidents.

The Academy may consider complaints outside this period where there is a reasonable explanation for the delay and the complaint can still be fairly investigated.

The Academy will consider each case on its individual circumstances.

Complaints received during a school holiday will normally be treated as having been received on the first school day after the holiday.

Where a published timescale cannot be met, the complainant will be informed of the reason for the delay and given a revised timescale.

STAGES OF COMPLAINT (NOT COMPLAINTS AGAINST THE COHEADTEACHERS OR GOVERNORS)

The Academy have adopted a 2-stage process for dealing with complaints:

- Stage 1 – formal investigation
- Stage 2 – panel hearing

STAGE 1: FORMAL INVESTIGATION

Formal complaints can be raised:

- By letter or email (this is preferred)
- Over the phone

- In person
- Via a third party acting on behalf of the complainant, if they have the complainant's consent to do so

Complaints should be addressed to the CoHeadteachers via the school office, marked private and confidential (if made in writing)

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

If complainants need assistance raising a formal complaint, they can contact the school office.

The CoHeadteachers will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. Within this response, the CoHeadteachers will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

The CoHeadteachers (or designated member of the senior leadership team) will consider whether a face-to-face meeting is the most appropriate way of clarifying the complaint and to seek a resolution. The complainant may be accompanied to any meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant can arrange alternative accompaniment.

The CoHeadteachers (or other person appointed by the CoHeadteachers for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 20 school days of receipt of the complaint. If the CoHeadteachers (or other person appointed by the CoHeadteachers for this purpose) is unable to meet this deadline, then they will provide the complainant with an updated time scale.

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 Academy will take to resolve the complaint. The CoHeadteachers will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of stage 1.

HOW TO ESCALATE A COMPLAINT

If the complainant wishes to proceed to the next stage of the procedures, they should inform the clerk/ governance professional to the governing board via the school office

within 10 school days. Requests received outside of this timeframe will be considered in exceptional circumstances.

Complainants can do this:

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

The complainant should provide details of how they feel the previous stage of the procedures has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

The clerk/governance professional will acknowledge receipt of the request within 5 school days.

STAGE 2: PANEL HEARING

Convening the panel

The complaints panel will consist of the first 3 members of the governing board available who don't have direct knowledge of the complaint. The governors will select a panel chair from among themselves.

If not enough impartial governors are available, we will seek panel members from other schools, the local authority or the diocese. We will make sure the governors we source are suitably skilled and can demonstrate that they are independent and impartial.

The complainant will be given reasonable notice of the date of the panel hearing. The clerk/governance professional will aim to find a date within 10 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.

At least 5 school days before the meeting, the clerk/governance professional will:

- Confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- Request copies of any further written material to be submitted to the committee at least 3 school days before the meeting

Any written material will be circulated to all parties at least 3 school days before the date of the hearing.

The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel will ensure that the hearing is properly minuted.

At the hearing

The hearing will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless required as part of reasonable adjustments. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in minutes taken.

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

The complainant will be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish. We don't encourage either party to bring legal representation, but we will consider it on a case-by-case basis. For instance, if a school employee is called as a witness, they may wish to be supported by their union and/or legal representation.

Representatives from the media are not permitted to attend.

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 will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

This hearing will deal with the matters that have progressed from stage 1 only. The panel will not consider any new complaints or unrelated evidence at this stage. Any new complaints must be dealt with from stage 1.

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave, and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the CoHeadteachers.

The outcome

The panel can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part
- If the complaint is upheld, in whole or in part, the panel will:
 - Decide the appropriate action to resolve the complaint
 - Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The panel will inform those involved of the decision in writing within 10 school days. Where appropriate, this correspondence will include details of the actions that the Academy will take to resolve the complaint.

If the complainant believes the school did not handle their complaint in accordance with the published complaints policy or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the DfE after they have completed stage 2.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by Gateway Academy. The DfE will consider whether Gateway Academy has adhered to education legislation and any statutory policies connected with the complaint.

COMPLAINTS AGAINST THE COHEADTEACHERS, A GOVERNOR OR THE GOVERNING BOARD

As set out in section 7 of this policy, complaints can be raised:

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

Complaints against the CoHeadteachers

Complaints that involve or are about the CoHeadteachers should be addressed to the clerk/governance professional to the governing board via the school office, marked private and confidential (if made in writing).

The chair of governors will allocate a suitably skilled independent investigator to then carry out the steps of stage 1 set out in the section above.

The complainant can escalate the complaint as set out in the section above and the same processes will be followed. The complaint will then be considered by a complaints panel.

Complaints against the chair of governors or any individual governors

These complaints should be addressed to the clerk/governance professional to the governing board via the school office, marked private and confidential (if made in writing).

A suitably skilled member of the governing board will then carry out the steps of stage 1 set out in the section above.

The complainant can escalate the complaint as set out in the section above and the same processes will be followed. The complaint will then be considered by a complaints panel.

COMPLAINTS AGAINST THE ENTIRE GOVERNING BOARD OR MAJORITY OF THE GOVERNING BOARD OR COMPLAINTS INVOLVING BOTH THE CHAIR AND VICE CHAIR

These complaints should be addressed to the clerk/governance professional to the governing board via the school office, marked as private and confidential (if made in writing).

The clerk/governance professional will then determine the most appropriate course of action, which will depend on the nature of the complaint. This may involve sourcing an independent investigator to complete stage 1 and a committee of independent governors to complete stage 2

The complainant can escalate the complaint as set out in stage 1 as the section above.

REFERRING COMPLAINTS ON COMPLETION OF THE SCHOOL'S PROCEDURES

If the complainant believes the school did not handle their complaint in accordance with this complaints policy, or acted unlawfully or unreasonably, they can contact the DfE. The DfE will not normally re-investigate the matter of the complaint or overturn any decisions made by Gateway Academy. The DfE will consider whether the Academy adhered to:

- Its complaints policy
- Any other relevant statutory policies
- Education legislation
- The DfE will intervene where a school has:
 - Failed to act in line with its duties under education legislation and any statutory policies connected with the complaint
 - Acted (or is proposing to act) unreasonably when exercising its functions

The DfE can be contacted after the complainant has completed stage 2.

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

For more information, or to refer a complaint, see the following webpage:

www.gov.uk/complain-about-school

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

UNREASONABLE, VEXATIOUS AND PERSISTENT COMPLAINTS

UNREASONABLE OR VEXATIOUS COMPLAINTS

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable or 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 procedures
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedures, or with good practice
- Introduces trivial or irrelevant information that they expect to be considered 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 complaints procedures have 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 (either in writing, by email, phone or text) 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 school what is deemed to be unreasonable.

Complainants should try to limit their communication with the school while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either in writing, by email, phone or text), as it could delay the outcome being reached.

STEPS WE WILL TAKE

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 CoHeadteachers or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the CoHeadteachers 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.

SERIAL/PERSISTENT COMPLAINTS

If the complainant contacts the school 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 school 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 school with the intention of causing disruption or inconvenience

The schools will not refuse to accept further correspondence or complaints from an individual they 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.

DUPLICATE COMPLAINTS

If we have resolved a complaint under this policy and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our 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.

COMPLAINT CAMPAIGNS

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

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

11. Record keeping, data protection and confidentiality

Complaints will be handled sensitively and confidentially. The Academy will maintain an appropriate record of formal complaints, including:

- the complaint;
- relevant correspondence;
- investigation records;
- evidence considered;
- meetings and telephone conversations;
- decisions and outcomes;
- actions taken;
- any Stage 2 panel documentation;
- learning or improvements arising from the complaint.

The Academy will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

All complaint material is confidential. There is an exception 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 UK GDPR the Data Protection Act 2018, or where the material must be made available to Ofsted with regard to complaints from parents of pupils at the school.

The Academy will ensure that:

- Records are stored securely and retained in accordance with the Academy's Data Protection Policy and Records Retention Schedule.
- Information will not be retained for longer than is necessary.
- Complaint information will not routinely be circulated to the whole governing body where this could prejudice the independence of a future complaints panel.
- They will not disclose confidential information about a staff member, including disciplinary action taken as a result of a complaint.

Nothing in this policy prevents the Academy from sharing information where required by law, safeguarding duties, court order, regulatory requirement or with an appropriate statutory body.

Complainants should not seek or publish confidential information about other pupils, families or staff.

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 governing board, who will not unreasonably withhold consent.

LEARNING FROM COMPLAINTS

The Academy will use complaints, where appropriate, as an opportunity to improve.

The CoHeadteachers and governing body will consider:

- recurring themes;
- whether policies or procedures need to change;
- whether staff training is required;
- whether communication with parents could be improved;
- whether safeguarding, SEND, behaviour or other provision requires review.

Individual complaints will remain confidential when themes and learning are reported to governors.

MONITORING AND REVIEW

The governing body will monitor the effectiveness of the complaints procedure. They will ensure complaints are handled properly.

The Academy will maintain a record of:

- the number of formal complaints
- the stage at which they were resolved
- broad categories of complaint
- any recurring themes
- any actions or improvements arising

The governing body will review this policy annually or sooner if there are changes to legislation, statutory guidance or the Academy's governance arrangements.

LINKS WITH OTHER POLICIES

This policy should be read alongside:

- Child Protection and Safeguarding Policy;
- Behaviour Policy;
- SEND Policy and SEND Information Report;
- Admissions Policy;

- Suspension and Permanent Exclusion Policy;
- Staff Grievance Procedure;
- Staff Disciplinary Procedure;
- Whistleblowing Policy;
- Equality Policy;
- Data Protection and Privacy Policies;
- Home–School Agreement;
- Premises and Site Security procedures.
- Privacy Notices

Appendix 1 – Formal Complaint Form

Gateway Academy – Formal Complaint Form

Your name:

Your relationship to the pupil:

Pupil's name:

Pupil's class/year group:

Contact details:

Details of your complaint

Please explain clearly:

- what has happened;
- when it happened;
- who was involved;
- what you have already done to try to resolve the matter;
- why you remain dissatisfied.

What would you like the Academy to do to resolve the complaint?

Documents or evidence attached

Please list any documents or evidence you are submitting.

Signed:

Date:

If you require help completing this form or require a reasonable adjustment, please contact the Academy office.