HCAT
Complaints Policy

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Version Number	Version Description	Date of Revision
1	Original	May 2024
2	Amendments to Stage 3 and updated time frames for dealing with Complaints.	June 2025
3	Updated to reflect the use of AI	January 2026
4	Explicit reference added to confirm that Stage 2 formal complaints must be submitted using the official HCAT Complaint Form.	April 2026
5	Amendment to Appendix 4	November 2026

HCAT Complaints Policy

1. Introduction

HCAT is dedicated to maintaining positive relationships with parents, carers, and the community. We value open communication and take all complaints seriously. This policy outlines the procedures for addressing complaints in a fair, transparent, and timely manner and in accordance with Department for Education (DFE) guidelines.

2. Scope and Application

This policy applies to all schools within HCAT and covers complaints relating to school provision, facilities, and services. It aligns with Part 7 of the Independent School Standards Regulations 2014 and DFE guidance on handling complaints.

3. Who Can Make a Complaint?

Any person directly affected by the services provided by HCAT schools, including parents and carers, may lodge a complaint. Anonymous complaints will not be considered.

4. Stages of the Complaints Process

Prior to raising a concern with a Head of School or Principal, the complainant should wherever possible speak with the member of staff involved to discuss the issue at hand as often, concerns can be resolved through an informal conversation.

Use of Artificial Intelligence (AI) in Complaints

The Trust recognises that some complainants may use Artificial Intelligence (AI) tools to help draft concerns or complaints. While this can be helpful, complaints generated in this way may sometimes be overly detailed, include incorrect references to legislation, or lack clear explanation of how the issues relate specifically to the school.

To ensure concerns can be considered fairly and efficiently, the school may ask complainants to clarify or re-present their complaint where AI use is suspected. This may include asking the complainant to:

- Clearly separate the complaint into individual points
- Explain how any referenced legislation or guidance applies to their specific concern
- Use clear, concise language
- Provide relevant, dated evidence rather than general statements
- Outline, where appropriate, the outcome they are seeking

This approach helps to understand concerns fully and respond appropriately within available time and resources.

Unreasonable, Frivolous or Vexatious Requests

The Trust recognises a complainant's right to progress a complaint through the published complaints procedure and will not prevent a complaint from progressing simply because the Trust disagrees with the complaint or considers that it is unlikely to succeed.

However, where a request to progress a complaint is considered to be unreasonable, frivolous or vexatious, or where the matters raised are demonstrably trivial, the Board of Trustees may consider what action is reasonable and proportionate in the particular circumstances.

In reaching any such decision, consideration may be given to:

- the nature and substance of the complaint;
- whether the matters raised have already been fully considered and responded to;
- whether any material new information has been provided;
- whether the outcome being sought is reasonable and capable of being achieved through the complaints procedure; and
- whether any further action would be reasonable and proportionate in the circumstances.

Any decision regarding the management of an unreasonable, frivolous or vexatious complaint will be made on the individual circumstances of the case and the reasons for the decision will be communicated to the complainant in writing.

Stage 1: Informal Concern – verbal or via email

At Stage 1, concerns should be raised informally with the school.

Contact should be made with the appropriate Head of School or Principal in the first instance, either:

- Verbally (for example, in person or by telephone), or
- In writing via email to feedback@hcacademytrust.education

All reasonable efforts will be made to resolve the issue informally and promptly, without progressing to the formal complaints process. This will normally be achieved through a meeting between the school and the complainant.

Timeframe: Ideally an informal complaint should be resolved within 15 school days of the concern being raised.

Possible outcomes: 1) The concern is resolved informally and closed.

or

2) The complainant is not satisfied and moves to stage 2 of the process.

*Please note that there are specific complaints that are not within scope of this policy (see Appendix 3)

Stage 2: Formal Complaint – written submission using the official HCAT complaint form (Appendix 1)

If concerns cannot be resolved at Stage 1, the complainant may escalate the matter to Stage 2 by submitting a formal complaint.

Formal complaints at Stage 2 **must** be submitted using the official HCAT Complaint Form (Appendix 1). The Trust will only accept and consider complaints submitted on this form.

The completed complaint form must be submitted either:

- By email, as an attachment, to feedback@hcacademytrust.education, for the attention of the Designated Complaints Officer; or
- By post, sent to the Trust address for the attention of the Designated Complaints Officer. Timeframe: A complaint must be lodged within 3 months of the incident.

If the concern meets the criteria defining a formal complaint an investigation into the issues raised will be undertaken (see Appendix 4 for unreasonable complaints), and a written response will be provided to the complainant detailing the findings usually within 15 school days following the completion of Stage 1.

There are 3 possible outcomes to complaints managed at Stage 2 of the policy: -

- no evidence to support the complaint; or
- valid in part; or
- valid in total.

Outcome: 1) The complaint is resolved at stage 2 and closed.

2) The complainant is not satisfied and may request an independent review of the case.

Stage 3: Independent Review (Appendix 2)

If the complainant remains dissatisfied with the outcome of their formal complaint at Stage 2, they may request that the complaint progresses to Stage 3: Independent Review.

The complainant must notify the Trust in writing within 5 school days of receiving the Stage 2 response that they wish to progress the complaint to Stage 3.

On receipt of this request, the Trust will provide the complainant with an Independent Review Request Form (Appendix 2). The complainant should complete and return the form within 5 school days of the date on which it is provided by the Trust. The form must clearly outline the reasons for requesting an Independent Review and explain why the complainant remains dissatisfied with the Stage 2 response.

Independent Review Panel

The Independent Review will be considered at a panel hearing by a panel appointed by or on behalf of the Board of Trustees.

The panel will consist of at least three people who have had no prior involvement in the matters detailed in the complaint. At least one member of the panel will be independent of the management and running of the school concerned.

The Trust will arrange the panel hearing as soon as reasonably practicable and will provide the complainant with reasonable notice of the date, time and arrangements for the hearing.

The complainant will be invited to attend the hearing and may be accompanied if they wish. The complainant will be given a fair opportunity to present their complaint, explain why they remain dissatisfied with the Stage 2 response and provide any relevant supporting information. Relevant parties will also be given an appropriate opportunity to respond to the matters raised.

The purpose of the Independent Review Panel is to provide a fair and impartial consideration of the complaint and the way in which it has been investigated and responded to at the previous stages of the Trust's complaints procedure.

In reaching its findings, the panel will consider all relevant information, including the original complaint, the Stage 2 investigation and response, the complainant's reasons for remaining dissatisfied and any relevant information provided by the parties.

Following the hearing, the panel will make findings and, where appropriate, recommendations. The panel may:

- uphold the complaint in whole or in part;
- not uphold the complaint in whole or in part; and/or
- make recommendations or identify actions arising from its findings, where appropriate.

The complainant, and where relevant the person complained about, will be provided with a written copy of the panel's findings and recommendations.

A copy of the findings and recommendations will also be made available for inspection if required.

5. Timescales for raising a complaint

Complaints must be raised within the specified timeframes set out at each stage of the policy to ensure timely resolution. Complaints received during school/college closure will be considered as received on the first school day following the period of closure.

6. Record keeping and confidentiality

All complaints and actions taken will be documented in writing. Confidentiality will be maintained throughout the complaints process, except where disclosure is required by law.

7. Conclusion

HCAT is committed to addressing complaints in a transparent, fair, and timely manner, following the guidelines set forth by the Department for Education. By providing clear procedures and timeframes, we aim to uphold our commitment to excellence in education and community engagement.

Appendix 1 - Stage 2: HCAT Formal Complaint Form

Stage 2: HCAT Formal Complaint Form

Please complete and return for the attention of the Complaints Officer who will acknowledge receipt and explain what action will be taken.

School name:
Your name:
Student name:
Your relationship to the student:
Address:
Day time telephone number:
Evening telephone number:
Mobile telephone number:
E mail address:
Please give the details of your complaint:
What action, if any, have you already taken to try to resolve your complaint. Who did you speak to and what was the response?

What outcome would you like to see from the school/college to address your complaint? **e.g. An apology; an explanation of what went wrong; a practical action to correct the problem; recommendations to the school/college to avoid a similar situation happening again.**
Are you attaching any supporting paperwork? If so, please give details.
Signature:
Date:
Date received in school:
Acknowledgment sent on: **by:**

Appendix 2 - Stage 3: HCAT Complaint Independent Review Form

Available on request from feedback@hcacademytrust.education

Appendix 3: Complaints not in the scope of this complaint's procedure

This procedure covers all complaints about any provision of community facilities or services by HCAT Trust school's, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Barnsley Local Authority.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). LADO – 01226 772341 or MASH 01226 772423 – mash@barnsley.gov.uk
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaints procedure.*
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Other concerns can be raised directly with Ofsted by telephone on 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.

• Staff grievances	Complaints from staff will be dealt with under the school's/ college internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member because of a complaint. However, the complainant will be notified that the matter is being addressed.
• Complaints about services provided by other providers who may use School / College premises or facilities	Providers should have their own complaints procedure to deal with complaints about their service. Please contact them directly.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

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

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'.

Where a parent/carer raises an issue, it will be important to establish whether the parent/carer has a concern regarding a particular issue which they wish to be addressed, or whether the parent/carer has a complaint which they would like investigating.

Sometimes parents/carers use the term 'complaint' which in fact is a concern that can be dealt with quickly and informally, normally by arranging a meeting with school leaders.

Raising a complaint with the DFE

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by HCAT Trust schools. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

Raising a complaint with Ofsted

Ofsted will not usually consider a complaint if the parent/carer has not in the first instance followed the school's complaints procedure.

Referring the complaint to the Secretary of State

If the parent/carer considers that the Trust have acted unreasonably, they can write to the Secretary of State for Education. Complaints are handled by the Department for Education (DfE). The DfE role is not to investigate individual complaints, but to ensure that the school's published policy is correct and that all the procedures were followed within the timescales and the parent/carer was provided with an outcome to their complaint.

Appendix 4: Unreasonable, Frivolous or Vexatious Complaints and Behaviour

Introduction

HCAT is committed to dealing with all complaints fairly, consistently and impartially and to providing a high-quality service to those who raise concerns.

The Trust recognises that complainants may feel strongly about the issues they raise and that pursuing a complaint can be stressful. The Trust will therefore seek to resolve complaints in a courteous, fair and proportionate manner. However, the Trust does not expect its staff, governors, trustees or representatives to tolerate behaviour that is abusive, threatening, offensive, intimidating, discriminatory or otherwise unreasonable. The Trust has a duty to protect the wellbeing of its staff and to ensure that complaints are handled efficiently and without undue disruption.

This appendix explains how the Trust will manage complaints and complainant behaviour that it considers to be unreasonable, frivolous or vexatious.

General Principles

The Trust recognises that there is an important distinction between:

- a complaint that lacks merit;
- a complaint that is not upheld; and
- behaviour that is unreasonable, frivolous or vexatious.

A complainant will not be regarded as unreasonable solely because:

- they are persistent;
- they are critical of the Trust;
- the Trust disagrees with their complaint;
- they continue to pursue a complaint through the Trust's published complaints procedure; or
- they seek escalation of their complaint in accordance with that procedure.

The Trust will not restrict access to the complaints procedure simply because a complaint is considered unlikely to succeed or because the Trust disagrees with the complainant's views.
Each case will be considered on its own individual facts and circumstances.

Definition of Unreasonable, Frivolous or Vexatious Behaviour

A complaint or complainant may be considered unreasonable, frivolous or vexatious where the nature, frequency or manner of the complaint or communications substantially hinders the effective consideration of the complaint or places a disproportionate burden on Trust resources.

Examples may include where a complainant:

- refuses to clearly explain the nature of the complaint or the outcome sought despite reasonable opportunities and assistance being provided;
- refuses to cooperate with the investigation process while continuing to demand resolution of the complaint;
- refuses to accept that certain matters fall outside the scope of the Trust's complaints procedure;
- insists that the complaint is dealt with in a manner that is incompatible with the Trust's published procedures or accepted good practice;
- repeatedly raises the same issues without introducing any significant new evidence, information or grounds for review;
- introduces excessive amounts of irrelevant information and insists that all matters are fully addressed;
- continually changes the substance of the complaint as the investigation progresses;
- seeks outcomes that are demonstrably unrealistic, disproportionate or incapable of being achieved through the complaints procedure;
- makes repeated and excessive demands on staff time through frequent correspondence, telephone calls, meetings or requests for updates;

- submits complaints primarily to inconvenience, disrupt or harass the Trust or its staff; or
- continues to pursue substantially the same complaint after all stages of the Trust's complaints procedure have been completed and no significant new information has been provided.

Unacceptable Conduct

A complaint may also be considered unreasonable where a complainant's behaviour involves:

- aggressive or confrontational conduct;
- threats, intimidation or harassment;
- actual or threatened violence;
- abusive, offensive or discriminatory language;
- knowingly making false allegations;
- providing falsified or misleading information;
- recording meetings without consent where this has not been agreed;
- publishing confidential, misleading or defamatory information about staff, pupils or the Trust;
- encouraging others to engage in abusive behaviour towards staff; or
- using social media, websites or other platforms to harass individuals connected with the Trust.

Factors Considered by the Trust

When determining whether behaviour is unreasonable, frivolous or vexatious, the Trust may consider:

- the nature and substance of the complaint;
- whether the issues raised have already been fully considered and responded to;
- whether any material new information has been provided;
- whether the outcome being sought is reasonable and capable of being achieved through the complaints procedure;
- the frequency and nature of communications received;
- the impact on staff, pupils and Trust resources; and
- whether any further action would be reasonable and proportionate in the circumstances.

Any decision will be made on the individual circumstances of the case and not solely because the complaint is persistent or strongly expressed.

Managing Unreasonable Behaviour

Where the Trust considers behaviour to be unreasonable, frivolous or vexatious, it may implement proportionate measures to manage communications and protect staff while ensuring complaints are handled appropriately. Such measures may include:

- requiring communications to be made through a single designated point of contact;
- restricting contact to written correspondence only;
- limiting the frequency with which responses will be provided;
- declining to respond to repetitive issues that have already been fully addressed;
- acknowledging correspondence without providing a detailed response where no new issues have been raised;
- requiring meetings to be conducted with appropriate conditions or supervision in place; or
- directing the complainant to previous correspondence where the matter has already been fully considered.

Any restrictions imposed will be reasonable, proportionate and communicated to the complainant in writing.

Notification to the Complainant

Before applying significant restrictions, the Trust will normally seek to explain its concerns to the complainant and provide an opportunity for behaviour to be modified.

Where restrictions are imposed, the complainant will be informed in writing of:

- the reasons for the decision;
- any restrictions that will apply;
- the duration of those restrictions; and
- any review arrangements.

The Trust reserves the right to implement restrictions immediately where there is a significant risk to the wellbeing or safety of staff, pupils or others.

Relationship with the Complaints Procedure

The Trust will seek to ensure that any measures applied under this appendix do not unfairly prevent a complainant from accessing the Trust's complaints procedure where this is required by the published arrangements.
However, the Trust may determine that no further substantive response is required where:

- a complaint has been fully considered through all stages of the complaints procedure;
- no significant new evidence or information has been provided; and
- further correspondence merely repeats matters that have already been addressed.

Any such decision will be communicated to the complainant in writing.

Escalation Under the Habitual, Malicious or Vexatious Interactions Policy

Where a complainant's behaviour continues to be unreasonable despite the steps outlined above, the matter may be considered under the Trust's **Habitual, Malicious or Vexatious Interactions Policy**.
That policy sets out the circumstances in which the Trust may formally designate an individual as a habitual, malicious or vexatious complainant and the process that will be followed before such a designation is made.
Any designation will be reviewed at least every six months.

Barring from School Premises

The Trust has a responsibility to provide a safe environment for pupils, staff and visitors.
Where an individual's behaviour presents a risk to the safety, wellbeing or efficient operation of the school or Trust, they may be asked to leave the premises.
In serious cases, the CEO may notify the individual in writing that their implied licence to enter school premises has been withdrawn for a specified period.
Before a decision is confirmed, the individual will normally be given the opportunity to make written representations.

Following consideration of any representations received, the Trust will decide whether to:

- confirm the restriction;
- amend the restriction; or
- remove the restriction.
-

The individual will be notified in writing of the decision, the reasons for that decision and the duration of any restriction imposed.
Any person wishing to challenge a decision to bar them from school premises may do so in writing to the Complaints Officer.
Once the Trust's internal procedures have been completed, any further challenge to a decision to bar an individual from school premises would generally be a matter for the courts and independent legal advice should be sought.