

## COMPLAINTS PROCEDURE

### 1. Introduction

- 1.1 The Trust takes any complaint about the education, other services provided or about the conduct of staff very seriously.
- 1.2 We believe that tackling concerns at the earliest possible stage allows us to improve relationships, enhance learning, prevent issues escalating and reduces the number of formal complaints.
- 1.3 A complaint as 'an expression of dissatisfaction about the standard of service, actions or lack of action by the Trust or one of its schools / academies which affecting an individual or group'.

### 2. Application of the complaints procedure

- 2.1 This procedure will be used to consider complaints about The Trust and member schools / academies, except those which relate to the following areas, which have their own statutory procedures:
  - admissions
  - exclusions
  - special education provision
  - complaints covered by the Children Act 1989
  - complaints about the allocation of awards and benefits.
- 2.2 This procedure does not cover complaints which are, or have been, the subject of legal proceedings or complaints being considered by the Secretary of State under any statutory power.

### 3. Principles

- 3.1 We will:
  - take complaints seriously;
  - make every attempt to resolve matters by informal means without the need for formal procedures;
  - be fair, open and honest when dealing with any complainant;
  - give careful consideration to all complaints and deal with them as swiftly as possible;
  - aim to resolve any complaint through dialogue and mutual understanding;
  - provide an opportunity for any complaint to be discussed in order to be resolved;
  - where applicable, use the outcome of a complaint to reflect on the services provided.

### 4. Informal complaints

- 4.1 Normally a complaint will be raised verbally in the first instance to enable it to be addressed before it matters escalate further.
- 4.2 A complaint may be raised with any member of management team who will aim to resolve the matter or will refer the matter on to a more appropriate person.
- 4.3 We aim to resolve informal complaints as soon as possible and in any event normally within 10 working days.
- 4.4 The member of staff concerned will make a written record of the issue raised, the date on which it was received, the outcome and the date when this was communicated to the complainant.
- 4.5 If the complainant is not satisfied they may make escalate matters and make a formal complaint.

## 5. Stage 1 - Making a formal complaint

- 5.1 A formal complaint should be put in writing for the attention of the CEO of The Trust where the complaint refers to The Trust, or the Headteacher where the complaint refers to a school / academy, complaints can also be taken in person, by telephone, or by a third party acting on behalf of the complainant.
- 5.2 In the event of a complaint about the CEO of the Trust, the complaint should be sent to the Chair of the Board of Trustees. In the event of a complaint about a Headteacher, the complaint should be sent to the Chair of the Local Governing Body.
- 5.3 We will acknowledge receipt of a formal complaint in writing within 5 working days.
- 5.4 Every effort will be made to conclude an investigation and provide a written response to the complainant within 15 working days of the receipt of a formal complaint.
- 5.5 A complaint made more than three months after the event will not be considered except in exceptional circumstances.
- 5.6 Anonymous complaints will not be investigated, except in exceptional circumstances, as the Trust is unable to clarify matters or respond to the complainant.
- 5.7 Exceptional circumstances may include serious concerns such as child protection issues.

## 6. Investigating the Complaint

- 6.1 The complaint will be investigated by another suitable member of staff (or if appropriate a governor or trustee where the complaint concerns the CEO of the Trust / a Headteacher) who is independent of the complaint.
- 6.2 Where the nature of the investigation is such that the complaint cannot be concluded within 15 working days, a holding letter will be sent to the complainant giving an indication of the timescale in which a response will be made.
- 6.3 The person/s investigating the formal complaint will:
- clarify the nature of the complaint;
  - meet with the complainant or contact them as required (for clarification or further information as necessary);
  - ascertain what the complainant feels would put things right if this is not clear;
  - conduct the investigation, analysing relevant documents and interviewing those who may be involved (allowing them to be accompanied if they wish)
  - keep written records.
- 6.4 Written records including notes of meetings, interviews, discussions and telephone calls will be retained in case the complaint is taken further.

## 7. Providing a response

- 7.1 Every effort will be made to conclude an investigation into a formal complaint and provide a written response to the complainant within 15 working days of the receipt of a formal complaint.
- 7.2 A response letter will normally include the following:
- a brief summary of the complaint
  - a summary of the process undertaken
  - the outcome of the investigation
  - the reasons for that outcome, unless confidentiality would be compromised (in which case

- a suitably worded conclusion should be provided)
- potential next steps

7.3 If a complainant is not satisfied with this response they may request stage 2, a panel appeal hearing.

## 8. Stage 2 - Panel Appeal Hearing

8.1 A panel appeal hearing will consist of 3 members. Two will be members of the Local Governing Body / Trust Board who have not been involved in matters detailed in the complaint and the other must be independent from the management and running of the Trust or School / Academy. It is a matter for the Trust / School / Academy to identify a suitably independent individual who can fulfil the role and responsibility of being the independent member.

8.2 An appeal panel hearing will normally be convened giving 10 working days' notice and all documentation to be considered at the hearing will be provided to those attending the hearing at this time. The hearing can take place earlier if all parties agree.

8.3 The complainant may attend the hearing and be accompanied if they so wish.

8.4 The decision of the appeal panel hearing will be confirmed in writing within 5 working days and this concludes the internal process.

8.5 Once the internal processes has concluded and if the complainant remains dissatisfied they may complain directly to the Education and Skills Funding Agency.  
<https://www.gov.uk/government/publications/complain-about-an-academy>

## 9. Vexatious Complaints

8.1 Where the Trust considers that a complaint is vexatious, for example malicious unduly frequent or persistent without foundation. The Trust will be entitled to take such action as appropriate to manage behaviour. This may include (but is not limited to) placing limits on contact with staff or opting not to invoke this procedure further.

8.2 Where such action has been taken by the Trust, the complainant will receive written notification.

## 10. General Data Protection Regulation

9.1 All data within this policy will be processed in line with the requirements and protections set out in the General Data Protection Regulation.

### Document management

Review cycle:	Every two years
Next review due:	March 2021
Policy owner	Head of Human Resources

### Complaints Form

Please complete and return to relevant School / Academy or the Trust, who will acknowledge receipt and explain what action will be taken.

<b>Your Name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant)</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>
<b>E-mail address:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>

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

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

**Signature:**

**Date:**

**Official use**

**Date acknowledgment sent:**

**By who:**

**Complaint referred to:**

**Date:**