

Complaints Policy

Date of adoption: 01.02.2022

Date to be reviewed: 01.09.2023

Introduction

The Complaints Policy applies to all academies within the Spencer Academies Trust, the Central Team and Board of Directors.

Spencer Academies Trust is committed working in close partnership with parents and the community. However, we recognise that from time to time concerns or complaints may arise and it is our aim to work with all parties involved to resolve these as quickly and efficiently as possible. Usually, concerns can be resolved quickly through day to day communication between parents and academy staff.

The responsibility to consider complaints has been delegated to the Principal in collaboration with the Chief Executive. Throughout this Policy, 'Principal' refers to the person outlined in the table of delegated authority as set out in the Trust Scheme of Delegation applicable at the adoption date of this Policy. The Principal or their appointed representative will be responsible for managing the procedures and will appoint appropriate managers to undertake the investigation. This policy requires that every effort is made to resolve a concern/complaint at academy level.

This policy has been developed taking into account the requirements of the DfE guidance last updated 12 March 2021, ESFA Guidance March 2021 and the Equality Act 2010. Guidance on managing the procedures is available from senior leaders within the SAT leadership team and the Trust HR Team. Template letters and forms to support the procedures are also available on the Google Drive.

The aim of this procedure is to:

- provide a fair complaints procedure which is clear and easy to use
- attempt to resolve concerns through informal discussions at the earliest stage
- provide clarity of who will be co-ordinating the process in school
- give clear timelines for resolution
- encourage resolving the issues and finding a way to move forwards
- demonstrate a fair approach to managing complaints and concerns
- explain how vexatious and unreasonable behaviour by complainants is dealt with

Complaints will be managed in line with the Complaints Process set out within this procedure. For those situations where an informal resolution is not reached, there is a more formal process to investigate and deal with complaints. Our aim is to address all concerns/complaints as soon as possible after they arise and to resolve matters amicably at an early stage. With that in mind, complainants will be asked at the outset what they think might resolve the issue.

The SAT Complaints Policy is a Four-Stage Process:

Stage 1: Concern/complaint heard by staff member (Informal stage)

Stage 2: Concern/complaint heard by the Principal (formal stage)

Stage 3: Complaint heard by an appointed Panel (formal stage)

Stage 4: Complaint referred to the Education and Skills Funding Agency (ESFA)

Author: SAT Central HR Team

The table entitled 'Management of Stages' sets out who will be involved in the management of the complaint depending on the stage it has reached.

Trust and Academy Policies

When the Trust adopts or approves a policy, and the academy puts the policy into operation, that is part of the day to day running of the academy. If there is an objection to a policy, this is a matter that needs to be referred back to the Trust or Principal. It is separate to the complaint process.

Day to day operational decisions about curriculum and timetabling should be referred to the Principal for review. They are operational decisions that are expected of Principals and senior leaders by virtue of the Contract of Employment and expectations set out by the Department for Education.

Who can make a complaint?

The complaints process exists to enable parents, carers, pupils, former pupils, advocates and other individuals to complain about the application of policies, concerns about treatment or mistreatment or issues relating to prejudicial decisions to be properly reviewed in school and by an independent panel appointed by the Trust.

Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure. Please see the table entitled 'Complaints that are dealt with under other statutory procedures'.

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'*.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, discuss the matter with the Principal or member of the leadership team and arrangements can be made to refer you to another staff member. Similarly, if the employee directly involved feels unable to deal with a concern, arrangements will be made to refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the Trust and individual Academy will attempt to resolve the issue internally, through the stages outlined within the complaints procedure.

How to raise a concern or make a complaint

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, as long as they have appropriate consent to do so.

Complaints against employees (except the Principal) should be made in the first instance, to the Principal via the academy office.

Complaints that involve or are about the Principal or member of the Trust central team should be addressed to the Chief Executive Officer, via the Trust office.

Complaints about the Chair of Governors, any individual governor or the whole governing Board should be addressed to the Head of Governance via the Trust office.

Complaints about the Chief Executive Officer (CEO) or Trust Board Member, should be addressed to the, Chair of Board of Directors, via the trust office.

In all cases the complaint should be marked as Private and Confidential.

A template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the academy office. You can also ask a third-party organisation for example like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Principal in conjunction with the Trust, if appropriate, will determine whether the complaint warrants an investigation.

Unreasonable actions and unacceptable behaviours

Spencer Academies Trust defines unreasonable actions as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the academy, such as, if the complainant:

- 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 procedure
- insists on the complaint being dealt with in ways which are incompatible with this procedure or 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 where the SAT complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on time by frequent, lengthy and complicated contact with employees regarding the complaint in person, in writing, by email, 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.

Complainants should try to limit their communication with the academy to that which relates to their complaint, 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.

Whenever possible, the Principal will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If, however, the behaviour continues, the Principal will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively cause a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

Ultimately, if a complainant persists in pursuing a complaint to the point where the Academy /Trust considers that the behaviour of the complainant constitutes harassment, discrimination and/or is threatening or intimidating to the staff of the Academy/Trust, and/or a threat to the welfare or well-being of any child at the academy, it may be necessary for the Academy/Trust to take further and proportionate action, including (by way of example) the imposition of a ban on the complainant from contacting the Academy/Trust and/or attending academy premises and/or taking legal action (which may include seeking an injunction or court order), or notifying the Police;

Individuals will have the right to make representations to the Principal/Trust Senior Leader as appropriate in circumstances where a decision to ban them has been made (and, in certain circumstances and where considered appropriate by the Academy/Trust, where a decision to ban is being considered).

Time scales

Complaints must be raised by the complainant within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of the complaints policy

This procedure covers all complaints about any provision of community facilities or services by the Academy/Trust, other than complaints that are dealt with under other statutory procedures, including those listed at the end of the procedure.

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. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against the Trust or one of our academies in relation to their complaint, we will consider whether to suspend the complaints procedure until legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, Spencer Academies Trust wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review academy policies in light of the complaint
- an apology.

If it is considered that mediation would be helpful in resolving the issue, a mediation meeting may be convened between the complainant and appropriate staff. The aim of which will be to identify an agreed solution to the issues raised by the complainant. A summary note of proceedings will be taken. A copy of the note will be provided to the complainant.

The Chair will consider the outcome from the mediation meeting and will write to the complainant confirming the actions agreed at and/or any outcome from the meeting. Mediation may take place at any stage of the procedure.

Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Stage 1 – Informal complaints

It is to be hoped that most concerns can be expressed and resolved on an informal basis. Concerns should be raised with either the class teacher, year head / subject head or Principal. Complainants should not approach individual governors to raise concerns or complaints.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response where possible within 10 working days of the date of receipt of the complaint. If the issue remains unresolved, the next step is to make a formal complaint within 5 working days of stage 1 being concluded.

Stage 2 – Formal complaints

Formal complaints must be made to the Principal (unless they are about the Principal), via the school office. This may be done in person or in writing (preferably on the Complaint Form).

The Principal will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 working days.

Within this response, the Principal or the appointed representative (this may be a Trust Senior Leader) will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The principal (or Trust Senior Leader) can consider whether a face to face meeting is the most appropriate way of doing this.

If the matter is within the scope of the complaint policy, it is important that the right person to investigate is identified. The Principal will look within the resources of the Academy or wider Trust if appropriate, but in exceptional circumstances it may be necessary to seek an external, neutral third party to undertake this role. The Trust has discretion to appoint this person, and to notify the complainant about who the person is and reasons for the decision.

If the complaint is about an employee, a HR process will be followed. That is outside the scope of this complaints policy.

Investigation

The Principal may delegate the investigation to another member of the academy senior leadership team or suitable investigating officer but not the decision to be taken.

During the investigation, the Principal (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Principal will provide a formal written response within 20 working days of the date of receipt of the complaint. If the Principal 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 that will be taken to resolve the complaint.

The Principal will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Principal, or a member of the governing board (including the Chair or Vice-Chair), the CEO will appoint a Trust Senior Leader to complete all the actions at Stage 3.

Records

The records of a complaint process are subject to the Data Protection Act 2018 and other statutory requirements. There is an obligation to keep appropriate records. The Investigating Officer will collect and keep records of meetings as necessary. When the investigating officer writes their report, they may decide to combine their notes into that report, and destroy original copies. They may decide to summarise their notes in the report and keep original copies. This will be specified in any report.

Schools keep necessary records and not a note of every meeting or discussion that is held between school staff or with parents, carers and pupils. To try and retain a record of every interaction or discussion about a pupil would be impossible on a daily basis. On occasion emails may also be deleted as part of the retention and information management process.

Stage 3 – Panel Meeting

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel meeting consisting of up to three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the academy (this may be a Trust leader or Leader from another Academy within the Trust). This is the final stage of the SAT complaints policy.

Right to Seek a Panel

Following an investigation, or an outcome, either the complainant or the person complained about, can seek to take the matter to a panel hearing if they disagree with the outcome of the investigator's report and recommendations.

Procedure for Stage 3

A request to escalate to Stage 3 must be made to the Chief Executive Officer, via the Trust office, within 5 working days of receipt of the Stage 2 response.

The CEO will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 working days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

Arrangements for the Panel

We will write to the complainant to inform them of the date of the meeting. We will aim to convene a meeting within 15 working days of receipt of the Stage 3 request. If this is not possible, we will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, we will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage they bring legal representatives to the meeting. If an employee is called as a witness in a complaint meeting, they may wish to be accompanied by a colleague or trade union representative. Representatives from the media are not permitted to attend.

Material for the Panel Meeting

At least 10 working days before the meeting, we 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 panel at least 7 working days before the meeting.

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

The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The Panel Meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all

parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. 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 on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to systems or procedures to prevent similar issues in the future.

The Chair of the panel will provide the complainant and academy with a full explanation of their decision and the reason(s) for it, in writing, within 10 working days. The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled.

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 / Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the academy premises.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel meeting, along with what actions have been taken, regardless of the decision.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a Board conducting an inspection under section 109 of the 2008 Act requests access to them.

Complaints escalated to the Trust

If a complaint is escalated to Spencer Academies Trust or if a complainant wishes to complain directly about the Trust, then the complaint should be sent to the CEO to be investigated.

An Independent Investigating Officer can be appointed. The investigation will focus on the matters raised in the complaint.

The CEO will write to the complainant acknowledging the complaint within 5 working days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 (taking into account the nature of the complaint and the actions already taken by the complainant to address their concerns informally) of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 20 working days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant explaining the reason for the delay and providing a revised date.

Complaint about the CEO, Member of the Trust Central Team or Board Member

If the complaint concerns the CEO or Board Member, the complaint should be investigated 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 for investigation

Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant within 20 working days and provide a copy to the CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Head of Governance within 5 working days of receipt of the response asking for the complaint to be heard before a Complaint Panel.

The Head of Governance will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 working days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

Arrangements for the Trust Complaint Panel Procedure

The Head of Governance will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 working days of receipt of the Stage 2 request. If this is not possible, we will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Head of Governance will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust Board or
- the majority of the trust Board

Stage 3 will be heard by an independent panel. The Complaint Panel will consist of up to three members. None of the members of the Complaint Panel will have been involved in the incidents or events which led to the complaint or have been involved in dealing with the complaint in the previous stages, or have any detailed prior knowledge of the complaint.

One of the Panel members will be independent of the management and running of the Trust. This means that the independent Complaint Panel member will not be a Board Member or an employee of the Trust.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the meeting. However, there may be occasions when legal representation is appropriate.

If a trust employee is called as a witness in a complaint meeting, they may wish to be accompanied by a colleague or a trade union representative. Representatives from the media are not permitted to attend.

Complaints about an employee will not generally be handled under this complaints procedure. Complainants will be advised that any employee conduct complaints will be considered under the SAT disciplinary policy, if appropriate, but outcomes will not be shared with them.

Material for the Panel Meeting

At least 10 working days before the meeting, we 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 7 working days before the meeting.

Any written material will be circulated to all parties at least 5 working days before the date of the meeting. 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 also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The Trust Panel Meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. 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 on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to systems or procedures to prevent similar issues in the future.

The Chair of the panel will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 working days. The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by the Trust.

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 Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, where appropriate they will be available for inspection on the academy premises by the Principal.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a Board conducting an inspection under section 109 of the 2008 Act requests access to them.

Data Protection

Prior to commencing any investigation, it is necessary for the complainant to give consideration to what personal data that they are content to be shared with an investigating officer. Attached to the complaint form is consent to share material to enable an investigation to be undertaken.

If the complainant does not give consent to share information, it is important to note that the scope of the complaint may be limited and, therefore, the actions available to conclude the complaints process may also be limited. In some instances, the complaint may not be able to proceed. The complainant will be informed if this is the case to give an opportunity to consider consent to share the material again.

The same complaints process will be applied to Data Protection issues. A written outcome will be provided. If the academy does not comply with a Subject Access Request within 1 month (subject to any extension), or refuses all or part of the request, written reasons will be provided, setting out the principles for the refusal.

However, if you feel that the academy has not dealt with your matter satisfactorily you can complain to the Information Commissioner.

- By post: Customer Contact, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF.
- Or by email: casework@ico.org.uk
- More information is on the ICO website www.ico.org.uk/

Next Steps

If the complainant believes the Academy / Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the Academy / Trust. They will consider whether the Academy / Trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to: Academy Complaints and Customer Insight Unit, Education and Skills Funding Agency, Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT

Vexatious Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Principal is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. Also see the section above on unreasonable actions and unacceptable behaviours.

Duplicate complaints

If we have resolved a complaint under this procedure 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 the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint
- If there are new aspects, we will follow this procedure again.

Complaint campaigns

There can be occasions where the academy receives large volumes of complaints from multiple sources. In these cases, we reserve our right to treat this as a complaints campaign and as such we may choose to manage these complaints as a whole and produce a single statement which is shared with all complainants.

Although the subject matter of the complaint will be taken seriously and fully investigated, the issue will not be investigated repeatedly without good reason. In the event of a complaint which is identified as a part of a series of near identical complaints, the following process will be followed:

- The complainant begins the complaints process as usual.
- The Principal identifies that this complaint is one of many very similar complaints.
- A single letter of response is prepared.
- This letter of response is shared with each complainant.
- Complainants will have an opportunity to appeal the outcome of the complaint.

As there may be a high number of complainants and therefore a high number of appeals received, appeals may also be managed as a whole and as such the procedure will be varied. It will not be possible for all complainants to attend an appeal meeting, however an opportunity to submit additional information will be provided.

Complaints about a decision to ban persons from Trust premises

Members of the public (including parents) do not have an automatic right of access or entry to academy premises. The priority of the academy will always be to ensure that academy premises are a safe place for pupils, staff and other members of the academy community.

The Principal has the absolute right to request any person whose behaviour is a cause for concern to leave the academy premises. Aggressive, abusive or insulting behaviour would be sufficient. The academy will tell the individual in writing if they have (i) been banned or (ii) if they intend to ban them. The person whose behaviour is a cause for concern has the right to present their side. In such cases the academy can either:

- (i) ban them temporarily, until the individual has had the opportunity to formally present their side;
- (ii) tell the individual they intend to ban them and invite them to present their side by a set deadline.

After hearing the individual's side, the Principal will decide on the outcome.

Management of Stages:

Complaint against Academy or Academy Employees

Complaint relates to	Stage 1 Informal	Stage 2 Formal Investigating Officer	Stage 3 Complaint Panel
Pupils, parents or staff (other than the Principal)	The appropriate member of staff	The Principal or another Senior Leader	Up to 3 people who are not directly involved in matters detailed in the complaint, one panel member who is independent of the management and running of the academy.
The Principal	The Principal	The CEO or Senior Trust Leader.	Up to 3 people who are not directly involved in matters detailed in the complaint, one panel member who is independent of the management and running of the academy.
A Governor or Governors (other than the Chair of Governors)		The Chair of Governors / Head of Governance	Up to 3 people who are not directly involved in matters detailed in the complaint, one panel member who is independent of the management and running of the academy.
The Chair of Governors		Chief Executive Officer / Trust Senior Leader / Head of Governance	Up to 3 people who are not directly involved in matters detailed in the complaint, one panel member who is independent of the management and running of the academy.
The whole Board of Governors		Chief Executive Officer / Trust Senior Leader / Head of Governance	Up to 3 people who are not directly involved in matters detailed in the complaint, one panel member who is independent of the management and running of the academy.

Complaint against Trust or Trust Officer

Complaint relates to	Stage 1 Informal	Stage 2 Formal Investigating Officer	Stage 3 Complaint Panel
Academy Trust Officer (other than the CEO)	Trust Manager as appropriate.	Senior Trust Leader	Chief Executive Officer / Senior Trust Leader
Chief Executive Officer	Chief Executive Officer	Chair of Trust Board	Panel appointed of independent members
Trust Director (other than the Chair)		Chair of Trust Board	Panel appointed of independent members
The Chair of the Trust (or group of Directors he Chair)		Vice-Chair of the Trust	Panel appointed of independent members
The whole Board of Trust Directors		Independent investigation	Panel appointed of independent members

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the academy in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Principal or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Principal or complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

(this could be the Principal or CEO / Senior Trust Leader or other staff member providing administrative support where appropriate)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Principal, CEO, Chair of Governors, Chair of Trust or the Clerk (Head of Governance) and to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Principal or appointed representative /Clerk to the Trust Board (Head of Governance)

Is the contact point for the complainant and the panel and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, academy and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- arrange a note taker for the proceedings
- circulate the notes of the meeting
- notify all parties of the panel decision.

Panel Chair

The chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the panel is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the panel is open-minded and acts independently
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- a note is taken of the meeting
- they liaise with the Principal, Clerk (and complaints co-ordinator, if the academy has one).

Panel Member

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- No-one may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the academy and the complainant
- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in

their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The panel should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount

Complaint Form

Your name	
House/ flat/ building number and street name	
Town	
County	
Postcode	
Your telephone number	
Your email address	

Formal complaint

Please provide as much detail as possible. All of the boxes expand to take additional text.

I am writing to make a formal complaint against/about	
Please describe what your complaint is and when it arose	
What you think the Academy did wrong or did not do. Include dates, names of witnesses etc.	
Please provide details about the consequences of what happened	
What action, if any, have you already taken to try to resolve your complaint? (who have you spoken with or written to and what was the outcome?).	
What do you think the Academy should do to resolve matters at this stage?	
Please list copies of any documents you are attaching to the complaint.	

Please consider if you give consent to share your personal data with any investigating officer or not. Please delete either

I give my consent for information held in paper and electronic records in respect of my case to be made available to any allocated investigator. I consent to this confidential and sensitive data to be shared for that specific purpose. I realise that any information held about any third party cannot be shared without their specific consent.

Should it be necessary in the view of the investigator to seek that third party consent I give my approval that they may share sufficient information with that third party to enable that person to make an informed choice about whether or not to give consent to sharing that person's information with the investigator.

OR

I do not give my consent to share my personal data to an allocated investigating officer. I acknowledge that this may limit the scope of the complaint investigation.

Signed

Dated

Complaints that are dealt with under other statutory procedures

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority. Guidance can be sought from the Head of Governance at the Trust.
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our safeguarding and child protection policy and in accordance with relevant statutory guidance. Please see the Academy website or http://satrust.com/wp-content/uploads/2021/11/Safeguarding-Statement-October21 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).
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of the behaviour policy can be made through the SAT complaints procedure.</i>
Whistleblowing	We have an internal SAT whistleblowing policy 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 whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus . Volunteer staff who have concerns about our academy should complain through the SAT 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.
Employee grievances	Complaints from employees will be dealt with under the SAT Grievance Policy.
Employee conduct	Complaints about an employee’s conduct behaviour will be dealt with under the SAT disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.