



# **COMPLAINTS POLICY & PROCEDURE: TRUST**

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## 1. Scope

- 1.1 Any complaint of any nature that relates to one of the Trust's academies must follow the Reach South Complaints Policy and Procedure: Academies. This policy and procedure only applies to complaints about any aspect of the Trust that does not relate to a specific academy. Where there is any doubt as to whether the 'Academies or the 'Trust' version of the complaints policy should apply the Reach South Academy Trust Business and Policy Director will make a final determination.
- 1.2 This Complaints Policy is based on the principle that concerns expressed by a pupil, parent or any other individual or organisation should be resolved as quickly as possible without the need to escalate to the formal stages of the procedure. However, where resolution has not been achieved and the person raising the concern is unhappy and wishes to take the matter further, the formal procedure for dealing with complaints will be followed. Complaints not in scope include:
- Admissions to schools – An applicant who has been refused a place at an academy has a right of appeal to an Independent Appeal Panel established by the Admission Authority for each school.
  - Statutory assessments of special educational needs should be raised directly with Local Authorities.
  - Matters likely to require a child protection investigation will be handled under the Academy's Child Protection and Safeguarding policy, and in accordance with relevant statutory guidance.
  - Exclusion of children from school – Further information about raising concerns about exclusions is available in the [School discipline and exclusion](#) guidance. Complaints about the application of the Behaviour policy can be made through the Academy's Complaints policy.
  - Whistleblowing will be handled under the Whistleblowing policy. Where Whistleblowers do not want to raise matters with their employer, concerns can be raised with ESFA through their [contact form](#).
  - Staff grievances will be dealt with under the internal grievance procedures.
  - Complaints about services provided by other suppliers who may use the school premises or facilities – You should follow the external providers own complaints procedure.
  - Withdrawal from the Curriculum, from any aspect of Religious Education (RE), including the Daily Act of Collective Worship (DACW) – If you are not satisfied with the handling of a request to withdraw your child from RE or the DACW, you should follow the Complaints procedure. The right of withdrawal does not apply to other areas of the curriculum where religious matters may be spontaneously raised by pupils or arise in other subjects such as history or citizenship.
- 1.3. This Complaints Policy is intended to be compliant with Schedule 1, Part 7 of the Education (Independent Schools Standards) Regulations 2014 ("the Regulations"). In the event of any variance between this Complaints Policy and the Regulations, the Regulations will apply.

## 2. Policy

- 2.1 Concerns or complaints should be raised within three months of the incident or event to which the complaint relates (or, where the complaint relates to a series of incidents or events, within three months of the latest incident or event). There may be exceptional circumstances as to why the complaint is lodged after this time. Under these circumstances paragraph 2.10 of the policy will apply.
- 2.2 The Trust has three stages to its complaints procedure. The aim is to try to deal with the complaint, to the satisfaction of the Complainant, at the earliest possible stage.



- 2.3 Only if the complaint cannot be resolved at the informal stage would it be escalated to the formal stages. Only if the complaint cannot be subsequently resolved at the formal stages would it be escalated to a Complaint Panel Hearing.
- 2.4 Where the complaint concerns the **Chief Executive Officer** or a **Trustee**, the complaint will be referred to the Chairman of the Trust Board. The Chairman will investigate the complaint under Stage 2 of this Complaints Policy. Where the complaint concerns the **Chairman of the Trust Board**, the Vice Chairman will investigate the complaint under **Stage 2** of this Complaints Policy. The complaint should be sent to the Trust, addressed to the Clerk to the Trust Board, who will in turn refer this to the Chairman of the Trust Board.

### Principles of Investigating a Concern or Complaint

- 2.5 The principles that will form the basis for all investigations of concerns and complaints will be that the person investigating the complaint:
- Has read this Complaints Policy to familiarise his or her self with the procedure;
  - Is aware of the time limits that apply to the relevant stage and ensures that he or she complies with them;

- Establishes the nature of the complaint and what issues remain unresolved;
- Establishes what the Complainant says has happened, who has been involved, and what the Complainant feels would put things right;
- If necessary, interviews those involved in the matter, for example the Complainant, pupils and members of staff, including those complained about;
- Allows those being complained about to be accompanied during interviews, if they wish;
- Keeps a written record of the interview, and asks the interviewee to sign and date it;
- Establishes relevant facts, on a balance of probabilities, based on evidence not speculation, and keeps a written record of these;
- Provides an effective response to the complaint, addressing all issues raised (including, where relevant, complaints about the way in which the complaint has been dealt with in the earlier stages);
- Ensures that the response to the complaint includes the appropriate redress, where necessary;
- Reports the complaint and the outcome of the complaint to the Executive Team so that services can be improved;
- Deals with investigation in an impartial, objective, fair and timely manner, keeping in mind the privacy of the parties involved.

### Principles of Resolving a Concern or Complaint

- 2.6 It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. The way in which the concern or complaint is dealt with after the Complainant first raises the matter can be crucial in determining whether the complaint will escalate. To that end, members of staff will be periodically made aware of the procedure in this Complaints Policy, so that they will know what to do when a concern is raised with them.
- 2.7 At each stage of the complaints procedure, the investigator will consider how the complaint may be resolved. In considering how a complaint may be resolved, the investigator will give due regard to the seriousness of the complaint. It may be appropriate in order to bring the complaint to a resolution for the investigator to offer:
- An explanation
  - An apology
  - Reassurance that steps have been taken to prevent a recurrence of events which led to the complaint.
  - Reassurance that the Trust will undertake a review of its policies and procedures in light of the complaint.

None of the above will constitute an admission of negligence or an acceptance of liability on behalf of the Academy or the Trust.

### Principles of Notifying the Outcome of a Concern or Complaint

- 2.8 Once all of the facts have been established, the investigator will write to the Complainant setting out all of the issues in dispute, the results of the investigation, the decision made, the reasons for the decision, and details of any action to be taken to resolve matters or prevent a reoccurrence. Alternatively, the investigator may wish to meet with the Complainant to discuss the outcome of the investigation, the decision made, the reasons for the decision and any action to be taken directly, in which case a full written record will be made of the meeting, which the Complainant will be asked to sign and date. Strictly confidential procedures such as staff disciplinary investigations or sanctions must **not** be referred to.
- 2.9 The outcome of all concerns and complaints, whether dealt with formally or informally, will be recorded centrally by the Trust. Examples of outcomes include:
- There was insufficient evidence to reach a conclusion, so the complaint cannot be upheld;
  - The evidence did not substantiate the concern, so the complaint cannot be upheld;
  - The complaint was substantiated in part or full. A brief description should be given of the remedial action being taken by the Trust as a consequence of the complaint. Details of the investigation of or any disciplinary sanctions to be taken against a member of staff cannot be disclosed.
  - The matter has been fully investigated and, as a consequence, further confidential procedures are being pursued. Strictly confidential procedures such as staff disciplinary investigations and sanctions must not be referred to.

### Time Limits

- 2.10 This Complaints Policy sets out the time limits for each stage of the Complaints procedure. Those dealing with complaints will keep to these time limits. However, where a complaint is of a particularly complex nature, or further investigations are required to ascertain the facts, new time limits can be set. The Complainant will, within the time limit specified in this Complaints Policy, be sent the details of any changes to the time limits with an explanation for the delay and confirmation of the revised date.
- 2.11 Complaints received in school holidays will be deemed to be received on the first school day back after receipt. The complaint process may be suspended, if legal action is taken by the Complainant against the Trust.

## Late Complaints

- 2.12 Where a concern or complaint is raised more than three months after the incident or event (or where the complaint relates to a series of incidents or events, more than three months from the date of the latest incident or event), the Trust reserves the right to refuse to investigate the concern or complaint under the procedure in this Complaints Policy **if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint.**
- 2.13 Where the Trust decides that a concern or complaint which was raised late will not be investigated, the Trust will write to the Complainant notifying them of the decision within **5 school days** of the concern or complaint being raised.
- 2.14 If the Complainant is unhappy with the decision not to investigate a concern or complaint that was raised late, the Complainant may write to the Chief Executive Officer at the Trust asking for the decision to be reviewed. The Chief Executive Officer will be provided with all documentation relating to the concern or complaint, together with the letter from the Trust to the Complainant, and will review the decision made. The Chief Executive Officer will write to the Complainant with the outcome of the review within **10 school days** of the date that the letter from the Complainant seeking the review was received, and provide the Trust with a copy of the letter.
- 2.15 If the Chief Executive Officer quashes the decision not to investigate the concern or complaint, it will be referred to a Senior Manager to be dealt with under the procedure in this Complaints Policy in the usual way.
- 2.16 If the Chief Executive Officer upholds the decision not to investigate the concern or complaint, the Complainant may refer the concern or complaint to the Education and Skills Funding Agency (ESFA) using the procedure stated towards the end of this Complaints Policy.
- 2.17 In exceptional circumstances, the Chief Executive Officer can delegate the responsibility for the review to another member of the Executive Team that has no link to the subject of the complaint, or, of appropriate refer the matter to the Trust Chairman.

## Vexatious and/or Repeated Complaints

- 2.18 There may be occasions when, despite all stages of this complaint procedure being followed, the Complainant remains dissatisfied. If a Complainant tries to re-open the same issue, the Academy or Trust can inform them that the procedure has been completed and that the matter is now closed. There may be occasions where the Complainant raise the same issue – this can be viewed as ‘serial’ or persistent. Vexatious complaint characteristics include:
- complaints which are obsessive, persistent, harassing, prolific, repetitious
  - insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
  - insistence upon pursuing meritorious complaints in an unreasonable manner
  - complaints which are designed to cause disruption or annoyance

- demands for redress that lack any serious purpose or value

In all of these cases, the Academy reserves the right to regard the complaint as vexatious and/or repeated and to refuse to investigate it under the procedure in this Complaints Policy **if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint.** In these circumstances, the Trust must take advice from the Trust's Director of Operations before a final decision can be taken as to whether the complaint can be considered vexatious or repeated. Where a complaint has been determined to be vexatious or repeated, and a new complaint from the same complainant must be considered separately and on its own merits.

- 2.19 Where the Trust decides that a complaint is vexatious and/or repeated and will not be investigated, the Trust will write to the Complainant within **5 school days** of the complaint being raised to notify them of the decision.
- 2.20 If the Complainant is unhappy with the decision not to investigate a vexatious and/or repeated complaint, they may write to the Chairman of the Trust Board to ask for the decision to be reviewed. The Chairman of the Trust Board will be provided with all documentation relating to the current complaint and any previous complaints which were relevant to the decision, together with the letter from the Trust to the Complainant, and will review the decision made. The Chairman of the Trust Board will write to the Complainant with the outcome of the review within **10 school days** of the date that the letter from the Complainant seeking the review was received.
- 2.21 If the Chairman of the Trust Board quashes the decision not to investigate the concern or complaint, it will be referred to the Trust to be dealt with under the procedure in this Complaints Policy in the usual way.
- 2.22 If the Chairman of the Trust Board upholds the decision not to investigate the concern or complaint, the Complainant may refer the concern or complaint to the Education and Skills Funding Agency (ESFA) using the procedure referred to under point 7 towards the end of this Complaints Policy.
- 2.23 In exceptional circumstances, the Chairman of the Trust Board can delegate the responsibility for the review to the Vice-Chair of the Trust Board.

### Anonymous Complaints

- 2.24 The Trust will not investigate anonymous complaints under the procedure in this Complaints Policy, unless appropriate to do so. Anonymous complaints will be referred to the Chief Executive Officer who will decide what, if any, action should be taken.

### 3. Stage 1 - Informal Procedure

- 3.1 Members of staff can deal with many concerns to the satisfaction of the Complainant, without needing to deal with it formally. The Trust values informal meetings and telephone discussions as a way of improving its procedures and relations with parents. Concerns and complaints will be dealt with equally at this stage, however labelled.
- 3.2 Resolving concerns and complaints at this stage, given the importance of dialogue through informal discussions, are expected to be resolved within **10 school days**. Should the nature or complexity of the concern mean that more time is required, the Trust will write to the Complainant within **10 school days** informing them of the reason for the delay and confirming a revised date for resolution.
- 3.3 Should informal meetings and telephone discussions appear unlikely to resolve the concern, either party may initiate a move to Stage 2 for the complaint to be investigated formally. A copy of the formal complaint form in Annex 2 will be forwarded to the Complainant for completion and return, together with a copy of this Complaints Policy. Where a Complainant has difficulty completing the form, for example, if they have a disability or lack of access to technology, the Complainant will be supported to raise their complaint in the manner that is most helpful to them..
- 3.4 In some circumstances, a complaint may be so serious that the Trust decides it is appropriate for it to be dealt with at Stage 2.

## 4. Stage 2 – Formal Complaint

- 4.1 If the Complainant is unhappy with the way in which the concern was dealt with informally, the Complainant should complete the formal complaint form found in Annex 2 and return it to the Trust.
- 4.2 Upon receipt of a completed formal complaint form, the Chief Executive Officer will identify the appropriate member of staff to investigate the complaint under Stage 2. Where a Complainant has difficulty completing the form, for example, if they have a disability or lack of access to technology, the Complainant will be supported to raise their complaint in the manner that is most helpful to them. If the complaint is about a member of staff, a manager senior to that member of staff will normally investigate the complaint. If the complaint is very serious, the Headteacher may, at their discretion, escalate the complaint directly to Stage 2.
- 4.3 The Trust will try to respect the views of a Complainant who indicates that he or she would have difficulty discussing a complaint with a particular member of staff. In these cases, the matter will be referred back to the Chief Executive Officer who may, if they feel it necessary, refer the complaint to another staff member for investigation.
- 4.4 Where the first approach is made to a Trustee or Regional Ambassador, the Trustee must refer the complaint to the Chief Executive Officer, who will allocate it to an appropriate member of staff for investigation under Stage 2 of this Complaints Policy. Trustees/Regional Ambassadors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a Complaint Panel at a later stage of the procedure.
- 4.5 The member of staff considering the complaint will write to the Complainant acknowledging the complaint within **5 school days** of receiving the formal complaint form. The acknowledgement will confirm which stage of the Complaints Policy the complaint is being investigated under, and will confirm the date for providing a response to the complaint. Following investigation of the complaint, the member of staff will write to the Complainant confirming the outcome within **10 school days** of the formal complaint form being received. If this time limit cannot be met, the member of staff will write to the Complainant within **10 school days** of the formal complaint form being received, explaining the reason for the delay and providing a revised date.
- 4.6 The letter to the Complainant should notify them that if he or she is unhappy with the outcome of the Stage 2 investigation of the complaint, they should write to the Chief Executive Officer within **10 school days** of receiving the letter asking for the complaint to be investigated under Stage 3 of this Complaints Policy. If no further communication is received from the Complainant within **10 school days**, the complaint will be deemed to have been resolved.

- 4.7 As stated above, where a formal complaint form is received making a complaint about the **Chief Executive Officer** or a **Trustee**, the complaint will be referred to the Chairman of the Trust Board for investigation under **Stage 2** of this Complaints Policy. The complaint should be sent to the school, addressed to the Clerk of the Trust Board who will in turn refer this to the Chairman of the Trust Board. If a formal complaint form is received making a complaint about the **Chairman of the Trust Board**, the complaint will be referred to the Vice Chair of the Trust Board for investigation under **Stage 2** of this Complaints Policy.

## 5. Stage 3 – Complaint Heard at a Complaint Panel Hearing

- 5.1 If the Complainant is unhappy with the outcome of the complaint under Stage 2, the Complainant should write to the Clerk of the Trust Board at the Academy asking for the complaint to be heard before a Complaint Panel.
- 5.2 The Clerk to the Trust Board will write to the Complainant acknowledging the request for the complaint to be heard before a Complaint Panel within **5 school days**. The letter will inform the Complainant that the Complaint Panel Hearing will take place within **25 school days** of the date that the letter was received from the Complainant and that arrangements to appoint the Complaint Panel and convene the Complaint Panel Hearing will be made by the Clerk to the Trust Board, who will be the Complainant's point of contact.

### Guiding Principles

- 5.3 It is essential that the Complaint Panel Hearing is independent and impartial. No person may sit on the Complaint Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it, or any previous knowledge of the complaint's progress through the previous stages, or any previous knowledge of the Complainant.
- 5.4 The aim of the Complaint Panel Hearing, which must be held in private, will always be to resolve the complaint and achieve reconciliation between the Trust and the Complainant. However, it has to be recognised the Complainant might not be satisfied with the outcome if the Complaint Panel does not find in their favour. It may only be possible to establish the facts and make recommendations, which may satisfy the Complainant that his or her complaint has been taken seriously.
- 5.5 An effective Complaint Panel will acknowledge that many Complainants and witnesses, especially children, will feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The Complaint Panel will ensure that the proceedings are as welcoming and informal as possible, while keeping in mind that the proceedings must be fair and follow the rules of natural justice.

### Appointment of the Complaint Panel

- 5.6 The Clerk to the Trust Board will liaise with the Trust in making arrangements for the Complaint Panel to be appointed. The Complaint Panel will consist of three members. None of the three 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 circumstances of the complaint.
- 5.7 One of the Complaint Panel members will be independent of the management and running of the Academy. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust. When appointing the independent Complaint Panel member, the Trust and the Academy will bear in mind the non-statutory advice of the Department for Education.

For the avoidance of doubt, a Local Governor of a Reach South Academy may be the independent Complaint Panel member, as long as they are not an employee of the Trust, and they are sufficiently removed from the management and running of the Academy to be considered truly independent.

- 5.8 One or both of the other two Complaint Panel members can be a Trustee or a Regional Ambassador, as long as they fulfil the requirements of paragraph 5.6 above and are not an employee of the Academy.

#### The Academy's Representative

- 5.9 The Academy will be represented at the Complaint Panel Hearing by the person who investigated the complaint under the most recent stage of the procedure. This will usually be the Chief Executive Officer or a member of the Executive Team, however, it may on occasions be the Chairman of the Trust Board or the Vice-Chair of the Trust Board. If the Complainant has complained about the way in which the complaint was investigated by that person (rather than simply disagreeing with the outcome of the complaint) then the Trust will not be represented by that person at the Complaint Panel Hearing, and the Trust will nominate another person to represent the Trust.

#### Convening the Complaint Panel Hearing

- 5.10 The Clerk to the Trust Board will liaise with the Trust and convene the Complaint Panel Hearing on a date and at a time which is convenient to the Complainant, the Trust's Representative and the three Complaint Panel members. The Clerk to the Trust Board will write to the Complainant, the Trust's Representative and the Complaint Panel members **at least 15 school days** before the Complaint Panel Hearing is due to take place confirming the date and time. The Clerk will consider further detail on how the Complainant would communicate any assistance required because of disability etc before / during the Hearing.

#### Witnesses

- 5.11 The Complainant may seek to rely on the accounts of witnesses, which are relevant to the complaint. The Complainant should ask each witness to write down their account in a signed and dated statement and send it to the Trust **at least 10 school days** before the Complaint Panel Hearing is due to take place.
- 5.12 The Trust may seek to rely on the accounts of witnesses, which are relevant to the complaint. Such witnesses may also include those persons who dealt with the complaint in the previous stages, if the Complainant has complained about the way in which the complaint was investigation (rather than simply disagreeing with the outcome of the complaint). Such witnesses should, if they have not already done so, provide a signed and dated statement of their account and provide it to the Clerk to the Local Governors **at least 10 school days** before the Complaint Panel Hearing is due to take place.
- 5.13 The Complaint Panel will have the absolute discretion to decide whether a witness account is relevant to the complaint or whether a witness account is undisputed by the

Complainant or the Academy respectively. Where a witness account is irrelevant or undisputed, their attendance at the Complaint Panel will not be required.

- 5.14 All witnesses, whether they are for the Complainant or the Academy, will not be allowed to sit in on any part of the Complaint Panel Hearing except when they are giving their own verbal account or answering questions, upon conclusion of which they will be required to leave the room.

#### Documents

- 5.15 The Clerk to the Trust Board will provide a copy of all documentation that the Academy's Representatives and the Complainant wish the panel to consider, to the Complainant, the Academy's representative and each Complaint Panel member, **at least 5 school days** before the Complaint Panel Hearing is due to take place.

#### Attendance at the Hearing

- 5.16 The Complainant may be accompanied by an interpreter or signer, as well as friend or relative, at the Complaint Panel Hearing. The friend or relative will attend for moral support only and will not play any part in the Complaint Panel Hearing, unless invited to do so by the Complaint Panel if it appears to them that it will improve the quality of the Complainant's representations. The Complaint Panel Hearing is not a legal hearing and it is therefore not appropriate for either the Complainant or the Academy to be legally represented.

#### The Clerk to the Complaint Panel

- 5.17 The Clerk to the Complaint Panel will attend the Complaint Panel Hearing and keep a written record of the proceedings. The Clerk to the Complaint Panel will usually be the Clerk to the Trust Board, however another suitable person may be appointed to this role if the Clerk to the Trust Board is not available.

#### Procedure at the Complaint Panel Hearing

- 5.18 The Complaint Panel Hearing will proceed as follows:
- The Clerk to the Complaint Panel will greet the Complainant, the Complainant's supporter and the Academy's representative and welcome them into the room where the Complaint Panel has convened (witnesses will remain outside of the room until they are called in to give their account);
  - The Complainant will be invited by the Complaint Panel to give an account of their complaint;
  - The Trust's Representative will be invited to ask the Complainant questions, if any;
  - The Complaint Panel will ask the Complainant questions, if any;
  - The Complainant's relevant first witness will be invited into the room to give an account of what they saw or know;

- The Academy's representative will be invited to ask the Complainant's witness questions, if any;
- The Complaint Panel will ask the Complainant's witness questions, if any;
- The Complainant's witness will be asked to leave the room;
- If the Complainant has any further relevant witnesses, they will be invited into the room individually to provide their accounts and be questioned as outlined above;
- The Trust's Representative will be invited by the Complaint Panel to respond to the complaint and make representations on behalf of the Academy;
- The Complainant will be invited to ask the Trust's Representative questions, if any;
- The Complaint Panel will ask the Trust's Representative questions, if any;
- The Trust's relevant first witness will be invited into the room to give an account or what they saw or know;
- The Complainant will be invited to ask the Trust's witness questions, if any;
- The Complaint Panel will ask the Trust's witness questions, if any;
- The Trust's witness will be asked to leave the room;
- If the Trust has any further relevant witnesses, they will be invited into the room individually to provide their accounts and be questioned, as outlined above;
- The Complainant will be invited by the Complaint Panel to summarise their complaint;
- The Trust's Representative will be invited by the Complaint Panel to summarise their response to the complaint and the Academy's stance;
- The Complaint Panel Hearing will conclude and the Complainant and the Trust's Representative will be asked to leave.

The panel may choose to amend this procedure where that helps the complainant to express their concerns more effectively. A variation to the process may only take place where the Complainant is in agreement.

### The Complaint Panel's Decision

- 5.19 The Complaint Panel will meet in private, either immediately after the Complaint Panel Hearing or on a subsequent date, if appropriate, and will consider all of the documentation and everything that they have heard at the Complainant Panel Hearing and make:

### **Findings of Fact**

The Complaint Panel will decide which facts of each complaint are established to be true, on a balance of probabilities (i.e. more likely than not). If a fact is not deemed relevant, the Complaint Panel will not consider it further. The Complaint Panel will make a written record of the facts that have been established, those which have not been established and those which are not relevant, with reasons.

## **Recommendations**

The Complaint Panel will consider the facts, which they have established and will make recommendations based upon them. These recommendations may be aimed at achieving reconciliation between the parties (for example, a written apology), improving procedures or preventing a recurrence in the future. The Complaint Panel will keep a written record of their recommendations, with reasons.

### Notification of the Complaint Panel's Decision

5.20 The Clerk to the Complaint Panel will write within **10 school days** of the Complaint Panel Hearing to the:

- **Complainant;**
- **the Trust's Representative;**
- **any person complained about;**

The letter will identify the issues complained about, and will confirm the Complaint Panel's findings of fact and recommendations, if any, with reasons. The letter will also confirm that, if the Complainant believes that this Complaints Policy does not comply with the Regulations, or that the Academy has not followed the procedure outlined in this Complaints Policy, the Complainant may refer their complaint to the Education and Skills Funding Agency (ESFA) for consideration.

5.21 The Clerk to the Complaint Panel will also ensure that a copy of the Complaint Panel's findings and recommendations are made available on the Trust's premises for inspection by the Trust, the Trustees and the Chief Executive Officer.

## **6. Complaint Referred to Education and Skills Funding Agency (ESFA)**

6.1 Once a complaint has been through all the stages of the this Complaints Policy, if the Complainant believes that this Complaints Policy does not comply with the Regulations, or if the Complainant believes that the Academy has not followed the procedure in this Complaints Policy, the Complainant can refer the complaint to the Education and Skills Funding Agency (ESFA) for consideration. This should be sent to:

Complaints Team  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

6.2 The Complainant can find further information about referring a complaint to the Education and Skills Funding Agency (ESFA) and how it is handled, by pasting this page into an Internet browser:

[How ESFA handles complaints about academies - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

6.3 The Complainant can refer your complaint to the Education and Skills Funding Agency (ESFA) by completing an online form by pasting this page into an Internet browser:

[Contact the Department for Education - Contact type - DFE Online Forms](#)

6.4 The Complainant should be aware that the Education and Skills Funding Agency (ESFA) will not usually investigate the complaint itself, or interfere with the findings of the Complaint Panel, unless the decision made was manifestly unreasonable.

## 7. Administrative Matters

### Records

- 7.1 The Trust keeps a central record of all complaints, including the following:
- whether they were resolved at Stage 1, Stage 2, Stage 3 or proceeded to a panel hearing.
  - the action taken by the Academy as a result of the complaints (regardless of whether they are upheld).
  - action taken by the Academy as a result of those complaints (regardless of whether they are upheld)
  - provides that correspondence, statements and records relating to the individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Act requests access to them.
- 7.2 The information created in connection with this policy may contain personal data. The Trust's use of this personal data will be in accordance with data protection law. The Trust has published privacy notices on its website which explain how the Trust will use personal data.

### Publication

- 7.3 This Complaints Policy will be reviewed annually and published on the Academy's website, as well as being made available to pupils, parents and other individuals or organisations on request. A hard copy of the policy (including a large print copy) can be requested from the Trust.
- 7.4 Information regarding the number of complaints registered under the formal procedure of this policy during the preceding school year is available to Parents of pupils and Parents of prospective pupils and, on request, to the Chief Inspector of Ofsted, the Secretary of State or an independent inspectorate. Requests for this information should be sent directly to the Academy.

## **Annex 1 – Glossary**

The definitions used in this Complaints Policy are:

<b>Academy</b>	The school, which has academy status and is part of a Multi Academy Trust group.
<b>Clerk to the Complaint Panel</b>	The person who will attend the Complaint Panel Hearing and keep a written record of the proceedings, and will write to the Complainant notifying them of the decision of the Complaint Panel.
<b>Clerk to the Trust Board</b>	The person responsible for making the arrangements to appoint the Complaint Panel and convene the Complaint Panel Hearing. The Clerk to the Trust Board will also usually act as the Clerk to the Complaint Panel at the Complaint Panel Hearing.
<b>Chairman of the Trust Board</b>	The person elected by the Trust Board to be their Chairperson.
<b>Complainant</b>	The person or organisation making the complaint.
<b>Education and Skills Funding Agency (ESFA)</b>	The government department (a sub-department of the Department for Education) responsible for funding and monitoring standards in academies.
<b>Local Governing Body</b>	A sub-committee of the Trust. The Trust delegates the day-to-day management and running of the Academy to the Local Governing Body.
<b>Parent</b>	The natural or adoptive parents of the pupil (irrespective of whether they are or have ever been married, with whom the pupil lives, or whether they have contact with the pupil) as well as any person who is not the natural or adoptive parent of the pupil, but who has care of, or parental responsibility for, the pupil (e.g. legal guardian).
<b>Chief Executive Officer</b>	The Chief Executive of the Academy Trust.
<b>Trust</b>	A Multi Academy Trust (MAT), which is an exempt company responsible for the management and running of all of the academies within the MAT.
<b>School Day</b>	Term-time weekdays excluding weekends, inset days, bank holidays and school holidays.

## **Annex 2 – Formal Complaint Form**

**Please complete and return to Reach South Academy Trust who will acknowledge receipt and explain what action will be taken.**

**Your name:**

**Pupil's name (if applicable):**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give details of your complaint:**

**What action, if any, have you already taken to try and resolve your complaint (for example, who have you spoken to and what was the response)?**

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

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

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**

## Policy History

<b>Policy Date</b>	<b>Summary of change</b>	<b>Approved by the Trust Board</b>	<b>Review Date</b>
July 2021	New policy implemented	8 July 2021	August 2024