



**WLT:
COMPLAINTS POLICY**

THIS POLICY WAS APPROVED	15-12-21
POLICY VERSION	V1
THIS POLICY WILL BE REVIEWED	2023-24
MEMBER OF STAFF WITH RESPONSIBILTY FOR REVIEW	COO

Key Definitions

All policies incorporate the following schools or organisations within Wandle Learning Trust (WLT):

- Chestnut Grove Academy;
- Chesterton Primary School;
- Paxton Academy;
- Ravenstone Primary School;
- Wandle Learning Partnership;
- Any other schools or organisations that may join WLT from time to time as not listed above.

The terms Academy, School, Organisation and Trust are considered interchangeable in the context of all Trust policies.

Where appropriate, in this policy the term:

“Executive Team” means the Trust’s Executive Headteachers and includes the Trust’s Chief Operating Officer (COO) who manage the day-to-day business of the Trust.

“Headteacher” includes the appropriate School Headteacher.

“Trustees or Trust Board” are appointed trustees who oversee the business of Wandle Learning Trust, agreeing the overarching strategic direction and ensuring robust governance.

“Local Academy Committee (LAC)” includes appointed Governors at a local Academy level and support each schools Leadership Teams to implement policies and improvement plan priorities.

“Chair” heads the board of Trustees or LAC, provides leadership to the Trust’s Executive Team and/or relevant Headteachers and leads the charge on key Board decisions.

“Head of Governance” provides an administrative resource for the Trust and LAC Boards and ensures the smooth running of its functions, processes and meetings.

“Stakeholders” are any individuals or companies who are invested in the welfare and success of the Trust and/or School and its students, including staff members, students, parents, community members, LAC or Trust members, trade unions, local business leaders etc.

This policy is based on the DfE model procedure.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Wandle Learning Trust (WLT) about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

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'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. WLT takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Academy office will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Head of HR will 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, WLT will attempt to resolve the issue internally, through the stages outlined within this 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 on a complainant, as long as they have appropriate consent to do so.

Complaints against Academy staff (except the head teacher) should be made in the first instance, to the head teacher via the Academy office. Please mark them as Private and Confidential.

Complaints that involve or are about the head teacher should be addressed to the Chair of the Local Academy Committee, via the Academy office. Please mark them as Private and Confidential.

Complaints about the Chair of the Local Academy Committee, any individual governor or the whole governing body should be addressed to the Head of Governance via the central office. Please mark them as Private and Confidential.

Complaints about the Executive Headteachers or a trustee of the Trust, should be addressed to, Chair of Trustees, via the Head of Governance. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this policy (Appendix A). 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 Executive Heads, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint 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 Academy day after the holiday period.

Related Processes

In some specific situations an alternative policy will need to be followed to deal with the concern appropriately. This is usually because a statutory process must be followed to meet our legal duty. The following list details some specific situations where this applies:

Subject of Concern	Appropriate Policy	Available From
Pupil admissions	Individual Academy Admissions Policy	Academy website
Pupil exclusion	Individual Academy Behaviour Policy and Exclusions Policy	Academy website
Staff grievance, capability, conduct, disciplinary, whistleblowing	Trust wide policies for grievance, capability, conduct, disciplinary, whistleblowing	Internal policies (available from internal Academy drive or HR lead). Complainants will not be informed of the outcome of any investigation.
Subject Access (Data Protection) and Freedom of Information (FOI) requests	Trust's Data Protection Policy	Trust website
Safeguarding and Child Protection	Individual Academy Safeguarding and Child Protection Policy	Academy website

Statutory Assessments of Special Educational Needs and Academy re-organisation Proposals	N/A	Raise directly with Academy Local Authority
Third party companies used by the Trust	N/A	Raise directly with the Third Party Company and follow their complaints procedure.
National Curriculum – content	N/A	Raise directly with the Department of Education

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 WLT in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, WLT 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.

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

This is where a concern has been raised.

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, form tutor / subject head or Headteacher. Complainants should not approach individual governors to raise concerns or complaints at the informal stage. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

The member of staff to whom the complainant is referred will carry out an investigation and decide on any appropriate action. The complainant and the Headteacher will be informed of the conclusions drawn from the investigation and action to be taken, together with details of how to make a formal complaint if they remain dissatisfied.

It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way. The Chair of Trustees shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

Every effort will be made to resolve the problem to the satisfaction of the complainant at this informal stage. Possible outcomes include:

- (i) complaint resolved to the satisfaction of the complainant;
- (ii) complaint not resolved to the satisfaction of the complainant;
- (iii) complaint dealt with under another procedure.

If the issue remains unresolved, the next step is to make a formal complaint.

Stage 2 – Formal complaints

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the Academy office. This may be done in person or completing the Complaint Form (Appendix A).

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 10 Academy days.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the Headteacher (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 Headteacher will provide a formal written response within

10 Academy days of the date of receipt of the complaint.

If the Headteacher 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 the Academy will take to resolve the complaint.

The Headteacher 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 Headteacher, or a member of the local academy committee (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

Stage 3 – Formal stage including involvement of Chair or representative of Local Academy Committee (LAC)

Stage 3 is the next formal stage and involves the Chair or representative of the relevant school's LAC. If the complainant feels that the matter has not been resolved to their satisfaction they can request the intervention of the chair of the LAC.

The complaint should be directed to the Head of Governance.

The timescale for resolution of a 'formal complaint' at stage 3 will be no more than 15 school days from the point of it being raised.

Stage 4 – Formal stage including involvement of Executive Headteachers

Stage 4 is the next formal stage and involves the Executive Headteachers of the Trust or another Executive officer. If the complainant feels that the matter has not been resolved to their satisfaction by the end of stage 3 they can request the intervention of the Executive Headteachers who will either hear the complaint or refer it to another Executive officer.

If the complaint relates to the Executive Headteachers it must be made to the Chair of Trustees. The complaint should be directed to the Head of Governance. The timescale for resolution of a 'formal complaint' at stage 4 will be no more than 15 Academy days from the point of it being raised with the Executive Headteachers.

Stage 5 – Panel Hearing (final stage)

Stage 5 is the final formal stage and involves a panel hearing where complaints are not resolved under the process set down for Stages 1- 4, complainants may request in writing for their complaints to be handled under Stage 5.

- 1) All complaints at Stage 5 should be directed to the Chair of the Trust Board via the Head of Governance to the Trust

- 2) The Head of Governance to the Trust will send written acknowledgement to the complainant. Details of the complaint should not be disclosed to the full Trust Board at this stage.
- 3) The Head of Governance will convene a Complaints Panel of between 3 individuals. The Chair of the Trust Board may discuss the composition of the panel with the Chair of the relevant school LAC. The Chair of the Trust Board will note which parties have already been involved in the process and therefore would exclude themselves from the process.

All panel members must have had no prior involvement or knowledge of the matter under consideration. The panel will include at least one member who is independent of the management and leadership of the Trust and those schools within it.

The Chair of the Trust Board should only proceed with Stage 5 of the procedure if they have received a complaint in writing addressed to him/her or to the Head of Governance of the Trust, and all previous stages have been exhausted. The Head of Governance to the Trust shall verify that stages 1 to 4 have been completed before the panel is convened to hear the complaint under Stage 5.

The complainant will be notified of his/her right to attend and be accompanied if they wish. This notification will be no less than 7 working days prior to the date of the hearing. Following consultation, the Head of Governance to the Trust shall notify the Headteacher or another of the requirement for them to attend the hearing. Neither party will attend in the absence of the other. Alternatively, the Panel may decide to consider written material only.

The timescale for resolution of a 'formal complaint' at stage 5 will be no more than 20 school days from the point of it being raised at this stage via contact with the Chair of the Board. This means that the panel would need to meet within that time frame. In exceptional circumstances, complaints at Stage 5 may not be dealt with in the 20 school days timeframe referred to above, but every effort should be made to ensure the complaint is resolved within a reasonable timeframe.

The complainant, Headteacher and, where relevant, the person complained about, should be informed of the Panel's decision, including the Panel's findings and recommendations, in writing within 10 school days.

The decision of the Panel, including the Panel's findings and recommendations, will be available for inspection on the school premises by the Trust and the Headteacher.

A written record will be kept of all complaints made in accordance with sub-paragraph (e) of Part 7 of the Education (Independent School Standards) Regulations 2014, along with details of whether they were resolved following a formal procedure, or progression to a panel hearing. The academy will record the action it takes as a result of complaints (regardless of whether they are upheld).

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 WLT will take to resolve the complaint.

All correspondence statements and records relating to individual complaints will 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.

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 after they have completed Stage 3.

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

This procedure should 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 Chair of Trustees or the Executive Headteacher is able, under this policy, to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Complaint Form (Appendix A)

Please complete and return to Head of HR who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: Email address:
Please give details of your complaint, including whether you have spoken to anybody at the Academy about it.

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:

Action taken:

Date:

