



SEVERN ACADEMIES
EDUCATIONAL TRUST

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Complaints Policy

Drafting Note

This policy is for Severn Academies Educational Trust.

This policy applies to any matter (other than matters relating to admissions, exclusions and GDPR/data protection which have their own processes) which has been raised with an academy as a matter of concern but which has not been capable of resolution informally and which the complainant or the academy considers should be dealt with on a formal basis. Arrangements for handling complaints from parents of children with SEN are outlined in the SEN Policy / Information Report at each school.

Stage 1 – Informal Resolution

The Trust will publish guidance on how matters of concern should be raised on an informal basis. Generally, it is expected that where the matter relates to a student it will have been raised with the relevant staff in school before a request is made to deal with it under this policy. If a matter is not resolved at the informal stage then a complainant may take it to the formal stage.

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.

Where the matter is not resolved at the informal stage, the complainant may elevate it to the formal stage.

Stage 2 – Formal Resolution at Local Level: Investigation by a member of the Senior Leadership Team

1. The complainant must put the complaint in writing, addressed to the Principal / Head of School of the academy, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the academy has not met reasonable expectations.
2. An investigation will be carried out by a member of the Senior Leadership Team of the academy; which may include the offer of a meeting with the complainant. The investigator will speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 15 school days of the written complaint being received.

Any complaint relating to the Principal / Head of School of the academy must be raised in the first instance with the CEO who will, if an informal resolution cannot be reached, designate the Chair of the Local Governing Body or other governor to investigate in the same way as in the first stage of the formal process outlined above.

Where the complainant remains dissatisfied they may request the complaint is dealt with at Stage 3. Any such request **must** be set out in writing, stating where the complainant remains dissatisfied and lodged within **10** school days of the complainant receiving the findings in writing.

Stage 3 – Formal Resolution: CEO

1. The complainant must put the complaint in writing, addressed to the Chief Executive Officer of the Trust, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the academy has not met reasonable expectations. Should the complaint be about the CEO the complaint should be addressed directly to the Chair of the Board of Directors.
2. The CEO may appoint a member of the Local Governing Body (supported by an Educational Director) of the academy to investigate the complaint. The investigation may include the offer of a meeting with the complainant. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received. Should the complaint be about the CEO the Chair of the Board of Directors will investigate or appoint another Board member to investigate the complaint.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 15 school days of the written complaint being received.

Where the complainant remains dissatisfied he may request the complaint is dealt with at Stage 4. Any such request **must** be set out in writing, stating where the complainant remains dissatisfied, what remedies are being sought and be lodged within **10** school days of the complainant receiving the findings in writing. The request must be addressed to the Clerk to the of the Academy Trust Directors Board.

Stage 4 – Formal Resolution: Panel Hearing

1. The Complaints Panel of the Academy Trust Board will consider all complaints at Stage 4.
2. The Complaints Panel must comprise at least three people, which will include one person who is independent of the management and running of the Academy Trust and any of its academies.
3. The Complaints Panel may also include one or more persons from the following categories:
 - (i) A member of the local governing body of the academy where the complaint emanated from;
 - (ii) A member of a local governing body from another academy within the Academy Trust;
 - (iii) A member of the Board of Trustees (Directors) from the Academy Trust.
4. None of the members of the Complaints Panel will have been directly involved in the matters detailed in the complaint.
5. The Clerk will invite the academy to put in writing its response to the complainant's reasons. The academy will provide this within 15 school days. At the end of that period (whether or not the academy has responded) the Clerk will convene a meeting of the Complaints Panel. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the academy and the members of the Complaints Panel. Whenever possible, the meeting will be held within 15 school days of the end of the academy's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.
6. The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. The complainant will have the opportunity to put her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The academy will have the opportunity to put its side of things and each side, as well as the Panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the Panel.
7. The Panel may make findings and recommendations and a copy of those findings and recommendations will be:
 - (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and
 - (ii) available for inspection on the academy premises by the Academy Trust, the Principal / Head of School and the CEO.
8. The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the Clerk will notify all concerned.

Attendance at a Complaints Panel Hearing

The Complaints Panel will only proceed if the complainant and/or their representative attend. If the complainant does not confirm attendance or fails to attend on the day without compelling reasons, the Complaints Panel will not proceed and the complainant will lose their right to the complaint being heard. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

Serial or persistent complainants

If at any level a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the Chair of the Academy Trust may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, that continued correspondence on the same matter is vexatious and that the Academy Trust will not respond to any further correspondence on this issue or a closely related issue.

Record Keeping

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2, stage 3 or whether it proceeded to a stage 4 panel hearing. The action taken by the academy or the Academy Trust as a result of a complaint (regardless of whether they are upheld) will also be recorded.

Confidentiality

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 Education and Skills Act 2008 requests access to them.

Procedures

This complaints policy complies with the standards which are set out in Education (Independent School Standards (England) Regulations 2014 Schedule 1, Part 7. Dissatisfaction about the handling of a complaint should be directed to the Education and Skills Funding Agency (ESFA).

<https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy>