Complaints Procedure

Approval by:	Trust Board
Date of approval:	October 2026
Review date:	February 2027

Version	Date	Summary of changes	Author
22.1	October 2022	No Changes	
23.1	October 2023	No Changes	Governance Officer
24.1	October 2024	No Changes	Governance Officer
26.1	October 2026	Updated terminology only ahead of policy rewrite	Governance Officer

Introduction

Educate Together Academy Trust is committed to maintaining positive relationships with parents and carers and it is important to us that our schools establish and maintain strong home/school partnerships to ensure the best education for the students/pupils. The Trust endeavours to provide the best possible education for all of its pupils in an open and transparent environment. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised the school intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without Prejudice

In order to do so, the Trust Board has approved the following procedure which explains what you should do if you wish to make a complaint about a school within the Trust. All members of staff will be familiar with the procedure and will be able to assist you.

Complaints' Procedure

Our Complaints' Procedure has three stages which are outlined below.

These three stages are:

Stage One: Formal investigation at school level

Stage Two: Review by Local Governing Board

Stage Three: Formal Appeal to the Complaints Panel of Educate Together Academy Trust

Complaints that fall outside of this procedure

Complaints relating to the following issues are covered by a separate/specific policy or alternative procedure:

- Pupil admissions; please see the school's admissions policy or contact the local authority.
- School re-organisation proposals; please contact the local authority.
- Statutory assessments of special educational needs; please raise directly with the local authority.
- Pupil exclusions; please see the school's Exclusion policy
- Staff grievance, capability or disciplinary; these are covered by the school's grievance/disciplinary/capability procedure.
- Where the complaint concerns a third party used by the school; please complain directly to the third party themselves.

- The content of the national curriculum; contact the Department for Education. (https://www.education.gov.uk/contactus) but use this procedure for complaints about curriculum delivery, including religious education (RE) and sex and relationships education.

- Collective worship; please contact the local authority or the local Standing Advisory Council on Religious Education.

- Subject Access Requests and Freedom of Information Requests – please see the school's Data Protection and Freedom of Information policy

The policies referred to above are available on the school website or on request from the school.

Resolving concerns informally

For the purpose of this procedure concerns are defined as having a worry or doubt over an issue considered to be important for which reassurances are sought. The majority of concerns can be dealt with without resorting to the formal stages of the formal complaints' procedure (see below). The Trust Board encourages those that have concerns to raise them with the appropriate person at the school (e.g. your child's class teacher) and to work constructively with that person towards resolving them. The extent to which this was both attempted and followed may be taken into consideration when assessing the reasonableness of a complaint during the formal stages of the procedure.

The formal stages of the procedure should be followed when attempts to resolve concerns informally have proved unsuccessful, and in cases where individuals wish to raise their concern formally.

Complaints about the headteacher or the governors/trustees

Where a complaint is about the headteacher or the governors/trustees, the complainant should notify the clerk to the governing board or clerk to the board of trustees (see contact details at the end of the document).

Please note that any complaint about the headteacher of the local school must be raised in the first instance with the Chief Executive Officer (CEO) who will, if the issue cannot be resolved informally, work with a member of the local governing board to investigate the complaint under Stage One of the Complaints' Procedure

If the complaint is against the Chief Executive Officer, then it will be considered by the Chair of Trustees at Stage One of the Complaints' Procedure.

Where a complaint concerns an individual member of the governing board (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions in the Stage One process.

Where a complaint is jointly about the Chair and Vice-Chair, or the entire governing board or the majority of the governing board, the clerk will determine the most appropriate course of action, seeking advice as appropriate. This may involve the completion of the Stage One process by an independent investigator appointed by the governing board and governors from another school to hear the complaint at stage one.

The timescale for making a complaint

Notification of a complaint should be given as soon as possible after the issue that led to the complaint has occurred and after informal attempts to seek resolution have proved unsuccessful. Complaints that are submitted six months after the issue that led to the complaint occurred will not be considered under this procedure unless there are exceptional circumstances. These may include (but are not limited to) subsequent information about the complaint coming to light and a valid explanation of why it was not possible to give notification of the complaint sooner. In such cases the headteacher/chair of the governing board/clerk to the governing board (as appropriate) will review the circumstances, seek advice and determine whether the complaint should be considered under the formal procedure.

Expectation of reasonable communication

Complainants should try to limit their communication with the school that 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.

For complainants who excessively contact the school, causing a significant level of disruption, the school may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

If the school considers a complaint to be serial, persistent or unreasonable, steps will be taken in accordance with the relevant section of this procedure - see page 9

Maintaining records

A confidential written record of all complaints that are made in accordance with this procedure will be kept by the school. The written record will include whether the complaint has been resolved following a formal procedure and whether it proceeded to a panel review meeting. It will also refer to any action taken by the school as a result of the complaint regardless of whether it has been upheld.

Maintaining confidentiality

Informal concerns and complaints will be dealt with confidentially at all stages and at the conclusion of the procedure. Confidentiality should be maintained all times by everyone involved. The Trust board requests that complaints are not discussed publically, including via social media.

Actions taken in relation to school staff that arise as a result of the complaint will remain confidential to the school and the member of staff concerned.

Written records taken and used throughout the complaints process, including correspondence, notes of meetings, telephone calls etc., will be kept securely and in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

Safeguarding

Wherever a concern indicates that a child's wellbeing or safety is at risk, the school is duty bound to report this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy which is available on the school's website

Complaints falling outside this Complaints Procedure

if the complaint is covered by anything referred to as being outside this complaint procedure it will be referred to the appropriate process

Resolving complaints

At each stage in the procedure, the school wants to resolve the complaint and, if appropriate, will acknowledge that the complaint is upheld in whole or in part. In addition, one or more of the following may be offered:

- an admission that the situation could have been handled differently or better
- an assurance that the school 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 school policies in light of the complaint
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, the complainant will be asked to confirm this in writing.

The formal stages of the complaints' procedure

The majority of concerns can be dealt with without resorting to the formal stages of the procedure. If you need to raise a concern then please do so with the relevant member of staff who will be happy to talk to you and seek to resolve it.

There are three formal stages of the complaints' procedure.

Stage 1 – formal investigation

1. A request for a formal investigation of a complaint by the Investigator (CEO, headteacher, Chair of governing board, Chair of Trustees another governor or independent investigator, as appropriate) should be made in writing C/O the school, or by completing the formal complaints form that is included as Appendix 1 of this procedure. The complainant may contact the school office for help in completing the form or to ask for the complaints procedure and form to be provided in an alternative format. If appropriate, the request can be made verbally, in person or by telephone, or by a third party acting on behalf of the complainant, providing they have appropriate consent to do so.

2. The Investigator will acknowledge the request in writing no later than 10 working days (excluding those that fall in the school holidays) of receiving it. The written acknowledgment will, as far as possible, explain how

   the complaint will be investigated and the timescale for completing the investigation.

3. A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles.

4. The Investigator will consider all relevant evidence. This may include, but is not limited to:

   - obtaining statements from the complainant and those involved with the complaint
   - meeting with the complainant and those involved in the complaint
   - reviewing correspondence and other document relating to the complaint

5. After considering the available evidence, the Investigator can decide to:

    - uphold the complaint and direct that certain action be taken to resolve it
    - uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint) direct for certain action to be taken, or
    - dismiss the complaint entirely

6. The Investigator will inform the complainant of their decision in writing, the grounds on which it was made and any actions taken as a result of the complaint. This will be within 20 working days (excluding those that fall in the school holidays) of having issued written acknowledgement of receipt of the complaint (see 2 above). The written notification shall also advise the complainant of their right to escalate the complaint to Stage 2 of the formal complaints procedure if they are not satisfied with the outcome at Stage 1, including the contact details of the clerk to the governing board (see P10)

Stage 2 – Review by a panel of the local governing board

The complainant is entitled to request a review of the decision taken at Stage 1 and the actions taken. The review is carried out by a panel of the local governing board at a meeting convened by the clerk to the governing board.

Requests for a review of the decision taken at Stage 1 should be made in writing to the clerk (see contact details below) no later than 4 weeks after written notification of the decision taken has been received. The request should include a brief summary of the complaint, why the complainant is dissatisfied with the outcome of Stage 1 and the outcome they are seeking.

The clerk will fulfil the role of organising the time and date of the review meeting, inviting all the attendees, collating all the relevant documentation and distributing these 5 days in advance 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 committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

Minutes of the review meeting will be taken by the clerk and provided with the written notification of the decision taken at Stage 2 (see 10 below).

The following steps are taken at Stage 2:

1. The clerk will acknowledge the written request for the complaint to be reviewed no later than ten working days (not including the school holidays) after receiving it.

2. The clerk will convene a panel of three school governors to review the complaint. All three panel members will have no prior knowledge of the content of the complaint and one of the three members will have no direct involvement with the management and running of the school being complained about.

3. The review meeting will take place within 20 working days (excluding those which fall in the school holidays) of receipt of the written acknowledgement from the clerk (see 1 above).

4. The panel may decide to invite the following to attend the review meeting:

- the complainant
- the Investigator, who investigated the complaint and made the decision at Stage 1
- relevant persons involved in the complaint
- persons whom, in the view of the panel, can provide relevant advice and information relating to the subject of the complaint and the review process at Stage 2

5. Where the complainant, Investigator and/or other relevant person involved in the complaint have been invited to attend the review meeting, they are entitled to be accompanied by a family member/friend/representative as appropriate. However, a legal representative for the complainant is not appropriate, since the meeting is not a form of legal proceedings.

6. Where the relevant persons involved in the complaint include pupils at the school, and their attendance at the review meeting has been requested by the panel. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.

7. Where the complaint is about a governor/trustee/governing board the complainant may request that the review meeting is held by an independent panel, if the complainant believes there is likely to be bias in the proceedings. This is at the discretion of the local governing board or academy trust who will notify the clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school source appropriate individuals for the review. Any resulting changes to the timescale will be shared with the complainant.

8. The panel meeting will be held in private. Electronic recordings are not normally permitted unless the complainant's own disability or special needs require it. All parties should agree

   in advance to being recorded and this consent recorded in the minutes of the meeting.

9. After considering the complaint afresh and reviewing the available evidence, the panel reviewing the complaint can decide to:

   - uphold the complaint and direct that certain action be taken to resolve it;
   - uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint) and direct for certain action to be taken, or
   - dismiss the complaint entirely.

   Irrespective of the decision taken, the panel may also recommend steps that the complainant and the school should take to move forward from the presenting issues in the best interests of all concerned. The panel may also recommend steps to be taken that reduce the likelihood of a similar complaint being made in the future.

10. The complainant, the Investigator who investigated the complaint and made the decision at Stage 1 and, where relevant, the person complained about will be informed in writing of the outcome of the review meeting no later than 10 working days (excluding those which fall in the school holidays) after the review meeting has taken place. A copy of the minutes of the panel meeting will be issued to the complainant.

11. If the complainant believes that their complaint has not been resolved they may request that the complaint is dealt with at Stage Three of the Complaints' Procedure.

Stage Three: Trust Complaints Panel Hearing

Where the complainant considers that their complaint has not been resolved under Stage Two, the complainant should:

1. Put the request in writing (optional form at Appendix 1);
2. Address it to the Clerk to the Trust Board within 10 school days of receiving the findings of the investigation at Stage Three in writing;
3. State why they think that their complaint has not been resolved:
4. State the actions that they think should be taken to resolve the complaint.

5. The Complaints' Panel of the Trust will consider all complaints that reach Stage Three.
6. The Complaints' Panel will consist of at least three individuals and will include one person who is independent of the management and running of the Trust (or any of the schools within Educate Together Academy Trust).
7. The Complaints' Panel may include one or more individuals from the following categories:
    a. Governors from the local governing board of the school where the complaint was initially made;
    b. Governors form a local governing board of another school within the Trust;
    c. the CEO of the Trust;
    d. Trustees of the Trust.
8. None of the members of the Complaints' Panel will have been directly involved in the matters detailed in the complaint.
9. The Clerk will respond to the complainant within 5 school days of receiving the request and will arrange a meeting of the Complaints panel.
10. That meeting will be held as quickly as possible with the Clerk seeking to find a date that is reasonably convenient for the complainant, the local school (or the Trust Board Chair where the compliant was against the Chief Executive Officer) and the members of the Complaints' Panel.
11. Whenever possible, the meeting will be held within 15 school days of receiving the request. At any meeting, the complainant is entitled to be accompanied by a family member/friend/representative as appropriate. However, a legal representative for the complainant is not appropriate, since the meeting is not a form of legal proceedings.
12. The meeting is not a court case, it will be held in private, and will be as informal as possible. The Complaints' Panel will ask the complainant why they consider that their complaint has not been resolved and they will then have the opportunity to explain their reasons for this. They would not be able to introduce new reasons at this stage which have not already been put in writing at an earlier stage of the Complaints' Procedure that is being currently pursued.
13. The school will then be asked to put forward their views on the situation.
14. The meeting will be structured so that each side, as well as the Panel members, have the opportunity to ask questions.
15. The complainant will have the opportunity to make final comments to the Panel.
16. The Panel may make findings and, in some cases, may make recommendations. The Clerk will normally provide all relevant individuals with a copy of those findings and recommendations within 10 school days. The response from the Clerk will be: -
    a. sent by electronic mail to an email address confirmed as appropriate by the complainant, or sent by post and, where relevant, this will be sent to the individual(s) about whom the complaint was made.
    b. made available to the Headteacher and the Chief Executive Officer
17. The decision of the Appeals Panel is final. Where a complainant has exhausted the stages of the Complaint's Procedure but is still dissatisfied then if they feel that it is appropriate to do so then they may wish to complain to the Education and Skills Funding Agency.

Raising a complaint with the Department for Education

The Department for Education (DfE) will only consider a complaint after an Academy Trust's own complaints procedure has been exhausted. The DfE cannot review or overturn decisions about complaints made by Academy schools, they can only investigate whether the trust has considered the complaint appropriately. If the DfE finds that the trust did not consider the complaint appropriately it can request that the trust reconsider the complaint.

The DfE will investigate complaints about:

- undue delay or non-compliance with the trust's own complaints procedure
- allegations that the trust has failed to comply with a duty imposed on it under its Funding Agreement with the Secretary of State.
- allegations that the trust has failed to comply with any other legal obligation placed on it, except in cases where there is another body or organisation that is, in the view of the DfE, better placed to consider and, if necessary, take further action in connection with the issue

including but not limited to, a court of law or other Tribunal of competent jurisdiction, local authorities or other regulatory bodies.

The DfE will not investigate complaints about:

- consideration of special education needs for an individual student
- matters that are subject of legal action

The DfE will not usually investigate complaints more than 12 months after a school's decision unless the complainant has good reason for the delay in making the complaint. The ESFA reserves the right not to investigate complaints considered to be vexatious or malicious or where they are satisfied with the action that the trust has already taken or proposes to take to resolve the complaint.

Complaints to the DfE must be sent via the online enquiry form; Please follow the link below

How DfE handles complaints about academies - GOV.UK (www.gov.uk)

Raising a complaint with Ofsted

Ofsted, the Office for Standards in Education, Children's Services and Skills, also has a role in investigating complaints about the work of a school as a whole e.g. quality of education, pupils' achievement, school management and leadership, pupils' well-being etc. Complaints concerning individual students cannot be considered. It can consider complaints about a school from parents / carers of students registered at the school.

Serial, persistent and unreasonable complaints

For the purpose of this procedure a complaint may be viewed as serial and/or persistent if it relates to the same issue that was the subject of a previous complaint (made by the same complainant) which has already been through a formal complaints procedure in which the complainant has been notified of the outcome. In such cases it is likely that the complainant will be informed that the matter is now closed and that the school will provide no further response.

For the purpose of this procedure a complaint may be viewed as unreasonable 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 the complaints' procedure or with 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
- refuses to accept the findings of the investigation into that complaint where the school's 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 school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with

Whenever possible, the headteacher/chair of the governing board will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the headteacher/chair of the governing board will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.

If the behaviour is unchanged, the headteacher/chair of the governing board will consult with relevant parties and may decide that the complaint is not considered under this procedure. The complainant will be notified in writing that this is the case and that the school will provide no further response.

In response to any serious incident of aggression or violence, the school will immediately inform the police and communicate its actions to the complainant in writing. This may include barring an individual from the school

Queries regarding any aspect of the complaints procedure should be directed to the **Trust's Governance Officer** at the following address governanceofficer@educatetogether.org.uk

Contact details for Local Governing Board Clerks:

Abbey Farm:	clerk@abbeyfarmet.org.uk
Mulberry Park:	clerk@mulberryparket.org.uk
Parklands:	clerk@parklandset.org.uk
Redfield:	clerk@redfieldet.org.uk
Somerdale:	clerk@somerdaleet.org.uk

Appendix 1

Educate Together Academy Trust Formal Complaints Form

Name	
School	
Name of pupil, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint	

Action taken so far (including staff member who has dealt with it so far) or solutions offered
The reason that this was not a satisfactory resolution for you
What action would you like to be taken to resolve the problem?

Signed:					
Dated:					

Official use
Date received:

Appendix 2

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 school 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 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 headteacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

  The headteacher 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.

Clerk to the Governing Board

The Clerk 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, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the panel's decision.

Panel Chair

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

- both parties are asked (via the Clerk) 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
- the meeting is minuted

- they liaise with the Clerk (and complaints co-ordinator, if the school 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 governor 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 school 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, or if the complainant has a disability or vulnerability.

  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 committee 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 panel considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.