



SEVERN ACADEMIES
EDUCATIONAL TRUST

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Complaints Policy

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This policy is for Severn Academies Educational Trust.

This policy applies to any matter (other than matters relating to admissions, exclusions, child protection issues, 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.

For the avoidance of doubt this policy does not apply to those who are not parents/carers of pupils at an academy within the Trust. Complaints that fall in to this category will be dealt with as follows:

Complainants should first attempt to address their complaint to the academy or Trust (as appropriate) informally. If this fails to resolve the situation, the complaint may be submitted in writing to the Chief Executive Officer (CEO) who will acknowledge receipt of the complaint and thereafter issue a final written response within **15** school days. Where the complaint involves the CEO, the Chair of Trustees will issue a final written response within the same timeframe.

Anonymous Complaints and Complaints Campaigns

The Academy/Academy Trust will not normally investigate anonymous complaints or complaints sent as part of a Complaints Campaign. However, the Principal/Head of School, CEO or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

Timescales

Complainants must raise the complaint within four months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. The academy / Trust (as appropriate) will consider complaints made outside of this time frame if exceptional circumstances apply. It is in the interests of all parties that complaints are dealt with in a timely manner. Where a complainant fails to meet the deadlines set out in the policy then the Trust may in its reasonable discretion terminate the complaint.

Stage 1 – Informal Resolution

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 CEO, 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 management and running of the Academy Trust and the relevant academy.
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. Both parties will be invited to summarise their case to the Panel and the complainant will have the opportunity to make final comments to the Panel. The meeting will be minuted by the Clerk to the Panel.

7. The Panel will make findings and recommendations in respect of the complaint 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 proceed irrespective of whether or not the Complainant and/or their companion attend. If the Complainant fails to attend on the day without compelling reasons, the Complaints Panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the "Serial or persistent complainants" section as set out below.

Department for Education

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a request for a Stage 4 Complaints Panel Meeting within the time stated in the policy) the matter is closed. If the Complainant is still not satisfied then they may contact the School Complaints Compliance Unit at the Department for Education.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

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.

Complaints against the Local Governing Body/ Board of Trustees

Where a complaint is brought against a member of the Local Governing Body, the Chair of the Local Governing Body (or Vice Chair if the Chair is the subject of the complaint) will investigate the complaint (or appoint another member of the Local Governing Body to do so) in the same way as in the first stage of the formal process at **Stage 3**. **Stage 2** does not apply.

In exceptional circumstances the Chair of Trustees may at his or her absolute discretion determine that a complaint against a member of the Local Governing Body should be dealt with at Trust Board level and if so determined the Chair of Trustees will oversee **Stage 3**.

If the complaint is against a Trustee, then the Chair of Trustees, (or in the case of a complaint against the Chair the Vice Chair) will investigate the complaint (or appoint another member of the Board of Trustees to do so) in the same way as in the first stage of the formal process at **Stage 3**. **Stage 2** does not apply.

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.

Complaints Relating to Fulfilment of the Early Years Foundation Stage (EYFS) Requirements

In order to comply with the statutory framework, written concerns or complaints relating to the fulfilment of the EYFS Requirements will be dealt with in accordance with the following process:

- The written concern/complaint will be acknowledged within **5** school days;



- The [Principal/Head of School/] will investigate the concern or complaint which may include meeting with the Complainant and the Head of Early Years. A written response notifying the Complainant of the outcome of the investigation will be sent within **28** school **days** of the complaint being received.
- Where the Complainant remains dissatisfied, the Clerk will ensure that a formal Complaints Panel will be convened in accordance with **Stage 4** of this policy.

A record of the written complaints and their outcome will be maintained and made available to Ofsted on request.

Parents are further advised that where they have concerns regarding the Academy meeting EYFS requirements they may contact Ofsted on 0300 123 4666.

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 Department for Education.