



Complaints Policy

Document Control

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3	RGR	7. Stage 2 panel composition and actions; 8. Appeal panel composition	Trust Board	February 2022	May 2023
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1. INTRODUCTION

At Leger Education Trust we are committed to ensuring that the highest standards are maintained in all Academies within the Trust, both in the provision of education to students and in every other aspect of the running of each Academy. A complaints policy is an important part of the management of a well-run school, allowing parents and others the opportunity to voice any concerns they may have through appropriate channels. This policy has been adopted by the Leger Education Trust Full Board (Trust) and the Academy Governing Bodies (AGB) to ensure a timely, systematic and fair approach to the resolution of concerns and complaints.

2. HOW TO RAISE A CONCERN

Concerns should be raised with the class/form teacher or a member of the Leadership Team by contacting the school by email or telephoning the school office to make an appointment. If the issue remains unresolved, the next step is to make a formal complaint.

We recognise the need to be clear about the difference between a concern and a complaint. By taking informal concerns seriously at the earliest stage we aim to resolve your concern and reduce the numbers that develop into formal complaints by working effectively with parents. We aim to ensure that concerns are handled, if at all possible, without the need for formal procedures. Our formal complaints policy is only necessary if efforts to resolve the concern informally are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

3. HOW TO MAKE A COMPLAINT

The Complaints Policy is available on each Academy website and will guide the complainant through the process.

Any concern which remains unresolved can be escalated to a formal complaint at Stage 1. You should complete Appendix 1 'Stage 1 Complaint form'. If this form is not completed in full, the complaint will not be considered further. If you require support to complete this form, please contact the school office or agencies such as Citizens Advice Bureau¹. You will need to indicate your preferred method of communication on the 'Stage 1 Complaint form'.

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.

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of the AGB, if appropriate, will determine whether an anonymous complaint warrants an investigation.

You must raise the concern or complaint within one month of the issue arising. We will consider complaints made outside of this time frame only if exceptional circumstances apply. This will be determined by the Academy/Trust only.

4. SCOPE

This policy covers all concerns and complaints about any provision of services or community facilities provided by Leger Education Trust, other than complaints that are dealt with under other statutory procedures such as:

- Any complaint relating to child protection, which will immediately be raised with the Local Authority.
- Admissions – addressed under the admissions and admissions appeals procedures.
- Assessment for Special Educational Need and Disability (SEND)
- Exclusion of children from school – addressed under the Exclusion Policy

¹ <https://www.citizensadvice.org.uk/>

- Complaints by staff (other than if they wish to complain as a parent)- addressed under the Leger Education Trust Grievance Policy.
- Whistleblowing (matters of impropriety e.g., a breach of law, school procedures or ethics) – addressed under the whistle-blowing procedure.
- Complaints relating to incidents that occur outside the school environment.

5. RESOLVING COMPLAINTS

Leger Education Trust will work in partnership with parents/carers and endeavour to resolve the complaint. If it is 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 school policies in light of the complaint
- an apology.

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

6. STAGE 1

Formal complaints must be made to the Headteacher/Principal (unless they are about the Headteacher/Principal in which case the formal complaint should be made to the Chair of the relevant AGB). This should be submitted in writing using the 'Stage 1 Complaint form' which can be found at Appendix 1.

The Headteacher/Principal will acknowledge receipt of the complaint via your preferred method of communication within 3 school days.

At that point, a meeting may be called to discuss the complaint and a resolution. If the complainant is invited to attend a Complaints Panel meeting, they may bring someone along to provide support. This can be a relative or friend. For the avoidance of doubt, the complainant's support person will be there to provide moral support and will not play any part in the proceedings and will not speak on behalf of the complainant.

The Headteacher/Principal (or member of the Trust Executive Team, if the complaint is about the Headteacher/Principal) will go on to investigate the complaint. The Headteacher/Principal may choose to appoint an investigating officer to look into the complaint, reporting back to the Headteacher/Principal so that a response may be sent to the complainant within 10 school days of the complaint being acknowledged. At the conclusion of the investigation, the Headteacher/Principal (or Chair of the AGB) will provide a formal written response within 10 school days of the acknowledgement of the complaint. If this deadline cannot be met, the complainant will be given an update and revised response date.

If the complaint is about the Chair and/or Vice Chair or the AGB, a member of the Trust Executive Team will be appointed as investigating officer by the Chair of the Trust Complaints Panel and a report and evidence will be provided to a Trust Complaints Panel. At the conclusion of the investigation, the Chair of the Trust Complaints Panel will provide a formal written response within 10 school days of the acknowledgement of the complaint. If this deadline cannot be met, the complainant will be given an update and revised response date.

7. STAGE 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2. A request to escalate to Stage 2 must be made in writing using the Complaints Form Appendix 2 to the Chair of the AGB, within 10 school days of receipt of the Stage 1 response. Requests received outside of this time frame will not be considered.

The Chair of the AGB will acknowledge receipt of the Stage 2 Complaint Form via your preferred method of communication within 3 school days. A member of the Trust Executive Team will be appointed as investigating officer by the Chair of the AGB and will undertake an investigation at Stage 2. They will provide a report and evidence to the Complaints Panel within 10 school days of acknowledgement of Stage 2 Complaints Form.

It may be decided that a meeting will be held with a Complaints Panel. The panel will consist of at least 3 members, who have had no prior connection with the complaint and at least one of these will be an independent panel member. The independent panel member will not be a member, trustee or employee of the school. A governor, from a local governing body at a different school within the Trust, who has no conflict of interest or prior knowledge of the complaint, can be an independent panel member. As such this person would have no direct involvement with the management and running of the school being complained about. This meeting can be virtual or in person.

The Chair of the Complaints Panel will aim to convene such a meeting on a mutually agreed date within 15 school days of acknowledgement of the Stage 2 Complaints Form. If the complainant does not attend the meeting, the complaint will not proceed, and the complainant will lose the right to the complaint being heard and the matter will be closed. If a meeting is deferred then the panel will rearrange the meeting date, to be held as soon as possible but no longer than 25 school days from acknowledgement of the Stage 2 request.

We recognise there are limited occasions where legal representation may be appropriate. For example, if a school employee is a witness in a complaint, they may be entitled to bring union or legal representation.

If a complainant commences legal action against the school in relation to their complaint, the Academy will close the complaints procedure, and this will be dealt with through legal proceedings.

Neither the complainant nor the school should bring legal representation. Complaints Panels are not a form of legal proceedings. The aim of the Complaints Panel is:

- reconciliation
- resolution
- to put right things that may have gone wrong.

Where there are communication difficulties, the Complaints Panel may use recording devices to ensure the complainant is able to access and review the discussions at a later point. All parties should agree in advance to such a recording, if agreement is not reached then no recording should take place.

Schools are data controllers in their own right and the Complaints Panel therefore will not allow complainants to record meetings, unless it is required for the purposes of a reasonable adjustment. This is because there may be identifiable personal information recorded. Any recording taken without consent from all parties will not form part of the complaint and will be disregarded.

The Complaints Panel will consider, with regard to any recording(s):

- how any decision to allow recording(s) may affect any third parties called to act as witnesses
- the impact and consequences on the individuals involved in the complaint in the event recordings are lost or leaked.

The Complaints Panel will decide whether to deal with the complaint at Stage 2 by inviting parties to a meeting or through written representations.

If the complainant is invited to attend a Complaints Panel meeting, they may bring someone along to provide support. This can be a relative or friend. For the avoidance of doubt, the complainant's support person will be there to provide moral support and will not play any part in the proceedings and will not speak on behalf of the complainant.

The Complaints Panel may decide to invite an independent person to chair the meeting, and/or invite an independent expert to advise the panel. The Complaints Panel will appoint a Clerk for the meeting.

The Complaints Panel will not review any new matters/complaint(s) at this stage or consider evidence unrelated to the initial complaint. Any new complaints/matters related to the complaint in question not previously detailed must be dealt with from Stage 1 of the procedure.

A Complaints Panel will meet with the complainant and any other parties. This might be together or separately. Matters will include:

- a summary from the complainant as to the reasons for progressing the complaint to Stage 2
- an opportunity for the Panel to ask the complainant any questions that may help them with their investigation.

The Complaints Panel will consider the complaint and all the evidence presented. The panel will make findings and recommendations and a copy of those findings and recommendations will be provided to the complainant and, where relevant, the person complained about; and be available for inspection on the school premises by the headteacher or a regulatory body such as Ofsted or the Local Authority.

The Complaints Panel can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the Complaints Panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The purpose of Stage 2 is to:

- review how the complaint has been investigated, to review any aspects of the complaint that the complainant feels have not been addressed satisfactorily
- clarify what actions the complainant feels might resolve the problem
- determine whether the complaints process has been conducted in accordance with the policy.

If a complaint is jointly about the Chair and Vice Chair or the majority of the AGB, Stage 2 will be heard by a Trust Board Complaints Panel.

The Chair of the Complaints Panel will provide the complainant and the Academy with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days of the date of the panel meeting.

At this point the Academy will deem the matter closed.

The Academy or Trust will, as a result of a complaint (regardless of whether it is upheld):

- record the progress of the complaint and the final outcome
- record whether the case progressed to a Complaints Panel meeting
- record the action taken by the school or the trust, regardless of the outcome
- determine who is responsible for the records of the complaint and make sure this data is kept secure.

The Academy/Trust will ensure that all correspondence, statements and records relating to individual complaints are 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.

8. APPEAL

If a complainant feels dissatisfied with the outcome of Stage 2 then an appeal may be made to the Chair of Trustees to request a review of the complaint process through stages 1 and 2. This must be done within 10 school days of receiving the letter confirming the outcome of Stage 2. Appendix 3 should be completed by the complainant. The Chair of Trustees will acknowledge receipt of the Appeal Complaint Form via your preferred method of communication within 3 school days of receipt.

It is expected that the Appeals Panel would meet within 15 school days of the complaint being referred to the Chair. The panel will consist of at least 3 members, who have had no prior connection with the complaint and at least one of these will be an independent panel member. The independent panel member will not be a member, trustee or employee of the school. A governor, from a local governing body at a different school within the Trust, who has no conflict of interest or prior knowledge of the complaint, can be an independent panel member. As such this person would have no direct involvement with the management and running of the school being complained about. This meeting can be virtual or in person.

The complainant should not repeat the matters raised in their original complaint or attach documentation already provided, but clearly set out how and why they (the complainant) do not accept the findings made under Stage 1 and 2.

The Appeals Panel will not investigate the complaint but will conduct a process review to ensure that a fair and thorough investigation of the complaint has taken place. The Appeals Panel will not overturn the decision but may ask the complaint committee to reconsider where policy may not have been followed correctly.

After the meeting, the chair of the panel will write to the complainant with the outcome and inform the school and chair of the Stage 2 panel of the outcome and any actions to be taken. This should be sent to the complainant, school, and Chair within 10 school days of the panel meeting. This is the end of the complaints process.

9. NEXT STEPS

If the complainant believes the Academy, AGB or the Trust has acted illegally or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made. They will consider whether Leger Education Trust has adhered to education legislation and any statutory policies connected with the complaint.

Further information can be found on the DfE website

<https://www.gov.uk/government/organisations/department-for-education/about/complaints-procedure>

10. CLOSURE OF COMPLAINTS

Very occasionally the Academy/Trust will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied. In exceptional circumstances, closure may occur before a complaint has reached Stage 2 of the procedures described in this document. This is because a complaints panel takes considerable time and effort to set up and we must be sure that it is likely to assist the process of investigating the complaint. The Chair of the Committee may decide that every reasonable action has already been undertaken to resolve the complaint and that a complaints review panel would not provide further resolution.

There are occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. In these exceptional circumstances the school may take action in accordance with Leger Education Trust's 'Complaints (Vexatious) Policy' for dealing with persistent or vexatious complaints in schools. Please see additional policy.

11. USEFUL CONTACTS

Campsmount Academy

Ryecroft Road
Norton
Doncaster
South Yorkshire
DN6 9AS
Tel: 01302 700002
E-Mail: Heads.PA@campsmount.com
Principal: Mr I Midgley
Website: www.campsmount.com

Spa Academy

Sutton Road
Askern
Nr Doncaster
South Yorkshire
DN6 0AT
Tel: 01302 700332
Headteacher: Mrs E Anderson
Email: admin@askernspa.doncaster.sch.uk
Website: www.spaacademyaskern.com

Moss Road Infant Academy

Moss Road
Askern
Doncaster
South Yorkshire
DN6 ONE
Tel: 01302 700287
Email: admin@mossroad.doncaster.sch.uk
Executive Headteacher: Mrs C A Turner
Website: www.askernmossroad.com

Littlemoor Infant Academy

Alfred Road
Askern
Nr Doncaster
South Yorkshire
DN6 0PZ
Tel: 01302 701353
Headteacher: Mrs C A Turner
Executive Email: admin@askernlittlemoor.doncaster.sch.uk
Website: www.askernlittlemoor.com

Castle Hills Primary School

Jossey Lane
Scawthorpe
Doncaster
DN5 9ED
Tel: 01302 780246
Headteacher: Mr Neil Harris
Email: admin@castlehillprimary.com
Website: www.castlehillprimary.co.uk/

Barnburgh Primary Academy

Church Lane

Barnburgh

Doncaster

DN5 7EZ

Tel: 01709 893125

Headteacher: Mrs J Potts

Email: admin@barnburghacademy.com

Website: www.barnburghacademy.com

Ridgewood School

Barnsley Road

Scawsby

Doncaster

South Yorkshire

DN5 7UB

Tel: 01302 783939

E-Mail: headspa@ridgewoodschool.co.uk

Principal: Mr A Peirson

Website: www.ridgewoodschool.co.uk

Leger Education Trust

Ryecroft Road

Norton

Doncaster

South Yorkshire

DN6 9AS

Tel: 01302 700002

Email: info@legereducationtrust.com

Website: www.legereducationtrust.com

APPENDIX 1 - STAGE 1 COMPLAINT FORM

Please complete and return to the Academy via your preferred method of communication.
All parts of this form must be completed for your complaint to be considered.

Your name: Pupil's name (if relevant): Your relationship to the pupil:	
Address: Postcode: Contact number: Preferred contact method:	Email (please enter here) _____ Letter <i>*circle your preference</i>
Please give details of your complaint, including whether you have spoken to the Academy in relation to this.	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	
Date:	
OFFICE USE	
Date acknowledgement sent:	Sent by:
Complaint referred to [NAME]:	Date:

APPENDIX 2 - STAGE 2 COMPLAINTS FORM

Please complete and return to the Academy via your preferred method of communication.
All parts of this form must be completed for your complaint to be considered.

Your name: Pupil's name (if relevant): Your relationship to the pupil:	
Address: Postcode: Contact number:	
Please give details of which aspects of your original complaint that you feel have not been addressed satisfactorily.	
What actions do you feel might resolve the problem at this stage?	
Signature:	
Date:	
OFFICE USE	
Date acknowledgement sent:	Sent by:
Complaint referred to [NAME]:	Date:

APPENDIX 3 - APPEAL FORM

Please complete and return to Leger Education Trust via your preferred method of communication.
All parts of this form must be completed for your complaint to be considered.

Your name: Pupil's name (if relevant): Your relationship to the pupil:	
Address: Postcode: Contact number:	
Please give details of why you are requesting a review of the complaint process through stages 1 and 2.	
Signature:	
Date:	
OFFICE USE	
Date acknowledgement sent:	Sent by:
Complaint referred to [NAME]:	Date:

APPENDIX 4 – FLOW CHART OF COMPLAINTS PROCESS

