



# Complaints Policy

The Board of Trustees will review this policy on an annual cycle

Person responsible for the Policy:	CEO
Colleagues affected by this Policy:	All Trustees
Approved and adopted by Trustees:	March 2020
Next Review:	March 2021

## **INTRODUCTION**

The policy of The Sea View Trust is to work in partnership with Academies, pupils, students, staff, parents, carers, other stakeholder and the wider community. It is based on the belief that co-operation and a sense of joint purpose will assist in ensuring open and positive relationships. From time to time however, there may be a concern or complaint, either orally or in writing, about some aspect of the Trust, one of its Academies or an individual.

Serious consideration will be given to any such concerns or complaints raised however, anonymous complaints will not normally be considered. In addressing concerns or complaints, the Trust policy is to ensure that they are dealt with in confidence, effectively and with fairness to all parties.

Where possible, complaints will be resolved informally. Where a complaint has not been resolved informally, then the formal procedures will be followed as set out below.

In dealing with your complaint:

- we will deal with it honestly, politely and in confidence
- it will be looked into thoroughly, fairly and as quickly as possible
- we will keep you up-to-date with how we are dealing with your complaint
- we will apologise if we make a mistake; and
- we will tell you what we are doing to put things right

The Trust Board is committed to the improvement of our Trust and Academies. We therefore welcome feedback from all stakeholders and will always try to resolve any concerns as quickly as possible.

### **What is a Concern or Complaint?**

A concern or complaint is defined as an expression of dissatisfaction about the conduct/operation of the Trust or one of its Academies, the conduct of, actions or lack of actions by a group or person (member of staff, the Trustees, the Governing Body, an individual Governor), the unacceptable delay in dealing with a matter or the unreasonable treatment of a pupil or other person.

Concerns or complaints relating to any of the following are not covered by these procedures because separate procedures apply:

- Child Protection
- Collective Worship
- Freedom of Information Access
- National Curriculum
- Pupil Admissions
- Pupil Exclusions
- Admissions
- Sex Education Staff grievance
- Special Educational Needs assessment
- Whistleblowing by an employee

Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also subject to separate procedures.

### **Making a Complaint and Who to Complain to:**

Each Academy within The Sea View Trust has its own bespoke procedure. However generically, below is an indication of the appropriate point of contact:

<b>Complaint</b>	<b>Who to contact</b>
Something that has happened or failed to happen in an Academy	The Headteacher
The actions of a Headteacher	Chair of Governors
The actions of a Governor	Chair of Governors
The actions of a Chair of Governors	Chair of Trustees
The actions of a Governing Body	Chair of Trustees
The actions of the CEO	Chair of Trustees
The actions of the Chair of Trustees	Members Board
The actions of the Trust Board	Members Board

The Trust, Academies and Governing Bodies would, in most cases, hope to resolve concerns and complaints at an informal stage. However, the procedures allow for formal consideration of a complaint and an appeal stage if matters cannot be resolved.

All are committed to dealing with complaints as speedily as possible and would plan to complete each stage within 20 Academy working days. From time to time, it may not be possible to complete the process in that timescale. Where it is not possible the complainant will be informed of any delays.

Where complaints are made against an individual member of the Academy staff, that person will be informed of the complaint at the earliest opportunity.

## **THE COMPLAINTS PROCEDURES**

### **Introduction**

This procedure applies to complaints raised at Trust level ONLY. Please refer to individual Academy websites for detailed guidance about how complaints are managed in specific schools. If you cannot readily locate the procedure for the Academy, please contact the relevant Business Manager. In the absence of a more specific policy, the Academies will follow the procedure outlined below, tailored to local level.

### **Informal Stage**

The Trust will seek to resolve concerns and complaints informally with the member of staff or Governor concerned and encourage the complainant to discuss with them the matters causing them concern. However, if that does not resolve the problem then the matter should be brought to the attention of the Chair of Trustees who will:

- Acknowledge the complaint;
- Make enquiries to establish the facts;
- Seek advice as appropriate;
- Attempt to resolve the matter informally;
- Establish whether or not the complainant is satisfied;
- Advise complainants of the next stages if they wish to proceed to a formal consideration of the complaint;
- Make a brief note of the complaint and the outcome.

This stage would normally be expected to be completed in 20 Academy working days. A complainant wishing to proceed to the formal stage of the procedure should normally notify the Chair of Trustees within 20 Academy working days of being notified of the outcome of the informal stage.

The informal stage will not be used if the allegations made refer to:

- Criminal activity which may require the involvement of the police
- Financial or accounting irregularities
- Abuse of children

### **Formal Stage**

Where an informal complaint has not been resolved to the satisfaction of the complainant, or the complainant wishes to move straight to the formal stage, the Chair of Trustees will:

- Ensure the complainant is aware of the procedures;
- Require a written record of the complaint (if required, someone else may write this on behalf of the complainant);
- Formally acknowledge the complaint and seek advice as appropriate;

- If the complaint concerns a member of staff (or Governor) inform them and provide them with a copy of the complaint;
- Arrange for a full investigation of the complaint;
- Prepare a report as a result of the investigation and consider actions to be taken;
- Advise the complainant of the outcome.
- Where it is considered no further action is needed or the complaint is unsubstantiated, the complainant should be advised, in writing. They should also be informed of their right to appeal to the Complaints Appeals Committee within 20 Academy working days;
- Record the complaint and its outcome, this will be retained for Trust records.

This stage would normally be expected to take no more than 20 Academy working days. The Trust Board will be informed, in general terms, of all formal complaints.

### **Appeals Stage**

The Appeals Committee of the Trust Board will consider complaints where the Chair of Trustees has not been able to resolve the complaint to the satisfaction of the complainant and the complainant wishes to appeal.

The Appeals Committee will consist of a minimum number of 3 Trustees, alongside one Trust Member who is independent of the management and running of the Trust. Any appeal must be made in writing to the Clerk to the Trust Board (the CEO will advise the complainant of the contact details).

The Appeals Committee will be convened by the Clerk to the Trust Board and will:

- Consider the written materials;
- Consider the complaint and the Chair's action;
- Invite the Chair and the complainant to the meeting;
- Seek advice and support as necessary.

If the complaint is from a parent and they wish to attend, they need to notify the Trust in advance to make necessary arrangements. Reasonable notice of the meeting will be provided; this will be a minimum of 5 working days but may exceed this depending upon the availability of the panel members.

At the end of their consideration the Appeals Committee will:

- Determine whether to dismiss or uphold the appeal in whole or part including, if appropriate, referring the matter back to the Chair for further consideration;
- Where upheld, decide on appropriate action;
- Advise the complainant and Chair of Trust of their decision;
- Advise the complainant of further steps should they remain dissatisfied.

The Clerk to the Committee will arrange for the Trust's Complaints Register to be amended to include a brief summary of the complaint and the decision of the

Complaints Appeals Committee and for the matter to be reported to the Board of Trustees. A written response will be provided to the complainant where appropriate.

This appeals stage would normally be expected to take no more than 20 Academy working days. In cases where the matter has been referred back for further consideration, the Complaints Appeals Committee will be reconvened.

### **Complaints about the CEO, a Trustee, the Chair of Trustees or the Trust Board**

Complaints about the CEO or a Trustee should be referred to the Chair of Trustees who will investigate and respond to the complainant. In dealing with this matter the Chair will seek support from an appropriate Governing Services Advisor. Any appeal against the Chair's response would be dealt with by the Complaints Appeals Committee.

Complaints about the Chair of Trustees will be referred to the Clerk to the Trust Board who will arrange for the complaint to be considered by the Complaints Appeals Committee.

### **Next Stages**

If the complainant is dissatisfied with the handling of their complaint and believes that it has been handled inappropriately, the complainant may contact the Department for Education using the 'complaints form':

<https://www.education.gov.uk/form/school-complaints-form>

### **Vexatious Complaints**

The Trust will resist abuse of the complaints procedure and may reserve the right not to investigate complaints considered to be vexatious, malicious or where the Trust is satisfied with the action that has already taken (or is proposed to be taken) to resolve the complaint.

### **Serious Allegations or Complaints**

If the allegations refer to criminal activity which may require the involvement of the Police, the Trust will take appropriate steps to report this. If the allegations relate to the abuse of children, advice will be sought from the Police/ Local Authority Designated Officer (LADO)/ HR Consultant and/or other agencies such as Children's Social Care. Serious allegations of this nature must be referred under Child Protection Procedures to Children's Social Care.

### **Complaints Record**

The Academy will maintain a written record of all formal complaints in the complaints register, including how they were dealt with and the final outcome.

### **Withdrawal of a Complaint**

Written confirmation must be provided if a complaint is withdrawn.

## TRUST COMPLAINT FORM

Please complete and return to the Trust Business Manager (contact details on The Sea View Trust website) who will explain what action will be taken.

Your name:			
Address:			
Postcode:			
Daytime telephone number:			
Evening telephone number:			
E-mail address:			
Pupil/ Student's name (if applicable):			
Relationship to pupil/ student (if applicable):			
Please give details of your complaint:			
What action, if any, have you already taken to try and resolve your complaint? (Please include: to whom did you speak and what was the response)			
What actions do you feel might resolve the problem at this stage?			
Are you attaching any paperwork? If so, please give details.			
Signature:		Date:	
<b>OFFICIAL USE ONLY</b>			
Acknowledgement sent by:		Date:	
Complaint referred to:		Date:	