



Grove *Learning Trust*

Complaints Policy

Ratified by Board of Trustees
July 2024 – effective 1st September 2024

Contents

Principles	3
The Process	4
Roles and Responsibilities	9
Appendix 1	12
Version Control	18
Review	18

COMPLAINTS POLICY

Principles

This is the complaints policy of Grove Learning Trust. This policy applies to all our academies. The purpose of this policy is for people to know how to make a complaint and what process may be followed. When addressing complaints, we will seek to ensure that we properly understand what the complaint is and will seek to achieve a resolution.

When making any decisions under this policy, any decision maker must be aware of the needs and circumstances of the person making the complaint (as well as the complaint itself) and must actively consider the duty not to discriminate on the basis of a protected characteristic. We will act in a way which is consistent with the European Convention on Human Rights (ECHR) and the Human Rights Act 1998 (HRA 1998). Further, the voice of the child will be given appropriate weight in accordance with the United Nations Convention on the Rights of the Child 1989.

While this policy must be followed, it may be varied by Grove Learning Trust to meet the needs of the particular situation. For example, while timescales should be followed, if they cannot be met then reasons will be given why. If any other variation of the policy is necessary, then reasons will be given for any change. Further, while this policy does set out a formal process, responses to the complaint will be kept proportionate. Detailed notes should be kept of meetings and communications with any relevant person.

Who can use this policy?

Any person with parental responsibility may make a complaint about the services provided by Grove Learning Trust. Also, anyone who is affected by any action or decision of Grove Learning Trust may also complain.

When will this policy not apply?

Complaints can only be made under this policy where this is not a separate process for resolving the issue. The following are examples of where this policy would not apply.

- Admissions to schools

Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.

Matters likely to require a Child Protection Investigation

Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.

If there are serious concerns, issues can be raised with the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH)

- Exclusion of children from school.

Where a student has been permanently excluded or suspended then the statutory exclusions guidance will apply. This is available at <https://www.gov.uk/government/publications/school-exclusion>

Complaints about the implementation of the behaviour policy may be made under this policy.

- Whistleblowing

Any concerns about any unlawful activity and/or similar issues can be made by staff (including temporary workers) under the whistleblowing policy.

The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.

- Staff grievances

Complaints from staff will be dealt with under the school's internal grievance procedures.

- Staff conduct

If we consider that any issues in relation to conduct by staff need to be resolved through an internal process, then complainants will not be informed of any disciplinary/other action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

The Process

The DfE guidance explains the difference between a concern and a complaint:

Concern is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought".

Schools in the trust will resolve concerns through day-to-day communication as far as possible.

A complaint is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action".

We intend to resolve complaints informally where possible, and at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

Stage 1 – Informal resolution

It is to be hoped that most concerns can be expressed and resolved on an informal basis. The complainant should raise their concern or complaint as soon as possible with the relevant member of school-based staff to which the concern or complaint involves. If the complainant is unclear about who to contact or how to contact them, they should contact the school office.

At this stage, the person raising a concern or making a complaint will be asked to record their comments on a short form (Appendix 1). This will be used by the school to decide upon the best course of action for resolving the concern/complaint informally.

Staff at the school will take all reasonable steps to respond in a timely and efficient manner so that the concern or complaint is resolved quickly.

The informal stage may involve:

- An informal meeting or phone call between the complainant and the member of staff involved
- Staff providing additional information so that reassurances are given, and the concern / complaint is resolved
- Staff explaining which amendments to provision or practice may be taken

If the concern or complaint is not resolved informally, it can be escalated to a formal complaint. The concern/complaint will be deemed resolved if the complainant either confirms in writing that they are satisfied or, fails to respond in a timely manner to the proposed resolution.

Complainants must not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

On conclusion, the appropriate person will provide a summary written response within 10 school days of the date of receipt (of the concern / complaint).

If the issue remains unresolved, the next step is to escalate to stage 2.

Stage 2 – Formal investigation

Complaints at this stage must be made to the head teacher (unless they are about the head teacher), via the school office. This may be done in person or in writing. A complaints form must be used (appendix 1). A complaint may be accepted when submitted via other means but must be clearly marked as a complaint and clearly set out what the issue is and the desired resolution.

The head teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Note: The head may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

Within this response, the head teacher / investigating officer will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

During the investigation, the head teacher (or investigating officer) will:

- if necessary, meet with those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings in relation to their investigation.

At the conclusion of their investigation, the head teacher will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the head teacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions we will take to resolve the complaint.

The head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the head teacher, a member of the Academy Committee or Board of Trustees (including the Chair or Vice-Chair), a suitably skilled Governor or Trustee (whichever appropriate) will be appointed to complete all the actions at Stage 2.

Complaints about the head teacher or member of the Academy Committee must be made to the Chair of the Academy Committee via the governance professional (details can be obtained via the school office.) Complaints about a member of the Board of Trustees must be made to the Governance & Compliance Lead. Details can be obtained on www.grovelearningtrust.co.uk

If the complaint is:

- jointly about the Academy Committee Chair and Vice Chair or
- the majority of or entire Academy Committee

Stage 2 will be escalated to the CEO via the Governance & Compliance Lead.

If the complaint is:

- about the majority of or entire Board of Trustees

Stage 2 will be escalated to the CEO via the Governance & Compliance Lead.

Stage 3 – Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. This is the final stage of the complaint's procedure.

A request to escalate to Stage 3 must be made to the appropriate person following the steps detailed at stage 2, within 10 school days of receipt of the Stage 2 response.

The governance professional (clerk) or governance & compliance lead will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. Requests received outside of this time frame will not be considered.

The governance professional (clerk) or governance & compliance lead will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 2 request. If this is not possible, an anticipated date will be provided, and the complainant kept informed.

If the complainant rejects the offer of three proposed dates, without good reason, the governance professional (clerk) or governance & compliance lead will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Academy Committee Chair and Vice Chair or
- the entire Academy Committee
- the majority of the Academy Committee

Stage 3 will be heard by a panel from the Board of Trustees and an independent panel member.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 7 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee 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 also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee 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 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 Chair will provide the complainant and relevant academy committee / board with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions that will be taken to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the head.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All 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 2008 Act requests access to them.

Complaints escalated to / about the Trust, CEO or Trustee

If a complaint is escalated or if a complainant wishes to complain directly about the trust, then the complaint should be sent to the CEO to be investigated.

The CEO will write to the complainant acknowledging the complaint within 10 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated at the relevant stage of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 10 school days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within 10 school days of the date that the letter was received, explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation.

NB. Where the Chair of the Board (or delegated person) has investigated the complaint; they will write the letter of outcome to the Complainant and provide a copy to the CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Governance & Compliance Lead asking for the complaint to be heard before a Complaint Panel, within 10 school days.

The Trust Governance Lead will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Governance & Compliance Lead will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 2 request. If this is not possible, they will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Governance & Compliance Lead will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire board or
- the majority of the board

Stage 3 will be heard by a completely independent committee panel.

The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint or have been involved in dealing with the complaint in the previous stages, or have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Director or an employee of the Trust.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 10 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee 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 also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of

all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee 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 committee 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 Chair of the Committee, which is to be elected before the meeting begins will provide the complainant and Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days. The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by the Trust.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the head teacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All 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 2008 Act requests access to them.

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.

Investigating officer

The investigating officer'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 investigating officer should:

- conduct meetings with an open mind and be prepared to persist in the questioning
- keep notes of meetings 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 head or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The head teacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Governance Professional / Governance & Compliance Lead

The Governance Professional / Governance & Compliance Lead is the contact point for the complainant and the committee 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 committee's decision.

Committee (panel) Chair

The committee's 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 committee 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.
- 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 committee is open-minded and acts independently
- no member of the committee 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 Governance Professional / Governance & Compliance Lead

Committee (panel) Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- no governor / trustee may sit on the committee 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
- 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. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

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

Other Circumstances

Where an anonymous complaint is received, we will consider the nature of the complaint and how best to respond to the issues raised in it but will not be able to respond to the complaint.

Where there is litigation and/or a threat of litigation and/or otherwise parallel litigation and/or appeals, then we may determine that the complaint should not be determined until such time as those other issues have been resolved. If this is necessary, then we will inform the complainant of that fact and give them an opportunity to make representations.

Vexatious Complaints and/or inappropriate conduct

We may adapt this policy as it considers appropriate in the event of vexatious complaints and/or inappropriate conduct by any complainant. This could include providing a limited response only as deemed legally necessary and/or potentially restricting the way in which we will accept communication from a complainant.

A vexatious complaint could consist of a complaint which has previously been addressed and/or otherwise concerns a trivial matter. Further, complaints which are manifestly unfounded and/or contain manifestly untrue, derogatory and/or inherently argumentative statements may not be considered. Complaints which are imprecise and/or vague may also not be considered, but we will make a reasonable effort to clarify the nature of any complaint.

We expect complainants to be treated with courtesy and respect and therefore will not respond to communication which is rude and/or otherwise inappropriate.

Where we consider that a complaint is vexatious and/or otherwise this policy applies based on the conduct of a complainant and/or the nature of the complaint, the complainant will be informed of this fact and given the opportunity to make representations on this fact.

The ESFA

If the complainant believes the school / Grove Learning Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made. They will consider whether we have adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

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

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

Appendix 1

Concern / Complaints Form

Appendix 1 - Concern / Complaints Form

Your name:

School:

Pupil's name (if relevant):

Your relationship to the pupil (if relevant):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Email address:

Please give details of your concern / complaint, including whether you have spoken to anybody either at the school or central team about it.

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:

By who:

Complaint referred to:

Action taken:

Date:

Version Control

Version	Date	Status	Author (AU) / Approver (AP)
Draft 01	22.06.2023	Completion of first draft	AG & SR (AU)
Final – A	July 2023	Signed off by Board	Board of Directors (AP)
Draft 02	July 2024	Amendments to job titles Renamed stage 2 – formal investigation	SR (AU)

Review

Next Review	Summer 2025
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