



COMPLAINTS POLICY & PROCEDURE

2024 - 2025

This policy is a mandatory policy for all schools within Enhance Academy Trust

Approved by:	Board of Trustees	Date: May 2021
Last reviewed on:	May 2024	
Next review due by:	July 2025	



WHO CAN MAKE A COMPLAINT?

This complaints procedure is not limited to parents or carers of students that are registered at the College. Any person, including members of the public, may make a complaint to the College about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

THE DIFFERENCE BETWEEN A CONCERN AND A COMPLAINT

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns, and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. We take concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Principal will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, we will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, we will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

HOW TO RAISE A CONCERN OR MAKE A COMPLAINT

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Complaints against College staff (except the Principal) should be made in the first instance to the Principal via the College office either by telephone, email or letter. Please mark any emails or letters as Private and Confidential. The Principal will assume the role of Complaints Coordinator.

Complaints that involve or are about the Principal should be addressed to the Chair of Governors in the first instance, via the College office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole Local Academy Board should be addressed to the Trust Governance and Compliance Lead via the College office. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust should be addressed to Canon Peter Townley, Chair of Trustees, via the Trust Governance and Compliance Lead at the trust office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the College office. You can also ask a third-party organisation for example like the Citizens Advice to help you. <https://www.citizensadvice.org.uk/>

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.

ANONYMOUS COMPLAINTS

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

TIMESCALES

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will only consider complaints made outside of this time frame if exceptional circumstances apply.

COMPLAINTS RECEIVED OUTSIDE OF TERM TIME

We will consider complaints made outside of term time to have been received on the first day after the holiday period.

SCOPE OF THIS COMPLAINTS PROCEDURE

This procedure covers all complaints about any provision of community facilities or services by the College, other than complaints that are dealt with under other statutory procedures, including those listed below.

EXCEPTIONS	WHO TO CONTACT
ADMISSIONS TO COLLEGES	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 you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). <ul style="list-style-type: none"> • Wakefield LADO • Wakefield MASH • Kirklees LADO • Kirklees MASH
WHISTLEBLOWING	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus . Volunteer staff who have concerns about the College should complain through the College’s complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
STAFF GRIEVANCES	Complaints from staff will be dealt with under the College’s internal grievance procedures.
STAFF CONDUCT	Complaints about staff will be dealt with under the College’s internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure



being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against the College in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

RESOLVING COMPLAINTS

At each stage in the procedure, we want to resolve the complaint. If 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 College policies in light of the complaint
- an apology.

WITHDRAWAL OF A COMPLAINT

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

STAGE 1: INFORMAL COMPLAINTS

We recognise that parents and carers will, from time to time, have reasonable and legitimate concerns about the progress, achievement, behaviour or welfare of their child, or about other matters connected with the College. We encourage parents and carers to make those concerns known to the relevant member of staff so that they can be addressed in partnership with the College. Almost invariably, the sooner such concerns are raised, the easier it is for an appropriate resolution to be found.

It is to be hoped that most concerns can be expressed and resolved quickly on an informal basis through discussion with the class teacher. If the issue is not resolved through this initial contact, or if the complaint concerns the class teacher, then it may be raised with the Principal. The Principal may delegate review of this complaint to another appropriate leader in College.

Complainants should 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.

The College will aim to resolve a concern or difficulty within **10** College days of the date that it was raised. Where a concern or difficulty has not been resolved by informal means within this stated time the complainant has the right to submit the matters raised as a formal complaint under Stage 2 of this Complaints Policy.

STAGE 2: FORMAL COMPLAINTS

A concern or difficulty raised under Stage 1 of this Complaints Policy which remains unresolved after **10** College days, or a serious matter which requires formal investigation from the outset, should be set out in writing and sent to the relevant person. For ease of use, a template complaint form is included at the end of this procedure.

Formal complaints must be made to the Principal (unless they are about the Principal), via the College office. This must be done by completing the attached complaint form unless the complainant has a sufficient reason to request a reasonable adjustment be made to amend this. Complaints about the Principal or member of the Local Academy Board must be made to the Chair of Governors, via the College office.



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

Within this acknowledgement, the Principal will ensure clarity with regard to the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see, if this is not clear on the complaint form. The Principal can consider whether a face-to-face meeting would be the most appropriate way of doing this. Note: The Principal may delegate the investigation to another member of the College's senior leadership team but not the decision to be taken.

During the investigation, the Principal (or investigator) will:

- if necessary, interview 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/interviews in relation to their investigation.

At the conclusion of their investigation, the Principal will provide a formal written response within **15** College days. Where the nature of the investigation is such that the complaint cannot be resolved within these timescales, a response will be sent giving an anticipated date on which a response will be made and keep the complainant informed.

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 Principal 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 Principal, or a member of the Local Academy Board (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

If the complaint is jointly about the Chair and Vice Chair; the entire Local Academy Board; or the majority of the Local Academy Board, Stage 2 will be escalated to the CEO of the trust.

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 College. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Trust Governance and Compliance Lead, via the College office, within **5** College days of receipt of the Stage 2 response.

The Trust Governance and 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** College days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Trust Governance and Compliance Lead will write to the complainant to inform them of the date of the hearing. They will aim to convene a hearing within **20** College days of receipt of the Stage 3 request. If this is not possible, the Trust Governance and Compliance Lead will provide an anticipated date and keep the complainant informed.



If the complainant rejects the offer of three proposed dates, without good reason, the Trust Governance and Compliance Lead will decide when to hold the hearing. 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 of the Local Academy Board; the entire Local Academy Board; or the majority of the Local Academy Board, Stage 3 will be heard by the trustees and an independent panel member.

A complainant may bring someone along to the hearing to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel hearing. However, there may be occasions when legal representation is appropriate. For instance, if a College employee is called as a witness to the hearing, they may wish to be supported by union and/or legal representation.

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 **10** College days before the hearing, the Trust Governance and Compliance Lead will:

- confirm and notify the complainant of the date, time and venue of the hearing, 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 for the hearing panel at least **7** College days before the hearing.

Any written material will be circulated to all parties at least **5** College days before the date of the hearing. 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 panel 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 this procedure.

The hearing will be held in private. Electronic recordings of the hearing 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 the hearing or conversations take place. Consent will be recorded in any minutes taken.

The panel will consider the complaint and all the evidence presented. The 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 panel will:

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

The Chair of the panel will provide the complainant and the College with a full explanation of their decision and the reason(s) for it, in writing, within **10** College 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 College.

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 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 College premises by the proprietor and the Principal.

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 with regard to General Data Protection Regulations, 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 to Enhance Academy Trust “the trust” for the reasons identified above, 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 **5** College days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 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 **15** College days of the date that the letter was received. Where the nature of the investigation is such that the complaint cannot be resolved within these timescales, a response will be sent by the CEO giving an anticipated date on which a response will be made and keep the complainant informed.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation. Where the Chair of the Trust Board 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 Stage 2, the complainant should write to the Trust Governance and Compliance Lead asking for the complaint to be heard before a complaints panel, within **5** College days of receipt of the outcome letter.

The Trust Governance and 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** College days.

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

The Trust Governance and Compliance Lead will write to the complainant to inform them of the date of the hearing. They will aim to convene the hearing within **20** College days of receipt of the Stage 3 request. If this is not possible, the Trust Governance and Compliance Lead will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Trust Governance and Compliance Lead will decide when to hold the hearing. 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 of the Trust; the entire Trust Board; or the majority of the Trust Board, Stage 3 will be heard by a completely independent Complaint Panel.

The 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 panel members will be independent of the management and running of the Enhance Academy Trust. This means that the independent panel member will not be a trustee or an employee of the trust.

A complainant may bring someone along to the panel hearing to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel hearing.

However, there may be occasions when legal representation is appropriate. For instance, if a trust employee is called as a witness to the hearing, they may wish to be supported by union and/or legal representation.

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** College days before the hearing, the Trust Governance and Compliance Lead will:

- confirm and notify the complainant of the date, time and venue of the hearing, 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 for the hearing panel at least **7** College days before the hearing.

Any written material will be circulated to all parties at least **5** College days before the date of the hearing. 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 panel 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 hearing will be held in private. Electronic recordings of the hearing 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 the hearing or conversations take place. Consent will be recorded in any minutes taken.

The panel will consider the complaint and all the evidence presented. The 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 panel will:

- decide on the appropriate action to be taken to resolve the complaint



- where appropriate, recommend changes to the College's systems or procedures to prevent similar issues in the future.

The Chair of the panel will provide the complainant and Enhance Academy Trust with a full explanation of their decision and the reason(s) for it, in writing, within **10** College 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 Enhance Academy 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 Enhance Academy 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 College premises by the proprietor and the Principal.

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.

NEXT STEPS

If the complainant believes the College / 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 by Enhance Academy Trust. They will consider whether the College has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent College 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***



STAGE 2 FORMAL COMPLAINT FORM

Please complete and return to the Principal who will acknowledge receipt and explain what action will be taken. If the complaint is about the Principal, the form should be sent to the Chair of Governors via the College office.

Your name:
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 complaint, including whether you have spoken to anybody at the College 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:
Official use
Date acknowledgement sent:
By whom:
Complaint referred to:
Action taken:
Date: