



Complaints Procedure

Date Agreed	July 2023
To be review	July 2026 (or sooner if required)

Date ratified by Directors – 20 July 2023

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the academy. Any person, including members of the public, may make a complaint to an individual school, within the Trust, about any provision of facilities or services that Vision Learning Trust 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. Vision Learning Trust 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, 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, Vision Learning Trust 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 on a complainant, as long as they have appropriate consent to do so.

Complaints against school staff (except the Headteacher/CEO) should be made in the first instance, to the class teacher or relevant member of the staff responsible for the area or action you are concerned about via the individual school office. Please mark them as Private and Confidential. Complaints that involve or are about the Headteacher should be addressed to the CEO at Vision Learning Trust Head Office (or via e mail – info@visionlearningtrust.co.uk) Please mark them as Private and Confidential.

Complaints about the actions of the Local Governing Body or the CEO should be addressed to the Chair of the Directors of Vision Learning Trust at Head Office (or via email - info@visionlearningtrust.co.uk). Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure.

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 Headteacher (or should the anonymous complaint involve the Headteacher, another relevant person) will determine whether the complaint warrants an investigation.

Time scales

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 consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints that are received outside of term time will be considered to have been received on the first school day after the holiday period.

Scope of this complaints procedure

This procedure covers all complaints about any provision or services by Vision Learning Trust, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions and who to contact

Admissions to schools (not including deferred entry) should be handled through a separate process as outlined in the admissions policy.

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 Designated Officer (DO) who has local responsibility for safeguarding and/or the Integrated Contact and Referral Team, Together for Children, Sunderland.

Exclusion of children from school Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions

Behaviour Policy - Complaints about the application of the Behaviour Policy can be made through the school's complaints procedure. The Behaviour Policy can be found on the school's website.

Whistleblowing - We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Whistle Blowing Policy can be found on the school's Website.

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

Staff conduct - Complaints about staff will be dealt with under the school'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 an individual school 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, Vision Learning Trust 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 school 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.

Procedures

Stage 1 – Informal complaints

It is to be hoped that most concerns can be expressed and resolved on an informal basis. Concerns should be raised with either the class teacher, or other relevant member of staff responsible for the area, or action you are concerned about, or the Headteacher. Complainants should not approach individual local governors/directors 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. At the conclusion of their investigation, the appropriate person investigating the complaint will provide a response.

If the issue remains unresolved, the next step is to make a formal complaint.

Stage 2 – Formal complaints

Formal complaints must be made to the Headteacher or nominated person (unless they are about the Headteacher / CEO), via Vision Learning Trust Head Office (or email info@visionlearningtrust.co.uk)

This may be done by email or in writing within 15 school days of the outcome of Stage 1. The Headteacher or nominated person will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email). Within this response, the Headteacher or nominated person will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher or nominated person can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Headteacher may delegate the investigation to another member of the school's/Trusts senior leadership team, but not the decision to be taken. During the investigation, the Headteacher or nominated person 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 Headteacher or nominated person will provide a formal written response within 15 school days of the date of receipt of the complaint. If the Headteacher or nominated person 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 the school/trust will take to resolve the complaint.

The Headteacher or nominated person 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 Headteacher, or a member of the Local Governing Body/Trust Board (including the Chair or Vice-Chair), the CEO or their nominated person will be appointed to complete all the actions at Stage 2.

If the complaint is about the CEO, the Chair of the Trust Board or their nominated person will be appointed to complete all the actions at Stage 2.

Complaints about the Headteacher/CEO or member of the Local Governing Body/Trust must be made to Vision Learning Trust Head Office (email - info@visionlearningtrust.co.uk).

If the complaint is:

- jointly about the Local/Trust Chair and Vice Chair or
- the entire Local/Trust Board or
- the majority of the Local/Trust Board

Stage 2 will be escalated to the CEO or nominated person 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 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 complaints procedure.

A request to escalate to Stage 3 must be made to the Head Office (info@visionlearningtrust.co.uk) within 15 school days of receipt of the Stage 2 response.

The Chief Operating Officer will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email). Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk 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 Local/Trust Chair and Vice Chair or
- the entire Local/Trust Governing Board or
- the majority of the Local/Trust Governing Board

Stage 3 will be heard by a panel appointed by or on behalf of the Trust and an independent panel member, consisting of at least three people, who were not directly involved in the matters detailed in the complaint.

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 complaints panel 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 Employee 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 appointed complaints panel at least 7 school days before the meeting.

Any written material will be circulated to the appointed complaints panel at least 7 school days before the date of the meeting. The appointed complaints 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 appointed complaints 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 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 appointed complaints panel will consider the complaint and all the evidence presented. The appointed 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 appointed 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 Clerk on behalf of the Chair of the appointed complaints panel will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within 20 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 school. 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 school 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. Furthermore, they will be available for inspection on the school premises by the proprietor and the Headteacher.

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.

If the complainant remains unsatisfied, after exhausting the Trust's Complaints Procedure, they 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

Policy on Persistent Complaints

Vison Learning Trust are fully committed to the improvement of the academies. We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible.

Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable. Whilst it is recognised that some complaints may relate to serious and distressing incidents, the school will not accept threatening or harassing behaviour towards any members of the school community.

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include actions that are: -

- out of proportion to the nature of the complaint
- persistent – even when the complaints procedure has been exhausted, or
- personally harassing
- unjustifiably repetitious
- an insistence on pursuing unjustified complaints and/or unrealistic outcomes to justified complaints
- an insistence on pursuing justifiable complaints in an unreasonable manner (e.g. using abusive or threatening language
- making complaints in public
- refusing to attend appointments to discuss the complaint.

If the complainant behaves in an unreasonable manner as outlined above the Trust will write to the complainant explaining that the complaint has been through all the stages of the procedure, is now exhausted and the case is now closed.

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 / Trust 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.

Investigator

The investigator'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 investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews 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 Headteacher/nominated person or appointed complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or appointed complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Clerk Local/Trust Governing Board

The Clerk is the contact point for the complainant and the appointed complaints panel 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.

Appointed Complaints Panel - Chair

The 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 complaints panel 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.

- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- 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 complaints panel is open-minded and acts independently
- no member of the complaints panel 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 Clerk

Appointed Complaint Panel - Member

Members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so no local governor/trustee may sit on the complaints panel 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

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations. Many complainants will feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child.

APPENDIX 1

Complaint Form

Please complete and return to the Academies Head Office (email -info@visionlearningtrust.co.uk) who will acknowledge receipt and explain what action will be taken.

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 school 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 who:

Complaint referred to:

Action taken:

Date: